

**Carlos Hernández**  
Mayor

**Vivian Casáls-Muñoz**  
Council President

**Isis Garcia-Martínez**  
Council Vice President



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

## City Council Meeting Agenda October 8, 2019 7:00 P.M.

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Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilwoman Lozano

### **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

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- Recognition of the following individuals for volunteering to pack and organize donations for victims of Hurricane Dorian in the Bahamas:

1. Yanelis Gonzalez
2. Dianelys Gonzalez
3. Elizabeth Zamora
4. Jennifer Gonzalez
5. Guillermo Figueredo
6. Claudia Quintana

## 2. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

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- Item 4A is postponed until October 22, 2019.

## 3. CONSENT AGENDA

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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 September 24, 2019. (OFFICE OF THE CITY CLERK)
- B. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA18-VEL 26.0, to purchase the following vehicles from Alan Jay Ford Lincoln Mercury, Inc., in a total cumulative amount not to exceed \$76,508:
  - Two (2) 2020 Chevy Tahoe (1500) - CC15706, Specification No. 31, in a total amount of \$38,254.00 per vehicle.

Further request permission to utilize Sourcewell National Auto Fleet Group-Vehicles Contract No. 2019-120716-NAF, effective through January 17, 2021, to purchase the following vehicle from Alan Jay Ford Lincoln Mercury, Inc., in a total cumulative amount not to exceed \$48,610:

- One (1) 2020 Ford Expedition XLT

For a new total expense amount not to exceed \$125,118.00.

- C. Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor has agreed to keep the same cost of service for fiscal year 2020, and issue a

purchase order to General Mow, LLC, for the maintenance of Sector 1, in a total cumulative amount not to exceed \$54,240. (STREETS)

- D. Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor has agreed to keep the same cost of service for fiscal year 2020, and issue a purchase order to General Mow, LLC, for the maintenance of Sector 2, in a total cumulative amount not to exceed \$79,000. (STREETS)
- E. Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor has agreed to keep the same cost of service for fiscal year 2020, and issue a purchase order to VisualScape, Inc., for maintenance of Sector 3, in a total cumulative amount not to exceed \$83,998. (STREETS)
- F. Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor has agreed to keep the same cost of service for fiscal year 2020, and issue a purchase order to VisualScape, Inc., for the maintenance of Sector 4, in a total cumulative amount not to exceed \$114,900. (STREETS)
- G. Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor has agreed to keep the same cost of service for fiscal year 2019, and issue a purchase order to Mystic Gardens Lawn Contractors Inc., for the maintenance of Sector 5, in a total cumulative amount not to exceed \$66,590. (STREETS)
- H. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to H & R Paving, Inc., for the purchase of asphalt material at \$72.00 per ton and paver rental at \$950.00 per day for the repairing of various roads, in a total cumulative amount not to exceed \$1,000,000. (STREETS)
- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Waste Connections of Florida, Inc., vendor providing the lowest quotation, to dispose special waste from the cleaning of storm drains, in a total cumulative amount not to exceed \$60,000. (STREETS)
- J. Proposed resolution authorizing the Mayor or his designee to accept the 2019-2020 Victims of Crime Act (VOCA) Pass-Through Grant Award and the agreement with the State of Florida, Department of Legal Affairs, Office of the Attorney General, under the administration of the U.S. Department of Justice, Office for Victims of Crime, and the City of Hialeah, as provider Agency; to assist the City in the partial funding of the Hialeah Police Department Victim Advocate Assistant Positions to provide services to victims of violent crime; accepting the award of a grant in the amount of \$140,730.00, ratifying the grant application, agreement, and award; and authorizing the Mayor or his designee to execute all necessary document(s) in furtherance thereof, which is attached hereto and made a part hereof as Exhibit "1", and providing for an effective date. (POLICE DEPT.)
- K. Report of Scrivener's Error – Item GG of the City Council meeting of September 10, 2019, the original amount quoted was \$7,670 per year for three years, equaling to a total of \$23,010.00. The quote was reduced by the vendor to \$7,450 per year, for three years equaling to a new total cumulative amount \$22,350.00. (INFORMATION TECHNOLOGY DEPT.)
- L. Proposed resolution approving a Master Services Agreement between Tempus

Technologies, Inc. and the City of Hialeah, to provide the City with payment transaction gateway services and related technical and customer support, including a non-exclusive license to access and use PaymentMate®, a secure payment solutions software; and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the Master Services Agreement between Tempus Technologies, Inc. and the City of Hialeah, for a term of three years commencing on the date of the first invoice, with an option to renew for two consecutive one-year terms, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date. (INFORMATION TECHNOLOGY DEPT.)

