

**Esteban Bovo, Jr.**  
Mayor

**Carl Zogby**  
President

**Monica Perez**  
Vice President



Council Members  
**Bryan Calvo**  
**Vivian Casàls-Muñoz**  
**Jacqueline Garcia-Roves**  
**Luis Rodriguez**  
**Jesus Tundidor**

**City Council Meeting**  
**Agenda**  
**September 27, 2022**  
**7:00 p.m.**

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**1. CALL TO ORDER**

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**2. ROLL CALL**

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**3. INVOCATION**

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

**4. PLEDGE OF ALLEGIANCE**

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A. The Pledge of Allegiance to be led by Council President Zogby.

**5. MEETING GUIDELINES**

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*The following guidelines have been established by the City Council:*

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, interested in making comments or posing questions on matters of public concern or on any item on the agenda, may do so during the meeting.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.
- The public can view public meetings on the City's YouTube page ([www.youtube.com/cityofhialeahgov](http://www.youtube.com/cityofhialeahgov)).
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

## **6. PRESENTATIONS**

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- A.** Big Check Presentation by Miami-Dade County Commissioner Rene Garcia to the City of Hialeah of the allocation of \$50,000.00 of FTX Arena Monies from Miami-Dade County District 13 for the Early Prevention and Intervention Youth Program (EPI).

*(DEPARTMENT OF PARKS AND RECREATION)*

- B.** The Hialeah Department of Parks and Recreation presents the Mayor and the Members of the City Council with special items honoring their participation in the parks during their youth and their continued support for the services the department provides.

*(DEPARTMENT OF PARKS AND RECREATION)*

## **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 September 13, 2022 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

- B. Request permission to approve the minutes of the City Council Budget Meeting held on September 14, 2022.

(OFFICE OF THE CITY CLERK)

- C. **RESOLUTION:** Proposed resolution repealing and rescinding Resolution No. 2021-112 (August 24, 2021) that authorized a “Piggyback Contract” with FPL Services, LLC., pursuant to Hialeah Code of Ordinances § 2-818 that approved, pursuant to Section § 489.145 Florida Statutes, a Guaranteed Energy Performance Savings Master Agreement not to exceed \$15,000,000.00, and allowed the payment of an Investment Grade Audit at a price of \$242,369.00 to determine the scope of the energy conservation improvements and approved related schedules; and providing for an effective date.

(ADMINISTRATION)

<i>On September 13, 2022, the City Council postponed the item until September 27, 2022.</i>
<i>On April 12, 2022, the City Council postponed the item until September 13, 2022.</i>
<i>On March 22, 2022, the item was postponed until April 12, 2022.</i>

- D. Request from Home Depot Store No. 6378, for a Christmas tree sales permit, with set up taking place on Monday, November 14, 2022 and take down on Sunday, December 21, 2022, and with sales from Friday, November 18, 2022 through Sunday, December 18, 2022, at Home Depot Store No. 6378 located at 950 Southeast 12 Street, Hialeah, Florida, in accordance with the requirements Risk Management Department and the recommendations of the Fire and Police Department.

(OFFICE OF THE CITY CLERK)

- E. Request from Home Depot Store No. 202, for a Christmas tree sales permit, with set up taking place on Monday, November 14, 2022 and take down on Sunday, December 21, 2022, and with sales from Friday, November 18, 2022 through Sunday, December 18, 2022, at Home Depot Store No. Home Depot Store No. 202 located at 1590 West 49<sup>th</sup> Street, Hialeah, Florida, in accordance with the requirements Risk Management Department and the recommendations of the Fire and Police Department.

(OFFICE OF THE CITY CLERK)

- F. Request permission to pay in full satisfaction of the judgment entered on August 30, 2022 against the City of Hialeah and in favor of the Board of Trustees of Hialeah Firefighters Local 1102, et al, Plaintiffs, for \$1,093,994.98.

(LAW DEPARTMENT)

- G. **RESOLUTION:** Proposed resolution accepting a grant from Miami-Dade County in the 9/23/2022 4:47 PM

amount of \$50,000.00 to fund the activities of the Hialeah Early Prevention and Intervention (EPI) Youth Program; authorizing the Mayor, or the Director of Parks, as the Mayor's designee, and the City Clerk, as attesting witness, on behalf of the City, to execute any application, interlocal agreement or other document required by Miami-Dade County in furtherance of this resolution; and providing for an effective date.

