

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Isis Garcia-Martinez
Council Vice President



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

City Council Meeting Minutes
March 26, 2019
7:00 P.M.

Call to Order

REPORT: Council President Casáls-Muñoz called the meeting to order at 7:03 p.m.

Roll Call

REPORT: City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:

- Council President Vivian Casáls-Muñoz
- Council Vice President Isis Garcia-Martinez
- Councilman Jose Caragol
- Councilwoman Cue-Fuente
- Councilwoman Lourdes Lozano
- Councilman Carl Zogby

REPORT: Councilman Paul Hernandez arrived at 7:18 p.m.

• Also present was:

- Lorena Bravo, City Attorney
- Mayor Carlos Hernandez

Invocation given by Marbelys Fatjo, City Clerk

REPORT: Marbelys Fatjo, City Clerk, led the invocation.

Pledge of Allegiance to be led by Councilwoman Lourdes Lozano

REPORT: Councilwoman Lozano led the Pledge of Allegiance.

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.

REPORT: The meeting guidelines were read into the record by Marbelys Fatjo, City Clerk, in English and in Spanish.

1. PRESENTATIONS

- Mayor Hernandez presents a proclamation to Glenn Stanford in recognition of his twenty-one years of service to the community as the Security Director of Westland Mall. (COUNCILMAN ZOGBY)

REPORT: Councilman Zogby presented Mr. Glenn Stanford with a proclamation proclaiming March 26, 2019 "Glenn Stanford day in Hialeah".

REPORT: Mayor Hernandez recognized Mr. Stanford.

2. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Consent Item B is withdrawn.
- Consent Items L, M, N, O, P, R, S and T have been added to today's agenda.
- The proposed ordinance for Administrative Item 4C has been amended, as well as page 1 of the deed.
- The proposed ordinance for Administrative Item 4E and Planning and Zoning Item PZ 9 have been amended.
- Consent Item Q and Item PZ 1 is postponed until April 9, 2019.
- An Opinion of Title and Declaration of Restrictive Covenants has been added to the backup documentation of Item PZ 4.

3. CONSENT AGENDA

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

REPORT: Council President Casáls-Muñoz requested separate discussion on Item I. Council President Casáls-Muñoz further requested to have Consent Item I and Administrative Item 4C read into the record together, with no objection from the rest of the City Council.

REPORT: Mayor Hernandez requested separate discussion on Item T.

REPORT: Motion to Approve the Consent Agenda, except Items I and T, made by Council Vice President Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 6-0-1 with Councilman Hernandez absent.

- A. Request permission to approve the minutes of the Council Meeting held on March 12, 2019. (OFFICE OF THE CITY CLERK).

APPROVED 6-0-1 with Councilman Hernandez absent.

- ~~B. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA18-VEL 26.0, and issue a purchase order to AN Motors of Pembroke, LLC d/b/a Autonation Chevrolet Pembroke Pines, to purchase two (2) 2019 Chevrolet Tahoe 1500 Commercial, full size 4 door utility vehicles 4X2, Specification No. 31, in the amount of \$41,987 per vehicle, for a total cumulative amount not to exceed \$83,974. (BUILDING DEPT.)~~ **WITHDRAWN**

- C. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute a third amendment to services agreement between Property Registration Champions, LLC, and the City of Hialeah, Florida, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1", for a term of one year commencing on April 1, 2019 and ending on March 31, 2020, with an option to renew for a one year term; providing for an effective date. (BUILDING DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.
RESOLUTION NO. 2019-032

- D. Request permission to increase Purchase Order No. 2019-798, issued to Bruzual, Inc., sole source vendor located within the selected area of benefit presently leasing seven commercial locations to the City, for additional commercial space, by an additional amount of \$9,000, for a new total cumulative amount not to exceed \$93,000. (DEPT. OF GRANTS & HUMAN SERVICES)

APPROVED 6-0-1 with Councilman Hernandez absent.

