

Esteban Bovo, Jr.
Mayor

Monica Perez
President

Jacqueline Garcia-Roves
Vice President



Council Members
Bryan Calvo
Vivian Casàls-Muñoz
Luis Rodriguez
Jesus Tundidor
Carl Zogby

City Council Meeting Minutes April 11, 2023 7:00 p.m.

1. CALL TO ORDER

A. REPORT: Council Vice President Garcia-Roves called the meeting to order at 7:07 p.m.

2. ROLL CALL

A. REPORT: Marbelys Fatjo, City Clerk, called the roll with the following Council Members absent:

1. Council President Monica Perez
2. Council Member Jesus Tundidor

B. REPORT:

1. Mayor Esteban Bovo, Jr. was present.
2. Marbelys Fatjo, City Clerk, was present.
3. Lorena Bravo, City Attorney, was present.

3. INVOCATION

A. The invocation was led by Marbelys Fatjo, City Clerk.

4. PLEDGE OF ALLEGIANCE

A. Council Vice President Garcia-Roves led the Pledge of Allegiance.

5. MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Any person, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, interested in making comments or posing questions on matters of public concern or on any item on the agenda, may do so during the meeting.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.
- The public can view public meetings on the City's YouTube page (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.

REPORT: Marbelys Fatjo, City Clerk, read the meeting guidelines into the record.

6. PRESENTATIONS

None reported.

7. COMMENTS AND QUESTIONS

- A. **REPORT:** The Office of the City Clerk did not receive any email message to be read into the record from a person interested in making comments or posing questions on matters of public concern.
- B. **REPORT:** No member of the public participating via Zoom expressed interest in making comments or posing questions on matters of public concern.
- C. **REPORT:** Three (3) members of the public present in the Council Chambers expressed interest in speaking during this portion of the meeting:
1. **Frank De la Paz, 9361 Bird Road,** spoke regarding the City's re-occupancy certificate process.
 2. **Mark Abel, 8740 NW 97 Avenue, Doral,** addressed the City Council regarding the USDA Forest Service – Urban and Community Forestry Program NOFO and provided the Mayor and City Council with a presentation on the topic and a copy of the Miami-Dade County Urban Tree Canopy Assessment Final Report.
 3. **Julian Estopana, 481 West 65 Street,** spoke regarding improvements to the track located at Goodlet Park.
 4. **Gabriel Rodriguez, 361 East 12 Street,** spoke regarding the pickup of the recycling throughout his neighborhood.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

A. Add-On Items

The following items have been added to today's agenda:

- **Consent Item N**
- **Consent Item O**

B. Postponed Items

The following items have been postponed until the City Council Meeting of May 9, 2023:

- **PZ 5**
- **PZ 6**
- **PZ 7**

C. Amended Items

- The proposed ordinance for Administrative Item 11B, P&Z Item 3 and LU 2 have been amended.

9. BOARD APPOINTMENTS

10. CONSENT AGENDA

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.

REPORT: Council Member Calvo requested that Consent Item E be removed from the Consent Agenda for separate discussion.

REPORT: Motion to Approve Consent Agenda, except item E, made by Council Member Rodriguez, and seconded by Council Member Zogby. Motion Passes 5-0-2 Council President Perez and Council Member Tundidor absent.

- A. Request permission to approve the minutes of the City Council Meeting held on March 28, 2023 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- B. **RESOLUTION:** Proposed resolution authorizing a “Piggy Back Agreement” pursuant to Hialeah Code of Ordinances § 2-818; and approving the quote for Temporary Administrative/Office and Industrial Staffing Services with 4 Best Business Corp., attached as Exhibit “A”; pursuant to the City of Miami Beach Invitation to Bid # 2020-055-AY; and authorizing the Mayor and the City Clerk, as attesting witness on behalf of the City to execute the contract attached hereto in substantial form and made a part hereof as Exhibit “1”.

(PURCHASING DIVISION)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

RESOLUTION NO. 2023-034

- C. Request permission to utilize Contract No. 20-007-02 – *Security Officer Services*, effective through March 31, 2024, between the City of Miami Beach and the vendor, and increase two purchase orders issued to Security Alliance, LLC, for three-level V security guards and two vehicles to patrol the City’s affordable housing building and City Hall, (1) Purchase Order No. 2023-1560 (*City Hall*), by an additional amount of \$11,080.00, for a new total amount of

\$36,080.00 and (2) Purchase Order No. 2023-1272 (*Affordable Housing*), by an additional amount of \$75,122.00, for a new total amount of \$100,122.00, for a new total cumulative expense amount not to exceed \$136,202.00.

The funding for this expenditure is to be withdrawn as follows: Purchase Order No. 2023-1560 (*City Hall*) from the General Fund – Contractual Services Account No. 001.8500.519.340 and Purchase Order No. 2023-1272 (*Affordable Housing*) from the Affordable Housing Fund – Contractual Services Account No. 125.8500.554.340.

