

**Esteban Bovo, Jr.**  
Mayor

**Carl Zogby**  
President

**Monica Perez**  
Vice President



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

City Council Meeting  
Minutes  
**May 10, 2022**  
7:00 p.m.

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**1. CALL TO ORDER**

**A. REPORT:** Council President Zogby 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 present:

1. Council President Zogby
2. Council Vice President Perez
3. Council Member Calvo
4. Council Member Casàls-Muñoz
5. Council Member Garcia-Roves
6. Council Member Rodriguez

**B. REPORT:** The following Council Member was absent:

1. Council Member Tundidor

**C. 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.** Marbelys Fatjo, City Clerk, led the invocation.

#### **4. PLEDGE OF ALLEGIANCE**

A. Council Member 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](http://www.youtube.com/cityofhialeahgov)).
- Members of the public may hear the meeting live through telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.
- All persons participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

**REPORT: Brigitte Leal, Office Coordinator of the Office of the City Clerk, read the meeting guidelines into the record.**

## **6. PRESENTATIONS**

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- 6A.** Presentation by Senator Manny Diaz, Jr., as well as State Representatives Bryan Avila, Alex Rizo, and Tom Fabricio regarding the 2022 Legislative Session.

**REPORT:** **State Representative Alex Rizo** was present and provided the Mayor and City Council with an update regarding the Palmetto Expressway Project, and requested that the presentation regarding the 2022 Legislative Session be postponed to a later date.

## **7. COMMENTS AND QUESTIONS**

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- 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 one expressed interested in making comments or posing questions on matters of public concern registered with the Office of the City Clerk to participate live during the Comments and Questions portion of the meeting using Zoom.
- C. REPORT:** The following persons present in the Council Chambers expressed interest in speaking during this portion of the meeting.
- **Chris Medina**, 645 East 45 Street, expressed concern regarding flooding issues at the Leah Arts District, as well as presented the Mayor and each City Council Member with a painting of each of their homes.
  - **Eric Johnson**, Hialeah Fire Fighters, Local 1102, invited the Mayor and the City Council to the Hialeah Fire Fighter Experience Event on September 10, 2022.

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

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### **Deferred Items:**

- Item PZ 1 is deferred until May 24, 2022.

### **Amended Items:**

- Consent Item D has been amended.

## **9. CONSENT AGENDA**

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

**REPORT: Council Vice President Perez requested separate discussion on Consent Item B.**

**REPORT: Council Member Casáls-Muñoz requested separate discussion on Consent Item D.**

**REPORT: Motion to Approve the Consent Agenda, except items B and D made by Council Member Rodriguez, and seconded by Council Member Garcia-Roves. Motion passes 6-1 with Council Member Tundidor absent.**

- A. Request permission to approve the minutes of the City Council Meeting held on April 26, 2022 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

**APPROVED 6-1 with Council Member Tundidor absent.**

- B. Request from Fireworks Lady and Co., LLC, located at 8600 Northwest South River Drive, Suite 75, Miami, Florida 33166, for a special events permit to host an Annual Fireworks Lady Demo Shoot (company gathering for product demonstration), to include music played by a disc jockey, as well as to have a maximum of two food trucks to serve food and non-alcoholic beverages, on Saturday, May 28, 2022 from 6:00 p.m. until 10:30 p.m., to be held at the Milander Park Field, with an expected estimate of 100 attendees, subject to compliance with the requirements of the Hialeah Police Department and the Hialeah Fire Department, as well as the insurance coverage required by the City's Risk Management Department.

(OFFICE OF THE CITY CLERK)

**APPROVED 5-1-1 with Council Member Casáls-Muñoz voting "No" and Council Member Tundidor absent.**

**REPORT: Patricia Taime**, 8600 Northwest South River Drive, Medley, Florida, spoke regarding the item.

**REPORT: Chief Willians Guerra, Hialeah Fire Department**, 83 East 5<sup>th</sup> Street, Hialeah, Florida, spoke on the item.