- E. Request permission to increase Purchase Order No. 2019-384, issued to Law Enforcement Psychological and Counseling Associates, Inc., whose primary psychologist is Mark Axelberd, Ph.D., to provide psychological screening services for the hiring of certified police officers, firefighters and the Employee Assistance Program, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (HUMAN RESOURCES DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- F. Proposed resolution encouraging the state and federal government to increase funding for Affordable Housing to combat homelessness; directing the Clerk to provide a copy of this resolution to the appropriate officials; and providing for an effective date. (ADMINISTRATION)

APPROVED 6-0-1 with Councilman Hernandez absent.

RESOLUTION NO. 2019-033

- G. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2019-181, issued to All Uniform Wear Corp., to purchase new uniforms for the fifteen new fire recruits hired on February 11, 2019, as well as for newly promoted personnel in the Fire Department, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$50,000. (FIRE DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- H. Request permission to issue a purchase order to CivicPlus, Inc., for payment for the annual maintenance for the City's new website developed by Civic Plus, as well as the annual renewal for AudioEye ADA Scanning and Remediation System fee, from January 31, 2019 through January 30, 2020, in a total cumulative amount not to exceed \$47,673.25. (INFORMATION TECHNOLOGY DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- I. Request permission to ratify the Mayor's decision to authorize the Department of Public Works to proceed with the necessary surveys and engineering work related to the relocation of the Graham Wells raw water lines, maintenance line and electrical bank, as well as to undertake negotiations with AECOM, contractor currently working on the Graham Wells, to undertake the relocation of the Graham Wells pipelines impacted by the construction of the Florida Turnpike Interchange at NW 170th Street and NW 107th Avenue. Further request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is the original designer and contractor of the well buildings and is already on site working on the final phases of the production wells, and issue a purchase order to AECOM, for the relocation of the pipelines of the Graham Wells including the sub-aqueous crossing of the NW 170th Street canal, and approve Change Order No. 1 to the existing AECOM contract, in the amount of \$2,400,000, and further request a contingency in the amount of \$240,000 for unknown field conditions that may arise during construction, for a total cumulative amount not to exceed \$2,640,000. (DEPT. OF PUBLIC WORKS)

REPORT: Consent Item I and Administrative Item 4C were read into the record.

REPORT: Armando Vidal, Director of Public Works, 3700 West 4 Avenue, addressed the City Council regarding Administrative Item 4C and Consent Item I.

REPORT: Motion to Approve Item I made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 7-0.

- J. Request permission to ratify the Mayor's decision to authorize the Department of Public Works to proceed with the necessary surveys and engineering work related to the relocation of the Graham Wells raw water lines, maintenance line and electrical bank, as well as to issue Purchase Order No. 2019-1103, issued on January 25, 2019, to SRS Engineering, Inc., for the planning, design and permit applications for the relocation, in the amount of \$250,000.00, and request approval for a pending payment in the amount of \$42,415.98 for work that has already been completed, and further request approval of a contingency in the amount of \$25,000 for engineering services during construction, for a total cumulative amount not to exceed \$317,415.98. Request permission to ratify the Mayor's decision to authorize the issuance of Purchase Order No. 2019-1104, issued on January 29, 2019, to Biscayne Engineering Company, Inc., for the field surveys and preparation of legal descriptions and parcel sketches related to the relocation of the utilities, in the amount of \$13,382.50, and request approval of a pending payment in the amount of \$1,366.25 for work that has been completed, and further request permission for approval of a contingency in the amount of \$10,000 for field surveying services, for a total cumulative amount not to exceed \$24,748.75. (DEPT. OF PUBLIC WORKS)

APPROVED 6-0-1 with Councilman Hernandez absent.

- K. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2019-178, issued to Bennett Fire Products Company, Inc., for bunker gear and firefighter personal protective equipment (boots) to outfit the fifteen new recruits hired on February 11, 2019, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$65,000. (FIRE DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- L. Request permission to award Hialeah Bid No. 2018/19-3210-00-010 - *West 21st Court Roadway Improvements from West 56th Street to West 60th Street*, to V Engineering & Consulting Corp., lowest responsive bidder, in a total cumulative amount not to exceed \$267,000, amount which includes a ten percent contingency. (STREETS AND DEPT. OF GRANTS & HUMAN SERVICES)

APPROVED 6-0-1 with Councilman Hernandez absent.