- M.** Proposed resolution authorizing the Mayor or his designee to accept State Housing Initiative Partnership Program Funds appropriated by the Florida Legislature and administered by the Florida Housing Finance Agency, in the amount of \$201,588.00, to be used in the rehabilitation of residential properties owned by qualifying low income families throughout the City of Hialeah, to provide rental preservation for city owned affordable housing buildings, and to provide Rental Assistance Rapid Re-Housing Program, for a term commencing on July 1, 2019 and ending on June 30, 2022; authorizing the Mayor or his designee to execute any and all agreements, and documents in furtherance thereof; and providing for an effective date. (DEPT. OF GRANTS AND HUMAN SERVICES)
- N.** Request permission to issue a purchase order Awards LLC, doing business as Trophy World, and a purchase order to Millennium Awards, Inc., since it is advantageous to the City, for the purchase of trophies, medals, and awards for the City’s various sports leagues and special events during fiscal year 2019-2020, in a total cumulative amount not to exceed \$20,000. On October 25, 2016 the City Council awarded Hialeah Bid No. 2015/16-3130-00-024 - *Trophies* to these vendors for a period of twelve (12) months with option to extend the period of the contract for an additional contract period with the extension of the contract only occurring for three (3) consecutive years. (DEPT. OF PARKS AND RECREATION)
- O.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has extensive knowledge and history with the subject programs, and issue a purchase order to Lagvnes Software Solutions LLC, for the continued support, maintenance, development, and modification of the core City programs, in a total cumulative amount not to exceed \$25,000. (INFORMATION TECHNOLOGY DEPT.)
- P.** Request permission to issue a purchase order to Infor Public Sector, Inc., sole source vendor, for the maintenance and support of the Police and Fire Computer Aided Dispatch and Records Management Systems for fiscal year 2019-2020, in a total cumulative amount not to exceed \$306,262.02. (INFORMATION TECHNOLOGY DEPT.)
- Q.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to G. & R. Electric Corp., for the procurement, installation, repair and maintenance of City-wide CCTV, burglar alarms, and electronic access control, in a total cumulative amount not to exceed \$100,000 to be allocated through various City departments. (INFORMATION TECHNOLOGY DEPT.)
- R.** Request permission to waive competitive bidding, since it is advantageous to the City since this is the City’s current vendor and maintenance provider, and issue a purchase order to Replay Systems, Inc., to purchase an upgrade to the Radio and 911 Communications recording platform to NICE Inform, Core Call-Taking solution, in a total cumulative

amount not to exceed \$74,322. (INFORMATION TECHNOLOGY DEPT.)

- S. Request permission to increase Purchase Order No. 2019-740, issued to Restaurant Depot, Inc., to cover the cost of food supplies on an as needed basis for events held at Milander Center, by an additional amount of \$2,000, for a new total cumulative amount not to exceed \$18,224.86. (COMMUNICATIONS & SPECIAL EVENTS DEPT.)
- T. Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Department of Public Works has used the services of this vendor for several years and the vendor is familiar with the department's control system, and issue a purchase order to Curry Controls Company, for repairs and/or replacement of Pump Station control panels, programming, panel installations, emergency call-out support and Scada support, in a total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
- U. Request permission to award Hialeah Bid No. 2018-19-9500-00-012- *Pump Station 12 Upgrades*, to Stonehedge, LLC., lowest responsible and responsive bidder, in a total cumulative amount not to exceed \$617,571. (DEPT. OF PUBLIC WORKS)
- V. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is the sole source supplier of FLYGT pumps in the State of Florida, and issue a purchase order to Xylem Water Solution Florida LLC, for the repair, parts and/or replacement of FLYGT submersible pumps and attributes for the purpose of maintaining and operating the department's sewer pump stations, in a total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
- W. Request permission to award Hialeah Bid No. 2018-19-9500-00-008- *Pump Station 12 Force Main Upgrades*, to RG Underground Engineering, Inc., lowest responsive and responsible bidder, in a total cumulative amount not to exceed \$441,462.50 (DEPT. OF PUBLIC WORKS)
- X. Request permission to award Hialeah Bid No. 2018-19-9500-00-013- *Pump Station 153 Force*, to G P E Engineering & General Contractor Corp., lowest responsive and responsible bidder, in a total cumulative amount not to exceed \$817,523.60 (DEPT. OF PUBLIC WORKS)
- Y. Request permission to issue a purchase order to Milian, Swain & Associates, Inc., the consulting engineers and utility financial advisors of the City's Department of Public Works approved by the City Council, to provide technical engineering support services, in a total cumulative amount not to exceed \$336,000. (DEPT. OF PUBLIC WORKS)
- Z. Request permission to issue a purchase order to Hazen and Sawyer, P.C., vendor recommended by the City's Selection Committee, for engineering services, for field inspections services of the sanitary sewage pump station rehabilitation program for the I/I Lining Program, in a total cumulative amount not to exceed \$338,600. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 – General Consultants for Engineering and Architectural Services, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (DEPT. OF PUBLIC WORKS)
- AA. Request permission to issue a purchase order to Milian, Swain & Associates, Inc., the

