

**Carlos Hernández**  
Mayor

**Paul B. Hernández**  
President

**Oscar De la Rosa**  
Vice President



Council Members  
**Katharine Cue-Fuente**  
**Jacqueline Garcia-Roves**  
**Monica Perez**  
**Jesus Tundidor**  
**Carl Zogby**

**Special Meeting of the City Council  
(VIRTUAL)  
Agenda  
September 8, 2020  
7:00 p.m.**

---

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. INVOCATION**

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

**4. PLEDGE OF ALLEGIANCE**

- **The pledge of allegiance is to be led by Council Member Garcia-Roves.**

**5. MEETING GUIDELINES**

*The following guidelines, which apply to today's City's Council Meeting, have been set by Mayor Carlos Hernandez through the execution of an Order on Emergency Public Meeting Guidelines and Procedures Using Communications Media Technology In Response To COVID-19:*

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 on March 20, 2020, suspending the "Florida's Government in Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and the meeting be held at a physical location accessible to the public for the duration of the State's Declaration of Emergency issued on March 9, 2020 as a result of the COVID-19

pandemic affecting the State of Florida. Executive Order 20-69 allows local governments to use communications media technology to hold public meetings during the public health emergency as a result of COVID-19, in order to protect the health, welfare and safety of the public, including public officials, from being exposed to COVID-19 and meet the requirements of the Sunshine Law.

- The following Procedures for Virtual Public Meetings of the City Council using Communications Media Technology in Response to COVID-19 have been adopted as minimum procedures for all emergency public meetings of the City Council, boards and committees of the City of Hialeah effective the execution of **Order on Emergency Public Meeting Guidelines and Procedures using Communications Media Technology in Response to COVID19**, signed by Mayor Carlos Hernandez on April 8, 2020.
  - A. The virtual public meeting shall be broadcast live for members of the public to view on the City's Facebook page. A Facebook account is not required in order to view this virtual public meeting. In addition, members of the public may hear the meeting live through telephonic conferencing. You can join the meeting via 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.
  - B. Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so prior to the meeting taking place by email to [virtualmeeting@hialeahfl.gov](mailto:virtualmeeting@hialeahfl.gov) by 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. **The deadline for this meeting has been extended to noon on Monday, September 8, 2020.** Email comments and questions shall not exceed three (3) minutes when read. Only the first three minutes of e-mail comments and questions received by the deadline will be read into and form part of the public record.
  - C. Any person 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 by joining the meeting using Zoom or any other similar web-based meeting platform being used as identified in the notice. The person interested in joining the meeting to participate for this purpose must register with the City Clerk by completing a registration form, providing the information required and submitting the completed form to the City Clerk no later than 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. All registered participants 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.

- D. Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City's Facebook page and retained pursuant to the Florida Public Records Law.
- E. All existing laws or rules of procedure applicable to public meetings (i.e. three minute limit on speaking, three in favor and three in opposition on any item on the agenda, lobbyist registration requirements), that are not in conflict with these procedures and can be observed under the circumstances remain in effect and to the greatest extent practicable should be observed.
- F. Public comments and questions, whether on general matters of public concern or on a matter on the agenda, will be heard at the beginning of the meeting and once heard no other public participation will be permitted.
- G. Persons making public comments must identify themselves by first and last name and provide their address for the record, prior to speaking.
- H. If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

## **6. COMMENTS AND QUESTIONS**

---

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

---

## **8. 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 Virtual Special Meeting of the City Council held on August 25, 2020.  
(OFFICE OF THE CITY CLERK)
- B. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-656, issued to AAtlantic Locksmith Corp., for the payment of outstanding invoices for services rendered to affordable housing properties, as well as to pay for

necessary emergency services that may arise before the end of this fiscal year, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000.

(CONSTRUCTION & MAINTENANCE DEPARTMENT)

- C. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-2121, issued to Synoptek LLC, for Phase 2 of the development, maintenance and support of an Online License Renewal and Payment System for the Licensing Division, by an additional amount of \$2,100, for a new total cumulative amount not to exceed \$16,500.

(INFORMATION TECHNOLOGY DEPARTMENT)

- D. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Synoptek LLC, for the development, maintenance and support of minor changes that need to be made to the Building Department program, in a total cumulative amount not to exceed \$2,999.

(INFORMATION TECHNOLOGY DEPARTMENT)

- E. Request permission to waive competitive bidding, since it is advantageous to the City in that the Hialeah Police headquarter building was struck by lightning and as a result, the lightning burned out the communication port on the majority of the controllers to the Keri Keycard, and issue a purchase order to VCS Tech Systems, LLC, for necessary repairs to the Keri Keycard in the Hialeah Police Department - Headquarters Building, in a total cumulative amount not to exceed \$87,594.