- M. Request permission to award Hialeah Bid No. 2018/19-3210-00-011 - *West 16th Avenue Roadway Improvements from West 68th Street to West 74th Street*, to Acosta Tractors Inc, lowest responsive bidder, in a total cumulative amount not to exceed \$524,591.83, amount which includes a ten percent contingency. (STREETS AND DEPT. OF GRANTS & HUMAN SERVICES)

APPROVED 6-0-1 with Councilman Hernandez absent.

- N. Proposed resolution authorizing the use of State Housing Initiative Partnership (SHIP) Program funds in the amount of \$256,557.44, for the construction of the Seminola Elderly Housing

Development containing 83 units of elderly-occupied affordable housing; approving the use of these funds as part of the proposed amendment to the existing Local Housing Assistance Plan (LHAP) 2016-2019, as set forth in Exhibit "1", authorizing the Mayor and his designee, to execute and deliver all necessary and customary documents and take all action in furtherance hereof on behalf of the City; and providing for an effective date. (DEPT. OF GRANTS & HUMAN SERVICES)

APPROVED 6-0-1 with Councilman Hernandez absent.
RESOLUTION NO. 2019-034

- O. Proposed resolution authorizing the City utilization of Home Investment Partnerships (HOME) Program funds awarded to the City by the U.S. Department of Housing and Urban Development (HUD) to increase the existing amount of Home Program funding awarded to Hialeah Housing Authority, for the construction of a new elderly housing community known as Seminola Elderly Housing Development, by \$3,073,934.47 for a new total award in an amount not to exceed \$6,022,094.65 in order to further facilitate the construction of the property; and providing for an effective date. (DEPT. OF GRANTS & HUMAN SERVICES)

APPROVED 6-0-1 with Councilman Hernandez absent.
RESOLUTION NO. 2019-035

- P. Request permission to utilize the Master Service Agreement between the Western States Contracting Alliance acting by and through the State of Nevada and this vendor – Contract No. 1907, effective until December 31, 2019, and issue a purchase order to AT&T Mobility LLC, to pay for the software maintenance of all Mobile Data Terminals mobile VPN clients, upgrades and support through March 26, 2020, in a total cumulative amount not to exceed \$24,402.70. (INFORMATION TECHNOLOGY DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- Q. Proposed resolution approving the City to enter into a Consulting Agreement with Civitas, LLC to provide direct technical assistance to selected new nonprofits wishing to serve as a Community Housing and Development Organization (CHDO). Technical assistance shall include all programmatic matters related to the U.S. HUD-CHDO Home Grant; for a term commencing on April 1, 2019 and ending on August 31, 2019; and authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the City, to execute the agreement attached hereto in substantial form, and made a part hereof as Exhibit "1", and providing for an effective date. (DEPT. OF GRANTS & HUMAN SERVICES) **POSTPONED UNTIL APRIL 9, 2019.**

- R. Request permission to award the City of Hialeah Fire Department the amount of \$465,376 from the Community Development Block Grant (CDBG) funds received by the City to purchase fire protection equipment, since it is advantageous to the City in that fire protection equipment is an integral part of the City's service to the community, as well as an allowable expenditure under the grant. (DEPT. OF GRANTS & HUMAN SERVICES)

APPROVED 6-0-1 with Councilman Hernandez absent.

- S. Request permission to utilize Lake County, Florida Contract No. 17-0606G – *Fire Equipment Parts – Supplies – Services*, effective through June 30, 2019, and issue a purchase order to Municipal Emergency Services, Inc., to purchase Scott SCBA Air-Pak X3 Pro "self contained breathing apparatus" and Scott SCBA cylinders to provide firefighters clean breathing air while entering hazardous environments, in a total cumulative amount not to exceed \$70,040. (FIRE DEPT.)

APPROVED 6-0-1 with Councilman Hernandez absent.

- T. Proposed resolution urging the federal government and the Florida legislature specifically to amend § 97.0585 Florida Statutes to make exempt from the Florida public records law a

voter's identification, and in particular for students who preregister to vote and for school teachers and officials; directing the Clerk to provide a copy of this resolution to the appropriate officials; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2019-036

REPORT: Mayor Hernandez addressed the City Council on this item.