**REPORT: Jorge Hernandez, Assistant Director of the Hialeah Communications and Special Events Department**, spoke on the item.

**REPORT: Franklin Duharte, Risk Administrator**, spoke on the item.

**REPORT: Mayor Bovo**, spoke on this item.

**REPORT: Motion to Approve Consent Item B subject to compliance with the requirements of the Hialeah Police Department, Hialeah Fire Department and the Hialeah Risk Management**

**Department, made by Council Vice President Perez, and seconded by Council Member Garcia-Roves. Motion passes 5-1-1 with Council Member Casáls-Muñoz voting “No” and Council Member Tundidor absent.**

*On April 26, 2022, the City Council tabled the item until May 10, 2022.*

**C. Request permission to issue a purchase order to VCS Tech Systems, LLC, for payment of the following invoices:**

- Invoice No. 002159, for the installation of new 911 call boxes at Sector 2 and Sector 5, for \$2,731.88
- Invoice No. 002299, for the reconfiguration of the NVRs in the K9 unit, Internal Affairs and the Office of the Chief of Police, for \$625.00
- Invoice No. 002404, payment of the monthly reoccurring fee for service to the 911 call box outside Sector 2 and Sector 5 during the month of December 2021, for \$66.88
- Invoice No. 002405, payment of the monthly reoccurring fee for service to the 911 call box outside Sector 2 and Sector 5 during the month of January 2022, for \$66.88
- Invoice No. 002529, payment for service call for UniView POE switches with power failures at two (2) police stations, for \$1,075.00
- Invoice No. 002531, payment for service call due to the Sector 5 NVR not working properly, for \$125.00
- Invoice No. 002544, payment of the monthly reoccurring fee for service to the 911 call box outside Sector 2 and Sector 5 during the month of February 2022, for \$66.88

in a total cumulative expense amount not to exceed \$4,757.52. The funding for this expenditure is to be withdrawn from the General Fund - Repair & Maintenance Equipment Account No. 001.1000.521.462.

On August 24, 2021 (Consent Item J), the City Council awarded Hialeah Invitation to Bid No. 2020/21-8500-36-024 – *Access Control- Keri Systems Installation and Maintenance*, to this vendor, sole source responsive bidder.

(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 6-1 with Council Member Tundidor absent.**

- D.** Request permission to issue a purchase order to Stealth Partner Group, LLC, vendor providing the City’s broker with the lowest quote of all insurance companies contacted, for stop loss insurance with the City’s self-funded PPO Plan, in the amount of \$576,553.90, and further request permission to ratify payments made for the month of January 2022 in the amount of \$35,863.98 and February in the amount of \$37,582.12, for a new total cumulative expense amount not to exceed \$650,000.00. The funding for this expenditure is to be withdrawn from the Contractual Services Account No. 520.8500.519.233. On May 11, 2021 the City Council approved Resolution Number 2021-046, authorizing the City to negotiate the terms and conditions of an agreement with PineTree Capital,

LLC for the negotiation and placement of the Open Access Plus Health Insurance Plan, self-funded PPO Health Insurance Plans, GAP health insurance coverage, stop loss health insurance coverage, pharmacy benefits for the City's self-funded PPO Health Insurance Plans, and the Medicare Advantage PPO Health Insurance Plan for calendar years 2022 and 2023.