consulting engineers and utility financial advisors of the City's Department of Public Works approved by the City Council, to undertake and complete a rate/connection fee study for Water and Sewers to ensure the requirements of Reverse Osmosis Water Treatment Plant continue to be met, in a total cumulative amount not to exceed \$130,000. (DEPT. OF PUBLIC WORKS)

- BB.** Request permission to issue a purchase order to Hazen and Sawyer, P.C., vendor recommended by the City's Selection Committee, for engineering services, for the management of the sanitary sewage pump station rehabilitation program for upgrades of Pump Station 153, in a total cumulative amount not to exceed \$64,893. (DEPT. OF PUBLIC WORKS)
- CC.** Request permission to utilize City of Largo Bid No., 19-B-645 – *Trenchless Sanitary and Storm Sewer Rehabilitation*, and issue a purchase order to LMK Pipe Renewal, LLC, for sewer lateral lining, in a total cumulative amount not to exceed \$500,000. (DEPT. OF PUBLIC WORKS)
- DD.** Request permission to issue a purchase order to Hazen and Sawyer, P.C., vendor recommended by the City's Selection Committee, for engineering services for the Pump Station Improvement Program during fiscal year 2019-2020, in a total cumulative amount not to exceed \$104,353. (DEPT. OF PUBLIC WORKS)
- EE.** Request permission to issue a purchase order to Hazen and Sawyer, P.C., vendor recommended by the City's Selection Committee, for the sanitary sewage pump station rehabilitation program, regarding engineering services to the EPA mandated Risk Assessment Plan, in a total cumulative amount not to exceed \$171,551. (DEPT. OF PUBLIC WORKS)
- FF.** Request permission to issue a purchase order to Milian, Swain & Associates, Inc., the consulting engineers and utility financial advisors of the City's Department of Public Works approved by the City Council, to provide technical engineering support services, for a period of twelve (12) months, in a total cumulative amount not to exceed \$620,840.39. (DEPT. OF PUBLIC WORKS)
- GG.** Request permission to utilize Lee County Board of County Commissioners Contract No. RFP 12-01- *Wastewater Collection System Rehabilitation*, and issue a purchase order to Miller Pipeline, LLC, for wastewater collection system - wellfield TV and lining, in a total cumulative amount not to exceed \$1,995,429. Further, request a contingency in the amount of \$200,000 for any unforeseen circumstance that may arise, for a total cumulative expense amount not to exceed \$2,195,429. (DEPT. OF PUBLIC WORKS)
- HH.** Request permission to issue a purchase order to Hazen and Sawyer, P.C., for engineering services related to the upgrades of Pump Station 12, in a total cumulative amount not to exceed \$79,828. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 – General Consultants for Engineering and Architectural Services, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (DEPT. OF PUBLIC WORKS)
- II.** Request permission to utilize the pricing of State of Florida Contract No. 31160000-ACS – *Maintenance, Repair and Operations*, effective through September 30, 2019, and issue a purchase order to W.W. Grainger Inc., to purchase industrial supplies and materials, in a

total cumulative amount not to exceed \$40,000. (DEPT. OF PUBLIC WORKS)