REPORT: Motion to Approve Item T made by Council Vice President Garcia-Martinez, and seconded by Councilman Zogby. Motion passed 7-0.

4. ADMINISTRATIVE ITEMS

- 4A.** Second reading and public hearing of proposed ordinance repealing and replacing Ordinance 2018-023 concerning residential care and treatment facilities; amending Chapter 98, entitled "Zoning", Article VI, entitled "Supplementary District Regulations", Division 5 entitled "Uses", Subdivision IX entitled "Residential Care and Treatment Facilities" of the Code of Ordinances of the City of Hialeah, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in code; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0

ORDINANCE NO. 2019-025

<i>On March 26, 2019 item was postponed by the administration until the City Council Meeting of March 26, 2019.</i>
<i>Item was approved on first reading by the City Council on February 26, 2019. Second reading and public hearing was scheduled for March 12, 2019.</i>

REPORT: Motion to Approve Item 4A made by Councilman Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 4B.** Second reading and public hearing of proposed ordinance amending Chapter 98, "Zoning", Article VI, entitled "Supplementary District Regulations", Division 5 entitled "Uses", Subdivision VIII, entitled "Assisted Living Facilities" §§ 98-1956 and 98-1957, to require compliance with the distance separation in Section § 98-1989; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in code; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0

ORDINANCE NO. 2019-026

<i>On March 26, 2019 item was postponed by the administration until the City Council</i>
--

Meeting of March 26, 2019.

Item was approved on first reading by the City Council on February 26, 2019. Second reading and public hearing was scheduled for March 12, 2019.

REPORT: Motion to Approve Item 4B made by Councilman Caragol, and seconded by Councilman Hernandez. Motion passed 7-0.

- 4C. Second reading and public hearing of proposed ordinance approving the dedication of approximately 4,537 square feet of land, more or less, lying adjacent to and directly north of NW 170 Street, east of State Road 821, homestead extension of Florida's Turnpike to the State of Florida, Department of Transportation for right-of-way purposes; approving the terms of the dedication in substantial conformity with the deed attached and made a part hereof as Exhibit 1; subject to the execution of an Interlocal Agreement between the State of Florida and the City providing for terms of donation including but not limited to conditions to relocation of underground utilities, reciprocal access rights during construction, and conveyance of the property back to the City if the project is not completed by a date certain, among other things; subject to a grant by the Graham Companies of all necessary underground utility and access easements on property identified in parcel sketch attached as Exhibit 2, sufficient in area and scope to accommodate the relocation of the City's Reverse Osmosis Water Treatment Plant facilities, together with all rights to access, repair, replace and maintain its facilities at all times, on a form and subject to terms and conditions as approved by the Mayor and Armando Vidal, Director of Public Works; authorizing the Mayor and the City Clerk, as attesting witness, to execute the Right of Way Deed and any other instrument, document or agreement on behalf of the City in furtherance of this ordinance; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. (DEPT. OF PUBLIC WORKS AND ADMINISTRATION)

APPROVED 7-0

ORDINANCE NO. 2019-027

On March 12, 2019 the item was postponed by the administration until the City Council Meeting of March 26, 2019.

Item was approved on first reading by the City Council on February 26, 2019. Second reading and public hearing was scheduled for March 12, 2019.

REPORT: Motion to Approve Item 4C made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 7-0.

- 4D. Second reading and public hearing of proposed ordinance amending Section 98-1541 Hialeah Transfer Station Subdistrict of the Code of Ordinances of the City of Hialeah in Chapter 98 "Zoning", Article V. entitled "Zoning District Regulations", Division 26, "TOD Transit Oriented Development District"; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; and providing for an effective date.

(ZONING)
APPROVED 7-0
ORDINANCE NO. 2019-028

<i>Item was approved on first reading by the City Council on March 12, 2019.</i>
<i>Item was approved by the Planning and Zoning Board on February 27, 2019.</i>

REPORT: Motion to Approve Item 4D made by Councilman Caragol, and seconded by Councilman Zogby. Motion passed 7-0.