(*FINANCE MANAGEMENT DEPARTMENT*)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- D. Request permission to extend the current Service Agreement with the Action Cleaning Services AP, Inc., for an additional six (6) months ending on September 30, 2023, and increase two purchase orders issued to this vendor, for janitorial services as follows:

(1) Purchase Order No. 2023-368 (*City-wide*), by an additional amount of \$184,407.47, for a new total amount not to exceed \$366,239.93,

(2) Purchase Order No. 2023-368 (*Affordable Housing*), by an additional amount of \$85,872.06, for a new total amount not to exceed \$171,744.12,

for a total cumulative expense amount not to exceed \$537,984.05 for both affordable housing and city-wide. The approval of the item requires the waiving of competitive bidding, since it is advantageous to City in that the City’s Construction and Maintenance Department is currently working with the Purchasing Division on finalizing the bid process for janitorial services.

The funding for this expenditure is to be charged to the General Fund – Contractual Services – (Charge Back to Other Department) Account No. 001.3220.591.341.

(*CONSTRUCTION AND MAINTENANCE DEPARTMENT*)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- E. Request permission to issue a purchase order to Green Alliance Inc., vendor providing the lowest quotation in response to City of Hialeah Request for Quotation No. 2022-23-3130-00-026-*Goodlet Dog Park*, for the construction of a chain-link fence at Goodlet Park in a new off-leash dog friendly park, in a total amount of \$29,390.82, and further request a contingency in the amount of \$2,939.09 to cover any unforeseen issues that may arise during the work, in a total cumulative expense amount not to exceed \$32,330.00. The approval of this item requires the waiving of competitive bidding, since it is advantageous in that the cost of competitively bidding the project would have exceeded the amount that was quoted to the City by the vendor.

The funding for the expenditure is to be withdrawn from the Park, Recreation and Open Space Fund – Capital Outlay - Infrastructure Account No. 342.3130.572.630.

(*PARKS AND RECREATION DEPARTMENT*)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

REPORT: Mayor Bovo spoke on the item.

REPORT: William Sanchez, Director of the City of Hialeah Parks and Recreation Department, 900 East 56 Street, spoke on the item.

REPORT: Motion to Approve Consent Item E made by Council Member Calvo, and seconded by Council Member Casáls-Muñoz. Motion passes 5-0-2 with Council President Perez and Council Member Tundidor absent.

- F. Request permission to increase Purchase Order No. 2023-315, issued to Gus Machado Ford, Inc., for the purchase of Original Equipment Manufacturer (OEM) and motor craft parts for all City vehicles, by an additional \$50,000.00, for a new total cumulative expense amount not to exceed \$75,000.00. The approval of this item requires the waiving of competitive bidding, since it is advantageous in that the parts will be purchased directly from the dealer.

The funding for the expenditure in is to be withdrawn from the General Fund – Inventory – Auto Parts Account No. 001.0000.141.120.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- G. Request permission to increase Purchase Order No. 2023-95, issued to TMCAA, Inc., for the purchase of Harley Davidson service for City units, by an additional amount of \$50,000.00, for a new total cumulative amount not to exceed \$75,000.00. The approval of this item requires the waiving of competitive bidding, since it is advantageous in that this vendor is a local company offering Harley Davidson service.

The funding for this expenditure is to be withdrawn from the General Fund – Contractual Services – (Charge Back to Other Department) Account No. 001.3220.591.341.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- H. Request permission to increase Purchase Order No. 2023-234. issued to Jorge L Leon Car Wash Inc, vendor under contract with the City through September 30, 2023, for the services of car washing and detailing City vehicles, by an additional amount of \$50,000.00, for a new total cumulative expense amount not to exceed \$75,000.00.

The funding for this expenditure is to be withdrawn from General Fund – Contractual Services Account No. 001.3220.591.340.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- I. Request permission to increase Purchase Order No. 2023-319, issued to TPH Holdings Florida, LLC, for the purchase of Original Equipment Manufacturer (OEM) and aftermarket parts for all City vehicles, by an additional amount of \$50,000.00, for a new total cumulative expense amount not to exceed \$75,000.00. On October 25, 2022, the City Council approved the usage of a pool of

vendors established pursuant to Miami-Dade County Bid No. FB - 00399 – *Purchase of Original Equipment Manufacturer (OEM) and Original Equipment (OE) Parts and Services*, effective through May 31, 2023.