- JJ.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the materials and requirements of the City's Department of Public Works, and issue a purchase order to Fortiline, Inc., for the purchase of pipes, materials and hydrants, in a total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
- KK.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the materials and the requirement of the City's Department of Public Works, and issue a purchase order to Ferguson Enterprises, Inc., for the purchase of parts and materials (pipe, materials and hydrants), in a total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
- LL.** Request permission to issue a purchase order to Core & Main LP, formerly HD Supply Waterworks, sole source vendor, for the purchase of Sensus water meters, in a total cumulative amount not to exceed \$80,000. (DEPT. OF PUBLIC WORKS)
- MM.** Request permission to issue a purchase order to Core & Main LP, formerly HD Supply Waterworks, sole source vendor, for the purchase of parts and materials (pipe, materials and hydrants), in a total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)
- NN.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the department's requirements, and issue a purchase order to Olmedo Printing Corporation, for printing services to include the printing of utility bills, envelopes and the annual Water Quality Report, in a total cumulative amount not to exceed \$80,000. (DEPT. OF PUBLIC WORKS)
- OO.** Request permission to issue a purchase order to Progressive Waste Solutions, doing business as Waste Connections of Florida, Inc., for disposal of solid waste collection throughout the City, with a rate of disposal for fiscal year 2019-2020 of \$58.75/ton, in a total cumulative amount not to exceed \$4,582,842.40. This vendor is currently under contract with the City for solid waste disposal services. (DEPT. OF PUBLIC WORKS)
- PP.** Request permission to issue a purchase order to Progressive Waste Solutions, doing business as Waste Connections of Florida, Inc., for the collection of household garbage, yard, and bulk waste, with the rate of disposal for fiscal year 2019-2020 of \$16.36/dwelling unit, in a total cumulative amount not to exceed \$7,401,264.00. (DEPT. OF PUBLIC WORKS)
- QQ.** Request permission to issue a purchase order to Progressive Waste Solutions, doing business as Waste Connections of Florida, Inc., for the recyclables waste processing services, for a period twelve (12) months, with a rate of disposal for fiscal year 2019-2020 of \$85.00/tons, in a total cumulative amount not to exceed \$645,500 (DEPT. OF PUBLIC WORKS)
- RR.** Request permission to issue a purchase order to World Waste Recycling, Inc., for the collection of recyclables, with a rate of disposal for fiscal year 2019-2020 of \$2.31/dwelling unit, in a total cumulative amount not to exceed \$1,045,044. (DEPT. OF PUBLIC WORKS)

- SS.** Request permission to issue a purchase order to Parsons Water & Infrastructure Inc., for engineering and construction management activities including the drafting of the Request for Qualifications and Request for Proposals for the selection of a Design Build Operate for the design and construction of a 10.0 MGD Reverse Osmosis Water Treatment Plant (Task C), in the amount of \$158,750, to cover the remainder balance of the scope of services for Task C, and further request permission to ratify previous payments made to this vendor by the Department of Public Works in the amount of \$274,716.67, for a total cumulative expense amount not to exceed \$433,466.67. (DEPT. OF PUBLIC WORKS)
- TT.** Proposed resolution approving the letter of agreement and contract to begin upon execution by the last party to sign attached as Exhibit "1" between the University of North Florida and the City of Hialeah as funded by the Florida Department of Transportation through a grant concerning pedestrian and bicycle safety enforcement; payable to the City in an amount not to exceed \$40,000 and ending on May 15, 2020, and authorizing the Mayor or his designee to execute Exhibit "1" and all necessary document(s) in furtherance thereof, and the City Clerk, as attesting witness, on behalf of the City; and providing for an effective date. (POLICE DEPT.)
- UU.** Request permission to issue a permit to Immaculate Conception Catholic Church, located at 4497 West 1 Avenue, Hialeah, Florida, to host a carnival on church grounds from Thursday, November 14, 2019 through Sunday, November 17, 2019, subject to recommendations from the Police Department and Fire Department. (OFFICE OF THE CITY CLERK)
- VV.** Request permission to utilize Miami-Dade County Bid No. RFQ655-2(2) – *Fire Rescue Apparatus Pool*, effective through June 30, 2019, and issue a purchase order to REV RTC, Inc., for the purchase of two (2) 2018, Ford-F350 pickup trucks, in a total cumulative amount not to exceed \$60,000. (FIRE DEPT.)
- WW.** Proposed resolution authorizing the donation of seven (7) surplus police vehicles from the City's vehicle fleet; providing for implementation; providing for an effective date. (POLICE DEPT.)