- 4E.** Second reading and public hearing of proposed ordinance amending Chapter 98 entitled “Zoning”, Article V. “Zoning District Regulations”, Division 26 “TOD Transit Oriented Development District” and in particular adding a new Section 98-1561 entitled “Factory Town Entertainment Subdistrict Pilot Program” of the Code of Ordinances of the City of Hialeah, repealing all ordinances or parts of ordinances in conflict herewith, providing penalties for violation hereof; providing for inclusion in code; providing for severability; providing for an effective date. (ZONING)

APPROVED 7-0
ORDINANCE NO. 2019-029

<i>On March 12, 2019 the item was postponed by the City until March 26, 2019.</i>
<i>On February 26, 2019 the item was postponed by the City until March 12, 2019.</i>
<i>Item was approved on first reading by the City Council on February 12, 2019. Second reading and public hearing was scheduled for February 26, 2019.</i>
<i>Registered Lobbyist: Carlos L. Diaz, Greenberg Traurig, 333 SE 2nd Avenue, 44th Floor, Miami, FL 3313 on behalf of 4700 NW 37th Investments, LLC, 2665 S. Bayshore Dr, Suite 1020, Coconut Grove, FL 33131.</i>
<i>Registered Lobbyist: Jorge L. Navarro, Greenberg Traurig, 333 SE 2nd Avenue, 44th floor, Miami, FL 33131 on behalf of 4700 NW 37th Investments, LLC, 2665 S. Bayshore Dr, Suite 1020, Coconut Grove, FL 33131.</i>

REPORT: Debora Storch, Planning Official, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Item 4E made by Councilman Caragol, and seconded by Councilman Hernandez. Motion passed 7-0.

- 4F.** First reading of proposed ordinance repealing and rescinding the Growth Management Advisory Committee (GMAC) and any references to same from the Hialeah Code of

Ordinances; Chapter 98 Zoning; in Article II Administration, Division 1 Generally, Section 98-38 Record of Quasi-Judicial Proceedings—Zoning Items; Division 2 Local Planning Agency, Section 98-73 Growth Management Advisory Committee; Division 6 Conditional Use Permits, Section 98-181(4) CUP Conditional Use Permit; in Article V Zoning District Regulations, Division 9 RO Residential Office District, Section 98-785 Improvement Plan; Division 33 NBD Neighborhood Business District, Section 98-1630.3 Development Standards, Subsection (d) Building Frontage; and in Article VI Supplementary District Regulations, Division 5 Uses, Subdivision I In General, Section 98-1736 Permitted Similar Uses; and repealing and rescinding the Growth Management Advisory Committee (GMAC) from the Hialeah Land Development Code and any references to same; in Regulation No. 1 - Land Development Procedures, Section 1-2 Procedures for Applications for Development Orders, Subsection (f)(2)(c) Growth Management Advisory Committee Review; in Regulation No. 2 - Uses of Land and Water, Section 2-3 Requirements for the Use of Land and Water, Subsection (c)(2), Conditional Use Permit (CUP) Requirements; in Regulation No. 10 - Subdivision of Land, Section 10-3 Plats and Platting Procedure, Subsection (a) Unlawful Acts; and in Section 10-5(c) Site Plan Review; 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.

APPROVED 7-0

REPORT: Debora Storch, Planning Official, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Item 4F made by Council Vice President Garcia-Martinez, and seconded by Councilman Caragol. Motion passed 7-0. Second reading and public hearing is scheduled for April 9, 2019.

5. BOARD APPOINTMENTS

REPORT: None.

6. UNFINISHED BUSINESS

REPORT: None.

7. NEW BUSINESS

REPORT: Mayor Hernandez advised that he will be traveling to Tallahassee this week.

8. COMMENTS AND QUESTIONS

REPORT: None.

ZONING

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

Attention Applicants:

REPORT: All were duly sworn in.