The funding for the expenditure in is to be withdrawn from the General Fund – Inventory – Auto Parts Account No. 001.0000.141.120.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- J. Request permission to increase Purchase Order No. 2023-1286, issued to Balado National Tires, Inc, for the purchase of tires for City vehicles, by an additional amount of \$50,000.00, for a new total cumulative expense amount not to exceed \$75,000.00. On October 25, 2022, the City Council approved the usage of the pool of vendors established pursuant to Miami-Dade County Bid No. FB-01140 – *Tire Purchase and Related Services*, effective through July 31, 2024.

The funding for the expenditure in is to be withdrawn from the General Fund – Inventory – Auto Parts Account No. 001.0000.141.120.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- K. Request permission to increase Purchase Order No. 2023-316, issued to Miami Lakes Automotive, L.L.C., for the purchase of Chevrolet and Dodge Original Equipment Manufacturer (OEM) parts for all City vehicles, by an additional \$50,000.00, for a new total cumulative expense amount not to exceed \$75,000.00. The approval of this item requires the waiving of competitive bidding, since it is advantageous in that the parts will be purchased directly from the dealer.

The funding for the expenditure in is to be withdrawn from the General Fund – Inventory – Auto Parts Account No. 001.0000.141.120.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- L. Request permission to increase Purchase Order No. 2023-311, issued to Florida Transportation Systems, Inc., for the purchase of Original Equipment Manufacturer (OEM) parts for City transit buses, by an additional \$50,000.00, for a new total cumulative expense amount not to exceed \$75,000.00. The approval of this item requires the waiving of competitive bidding, since it is advantageous in that the parts will be purchased from a local company used for these purchases.

The funding for the expenditure in is to be withdrawn from the General Fund – Inventory – Auto Parts Account No. 001.0000.141.120.

(FLEET AND MAINTENANCE DEPARTMENT)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

- M. RESOLUTION:** Proposed resolution overriding the Hialeah Historic Preservation Board and recommending re-naming East 1 Avenue to East 3 Street as “Jorge Acevedo Avenue”, with the cost of signage to be paid by the City; and providing for an effective date.

(SPONSOR: Council Member Tundidor)

On March 30, 2023, the Historic Preservation Board denied the proposed street naming.

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

RESOLUTION NO. 2023-035

N. ADD-ON ITEM

RESOLUTION: Proposed resolution accepting a Federal Community Project Funding Grant administered by the U.S. Department Of Housing (U.S. HUD), and appropriating the grant funds in the Streets Fund, in the amount of \$3,000,000.00 to fund in part the costs of complete right-of-way reconstruction, including drainage, sidewalks, lighting, and roadway, in the area bounded by East 8 Avenue on the west, East 10 Avenue on the east, East 49 Street on the north and East 41 Street on the south; approving the terms of the Grant Agreement with U.S. HUD as set forth in “Exhibit 1”, which is attached to and incorporated herein; authorizing the Mayor and the City Clerk, as attesting witness, to execute and deliver the agreement, assurances and all other necessary and customary documents in furtherance thereof on behalf of the City; and providing for an effective date.

(STREETS)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

RESOLUTION NO. 2023-036

- O. ADD-ON ITEM:** Request permission to issue a special event permit to Friends of South Florida Autism, located at 3751 West 108th Street, Hialeah, Florida, to host an annual walk and safety fair, expecting approximately 300 to 400 attendees, on Saturday, April 22, 2023, from 10:00 a.m. to 2:00 p.m., in accordance with the requirements of the Hialeah Fire Department and the Hialeah Police Department, and contingent upon the applicant complying with the insurance requirements set forth by the City’s Risk Management Department.

(OFFICE OF THE CITY CLERK)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

11. ADMINISTRATIVE ITEMS

- 11 A. **ORDINANCE:** Second reading and **public hearing** of proposed ordinance approving the release of a Public Utility Easement traversing land located at 4935 East 1st Avenue, 125 East 49th Street, and 145 East 49th Street all in 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.

On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.

Registered Lobbyist: Joshua Dieguez, 7950 Northwest 155th Street, Suite 207, Miami Lakes, Florida 33016, on behalf of Francisco Dieguez, Jr., M.D., P.A.

(ZONING)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

ORDINANCE NO. 2023-034

REPORT: Motion to Approve Item 11 A made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 5-0-2 with Council President Perez and Council Member Tundidor absent.

- 11 B. **ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending the Hialeah Code of Ordinances Chapter 2, entitled “Administration”, Article VII. “City Property”, §2-901 “Disposal of Scrap; Surplus, Confiscated Abandoned, Unclaimed Property”; to permit a retired City of Hialeah law enforcement officer who is qualified to possess or carry a firearm to retain their firearm at the time of their retirement; and permit a retired handler of a City of Hialeah Police Canine to retain their canine at the time of their retirement; 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.

(ADMINISTRATION)

On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

ORDINANCE NO. 2023-035

REPORT: Motion to Approve Item 11 B made by Council Member Zogby, and seconded by Council Member Rodriguez. Motion passes 5-0-2 with Council President Perez and Council Member Tundidor absent.