(POLICE DEPARTMENT)

- F. Request permission to increase Purchase Order No. 2020-342, issued to Cano Occupational Medicine LLC, doing business as Health Care Center of Miami, whose primary physician is Ben Droblas, to provide pre-employment examinations for new hires, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$30,000.

(HUMAN RESOURCES DEPARTMENT)

- G. Report of Scrivener's Error – Item U of the City Council Meeting of August 11, 2020 was approved by the City Council with an error on the account number provided on the agenda letter addressed to the Mayor from the Information Technology Department. The item was approved with funding for the expenditure to be expended from account number 106.1500.521.640. The item is being amended to reflect the correct account number as follow: *124.1500.521.640*.

(INFORMATION TECHNOLOGY DEPARTMENT)

## 9. ADMINISTRATIVE ITEMS

---

- A. First reading of proposed ordinance amending the Code of Ordinances of the City of Hialeah, **Chapter 58** entitled “Offenses”, Article VI. “Miscellaneous”, and in particular, adding Code **Section 58-70**, making violations of all state, county and local emergency rules and orders, promulgated pursuant to Chapter 252, Florida Statutes, enforceable through civil violations pursuant to Chapter 22 of the Hialeah Code; amending **Chapter 22** entitled “Code Enforcement”, Article I. “In General”, and in particular, amending **Section 22-2**, “Definitions”, revising the definition of Code to include any emergency rules, regulations, ordinances or orders adopted and promulgated by the city, county or state; amending Article III. “Enforcement Procedures”, Division 3. “Civil Violation Enforcement Procedures”, and in particular, amending Section 22-190, entitled “Schedule

of Civil Penalties”, providing for a civil penalty in the amount of \$100.00 for violations of emergency rules, regulations, ordinances or orders; amending **Chapter 86** entitled “Taxation and Fees”, Article II. Local Business Tax, in particular, amending **Section 86-53**, entitled “Denial of Business Tax Receipt”, adding subsection (a) (16) to provide that an application for a business tax receipt may be denied if the applicant has violated state, county and/or local emergency orders or rules promulgated pursuant to Chapter 252, Florida Statutes; amending **Section 86-54**, entitled “Suspension and Revocation of Business Tax Receipt”, adding subsection (a) (17) to provide that the City Council shall either revoke or temporarily suspend a business tax receipt if the business tax receipt holder has violated or allows the violation of state, county and/or local emergency orders or rules promulgated pursuant to Chapter 252, Florida Statutes; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date.

(ADMINISTRATION)

## 10. UNFINISHED BUSINESS

---

## 11. NEW BUSINESS

---

## 12. CITY COUNCIL’S NEW BUSINESS

---

## 13. 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.

- PZ 1.** First reading of proposed ordinance approving a Final Plat of Bridge Hialeah West, 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 the NE corner of NW 102 Avenue and NW 162 Street, Hialeah, Florida.**

<i>Registered Lobbyist: Matthew Barnes, 98 SE 7 Street, Suite 1100, Miami, Florida 33131, on behalf of H-21 Cold LLC, 1000 East Irving Park Road, Suite 150, Itasca, IL 60143.</i>
<i>On August 26, 2020, the Planning and Zoning Board recommended approval of the item.</i>

*Planner's Recommendation: Approval.*

**PZ 2.** First reading of proposed ordinance granting a variance permit to allow a single-family home on a substandard lot having a frontage of 25 feet and total lot area of 3,125 square feet, where 75 feet and 7,500 square feet are required; allow interior north and south side setbacks of 5 feet, where 5 feet 1 inch is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-499 and 98-501. **Property located at 2190 West 4 Court, Hialeah, zoned R-3 (Multiple-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