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

PZ 1. Second reading and public hearing of proposed ordinance granting a Special Use Permit (SUP) pursuant to Hialeah Code of Ordinances § 98-161 to allow for a plasma collection facility; **Property located at 2750 West 68 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. **POSTPONED until City receives Declaration of Restrictive Covenants and the item is readvertised.**

<i>On March 12, 2019.item was postponed until the City Council Meeting of March 26, 2019.</i>
<i>On February 26, 2019 item was postponed until the City Council Meeting of March 12, 2019.</i>
<i>On February 12, 2019 the item was postponed until the City Council Meeting of February 26, 2019.</i>
<i>On January 22, 2019 the item was postponed until the City Council Meeting of February 12, 2019.</i>
<i>Item was approved on first reading by the City Council on January 8, 2019. Second reading and public hearing was scheduled for January 22, 2019.</i>
<i>Item was approved by the Planning and Zoning Board on December 12, 2018.</i>
<i>Planner's Recommendation: Approval.</i>

Owner of the Property: Frank Sarria, 1001 Ponce De Leon Blvd, Suite E, Coral Gables, Florida 33134.

PZ 2. Second reading and public hearing of proposed ordinance rezoning property from RO (Residential Office) to B-1 (Highly Restricted Retail District). **Property located at 385 West 49 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.

APPROVED 7-0

ORDINANCE NO. 2019-030

<i>Item was approved on first reading by the City Council on March 12, 2019.</i>
<i>Registered Lobbyist: Felix Lasarte, 3250 NE 1 Avenue, Suite 334, Miami, Florida, on behalf of DG Prop. Group, 3250 NE 1 Avenue, Suite 334, Miami, FL.</i>
<i>Item was approved by the Planning and Zoning Board on February 27, 2019.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: SE Property Group, LLC., 3250 NE 1st Avenue, Suite 334, Miami, Florida 33137.</i>

REPORT: Motion to Approve Item PZ 2 made by Councilman Caragol, and seconded by Council Vice President Garcia-Martinez. Motion passed 7-0.

PZ 3. Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking District). Property zoned R-1. **Located at 385 West 49 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.

APPROVED 7-0

ORDINANCE NO. 2019-031

<i>Item was approved on first reading by the City Council on March 12, 2019.</i>
<i>Registered Lobbyist: Felix Lasarte, 3250 NE 1 Avenue, Suite 334, Miami, Florida, on behalf of DG Prop. Group, 3250 NE 1 Avenue, Suite 334, Miami, FL.</i>
<i>Item was approved by the Planning and Zoning Board on February 27, 2019.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: SE Property Group, LLC., 325 NE 1st Avenue, Suite 334, Miami, Florida 33137.</i>

REPORT: Motion to Approve Item PZ 3 made by Councilman Hernandez, and seconded by Council Vice President Garcia-Martinez. Motion passed 7-0.

PZ 4. Second reading and public hearing of proposed ordinance rezoning property from M-2 (Industrial District) to M-3 (Industrial District) and granting a Special Use Permit (SUP) to allow an indoor electronic recycling facility; and granting a variance permit to allow 5 parking spaces, where 13 parking spaces are required; allow a north side setback of 1.4 feet, where 5.1 feet is required; allow a pervious area of 3.98%, where 10% is required; allow a waiver of the minimum landscape requirements to permit 6 trees, where 15 trees are required; allow 0 street trees, where 9 trees are required; allow 917 square feet of landscaping area, where 2,420 square feet are required; allow no shrubs, where 80 shrubs are required; and allow no perimeter landscape buffer, where a 7 foot landscape buffer is required; provided that the landscaping requirements are mitigated pursuant to Hialeah Code of Ordinances § 98-2233; all contra to Hialeah Code of Ordinances §§ 98-2189 (7) and (15) and 98-1453 and the latest edition of the Hialeah Landscape Manual dated July 9, 2015 Table A, Paragraphs (d)(7), (8) and (g). **Property located at 5501 NW 36 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.