*(ADMINISTRATION)*

*(DEPARTMENT OF PARKS AND RECREATION)*

- H. RESOLUTION:** Proposed resolution accepting a grant in the amount of \$47,141.47 from the University of North Florida Training and Services Institute D/B/A/ Institute of Police Technology and Management ("IPTM"); Approving and accepting the terms of use of the grant funds as set forth in the letter of agreement and contract attached as Exhibit "A"; on a reimbursement basis authorizing the Mayor, or the Police Chief, as the Mayor's Designee, and the City Clerk, as attesting witness, on behalf of the City, to execute the letter of agreement and any other customary and necessary document in the furtherance of this resolution; and providing for an effective date.

*(POLICE DEPARTMENT)*

- I.** Request permission to issue a purchase order to Sirsi Corporation, for year four (4) of a five (5) year ILS Subscription Agreement ending on September 30, 2024, for support and maintenance of the Library's Symphony SaaS ILS System, covering the period of October 1, 2022 through September 30, 2023, in a total cumulative amount not to exceed \$40,626.41. 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)*

- J. RESOLUTION:** proposed resolution authorizing the application for, and the acceptance of, a state aid to Libraries operating grant from the Florida Department of State, Division of Library and Information Services, for the Fiscal Year 2022-2023, in an amount based on the City's Library's operating expenses for Fiscal Year 2020-2021 and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a State Aid to Libraries Grant agreement, attached as Exhibit "1".

*(LIBRARY)*

- K. RESOLUTION:** proposed resolution approving the library's Annual Plan of Service for Fiscal Year 2022-2023, attached as Exhibit "1", for submittal to the State Library of the State of Florida in order to maintain eligibility as a recipient of State and Federal Funds.

*(LIBRARY)*

- L.** Request permission to waive competitive bidding, since it is advantageous to the City since the City utilizes South Florida Appliance, Inc., for most of its appliances, parts and related components, and increase Purchase Order No. 2022-142, issued to South Florida Appliance, Inc., for payment of the following invoices:

➤ Invoice No. 35090 for \$58.99

- Invoice No. 35112 for \$68.99
- Invoice No. 35178 for \$775.00
- Invoice No. 81229 for \$299.09
- Invoice No. 81278 for \$97.71
- Invoice No. 81491 for \$20.62
- Invoice No. 81492 for \$16.89
- Invoice No. 279799 for \$435.00
- Invoice No. 282636 for \$16.40
- Invoice No. 282757 for \$113.63
- Invoice No. 202781 for \$12.94
- Invoice No. 282901 for \$224.16
- Invoice No. 282904 for \$430.00
- Invoice No. 282924 for \$40.80
- Invoice No. 282925 for \$35.49
- Invoice No. 283159 for \$85.15
- Invoice No. 283281 for \$91.09
- Invoice No. 283351 for \$66.25
- Invoice No. 283470 for \$197.76
- Invoice No. 283502 for \$13.00
- Invoice No. 283503 for \$16.89
- Invoice No. 283520 for \$20.62
- Invoice No. 283633 for \$33.57
- Invoice No. 283643 for \$36.45
- Invoice No. 283749 for \$32.83
- Invoice No. 283838 for \$35.49
- Invoice No. 283949 for \$7.76
- Invoice No. 284145 for \$35.49
- Invoice No. 284146 for \$18.59
- Invoice No. 284444 for \$17.96
- Invoice No. 284445 for \$12.77
- Invoice No. 284542 for \$45.16
- Invoice No. 284996 for \$29.58
- Invoice No. 285085 for \$57.40
- Invoice No. 285106 for \$121.08
- Invoice No. 285107 for \$6.76
- Invoice No. 285182 for \$75.40
- Invoice No. 285274 for \$29.58
- Invoice No. 285275 for \$29.58
- Invoice No. 285659 for \$467.64
- Invoice No. 285668 for \$903.69
- Invoice No. 285691 for \$85.26
- Invoice No. 285745 for \$41.86
- Invoice No. 286025 for \$45.94
- Invoice No. 286062 for \$90.12

and for the cost of pending repairs, by an additional 7,500.00, for a total cumulative expense amount not to exceed \$40,000.00.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

- M. Request permission to accept the Pedestrian and Bicycle Safety High Visibility Enforcement and Support Program, a pass-through grant award and agreement with the University of North Florida Training and Services Institute., d/b/a Institute of Police Technology and Management (“IPTM”) in the amount of \$47,141.47. The contract period will begin upon execution and will end on May 12, 2023.