- 11C. **ORDINANCE:** First reading of proposed ordinance accepting the dedication of land improved with a pump station of approximately 3,331 square feet, as depicted in the Surveyor’s Sketch attached as Exhibit “A”; subject to and approving the terms of the Quit-Claim Deed attached as Attachment “1”, from Two Lakes Lennar, LLC, a Delaware Limited Liability Company; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability

clause; and providing for an effective date.

(ADMINISTRATION)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

REPORT: Motion to Approve Item 11 C made by Council Member Zogby, and seconded by Council Member Casáls-Muñoz. Motion passes 5-0-2 with Council President Perez and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

- 11 D. ORDINANCE:** First reading of proposed ordinance approving the fourth renewal beginning June 23, 2023 through August 19, 2028 with T-Mobile USA Tower LLC, a Delaware Limited Liability Company, by and through CCTMO LLC, a Delaware Limited Liability Company, of the Ground Lease for the 95 foot Monopole Communications Tower that commenced on August 20, 2003, for a base annual rent of \$45,023.68 and annual increases of 4% each year, at Babcock Park, 651 East 4 Avenue, Hialeah, Florida; and renewing the First Amendment and Memorandum of the Original Ground Lease each dated January 10, 2019 siting a generator to power the T-Mobile Communications Antennas in the event of a power outage and providing for antennae improvements and modifications for an additional monthly rent of \$300.00; copies of which are attached hereto and made a part hereof respectively as Exhibits “1”, “2” and “3”; 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.

(ADMINISTRATION)

APPROVED 5-0-2 with Council President Perez and Council Member Tundidor absent.

REPORT: Motion to Approve Item 11 D made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council President Perez and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

12. UNFINISHED BUSINESS

None reported.

13. NEW BUSINESS

A. Mayor Bovo congratulated Council Vice President Garcia-Roves in her role as Chair of today’s
4/12/2023 5:02 PM

City Council Meeting and Council Member Calvo on passing the Florida Bar. Mayor Bovo spoke on upcoming legislation regarding recreational vehicles that are being utilized as rental properties.

14. ZONING

REPORT: All were duly sworn in.

REPORT: Council Member Calvo left the meeting prior to the zoning portion of the meeting beginning.

PLANNING AND ZONING

REPORT: Item LU 4 was considered by the City Council at this time, out of the order of the agenda, at Council Vice President Garcia-Roves direction.

PZ 1. ORDINANCE: Second reading and **public hearing** of proposed ordinance granting a variance permit to allow 32 parking spaces, where 65 parking spaces are required; contra to Hialeah Code of Ordinances §98-2189(7); **property located at 7963 West 28 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.

<i>On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.</i>
<i>On March 14, 2023, the item was tabled by the City Council until March 28, 2023. First reading was rescheduled to March 28, 2023.</i>
<i>On February 22, 2023, the Planning and Zoning Board recommended approval with the condition that a Declaration of Restriction be proffered setting the number of employees and a single barber present at the location to be set by appointment.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Property Owner: 7939 Hialeah Warehouse, LLC, 11840 Northwest 17th Place, Plantation Florida 33323.</i>

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

ORDINANCE NO. 2023- 036

REPORT: Council Vice President Garcia-Roves opened the item for public participation and no member of the public present in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: Debora Storch, Planning Official for the City of Hialeah, spoke on this item.

REPORT: Motion to Approve Item PZ 1 made by Council Member Rodriguez. Motion fails at the lack of a second.

REPORT: Motion to Deny Item PZ 1 made by Council Member Casáls-Muñoz. Motion fails at the lack of a second.

REPORT: Motion to Approve Item PZ 1 as amended, subject to the restrictions of no more than 2 barbers at a time and 2 barber chairs, with the business operating by appointment, and thereby allowing the sneaker sale business, made by Council Member Zogby, and seconded by Council Member Casáls-Muñoz. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

PZ 2. LU 1 NEEDS TO BE CONSIDERED PRIOR TO THE CONSIDERATION OF ITEM PZ 2.

ORDINANCE: Second reading and **public hearing** of proposed ordinance rezoning property from M-1 (Industrial District) to TOD (Transit Oriented Development District); and granting a Variance Permit to allow a front setback of 5 feet, where 0 feet is required along East 11 Avenue; contra to Hialeah Code of Ordinances §98-1544(3)(i); **property located at 2691 East 11 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 March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.

Registered Lobbyist: Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Station, LLC.

Registered Lobbyist: Maritza Haro Salgado, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Station, LLC.

On February 22, 2023, the Planning and Zoning Board recommended approval.