APPROVED 7-0

ORDINANCE NO. 2019-032

<i>Item was approved on first reading by the City Council on March 12, 2019.</i>
<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida 33016, on behalf of 5501 LLC, 5501 NW 36 Avenue, Hialeah, Florida 33142.</i>
<i>On February 27, 2019 the Planning and Zoning Board approved the item with the condition that a Declaration of Restrictive Covenants be proffered and the landscaping that will not be provided be mitigated as per Section 98-2233.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Owner of the Property: Eduardo Rodriguez, 5501 NW 36th Avenue, Miami, Florida 33142.</i>

REPORT: Motion to Approve Item PZ 4 made by Councilman Caragol, and seconded by Council Vice President Garcia-Martinez. Motion passed 7-0.

PZ 5. Second reading and public hearing of proposed ordinance granting a variance permit to allow a loading area on the exterior of the block, where loading areas are required to be located in the interior blocks; allow a 10 foot high decorative concrete wall at the perimeter of the property, where a maximum height of 8 feet is permitted; allow blank walls fronting West 40 Avenue, West 108 Street and West 104 Street, where blank walls at the street level and above the ground floor of buildings are not permitted; allow 0% frontage on West 104 Street and West 108 Street, and 49.9% frontage on West 40 Avenue, where 65% is the minimum frontage required; all contra to Hialeah Code of

Ordinances §§ 98-1607.1(c)(3), 98-1607.1(c)(4), 98-1607.1(f)(1) and 98-1371(a). **Property located at 3850 West 108 Street, Hialeah, Florida.** Zoned BDH (Business Development District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

ORDINANCE NO. 2019-033

<i>Item was approved on first reading by the City Council on March 12, 2019.</i>
<i>Registered Lobbyist: Joseph G. Goldstein, Holland & Knight, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Victory Unlimited Construction, LLC, 6831 E. 32nd Street, Indianapolis, IN 46226.</i>
<i>Item was approved by the Planning and Zoning Board on February 27, 2019.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Chill Build Miami I, LLC, 6831 East 32 Street, Suite 300, Indianapolis, Indiana 46226.</i>

REPORT: Motion to Approve Item PZ 5 made by Councilman Caragol, and seconded by Councilman Hernandez. Motion passed 7-0.

PZ 6. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow an elementary school pursuant to Hialeah Code of Ordinances § 98-181; property zoned C-2 (Liberal Retail Commercial District); **property located at 3100 West 76 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-0-1 with Council Vice President Garcia-Martinez having abstained.

ORDINANCE NO. 2019-034

<i>Item was approved on first reading by the City Council on March 12, 2019.</i>
<i>Registered Lobbyist: Ceasar Mestre, 7600 West 20th Avenue, #220, Hialeah, Florida 33016, on behalf of Reagan Educational Academy, 3168 West 76 Street, Hialeah, FL.</i>
<i>On February 27, 2019 item was approved by the Planning and Zoning Board subject to compliance with the submitted traffic circulation plan.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owners of the Property: Villaverde Properties Inc., LLC., Agustin Herran and Armando Guerra, 1390 South Dixie Hwy, STE 1200, Coral Gables, Florida 33146.</i>

REPORT: Motion to Approve Item PZ 6 made by Councilman Caragol, and seconded by

Councilwoman Cue-Fuente. Motion passed 6-0-1 with Council Vice President Garcia-Martinez having abstained.

PZ 7. Second reading and public hearing of proposed ordinance approving a final plat of Horsebit Hialeah; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located at 3120 East 11th Avenue, Hialeah, Florida.**

APPROVED 7-0

ORDINANCE NO. 2019-035

<i>Item was approved on first reading by the City Council on March 12, 2019.</i>
<i>Registered Lobbyist: Anthony Escarra Esq., Alejandro Vilarello P.A., 16400 NW 59 Avenue, Miami Lakes Florida, on behalf of Oceanmar Park Apartments II, LLC, 16400 NW 59 Avenue, Miami Lakes, FL.</i>
<i>Item was approved by the Planning and Zoning Board on February 27, 2019.</i>

REPORT: Motion to Approve Item PZ 7 made by Councilman Caragol, and seconded by Council Vice President Garcia-Martinez. Motion passed 7-0.

PZ 8. First reading of proposed ordinance rezoning property from R-1 (One Family District) to P (Parking District). Property zoned R-1. **Located at 545 East 49th 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.