After approval and execution of contract is completed, OMB will appropriate these funds in revenue account 121.1000.334302 and expense account 121.1000.521141.

(POLICE DEPARTMENT)

## 10. ADMINISTRATIVE ITEMS

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- 10 A. **ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. Zoning District Regulations, Division 16. “C-2 Liberal Retail Commercial District”, Section 98-1111 entitled “Permitted Uses” of the Code of Ordinances of the City of Hialeah prohibiting smoke shops and schools, parks or places of worship from siting within 1,000 foot radius from each other; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

(CO-SPONSOR: COUNCIL VICE PRESIDENT PEREZ)

<i>On September 13, 2022, the item was postponed. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>On August 23, 2022, the item was postponed. Second reading and public hearing was scheduled for September 13, 2022.</i>
<i>On August 9, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 23, 2022.</i>
<i>On June 28, 2022, the item was postponed until August 9, 2022.</i>

- 10 B. **ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 18 entitled “Businesses” Article V. “Establishments Offering Alcoholic Beverages and/or Entertainment”, Division 1. “Generally” Section 18-206 entitled “Definitions”, Section 18-207 entitled “Zoning Requirements”, and Section 18-208 entitled “Inspection by Police”, and adding Section 18-211 entitled “Smoke Shop Regulations” and Section 18-212 entitled “Program for the Prevention of Deleterious Health Effects of Tobacco, Nicotine, and Vape

Use” to the Code of Ordinances of the City of Hialeah; repealing all ordinances or parts of 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.

(ZONING)

(CO-SPONSOR: COUNCIL VICE PRESIDENT PEREZ)

*On September 13, 2022, the item was postponed. Second reading and public hearing is scheduled for September 27, 2022.*

*On August 23, 2022, the item was postponed. Second reading and public hearing was scheduled for September 13, 2022.*

*On August 9, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for August 23, 2022.*

*On June 28, 2022, the item was postponed until August 9, 2022.*

- 10 C. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 2 entitled “Administration”, Article IV. entitled “Purchasing and Competitive Bidding”, and in particular amending Section 2-781 entitled “Spending Limitations” to raise the expenditure threshold above which all expenditures of municipal funds must be approved by the City Council from \$15,000.00 to \$25,000.00; repealing all ordinances or parts of ordinances in conflict hereof; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

- 10 D. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Chapter 2 entitled “Administration”, Article III. entitled “Boards, Commissions and Committees”, by creating Division 9 “Beautification Committee” Sections 2-759 “Established”, 2-760 “Composition and Term of Service”, 2-761, “Duties and Powers”, and 2-762 “Meetings; Quorum and Voting; Attendance Requirements; Rules of Procedures; Minutes”; 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.

(ADMINISTRATION)

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

- 10 E. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,358 square feet, more or less, located along NW 158 Street/West 104 Street and West of NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite

and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

- 10 F. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 800 square feet, more or less, located along NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and preventing it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

- 10 G. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,279 square feet, more or less, located along West 104 Street/NW 158 Street and immediately west of NW 97 Avenue/West 36 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and preventing it from continuing to move offsite and contaminate adjacent areas via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water thru a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

- 10 H. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 1,780 square feet, more or less, located along NW 162 Street/West 108 Street and west of NW 102 Avenue/West 40 Avenue, as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.



(STREETS DEPARTMENT)

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

- 10 I. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting an easement to CCP Property Owners Association, Inc., in an area approximately 8,820 square feet or 0.20 acres, more or less, located along and across West 40 Avenue (NW 102 Avenue), as depicted in Exhibit “A”; for the construction, operation and maintenance of a Remedial Action Plan approved by DERM for the purpose of containment and removal of ammonia contaminated groundwater in the area and prevent it from continuing to move offsite and contaminate adjacent areas, via a system composed of a series of extraction pumps around the perimeter of the area, which will move the extracted water through a series of pipes which will carry it into a deep injection well for discharge; and providing for an effective date.

(STREETS DEPARTMENT)

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

- 10 J.** First reading of proposed ordinance amending Chapter 42 entitled "Floods and Water Management" for the purpose of ensuring compliance with the State’s Floodplain Management Model Ordinance and National Flood Insurance Program; repealing ordinances in conflict hereof; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date.