(RISK MANAGEMENT DEPARTMENT)

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**REPORT: Motion to Approve the Consent Item D made by Council Member Casáls-Muñoz, and seconded by Council Vice President Perez. Motion passes 6-0-1 with Council Member Tundidor absent.**

## 10. ADMINISTRATIVE ITEMS

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**REPORT:** Council President Zogby, without opposition from the rest of the City Council Members present, called the Administrative Items out of the order of the agenda as follows:

1. Administrative Item 10 C
2. Administrative Item 10 D
3. Administrative Item 10 A
4. Administrative Item 10 B
5. Administrative Item 10 E
6. Administrative Item 10 F
7. Administrative Item 10 G

**10 A. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Ordinance No 2022-003 (February 8, 2022), of the Hialeah Code of Ordinances Chapter 18, entitled "Businesses", Article II, "Special Events"; amending § 18-29 "Permit; Hialeah Park District (HPD)" by allowing the Factory Town Entertainment Subdistrict to site special events of 60 days or less; 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)

<i>On April 26, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 10, 2022.</i>
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<i>On March 8, 2022 the item was postponed by the administration until further notice.</i>
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**APPROVED 5-0-2 with Council Member Tundidor absent and with Council Vice President Perez not present during roll call.**

**ORDINANCE NO. 2022-040**

**REPORT:** Council President Zogby opened the item for public participating and no one present in the Council Chambers or participating via Zoom expressed interest in speaking.

**REPORT: Motion to Approve Item 10 A made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 5-0-2 with Council Vice President Perez not present during roll call and Council Member Tundidor absent. Council Vice President Perez recorded her vote as “Yes” after the item was approved.**

**10 B. ORDINANCE:** Second reading and **public hearing** of proposed ordinance amending Ordinance No. 2013-83 (November 26, 2013) amending Chapter 46 entitled “Historical Preservation” of the Code of Ordinances, and in particular, revising Hialeah Code § 46-40 entitled “Powers and Duties” to allow the naming of City buildings, facilities, parks, rights-of-way and other City properties after elected federal officials or relatives of elected federal officials during the lifetime of the elected federal officials; 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 April 26, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 10, 2022.*

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**ORDINANCE NO. 2022-041**

**REPORT:** Council President Zogby opened the item for public participating and no one present in the Council Chambers or participating via Zoom expressed interest in speaking.

**REPORT: Motion to Approve Item 10 B made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 6-0-1 with Council Member Tundidor absent.**

**10 C. ORDINANCE:** Second reading and **public hearing** of proposed ordinance supplementing Resolution No. 2021-124 adopted on September 14, 2021; authorizing the exchange of Series 2022 Note for the Series 2021 Note in the amount of \$28,400,000.00; providing for the rights, securities and remedies for the owner of the Series 2022 Note; authorizing certain City officials to execute such Series 2022 Note and all necessary documents on behalf of the City and to take all actions required in connection with the delivery of such Series 2022 Note; making certain covenants and agreements in connection therewith; repealing all ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION)

*On April 26, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 10, 2022.*

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**ORDINANCE NO. 2022-042**

**REPORT:** Council President Zogby opened the item for public participating and no one present in the Council Chambers or participating via Zoom expressed interest in speaking.

**REPORT: Motion to Approve Item 10 C made by Council Member Rodriguez, and seconded by Council Member Calvo. Motion passes 6-0-1 with Council Member Tundidor absent.**

**10 D. ORDINANCE:** Second reading and **public hearing** of proposed ordinance supplementing Ordinance No. 10-40 enacted by the City Council on June 22, 2010; authorizing not to exceed \$41,500,000.00 Utility System Revenue Refunding Bonds, Series 2022; providing for the issuance of such Series 2022 Bonds to refinance certain debt obligations; delegating the award of the sale of the Series 2022 Bonds to the Mayor; appointing a registrar and paying agent; approving the form of the Escrow Deposit Agreement; approving the execution and delivery of a Bond Purchase Agreement; approving the execution and delivery of a Disclosure Dissemination Agent Agreement; appointing a Dissemination Agent; amending Ordinance No. 10-40 to change the definition of Finance Director; providing certain covenants and agreements in connection with the issuance thereof; and providing an effective date.

(ADMINISTRATION)

*On April 26, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 10, 2022.*

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**ORDINANCE NO. 2022-043**

**REPORT:** Council President Zogby opened the item for public participating and no one present in the Council Chambers or participating via Zoom expressed interest in speaking.