APPROVED 7-0

<i>Registered Lobbyist: Octavio A. Santurio (Architect), 6262 SW 40th Street, Suite 3E, South Miami, FL 33155, on behalf of 551 East 49 Street LLC, 1200 Alton Road, Miami Beach, FL 33139.</i>
<i>Registered Lobbyist: John Diaz, 6262 SW 40th Street, Suite # 3E, South Miami, FL 33155, on behalf of 551 East 49th Street LLC, 120 Alton Road, Miami Beach, FL 33139.</i>
<i>On March 13, 2019 the item was approved by the Planning and Zoning Board with the condition that the construction of the parking lot be completed within 12 months of the approval of the ordinance, that the improvements are built in substantial conformity with the submitted site plan, and that a Declaration of Use and Unity of Title be provided in accordance with § 98-1618 of the City of Hialeah Code of Ordinances.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owners of the Property: Rodolfo Dumenigo, 545 East 49th Street, Hialeah, Florida.</i>

REPORT: John Diaz, 6262 SW 40th Street, South Miami, FL, addressed the City Council on this item.

REPORT: Debora Storch, Planning Official, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Item PZ 8 made by Council Vice President Garcia-Martinez, and seconded by Councilman Caragol. Motion passed 7-0. Second reading and public hearing is scheduled for April 9, 2019.

PZ 9. First reading of proposed ordinance granting a variance permit to allow one single family home on each substandard lot (lots 16 and 17) having a frontage of 40 feet, where 75 feet are required and a lot area of 4,905.6 square feet, where 7,500 square feet are required; allow a street side setback of 6.1 feet, where 15 is the minimum required for lot 16; all contra to Hialeah Code of Ordinances §§ 98-347(4), 98-348(a), and 98-501. Property zoned R-1 (One Family District). **Property located at 897 East 20 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.

APPROVED 7-0

Registered Lobbyist: Anthony Escarra Esq., Alejandro Vilarello, PA, 16400 NW 59 Avenue, 2nd Floor, Miami Lakes, FL, on behalf of Horsebit Capital XIII, LLC, 16400 NW 59 Avenue, 2nd Floor, Miami Lakes, FL.

On March 13, 2019 the item was approved by the Planning and Zoning Board.

Planner's Recommendation: Approval.

Owners of the Property: Horsebit Capital XIII, LLC, 16400 NW 59 Avenue, Miami Lakes, FL.

REPORT: Anthony Escarra, 16400 NW 59 Avenue, Miami Lakes, FL, addressed the City Council on this item.

REPORT: Debora Storch, Planning Official, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Item PZ 9 made by Councilman Caragol, and seconded by Council Vice President Garcia-Martinez. Motion passed 7-0.

FINAL DECISIONS

FD1. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2019-09 that granted an adjustment on the property located at **497 and 499 West 23 Street, Hialeah Florida;** and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2019-037

<i>Registered Lobbyist: Alejandro J. Arias, Esq., Holland & Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, FL 33131, on behalf of Sun Holdings, Inc.</i>
<i>On February 27, 2019 the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Sun Holdings, Inc., 8180 NW 36th Street, #100-J, Doral, Florida 33166.</i>

REPORT: Motion to Approve Item FD 1 made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 7-0.

FD 2. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2019-08 that granted an adjustment on the property located at **770 East 56 Street, Hialeah Florida**; and providing for an effective date.

APPROVED 7-0
RESOLUTION NO. 2019-038

<i>On February 27, 2019 the item was approved by the Planning and Zoning Board with the condition that the accessory building is legalized in accordance with the plans dated 2/6/19 signed and sealed by Leopoldo Bellon, R.A. within 180 days of the approval of the adjustment by City Council.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owners of the Property: Eliseo and Mireya Cruz, 770 East 56 Street, Hialeah, FL.</i>

REPORT: Debora Storch, Planning Official, City of Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Item FD 2 made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 7-0.

REPORT: Council President Casáls-Muñoz adjourned the meeting at 8:05 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, April 9, 2019 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 28, 2019 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk

at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

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

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

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 seven (7) 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).