(BUILDING)

- 10 K.** First reading of proposed ordinance amending the organizational structure of the City placing the functions and operations of Retirement under the supervision of the Human Resources Department as a Division of Human Resources; amending Chapter 2 of the Code of Ordinances of the City of Hialeah entitled “Administration,” Article II “Departments, Offices and Divisions,” providing duties and responsibilities of the new Retirement Division and other amendments to conform; providing for a severability clause; repealing all ordinances in conflict herewith; providing for inclusion in the code; and providing for an effective date.

(ADMINISTRATION)

## 11. BOARD APPOINTMENTS

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- 11A. RESOLUTION:** Proposed resolution reappointing **Esmiley Iglesias** as Council President Zogby’s appointment to the Planning and Zoning Board for a two (2)-year term ending on September 9, 2024.

(COUNCIL PRESIDENT ZOGBY)

**11B. RESOLUTION:** Proposed resolution appointing **Priscilla Consuegra** as one of the four member appointments to the Cultural Affairs Council of the City of Hialeah for a two (2)-year term ending on September 28, 2024.

*(CITY COUNCIL)*

*(NOMINATION MADE BY COUNCIL MEMBER TUNDIDOR)*

## 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 granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a K-1 grade school with an enrollment of 20 students within a facility that also includes a daycare with an enrollment of 33 students; **property located at 543 East 9 Street, Hialeah, zoned C-2 (Liberal Retail Commercial District)**. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 13, 2022, the item was postponed. Second reading and public hearing is scheduled for September 27, 2022.</i>
<i>On August 23, 2022, the City Council approved the item on first reading. Second reading and public hearing was scheduled for September 13, 2022.</i>
<i>On August 10, 2022, the Planning and Zoning Board recommended approval with conditions.</i>
<i>Planner's Recommendation: Approve with the condition that the old signs are replaced by two new state-of-the-art signs.</i>
<i>Property Owner: Gladys Perez, 971 East 26<sup>th</sup> Street, Hialeah, FL 33013</i>

**PZ 2.** First reading of proposed ordinance rezoning property from RO (Residential Office) to RO (Residential Office) incorporating a Site Plan as required by § 98-784 of the City of Hialeah Code of Ordinances. **Property located at 260 Hialeah Drive, Hialeah, zoned RO (Residential Office)**. 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 7, 2022, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Nelson Sanchez and Yahanka Perrira, 14900 SW 164<sup>th</sup> Terrace, Miami FL 33187</i>

**PZ 3.** First reading of proposed ordinance rezoning property from C-1 (Restricted Retail Commercial District) to C-3 (Extended Liberal Commercial District); to allow a proposed expansion of the adjacent gas station and convenience store; **property located at 336 West 9 Street, Hialeah, zoned C-1 (Restricted Retail Commercial District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On September 7, 2022, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Mostafa Setayesh, President, 107755 Sandhill Road, Dallas, TX, 75288</i>

**PZ 4.** First reading of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow the expansion of the footprint of a 276-bed skilled nursing facility with a distance separation of less 500 feet from single family homes and less than 1,200 feet from another existing similar facility; granting a variance permit to allow the expansion of the footprint of a legal non-conforming use for the redevelopment of an existing senior living facility currently having 100 assisted living facility beds and 276 skilled nursing beds; **properties located at 195 West 27 Street, 141 West 27 Street, 130, 140, 150 and 160 West 28 Street, 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.

<i>Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33133, on behalf 140 LLC, 10800 Biscayne Boulevard, Suite 600, Miami, FL 33161.</i>
<i>On September 7, 2022, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: Abraham Shaulson, 10800 Biscayne Blvd, Suite 600, Miami, Florida 33161.</i>

**PZ 5.** First reading of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah code of Ordinances § 98-181 to allow a K-6 grade school with an enrollment of 47 students within a facility that also includes a daycare with an enrollment of 36 children; **property located at 380 West 21 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 September 7, 2022, the Planning and Zoning Board recommended approval with the condition that the site improvements detailed in the plans prepared by Octavio Santurio, Architect, be permitted and the work finalized before August 2023 prior to the start of the school year. The Planning and Zoning Board further recommended that if the condition is not met, the Business Tax Receipt for the school not be renewed in the year 2023.*