*On August 26, 2020, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

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

**PZ 3.** First reading of proposed ordinance repealing and rescinding Hialeah, Fla., Ordinance 2014-02 (January 14, 2014); Rezoning property at 601 E. Okeechobee Road to C-2 (Liberal Retail Commercial District); granting a Special Use Permit (SUP) to allow the expansion of the NBD (Neighborhood Business District) overlay pursuant to Hialeah Code of Ordinances § 98-1630.8; granting a variance permit to allow only residential uses, where residential and commercial uses are required; allow residential use on the ground floor, where residential uses are allowed above the ground level only; allow 30 units with area of 600 square feet, where area of 850 square feet is the minimum required for 90% of the units; allow 8” setback for building and 1’8” feet front setback for balconies above the ground floor fronting SE 6 Avenue; allow 5 foot front setback on E. Okeechobee Road, allow 5 foot secondary front setback abutting residential uses on SE Park Drive, and allow no front setback for privacy parapets on E. Okeechobee Road, where 10 feet built-to-line setbacks are required; allow 32 parking spaces, where 68 parking spaces are required; allow 23.4% pervious area (5,800 square feet), where 30% (7,407 square feet) is the minimum required; allow 26.4% (6,520 square feet) of open space, where 30% (7,407 square feet) is the minimum required; allow 1’8” landscape buffer at SE Park Drive, where 7 feet landscape buffer is required; and allow a metal fence where a concrete wall is required between dissimilar land uses. **Property located at 601 East Okeechobee Road, 604 and 610 Park Drive, Hialeah, zoned P (Parking) and R-3 (Multiple-Family District).** All contra to Hialeah Code of Ordinances §§ 98-1630.1, 98-1630.2, 98-1630.3(e)(1), 98-2056(b)(1), 98-2189(16)a., and contra to the latest edition of the Hialeah Landscape Manual dated July 9, 2015 Paragraph (D)(7) Parking Lot Buffers and Paragraph (D)(6) Buffers Between Dissimilar Land Uses. 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 Lobbyists: Hugo Arza, Esq. and Alejandro J. Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Lejeune Airport Park Suites, Inc.*

*On August 26, 2020, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approve as recommended.*

*Owner of the Property: LeJeune Airport Park Suites, Inc., 555 East Okeechobee Road, Hialeah, FL 33010.*

**PZ 4.** First reading of proposed ordinance granting a Conditional Use Permit (CUP) to allow an existing K-5 grade school with an enrollment of 121 students to expand to 144 students within a facility that also includes a daycare with an enrollment of 22 students and allow the day care to expand to 54 students, pursuant to Hialeah Code of Ordinances § 98-181; and granting a variance permit to allow the expansion on the nonconforming site with 98 parking spaces, where 118 parking spaces are required; allow a 7.30 foot front setback on West 49 Street, where 20 feet are required; allow a 3 foot rear setback for dumpster enclosure, where 10 feet are required; allow 12 foot rear setback on West 47 Place for existing building, where 15 feet are required; and allow 10.6% pervious area, where 18% is the minimum required; all contra to Hialeah Code of Ordinances §§ 78-108(c)(1), 98-1069, 98-1071, 98-1115, 98-1117, 98-2189(8) and (9); and the latest edition of the Hialeah Landscape Manual dated July 9, 2015 Paragraph (E) Tree and Lawn Requirements by Zoning Classification, Table A. **Property located at 1290 and 1300 West 49 Street, 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.

*Registered Lobbyist: Hugo Arza, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Lejeune Airport Park Suites, Inc.*

*On August 26, 2020, the Planning and Zoning Board recommended approval of the item with the condition that the shopping center generally preserves the current tenant mix (8,000 square feet of retail at 1290 West 49<sup>th</sup> Street; and at 1300 West 49<sup>th</sup> Street: 40,000 square feet of self-storage, 1,700 square feet of limited service restaurant, 1,500 square feet of retail and 11,757 square feet of daycare/school.*

*Planner's Recommendation: Approve with conditions.*

*Owner of the Property: Raquel E. Valverde Sarmiento, 1306 West 49 Street, Hialeah, Florida 33012.*

**PZ 5.** First reading of proposed ordinance rezoning property from GU (Miami-Dade County Zoning Designation) to MH (Industrial District). **Property located on the east side of NW 102 Avenue and north of NW 142 Street, Hialeah, with folio number 04-2020-002-0020.** 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: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Gimrock Property LLC, 13901 NW 118 Avenue, Miami, FL 33178.*

*On August 26, 2020, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Owner of the Property: Gimrock Property LLC, 13901 NW 118 Avenue, Miami, Florida 33178.  
HEC Holdings LLC, 13901 NW 118 Avenue, Miami, Florida 33178.  
Daniel I. Halley, 8620 SW 48 Street, Miami, Florida 33155.*

**PZ 6.** Recommendation of denial from the Planning and Zoning Board of the adoption of a ordinance expressing intent to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning from R-1 (One Family District) to R-2 (One- and Two Family Residential District); variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total lot area of 5,644 square feet, where 75 feet frontage and 7,500 square feet are required. **Property located at 586 East 28 Street, Lot 13, Hialeah, zoned R-1 (One Family District). POSTPONED UNTIL SEPTEMBER 8, 2020.**

*On August 25, 2020, the item was postponed until September 8, 2020 per the applicant's request.*

*On August 11, 2020, the item was postponed until August 25, 2020 per the applicant's request.*