**REPORT: Motion to Approve Item 10 D made by Council Member Calvo, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Tundidor absent.**

**10 E. ORDINANCE:** First reading of proposed ordinance amending Ordinance No. 2022-015 (March 8, 2022) amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, Article VI. “Peddlers, Solicitors, Itinerant Vendors”, Division 2. “Peddlers, Itinerant Vendors”, §18-311 “Retail Sales from Tents”; allowing retail tent sales other than the sales of Christmas trees and fireworks as a special event; allowing additional time for retail sales as a special event; allowing for a farmer’s market; 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 April 26, 2022, the item was deferred until May 10, 2022.*

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**REPORT: Lorena Bravo, City Attorney, spoke on this item.**



**REPORT: Motion to Approve Item 10 E made by Council Member Calvo, and seconded by Council Member Casáls-Muñoz. Motion passes 6-0-1 with Council Member Tundidor absent.**

**REPORT: Second reading and public hearing is scheduled for May 24, 2022.**

- 10 F. ORDINANCE:** First reading of proposed ordinance amending Chapter 98, entitled “Zoning”, Article V, Zoning District Regulations, Division 16, entitled “C-2 Liberal Retail Commercial District”, Section 98-1112, entitled “Uses Prohibited” removing open air markets as prohibited activity; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(ZONING)

*On April 13, 2022, the Planning and Zoning Board recommended approval of this item.*

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**REPORT: Motion to Approve Item 10 F made by Council Member Casáls-Muñoz, and seconded by Council Member Rodriguez. Motion passes 6-0-1 with Council Member Tundidor absent.**

**REPORT: Second reading and public hearing is scheduled for May 24, 2022.**

- 10 G.** Pursuant to Section 2.01 of the City’s Charter, Mayor Esteban Bovo, Jr., appoints Ruth Rubi, subject to civil service rules and regulations, to the position of Executive Director of Finance Management.

(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**REPORT: Mayor Bovo spoke on the item.**

**REPORT: Motion to Approve Item 10 G made by Council Member Casáls-Muñoz, and seconded by Council Vice President Perez. Motion passes 6-0-1 with Council Member Tundidor absent.**

## **11. BOARD APPOINTMENTS**

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**REPORT: None.**

## **12. UNFINISHED BUSINESS**

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**REPORT: None.**

### 13. NEW BUSINESS

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**REPORT:** None.

### 14. LANDUSE

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**LU 1. ORDINANCE:** First reading of proposed ordinance amending the Future Land Use Map from Commercial to Transit Oriented Development District; **Property located at 1067 East 25 Street, Hialeah, Florida, 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.

<i>Per the Planning and Zoning Division, the Land Use Amendment must be approved before the City Council's consideration of the rezoning of the property. (Item PZ 6 on the May 10, 2022 City Council Agenda)</i>
<i>Registered Lobbyists: Maritza Haro Salgado and Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 300, Miami, Florida 33131, on behalf of BEC Housing Trust, LLC.</i>
<i>On April 27, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: East 25 Street Shops, Inc., 2223 Pembroke Road, Hollywood, Florida 33020.</i>

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**REPORT: Motion to Approve Item LU 1 made by Council Member Casáls-Muñoz, and seconded by Council Member Calvo. Motion passes 6-0-1 with Council Member Tundidor absent.**

**REPORT: Second reading and public hearing is scheduled for May 24, 2022.**

### 15. ZONING

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#### **PLANNING AND ZONING**

**REPORT:** Council President Zogby, without opposition from the rest of the City Council Members present, called the Planning and Zoning Items out of the order of the agenda as follows:

1. Planning and Zoning Item PZ 6
2. Planning and Zoning Item PZ 5

3. Planning and Zoning Item PZ 2
4. Planning and Zoning Item PZ 3
5. Planning and Zoning Item PZ 7
6. Planning and Zoning Item PZ 4
7. Final Decision Item FD 1
8. Final Decision Item FD 2

**PZ 1. ORDINANCE:** Second reading and **public hearing** of proposed ordinance granting a Special Use Permit (SUP) pursuant to Hialeah Code of Ordinances § 98-161 to allow an adult day training and care center for young people with disabilities ancillary to an existing church and school; **Property located at 5800 Palm Avenue, 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.