Planner's Recommendation: Approval

Property Owners: Metro Station, LLC, Alirio Torrealba and Johnny Dao, 301 Almeria Avenue, Suite 330, Coral Gables, Florida 33134.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

ORDINANCE NO. 2023-037

REPORT: Council Vice President Garcia-Roves opened the item for public participation and no member of the public present in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: Motion to Approve Item PZ 2 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

PZ 3. LU 2 NEEDS TO BE CONSIDERED PRIOR TO THE CONSIDERATION OF ITEM PZ 3.

ORDINANCE: Second reading and **public hearing** of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit-Oriented Development District); granting a Variance Permit to allow a single-use, multifamily residential building, where a vertical mix of uses is required; **properties are located at 901 East 26 Street, 911 East 26 Street, 921 East 26 Street, 931 East 26 Street, 941 East 26 Street, 951 East 26 Street, 961 East 26 Street, 971 East 26 Street, 983 East 26 Street, 906 East 27 Street, 910 East 27 Street, 912 East 27 Street, 922 East 27 Street, 932 East 27 Street, 950 East 27 Street, 962 East 27 Street, 984 East 27 Street and 990 East 27 Street, Hialeah, zoned R-1 (One-Family District);** all contra to Hialeah Code of Ordinances § 98-1630.1; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.</i>
<i>Registered Lobbyist: Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Parc Hialeah II, LLC.</i>
<i>Registered Lobbyist: Maritza Haro Salgado, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Parc Hialeah II, LLC.</i>
<i>On February 22, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owners: Metro Parc Hialeah II, LLC and Jenny A. Ducret, 301 Almeria Avenue, Suite 330, Coral Gables, Florida 33134.</i>

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

ORDINANCE NO. 2023-038

REPORT: Council Vice President Garcia-Roves opened the item for public participation and no member of the public present in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: Motion to Approve Item PZ 3 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

PZ 4. ORDINANCE: Second reading and **public hearing** of proposed ordinance granting a Special Use Permit (SUP) to allow the expansion of the Neighborhood Business District Overlay, pursuant to Hialeah Code of Ordinances § 98-1630.8; granting a Variance Permit to allow 40 residential units with an area ranging from 620 to 693 square feet, where 850 square feet is the minimum required and only 10% of the units may have an area less than 850 square feet; and a variance to waive the building mass and frontage development standards; all contra to Hialeah Code of Ordinances §§ 98-1630.2 and 98-1630.2(c) and (d). **Property located at 3875 West 16 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.

<i>On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.</i>
<i>Registered Lobbyist: Javier L. Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131, on behalf of Westland Commerce PK LLC.</i>
<i>On March 15, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owners: Carlos A. Rodriguez, Raul Bolufe and Luis Rubal Cabal, 5727 Northwest 7th Street, Miami, Florida 33126.</i>

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

ORDINANCE NO. 2023-039

REPORT: Council Vice President Garcia-Roves opened the item for public participation and no member of the public present in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: **Javier L. Vazquez, 1450 Brickell Avenue,** addressed the City Council.

REPORT: **Motion to Approve Item PZ 4 made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.**

PZ 5. ORDINANCE: Second reading and **public hearing** of proposed ordinance granting a Variance Permit to allow 13 parking spaces, where 26 parking spaces are required to open a new tapas and wine restaurant on the second floor of an existing commercial building operating a liquor store, contra to Hialeah Code of Ordinances § 98-2189(4)(f). **Property located at 400 East 41 Street, Hialeah, zoned C-2 (Liberal Retail Commercial District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

ITEM IS POSTPONED UNTIL MAY 9, 2023.

<i>On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.</i>
<i>On March 15, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owners: Barbara De La Caridad Hernandez Navarro, Barbarita's Liquor, LLC, and Raul Rodriguez, 400-402 East 41st Street, Hialeah, Florida 33013.</i>

PZ 6. ORDINANCE: 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 57-student K-5 grade school within a shopping plaza in conjunction with an existing 60-student daycare. **Property located at 6500 West 4 Avenue, Units 15 through 23, Hialeah, zoned C-2 (Liberal Retail Commercial District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

ITEM IS POSTPONED UNTIL MAY 9, 2023.

<i>On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.</i>
<i>Registered Lobbyist: Octavio A. Santurio, 6262 Bird Road, Suite 3E, Miami, Florida 33155, on behalf of Kingdom Palace Daycare Inc., c/o Madelen Dib.</i>
<i>On March 15, 2023, the Planning and Zoning Board recommended approval with the following conditions:</i> <i>(1) Immediate legalization of the 2,820 square feet of school space and adjacent fenced area, including the removal of an illegal shed</i> <i>(2) Repair of asphalt along West 4th Place, striping of the parallel parking spaces, and posting of signs</i> <i>(3) Implementation of two drop-off/pick-up shifts</i> <i>(4) Adopt and enforce parking and drop-off/pick-up regulations for the parents and staff.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Property Owner: Mohatra INC., c/o Richard Gonzalez Esq., 1989 Northwest 88th Court, Unit 1, Doral, Florida 33172.</i>

PZ 7. ORDINANCE: 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 20-student K-2 grade elementary school in a freestanding commercial building in conjunction with an existing 41-student daycare. **Property located at 430 West 29 Street, Hialeah, zoned C-2 (Liberal Retail Commercial District);** repealing all ordinances or parts of ordinances in conflict

herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

ITEM IS POSTPONED UNTIL MAY 9, 2023.