*Registered Lobbyist: Andre Vazquez, 488 NE 18 Street, Unit 4701, Miami, Florida 33132, on behalf of H-586, LLC, 2396 Christopher LN, Clewiston, FL 33440.*

*On July 29, 2020, the Planning and Zoning Board recommended denial of this item.*

*Planner's Recommendation: Approval of the rezoning and lot variance subject to parking area redesign.*

*Owner of the Property: Juan Pulles and Dania Pulles, 8242 NW 164 Street, Miami Lakes, Florida 33016.*

**PZ 7.** Recommendation of denial from the Planning and Zoning Board of the adoption of a ordinance expressing intent to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning from R-1 (One Family District) to R-2 (One- and Two Family Residential District); variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total lot area of 5,638 square feet, where 75 feet frontage and 7,500 square feet are required. **Property located at 586 East 28 Street, Lot 14, Hialeah, zoned R-1 (One Family District).**

*On August 25, 2020, the item was postponed until September 8, 2020 per the applicant's request.*

*On August 11, 2020, the item was postponed until August 25, 2020 per the applicant's request.*

*Registered Lobbyist: Andre Vazquez, 488 NE 18 Street, Unit 4701, Miami, Florida 33132.*

*On July 29, 2020, the Planning and Zoning Board recommended denial of this item.*

<i>Planner's Recommendation: Approval of the rezoning and lot variance subject to parking area redesign.</i>
<i>Owner of the Property: Juan Pulles and Dania Pulles, 8242 NW 164 Street, Miami Lakes, Florida 33016.</i>

**PZ 8.** Recommendation of denial from the Planning and Zoning Board of the adoption of a ordinance expressing intent to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning from R-1 (One Family District) to R-2 (One- and Two Family Residential District); variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total lot area of 5,634 square feet, where 75 feet frontage and 7,500 square feet are required; allow street side setback of 5.5 feet, where 7.5 feet is the minimum required. **Property located at 586 East 28 Street, Lot 15, Hialeah, zoned R-1 (One Family District).**

<i>On August 25, 2020, the item was postponed until September 8, 2020 per the applicant's request.</i>
<i>On August 11, 2020, the item was postponed until August 25, 2020 per the applicant's request.</i>
<i>Registered Lobbyist: Andre Vazquez, 488 NE 18 Street, Unit 4701, Miami, Florida 33132, on behalf of H-586, LLC, 2396 Christopher LN, Clewiston, FL 33440.</i>
<i>On July 29, 2020, the Planning and Zoning Board recommended denial of this item.</i>
<i>Planner's Recommendation: Approval of the rezoning and lot variance subject to parking area redesign.</i>
<i>Owner of the Property: Juan Pulles and Dania Pulles, 8242 NW 164 Street, Miami Lakes, Florida 33016.</i>

**PZ 9.** Recommendation of denial from the Planning and Zoning Board of the rezoning from R-1 (One Family District) to R-2 (One-and Two Family Residential District) and variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total area of 5,443 square feet, where 75 feet frontage and 7,500 square feet are required; allow lot coverage of ~~48.1%~~ 47.5%, where 30% is the maximum allowed and allow interior east and west side setbacks of 5 feet, where 7.5 feet is the minimum required respectively ~~and allow rear setback of 16 feet, where 25 feet is the minimum required.~~ **Property located at 752 East 33 Street, Hialeah, zoned R-1 (One Family District).**

<i>On August 26, 2020, the Planning and Zoning Board recommended denial of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Lumination Homes, LLC and Luminous Builders, LLC, 1474-A West 84 Street, Hialeah, Florida 33014.</i>

**PZ 10.** Recommendation of denial from the Planning and Zoning Board of the rezoning from R-1

(One Family District) to R-2 (One-and Two Family Residential District) and variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total area of 5,443 square feet, where 75 feet frontage and 7,500 square feet are required; allow lot coverage of ~~48.1%~~ 47.5%, where 30% is the maximum allowed and allow interior west side setback of 5 feet, where 7.5 feet is the minimum required respectively ~~and allow rear setback of 16 feet, where 25 feet is the minimum required.~~ **Property located at 7XX East 33 Street, Hialeah, zoned R-1 (One Family District).**

<i>On August 26, 2020, the Planning and Zoning Board recommended denial of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Lumination Homes, LLC and Luminous Builders, LLC, 1474-A West 84 Street, Hialeah, Florida 33014.</i>

**NEXT CITY COUNCIL MEETING: Tuesday, September 22, 2020 at 7:00 p.m. (Virtual)**

**FIRST BUDGET HEARING: Monday, September 14, 2020 at 7:00 p.m. (Virtual)**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, September 8, 2020 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).