**ITEM IS DEFERRED UNTIL MAY 24, 2022, PER THE APPLICANT’S REQUEST.**

<i>On April 26, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 10, 2022.</i>
<i>On April 13, 2022, the Planning and Zoning Board recommended approval of the item contingent on the construction of on-street parking spaces.</i>
<i>Planner’s Recommendation: Approval contingent on the construction of on-street parking spaces.</i>
<i>Property Owners: Mayra Sanabria, 20110 Northwest 59 Court, Hialeah, Florida 33015 Mayra Aristy, 501 Southeast 4<sup>th</sup> Street, Hialeah, Florida 33010.</i>

**PZ 2. ORDINANCE:** First reading of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a 10,840 square foot expansion of the existing 36,950 square foot Behavioral Health Hospital; and increase the number of beds from 72 beds to 92 beds; and allow 73 parking spaces, where 115 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(12); **Property located at 4225 West 20 Avenue, Hialeah zoned C-2 (Liberal Commercial District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On April 26, 2022, the item was deferred until May 10, 2022.</i>
<i>On April 25, 2022, Mr. Javier Vazquez, registered lobbyist, requested that the item be deferred until May 10, 2022.</i>
<i>Registered Lobbyist: Javier Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131, on behalf of, 4225 LLC C/O Millennium Mgmt LLC.</i>

*On March 23, 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owner: 4225 LLC c/o Millennium Mgmt LLC, 10800 Biscayne Blvd, Suite 600, Miami, Florida 33161.*

**APPROVED 5-0-2 with Council Member Tundidor absent and Council Member Calvo having abstained from voting.**

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

**REPORT: Seth Francis,** engineer, addressed the City Council via Zoom on behalf of the applicant.

**REPORT: Alex Menendez,** applicant, spoke on the item.

**REPORT: Debora Storch, City's Planning Official,** spoke on the item.

**REPORT: Motion to Approve Item PZ 2 made by Council Member Casáls-Muñoz, and seconded by Council Vice President Perez. Motion passes 6-0-1 with Council Member Tundidor absent.**

**REPORT: Second reading and public hearing is scheduled for May 24, 2022.**

**REPORT: Council Member Calvo abstained from voting on the item and filed a Form 8B - Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, form which is on file with the Office of the City Clerk.**

**PZ 3. ORDINANCE:** First reading of proposed ordinance granting a Special Use Permit (SUP) to allow the expansion of the NBD (Neighborhood Business District) Overlay for the development of a 27-unit multifamily building, pursuant to Hialeah Code of Ordinances § 98-1630.8; granting a variance permit to allow only residential uses where mixed use is required; allow residential use on the ground floor, where residential use is allowed above ground floor level only; allow 18 residential units with an area of 595 square feet, where 850 square feet is the minimum required and only 10% of the units may have an area of 600 square feet; allow 7 feet front setback on East 7 Avenue, for encroachment of balconies above the ground floor, where 10 feet built-to-line are required; allow 32 parking spaces, where 61 parking spaces are required; and allow 29.6% pervious area, where 30% is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-1630.1, 98-1630.2, 98-1630.3(e)(1), 98-2189(16)a., and 98-2056(b)(1); **Property located at 40 East 10 Avenue, 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.