<i>On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.</i>
<i>Registered Lobbyist: Octavio A. Santurio, 6262 Bird Road, Suite 3E, Miami, Florida 33155, on behalf of Los Pinos Nuevos Academy c/o Albenis Gill.</i>
<i>On March 15, 2023, the Planning and Zoning Board recommended approval with the condition that the building remain as a school/daycare stand-alone facility with a maximum capacity of 20 students in conjunction with a 41 children daycare, and that staff is assigned to expedite the school's drop-off and pick-up process.</i>
<i>Planner's Recommendation: Approval with conditions</i>
<i>Property Owner: Inmex Investment Corp. (registered agent: Jorge Quintana).</i>

PZ 8. ORDINANCE: Second reading and **public hearing** of proposed ordinance granting a Special Use Permit (SUP) to allow the expansion of the Neighborhood Business District Overlay, pursuant to Hialeah Code of Ordinances § 98-1630.8; granting a Variance Permit to allow 12 residential units with an area ranging from 735 to 737 square feet, where 850 square feet is the minimum required and only 10% of the units may have an area less than 850 square feet; allow a 4.5 feet front setback, where 10 feet built-to-line are required; allow 22 parking spaces, where 41 parking spaces are required; and a variance to waive the building mass and frontage development standards; all contra to Hialeah Code of Ordinances §§ 98-1630.2, 98-1630.3(e)(l), 98-2189(16)a. and 98-1630.2(c) and (d); **Property located at 250 East 9 Street, Folio No. 04-3118-006-0780, 04-3118-006-0790, Hialeah, zoned CR (Commercial-Residential District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.</i>
<i>Registered Lobbyist: Manny Reus (architect), 18501 Pines Boulevard, #352, Pembroke Pines, Florida 33029, on behalf of 250 Development, LLC (Orlando Cordoves).</i>
<i>On March 15, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owner: 250 Development LLC., (Orlando Cordoves), 6619 South Dixie Highway, Suite 127, Miami, Florida 33143</i>

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council

Member Tundidor absent.

ORDINANCE NO. 2023-040

REPORT: Council Vice President Garcia-Roves opened the item for public participation and no member of the public present in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: Motion to Approve Item PZ 8 made by Council Member Rodriguez, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

PZ 9. LU 3 NEEDS TO BE CONSIDERED PRIOR TO THE CONSIDERATION OF ITEM PZ 9.

ORDINANCE: First reading of proposed ordinance rezoning property from M-1 (Industrial District) to TOD (Transit Oriented Development District); **properties located at 1140 East 25 Street, 1145 East 24 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.

<i>On March 29, 2023, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Development Alliance LLC., 1110 Brickell Avenue, Suite 504, Miami, Florida 33131, London Oz Investments LLC., 210 Knollwood Drive, Key Biscayne, Florida, 33149, and Zebra Properties, Inc., 3339 Virginia Street, Suite 404, Miami, Florida 33131.</i>

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Debora Storch, Planning Official for the City of Hialeah, spoke on this item.

REPORT: Motion to Approve Item PZ 9 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

PZ 10. ORDINANCE: First reading of proposed ordinance granting a Variance Permit to allow 3 parking spaces, where 16 parking spaces are required; allow back-out parking in a commercial area, where back-out parking is only allowed in Low-Density Residential; and allow a waiver of landscape requirements; contra to Hialeah Code of Ordinances §98-2189(15), 98-2190 and City of Hialeah Landscape Manual, latest edition dated July 9, 2015. **Property located at 242 West 23 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.

Registered Lobbyist: Sara Do Nascimento Santos, 7211 Venetian Street, Apt. 1, Miramar, Florida 33023, on behalf of Puig Maior LLC.

On March 29, 2023, the Planning and Zoning Board recommended approval with the condition that the automated lab operate with a maximum staffing of two employees, and provided that if the lab ceases operation, then the parking variance will be rescinded and the property will be operated as industrial.

Planner's Recommendation: Approval with conditions.

Property Owners: Jorge Comellini and Marco Fabiani, 1172 South Dixie Highway, Suite 379, Coral Gables, Florida 33146, and Claudio A. Barral, 10275 Collins Avenue, Suite 734, Bal Harbour, Florida 33154

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Debora Storch, Planning Official for the City of Hialeah, spoke on this item.