#### 4. ADMINISTRATIVE ITEMS

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- 4A.** Second reading and public hearing 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) **POSTPONED UNTIL OCTOBER 22, 2019**

*Item was tabled until October 8, 2019 by the City Council on September 28, 2019.*



*Item was approved on first reading by the City Council on September 10, 2019.*

- 4B.** Second reading and public hearing 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 Collective 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)

*Item was tabled until October 8, 2019 by the City Council on September 24, 2019.*

*Item was approved on first reading by the City Council on September 10, 2019.*

- 4C.** Second reading and public hearing of proposed ordinance approving a Final Plat of Axis Park; 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 725 SE 9 Court, Hialeah, Florida.**

*Item was approved on first reading by the City Council on September 24, 2019.*

*Item was approved by the Planning and Zoning Board on August 28, 2019.*

- 4D.** First reading of proposed ordinance accepting the Right of Way Deed attached as Exhibit “1” from RELP Beacon Logistics, LLC, a Delaware Limited Liability Company, conveying rights-of-way consisting of 35 feet in width along NW 102 Avenue to the north line of the southwest 1/4 of Section 20, Township 52 South, Range 40 East with an area of approximately 19,869 square feet; and upon the west line adjacent to NW 102 Avenue of the southwest 1/4 of Section 20, Township 52 South, Range 40 East with an area of approximately 60 square feet for public highway purposes and all purposes incidental thereto; 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. (ZONING)
- 4E.** First reading of proposed ordinance repealing and rescinding the Declaration of Restrictive Covenants recorded on August 31, 2011 in the public records of Miami Dade County, Florida in OR Book 27811, Pages 0023-26, providing access for emergency vehicles for a day care facility that was demolished and has been replaced by a Navarro Discount Pharmacy constructed on the site. **Property located at 2401 East 8 Avenue, 801 East 24 Street and 802 East 25 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. (ZONING)

**5. BOARD APPOINTMENTS**

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- 5A. Re-appointment by Councilwoman Cue-Fuente of **Efrain Santiago** to the Veterans Affairs Board for a two year term commencing on November 17, 2019 and ending on November 16, 2021. (COUNCILWOMAN CUE FUENTE)

**6. UNFINISHED BUSINESS**

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**7. NEW BUSINESS**

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**8. COMMENTS AND QUESTIONS**

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**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**

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*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 rezoning property from R-1 (One-Family District) to B-1 (Highly Restricted Retail District); **property located at 662 East 27 Street and 2620 East 7 Avenue, Hialeah, Florida.** Repealing all 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 September 24, 2019</i>
<i>On September 11, 2019, the Planning and Zoning Board approved the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, FL.</i>
<i>Owner of the Property: Machado Investments Inc., 6625 Miami Lakes Drive E #212 Orlando M. Machado 6625 Miami Lakes Drive E #212 Jose R. Machado 6625 Miami Lakes Drive E #212 Rolando J. Machado 6625 Miami Lakes Drive E #212</i>

**PZ 2.** 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.

<i>Item was postponed on September 24, 2019 until October 8, 2019, per applicant's request.</i>
<i>Item was postponed on September 10, 2019 until September 24, 2019, per applicant's request.</i>
<i>Item was postponed on August 27, 2019 per the applicant's request.</i>
<i>Registered Lobbyist: Brian S. Adler, Bilzin, Sumberg, 1450 Brickell Avenue, Suite 2300, Miami, FL.</i>
<i>Item was postponed by the City Council on May 14, 2019, May 28, 2019, June 11, 2019, June 25, 2019 and August 13, 2019.</i>

<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"> <li><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></li> <li><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></li> <li><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></li> <li><i>4. The facility shall encourage employees to utilize public transportation, drop-off or carpooling.</i></li> <li><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></li> </ol>
<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 4<sup>th</sup> Avenue, Hialeah, Florida 33012.</i></p>