*On April 26, 2022, the item was tabled by the City Council until May 10, 2022.*

*On April 13, 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval*

*Property Owner: Johanna Ferrer, 7440 SW 69 Terrace, Miami, Florida 33143.*

**TABLED BY THE CITY COUNCIL UNTIL MAY 24, 2022 6-0-1 with Council Member Tundidor absent.**

**REPORT:** Applicant was not present.

**REPORT: Motion to Table Item PZ 3 until May 24, 2022 made by Council Member Casáls-Muñoz, and seconded by Council Member Calvo. Motion passes 6-0-1 with Council Member Tundidor absent.**

**REPORT:** Council Vice President Perez left the meeting at 9:06 p.m.

**PZ 4. ORDINANCE:** First reading of proposed ordinance rezoning property from R-1 (One-Family District) to R-3-3 (Multiple -Family District); granting a variance permit to allow front setback of 21.8 feet, where 25 feet are required; allow street side setback of 6 feet, where 15 are required; allow rear setback of 11.6 feet, where 20 feet are required; allow total lot coverage of 31%, where 30% is the maximum allowed; and allow 23% pervious area, where 30% is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-589, 98-590, 98-591, 98-2056(b)(1) and 98-2056(b)(2); **Property located at 782 East 37 Street, Hialeah, Florida, 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.

*Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of, New Land Opportunities Inc.*

*On April 27, 2022, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Property Owners: New Land Opportunities Inc, P.O Box 820841, Pembroke Pines, Florida 33082.*

*Alejandro Pla, 218 East 49 Street, Hialeah, Florida 33013.*

*Daisy Gascow, 218 East 49 Street, Hialeah, Florida 33013.*

**APPROVED 4-1-2 with Council Member Calvo voting "No", and Council Vice President Perez and Council Member Tundidor absent.**

**REPORT: Motion to Approve Item PZ 4 made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 4-1-2 with Council Member Calvo voting "No", and Council Vice President Perez and Council Member Tundidor absent.**

**REPORT: Second reading and public hearing is scheduled for May 24, 2022.**

**PZ 5. ORDINANCE:** First reading of proposed ordinance rezoning from R-1 (One-Family District) to GUD (Governmental Use District) of property located at 815 West 75 Street and 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; granting a variance permit to allow residential use on the ground floor, where residential use is allowed above ground floor level only; allow 1,049 parking spaces, where 1,487 parking spaces are required; and allow 19.8% pervious area, where 30% is the minimum required; contra to Hialeah Code of Ordinances §98-1630.2, and §§98-2189(16)a. and b. **Property located at 7605 West 10 Avenue and 815 West 75 Street, Hialeah, Florida, zoned GUD (Governmental Use District) and 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.

*Registered Lobbyist: Alejandro J. Arias, 701 Brickell Avenue, Suite 300, Miami Florida 33131, on behalf of Hialeah Housing Authority.*

*Registered Lobbyist: Hugo P. Arza, Esq., Alejandro J. Arias, Esq., Alessandria San Roman, Esq., 701 Brickell Avenue, Suite 300, Miami Florida 33131, on behalf of, Bessolo Design Group, Inc.*

*On April 27, 2022, the Planning and Zoning Board recommended approval of the item as recommended.*

*Planner's Recommendation: Approval subject to keeping buildings facing West 8 Avenue at a height not exceeding five stories and without commercial uses.*

*Property Owners: HHA I, Inc., Florida Not for Profit Organization and Hialeah Housing Authority, Not for Profit Entity, 75 East 6 Street, Hialeah, Florida 33010.*

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**REPORT: Motion to Approve Item PZ 5 made by Council Member Rodriguez, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Tundidor absent.**

**REPORT: Second reading and public hearing is scheduled for May 24, 2022.**

**PZ 6. ORDINANCE:** First reading of proposed ordinance rezoning property from C-2 (Liberal Retail Commercial District) to TOD (Transit Oriented Development District); and granting a variance permit to allow 10 stories, where 8 stories is the maximum allowed; contra to Hialeah Code of Ordinances §§ 98-1544(c)(2) and 98-1544(d). **Property located at 1067 East 25 Street, Hialeah, Florida, zoned C-2 (Liberal Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

*Registered Lobbyist: Maritza Haro Salgado and Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 300, on behalf of BEC Housing Trust, LLC.*