REPORT: Motion to Approve Item PZ 10 made by Council Member Zogby, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

PZ 11. ORDINANCE: First reading of proposed ordinance granting a Special Use Permit (SUP) pursuant to Hialeah Code of Ordinances § 98-1630.8 to allow the expansion of the Neighborhood Business District Overlay for the development of a 45 residential units with an area ranging from 504 to 711 square feet, where 850 square feet is the minimum required and only 10% of the units may have an area less than 850 square feet; allow front setback of 0 feet for stoops encroaching into the front setback along East 10 Avenue, where 10 feet built-to-line is required; and allow to waive the building mass and building frontage development standards, all contra to Hialeah Code of Ordinances §§ 98-1630.2, 98-1630.3(c) and (d) and 98-1630.3(e)(1). **Property located at 455 East 10 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.

Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of CEMC Investment Group, LLC.

On March 29, 2023, the Planning and Zoning Board recommended approval with the condition that the property is platted and the right of way is dedicated.

Planner's Recommendation: Approval with conditions.

Property Owners: CEMC Investment Group LLC, Carlos E. Perez, and Marlen Morales, 3695 Northwest 74th Street, Miami, Florida 33147.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council

Member Tundidor absent.

REPORT: Ceasar Mestre, Esq., registered lobbyist, addressed the City Council with a presentation, a copy which is on file with the Office of the City Clerk.

REPORT: Danny Alonso (architect), was unable to communicate via Zoom due to technical difficulties on his end.

REPORT: Motion to Approve Item PZ 11 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

PZ 12. ORDINANCE: First reading of proposed ordinance approving a Final Plat of West Avenue Subdivision; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; **property consisting of approximately 22,537 acres for Tract “A” and 5.108 acres for Tract “B”, bounded on the north by West 76 Street, on the west by West 6 Avenue, on the south by West 71 Street and West 72 Street, on the east by West 4 Avenue, zoned R-3-3 (Mutiple-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.

Property Owner: Florida Kennels, Inc., 831 N. Federal Highway, Hallandale Beach, Florida 33009.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Motion to Approve Item PZ 12 made by Council Member Zogby, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

PZ 13. ORDINANCE: First reading of proposed ordinance approving a Final Plat of Commerce Center at Countyline; accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; **property consisting of approximately 13.54 acres bounded on the north by the north line of the east ½ of Tract 11, on the west by NW 102 Avenue, on the south by NW 162 Street (West 108 Street), on the east by NW 99 Avenue (West 38 Avenue), 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.

Property Owner: BSRP III Hialeah Gardens, LLC, 1474-A West 84 Street, Hialeah, Florida 33014.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Motion to Approve Item PZ 13 made by Council Member Zogby, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

15. LANDUSE

LU 1. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Industrial District to Transit Oriented Development District. **Property located at 2691 East 11 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 March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.

Registered Lobbyist: Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Station, LLC.

Registered Lobbyist: Maritza Haro Salgado, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Station, LLC.

On February 22, 2023, the Planning and Zoning Board recommended approval.

Planner's Recommendation: Approval

Property Owner: Metro Station, LLC, Alirio Torrealba, and Johnny Dao, 301 Almeria Avenue, Suite 330, Coral Gables, Florida 33134.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

ORDINANCE NO. 2023-041

REPORT: Council Vice President Garcia-Roves opened the item for public participation and no member of the public present in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: Motion to Approve Item LU 1 made by Council Member Zogby, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

LU 2. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending the Future Land Use Map from Low-Density Residential District to Transit Oriented Development District. **Properties located at 901 East 26 Street, 911 East 26 Street, 921**

East 26 Street, 931 East 26 Street, 941 East 26 Street, 951 East 26 Street, 961 East 26 Street, 971 East 26 Street, 983 East 26 Street, 906 East 27 Street, 910 East 27 Street, 912 East 27 Street, 922 East 27 Street, 932 East 27 Street, 950 East 27 Street, 962 East 27 Street, 984 East 27 Street and 990 East 27 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 March 28, 2023, the City Council approved the item on first reading. Second reading and public hearing is scheduled for April 11, 2023.

Registered Lobbyist: Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Parc Hialeah II, LLC.

Registered Lobbyist: Maritza Haro Salgado, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of Metro Parc Hialeah II, LLC.

On February 22, 2023, the Planning and Zoning Board recommended approval.

Planner's Recommendation: Approval

Property Owners: Metro Parc Hialeah II, LLC and Jenny A. Ducret, 301 Almeria Avenue, Suite 330, Coral Gables, Florida 33134, Adela R Perez, Ramon A. Perez, Rigoberto P, 931 East 26 Street, Cristino & Haydee Quintana, 950 East 27 Street, Rigoberto P & Adela R. Perez, 961 East 26 Street, Victoriano & Teresita Carmenate, 980 East 27 Street, Jorge Abraham Sayegh, Milagros De Lourdes, 971 East 26 Street, MG Hialeah Partner LLC, 951 East 26 Street, Hortensia & Orlando Alvarez, 921 East 26 Street.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

ORDINANCE NO. 2023-042

REPORT: Council Vice President Garcia-Roves opened the item for public participation and no member of the public present in the Council Chambers or participating via Zoom expressed interest in speaking.