*Planner's Recommendation: Approval with conditions*

*Property Owner: AJM Hialeah Holdings, LLC, c/o Alicia Paez, 380 West 21 Street, Hialeah FL 33010*

## 15. LANDUSE

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- LU 1. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Residential Office District to Commercial District; **property located at 355 West 49 Hialeah, zoned RO (Residential Office)**; 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 September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Aileen Tablado - 355 West 49<sup>th</sup> Street, Hialeah FL 33012.*

- LU 2. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Industrial to Transit Oriented Development District; **property located at 1140 East 25 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 September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: 1140 East Owner, LLC*

**LU 3. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Major Institutions to Commercial District; **property located at 8155 West 12 Avenue, Hialeah, zoned C-1 (Restricted Retail Commercial District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

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

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Daniel Caamano and Daniel Tobias Caamano Living Trust, 5400 N 35 Street, Hollywood Florida 33021.*

**LU**

**4. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Industrial to Commercial District. **Property located at 7445 West 4 Avenue, 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 September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

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

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Feuer Family 2 LLC*

**LU 5. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low Density Residential and Major Institutions to Medium Density Residential District; **property located at 585 East 26 Street, 591 East 26 Street, 595 East 26 Street, Folio No. 04-3108-001-2570 and 04-3108-001-2580, 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.

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

*Registered Lobbyist: Manny Reus, 18501 Pines Boulevard #342, Pembroke Pines FL 33029 on behalf of Hialeah Re-Investment, LLC*

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Hialeah Re-Investment, LLC and Odaly Kuck, 8600 NW 41 Street, Doral, Florida 33166.*

LU

**6. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low Density Residential to High Density Residential District; **property located at 350 East 40 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.

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

*Registered Lobbyist: Frank De La Paz, 9361 Bird Road, Miami Florida 33165, on behalf of Suny Comfort Home, LLC*

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Raul Fernandez and Maria Fernandez, 330 West 43<sup>rd</sup> Street, Hialeah Florida 33012.*

**LU 7. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential District; **property located at 10 West 53 Terrace, Hialeah, zoned A (Agricultural 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 September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Pedro Felipe Alvarez Pena, 10 West 53 Terrace, Hialeah, Florida 33012*

**LU 8. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Medium Density Residential to Major Institutions; **property located at 141 West 27 Street, 130, 140, 150, 160 West 28 Street, 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 September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

*Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33133, on behalf 140 LLC.*

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Abraham Shaulson, 10800 Biscayne Blvd, Suite 600, Miami, Florida 33161.*

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**9. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Residential Office to Commercial District; **property located at 291 West 49 Street, Hialeah, zoned RO (Residential Office District)**; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

*On September 13, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for September 27, 2022.*

*Registered Lobbyist: Christian de Gale, 1110 Brickell Avenue, Suite 504, Miami, Florida 33131, on behalf of Development Alliance.*

*On August 24 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: Dr. Pablo Guala, 4811 West 4<sup>th</sup> Avenue, Hialeah FL 33012*

**LU 10. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Residential Office to Commercial; **property located at 3375 West 4 Avenue, Hialeah, zoned RO (Residential Office)**; repealing all ordinances or parts or 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 J and Y Investment Corp., 4901 Southwest 87<sup>th</sup> Avenue, Miami, FL 33165.*

*On September 7, 2022, the Planning and Zoning Board recommended approval.*

*Planner's Recommendation: Approval.*

*Property Owners: Jorge Acevedo and Yenin Acevedo, 181 Leucadendra Drive, Coral Gables FL 33156*

**LU 11. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Commercial; **property located at 374 West 34 Street, Hialeah, zoned R-1 (One-Family District);** repealing all ordinances or parts or 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 J and Y Investment Corp., 4901 Southwest 87<sup>th</sup> Avenue, Miami, FL 33165.</i>
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<i>On September 7, 2022, the Planning and Zoning Board recommended approval of the item.</i>
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<i>Planner's Recommendation: Approval.</i>
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<i>Property Owners: Jorge Acevedo and Yenin Acevedo, 181 Leucadendra Drive, Coral Gables FL 33156</i>
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**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, October 25, 2022 at 6:30 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, October 11, 2022 at 7:00 p.m.**

**FIRST BUDGET HEARING: Wednesday, September 28, 2022 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).