**PZ 3.** First reading of proposed ordinance granting a Conditional Use Permit (CUP) to allow the expansion of an existing 55 student, K-8 school to a 100 student K-12; variance permit to allow 33 parking spaces, where 327 are required and allow 9 of those 33 existing parking spaces to back out into the street. **Property located at 5800 Palm Avenue, Hialeah, Florida.** 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 September 25, 2019, the Planning and Zoning Board approved the item with conditions.</i></p>
<p><i>Planner's Recommendation: Approval with the condition that the school remains with 60 students and 6 staff members until the proposed parking lot is completed. A Declaration of Restrictive Covenants should describe the operational plan, number of students and staff before and after the completion of the parking lot, number of high school students that will be allowed to park on premises, control method to avoid that other high school students park on the swale areas, pick-up and drop-off times and number of parking control employees to manage that process.</i></p>
<p><i>Owner of the Property: Daniel Ramon, 5855 West 2 Avenue, Hialeah, Florida 33012 Larry Weeks, 740 SW 61 Avenue, Plantation, Florida 33317 Maria, Euzabeth Vitale, 155 East 61 Street, Hialeah, Florida 33013</i></p>

**PZ 4.** First reading of proposed ordinance allowing the continued operation of an existing hospital to allow in the future building additions and/or expanded uses. Property zoned C-2 (Liberal Retail Commercial District). **Property located at 1435 and 1475 West 49 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>Registered Lobbyist: Daniel A. Barrera, Esq., 2525 Ponce De Leon Blvd, Miami, Florida.</i>
<i>On September 25, 2019, the item was approved Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Jack J. Michel, MD., President and Chair of the Board of Directors 5996 SW 70<sup>th</sup> Street, 5<sup>th</sup> Floor, South Miami, Florida 33143.</i>

**PZ 5.** First reading of proposed ordinance granting a Special Use Permit (SUP) for a twelve month period from the effective date of this ordinance of a temporary prefabricated building sorting facility for the loading and unloading, sorting and distribution of mail packages; which use was extended and is operating through the extension granted and ending October 9, 2019 pursuant to Ordinance No. 2018-113; on property zoned M-1 (Industrial District). **Property located at 6001 East 8 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.

<i>On September 25, 2019, the item was approved Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: United Parcel Service Inc (Rick Garcia), 8901 Atlantic Avenue, Orlando, Florida 32824.</i>

### **FINAL DECISION**

**FD 1.** Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 2019-19 that granted an adjustment on the property located at **495 West 15 Street, Hialeah, Florida;** and providing for an effective date.

<i>On September 11, 2019, the Planning and Zoning Board approved the item with conditions.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Isabel Vega, 495 West 15 Street, Hialeah, Florida 33010.</i>

**FD 2.** Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 2019-20 that granted an adjustment on the property located at **291 S.E. 6 Avenue, Hialeah, Florida;** and providing for an effective date.

<i>Registered Lobbyist: Emilio Agrenot, 11510 SW 105 Street, Miami, Florida.</i>
<i>On September 11, 2019, the Planning and Zoning Board approved the item with condition that the legalization of all structures built without the benefit of a building permit, be completed within 180 days.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Pedro Benitez &amp; Miriam De La Cruz, 291 SE 6 Avenue, Hialeah, Florida.</i>

**FD 3.** Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 2019-21 that granted an adjustment on the property located at **240 West 20 Street, Hialeah, Florida;** and providing for an effective date.

<i>Registered Lobbyist: Emilio Agrenot, 11510 SW 105 Street, Miami, Florida.</i>
<i>On September 11, 2019, the Planning and Zoning Board approved the item with conditions.</i>
<i>Planner's Recommendation: Approval with the condition to Grant the side setback adjustment for the legalization of the structure as storage without bathrooms and with only one exterior door, with the condition that the legalization is completed within 180 days.</i>
<i>Owner of the Property: Ramon Morejon, 240 West 20<sup>th</sup> Street, Hialeah, Florida 33010. Margarita Morejon, 240 West 20<sup>th</sup> Street, Hialeah, Florida 33010.</i>

**FD 4.** Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 2019-22 that granted an adjustment on the property located at **7004 West 4 Way, Hialeah, Florida;** and providing for an effective date.

<i>On September 11, 2019, the Planning and Zoning Board approved the item with conditions.</i>
<i>Planner's Recommendation: Approval with the condition that the use of the utility is kept as storage and the legalization process gets completed within 180 days.</i>
<i>Owner of the Property: Alden Perez, 7004 West 4 Way, Hialeah, Florida 33014.</i>

**NEXT CITY COUNCIL MEETING: Tuesday, October 22, 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, 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).