REPORT: Motion to Approve Item LU 2 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

- LU 3. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Industrial District to Transit Oriented Development District. **Property located at 1145 East 24 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 March 29, 2023, the Planning and Zoning Board recommended approval.

Planner's Recommendation: Approval.

Property Owners: Development Alliance LLC., 110 Brickell Avenue, Suite 504, Miami, Florida 33131, London Oz Investments LLC., 210 Knollwood Drive, Key Biscayne, Florida, 33149, and Zebra Properties, Inc., 3339 Virginia Street, Suite 404, Miami, Florida 33131.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Motion to Approve Item LU 3 made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

- LU 4. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Low-Density Residential to Medium Density Residential. **Properties located at 455 West 25 Street and 555 West 25 Street, Hialeah, zoned R-3-1 (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.

Registered Lobbyist: Hugo P. Arza, Esq., Alejandro J. Arias, Esq., and Alessandria San Roman, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of Hialeah Housing Authority, Inc.

On March 29, 2023, the Planning and Zoning Board recommended approval.

Planner's Recommendation: Approval

Property Owner: Hialeah Housing Authority, 75 East 6th Street, Hialeah, Florida 33010.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Alejandro J. Arias, Esq., 701 Brickell Avenue, addressed the City Council with a PowerPoint presentation, a copy which is on file with the Office of the City Clerk.

REPORT: Motion to Approve Item LU 4 made by Council Member Zogby, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

- LU 5. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Industrial and Office (MDC) District to Industrial District. **Property located at 11190 West 40 Avenue, Hialeah, zoned A (Agriculture-MDC Designation 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: Alejandro Uribe, Esq., 2800 Ponce De Leon Boulevard, Suite 1200, Coral Gables, Florida 33134, on behalf of Miami Lakes Storage, LLC.

On March 29, 2023, the Planning and Zoning Board recommended approval.

Planner's Recommendation: Approval

Property Owners: Jose L. Casas, 13351 Northwest 11th Street, Pembroke Pines, Florida 33028, and Magaly Casas & Maggie Casas, 3601 Southwest 128th Avenue, Miramar, Florida 33027.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Alejandro Uribe, Esq., 2800 Ponce De Leon Boulevard, Suite 1200, Coral Gables, Florida 33134, addressed the City Council.

REPORT: Motion to Approve Item LU 5 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

- LU 6. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Low-Density Residential District to Commercial District. **Property located at 383 West 35 Street, Hialeah, zoned R-2 (One-and Two-Family Residential District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Elsa LLC.

On March 29, 2023, the Planning and Zoning Board recommended approval.

Planner's Recommendation: Denial.

Property Owners: Elsa LLC, Cristina Sori and Jorge Luis Sosa, 3499 West 4th Avenue, Suite 101, Hialeah, Florida 33012.

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Motion to Approve Item LU 6 made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

REPORT: Second reading and public hearing is scheduled for April 25, 2023.

16. FINAL DECISIONS

FD 1. RESOLUTION: Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2023-03** granting an adjustment on the property located at **7821 West 15th Avenue, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On March 15, 2023, the Planning and Zoning Board recommended approval.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Property Owners: Jesus and Nicole Tundidor, 7821 West 15th Avenue, Hialeah, Florida 33014</i>

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

RESOLUTION NO. 2023-037

REPORT: Motion to Approve Item FD 1 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

FD 2. RESOLUTION: Proposed resolution approving the Final Decision of the Planning and Zoning Board, **Decision No. 2023-04** granting an adjustment on the property located at **228 West 18TH Street, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On March 15, 2023, the Planning and Zoning Board recommended approval with the condition that the required thirty percent previous area is provided.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Property Owner: Fidencia D. Carpio, 228 West 18th Street, Hialeah, Florida 33010</i>

APPROVED 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

RESOLUTION NO. 2023-038

REPORT: Motion to Approve Item FD 2 made by Council Member Casáls-Muñoz, and seconded by Council Member Zogby. Motion passes 4-0-3 with Council President Perez, Council Member Calvo and Council Member Tundidor absent.

17. CITY COUNCIL DISCUSSION

A. Council Member Casáls-Muñoz spoke on the re-occupancy process.

18. ADJOURNMENT

REPORT: Council Vice President Garcia-Roves adjourned the meeting at 8:34 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, April 25, 2023 at 6:30 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, April 25, 2023 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, 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 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).