<i>On April 27, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: East 25 Street Shops, Inc., 2223 Pembroke Road, Hollywood, Florida 33020.</i>

**APPROVED 6-0-1 with Council Member Tundidor absent.**

**REPORT: Motion to Approve Item PZ 6 made by Council Member Calvo, and seconded by Council Member Casáls-Muñoz. Motion passes 6-0-1 with Council Member Tundidor absent.**

**REPORT: Second reading and public hearing is scheduled for May 24, 2022.**

**PZ 7. RECOMMENDATION OF DENIAL:** Recommendation of Denial by the Planning and Zoning Board to allow the re-platting of the property into two substandard lots, Lot 1 having a frontage of 40.01 feet and total lot area of 5,399.91 square feet, where 75 feet and 7,500 square feet are required and Lot 2, having a frontage of 40.01 feet and total lot area of 5,399.91 square feet, where 75 feet and 7,500 square are required, and once platted, allow the construction of a single-family house on each district for property located at **1140 West 32<sup>nd</sup> Street, Hialeah**, zoned R-1 (One-Family District).

<i>On April 26, 2022, the item was tabled by the City Council until May 10, 2022.</i>
<i>Registered Lobbyist: Frank De la Paz, 9361 Bird Rd, Miami, Florida 33165, on behalf of Suneil Arzola.</i>
<i>On April 13, 2022, the Planning and Zoning Board recommended denial of the item.</i>
<i>Planner's Recommendation: Denial.</i>
<i>Property Owners: Suniel Arzola, 1140 West 32 Street, Hialeah, Florida 33012</i>

**DENIAL OVERRIDDEN 5-1-1 with Council Calvo voting “No” and Council Member Tundidor absent.**

**REPORT: Frank De la Paz, registered lobbyist, addressed the City Council and provided a 500 foot radius map to each Council Member, map which is on file in the Office of the City Clerk.**

**REPORT: Debora Storch, City’s Planning Official, spoke on the item.**

**REPORT: Motion to Override the Recommendation of Denial of the Planning and Zoning Board made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 5-1-1 with Council Calvo voting “No” and Council Member Tundidor absent.**

**REPORT: First reading is scheduled for May 24, 2022.**

**16. FINAL DECISIONS**

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**FD 1. RESOLUTION:** Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2022-06** granting an adjustment on the property located at **5958 West 13 Court, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On April 13, 2022, the Planning and Zoning Board recommended approval of the item with the condition that the terrace remain open on its three sides.</i>
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<i>Planner's Recommendation: Approve with conditions.</i>
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<i>Property Owners: Anthony Perez and Felipe Perez, 5958 West 13 Court, Hialeah, Florida 33012</i>
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**APPROVED 5-0-2 with Council Vice President Perez and Council Member Tundidor absent.**

**RESOLUTION NO. 2022-067**

**REPORT: Motion to Approve Item FD 1 made by Council Member Calvo, and seconded by Council Member Rodriguez. Motion passes 5-0-2 with Council Vice President Perez and Council Member Tundidor absent.**

**FD 2. RESOLUTION:** Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2022-07** granting an adjustment on the property located at **517 East 10 Street, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On April 13, 2022, the Planning and Zoning Board recommended approval of the item with the condition that a 6-foot concrete wall be erected on the east side property line to protect the privacy of the adjacent home to the east.</i>
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<i>Planner's Recommendation: Approve with conditions.</i>
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<i>Property Owners: Osiris Machado, Ana L. Valdez, Ailin Machado, 517 East 10<sup>th</sup> Street, Hialeah, Florida 33010.</i>
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**APPROVED 5-0-2 with Council Vice President Perez and Council Member Tundidor absent.**

**RESOLUTION NO. 2022-068**

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



**REPORT: Council President Zogby adjourned the meeting at 9:09 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 24, 2022 at 6:30 p.m.**

**NEXT CITY COUNCIL MEETING: Tuesday, May 24, 2022 at 7:00 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

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

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).