

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 24, 2022
7:00 p.m.

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 all of the Council Members present.

3. INVOCATION

A. Marbelys Fatjo, City Clerk, led the invocation.

4. PLEDGE OF ALLEGIANCE

A. Council Member Rodriguez 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

- Presentation by Steven Diaz, Hialeah Parks and Recreation Supervisor, regarding the Flag Football season.

(DEPARTMENT OF PARKS AND RECREATION)

REPORT: Mr. Diaz's PowerPoint presentation is on file in the Office of the City Clerk.

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.

5/26/2022 4:58 PM

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.

- **Juan Carlos Enriquez**, 4705 East 10th Lane, Car Forever Body Shop, requested that his business license be reclassified.
- **Gabriel Rodriguez**, 361 East 12th Street spoke regarding Mayor Bovo and the Hialeah Police Department.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

Add-on Items:

- F
- G
- H
- I

Deferred Items:

- **Item PZ 2** is deferred until June 14, 2022.

Amended Items:

- The proposed ordinance for Item PZ 3 has been amended, and a copy of the proposed ordinance is on the dais for the City Council's review.

9. 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: Motion to Approve the Consent Agenda made by Council Member Rodriguez, and seconded by Council Member Tundidor. Motion passes 7-0.

A. Request permission to approve the minutes of the City Council Meeting held on May 10, 2022 at 7:00 p.m.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- B.** Report of Scrivener's Error – On March 22, 2022, the City Council passed and adopted Ordinance No. 2022-020 calling for a Special Primary Election to be held in the City of Hialeah on Tuesday, November 8, 2022 to fill a vacancy for City Councilmember Group IV and providing for a Special General Election (run-off election) to be held on Tuesday, December 6, 2022, if necessary. The ordinance incorrectly provides the date of resignation of former Councilmember Oscar De la Rosa as October 26, 2022. The ordinance is hereby being amended to reflect Mr. De la Rosa's effective date of resignation as January 26, 2022.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- C.** Request permission to waive competitive bidding, since it is advantageous to the City in that the property owner (Orestes Armenteros) was awarded SHIP funds in the year 2020 and the City is expediting the finalization of the project, and issue a purchase order to Patriot Windows & Doors, LLC, vendor providing the lowest quotation, for the purchase and installation of impact windows and doors for the property located at 135 West 52 Street, Hialeah, Florida, through the State Housing Initiatives Partnership (SHIP) Program, in a total amount of \$30,679.02, and further request a ten percent (10%) contingency in the amount of \$3,067.90 to cover any unforeseen issues that may arise during the work, for a total cumulative expense amount not to exceed \$33,746.92. The funding for this expenditure is to be withdrawn from the State Housing Initiative Program Fund - SHIP Armenteros Case Account No. 123.8314.554306.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 7-0

- D.** Request permission to extend the Professional Service Agreement between the City of Hialeah and Tidal Basin Government Consulting, LLC, for a period of one (1) year, commencing August of the year 2022 through August of the year 2023, pursuant to Hialeah Request for Proposal No. 2018/19-8500-36-001 – *Emergency Management Administrative Support Services RFP*, under the same terms and conditions outlined in the initial agreement. On June 25, 2019, the City Council approved Consent Item N, awarding the bid to Tidal Basin Government Consulting, LLC, highest ranked proposer, for a three (3) year term.

(DEPARTMENT OF EMERGENCY MANAGEMENT)

APPROVED 7-0

- E.** Request to approve the recommendations of the Selection Committee for request for proposals for Pre-Employment, Occupational Health and Other Related Medical Services in response to Request for Qualification No. 2021/22-4100-36-006, awarding a professional service agreement to the following three (3) firms:

- 1) Cano Health Occupational Health, LLC (297 Points)
- 2) Physician Health Center (289 Points)
- 3) Miami Health Medical Group, Inc. (240 Points)

(HUMAN RESOURCES DEPARTMENT)

APPROVED 7-0

- F. Request from Samurai Fireworks LLC, located at 7950 Northwest 53rd Street, Suite 337, Miami, Florida, for permission to install a seasonal tent for the sale of fireworks at 2122 West 62 Street, Hialeah, Florida, with set-up taking place Wednesday, June 15, 2022, and sales commencing on Monday, June 20, 2022 ending Monday, July 4, 2022, and the take down of the tent to occur on Wednesday, July 6, 2022, subject to compliance with the requirements of the Fire Department.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- G. Report of Scrivener's Error – On April 12, 2022, the City Council approved Agenda Item L, a request to utilize Government Services Administration Federal Acquisition Service Contract No. GS-35F573GA and issue a purchase order to DSM Technology Consultants LLC, to renew the Disaster Recovery as a Service (DRaaS) for fiscal years 2022, 2023, 2024 and 2025 with the incorrect expense amount for fiscal year 2022 as \$37,929.00. The item is hereby amended to reflect \$38,097.00 as the correct expense amount for fiscal year 2022, for a total cumulative expense amount of \$221,022.00.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- H. Proposed resolution repealing and rescinding Hialeah Ordinance No. 2021-132 that authorized the use of State Housing Initiatives Partnership (SHIP) Program Funds under the SHIP Safe Home Project in an amount not to exceed \$100,000.00 to conduct residential rehabilitation of the home of Migdalia Ortiz, an approved strategy under the City's Local Housing Assistance Plan (LHAP); and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 7-0

RESOLUTION NO. 2022-069

- I. Proposed resolution of the Mayor amending Hialeah, Florida Resolution 2020-144 (October 27, 2020) which established a ten member Local Affordable Housing Advisory Committee for the City of Hialeah, to change appointees and reduce the number of appointees from ten to eight; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 7-0

RESOLUTION NO. 2022-070

10. ADMINISTRATIVE ITEMS

10 A. ORDINANCE: Second reading and **public hearing** of proposed ordinance amending Ordinance No. 2022-015 (March 8, 2022) of the Mayor and the City Council of the City of Hialeah, Florida, 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 sale 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)

<i>On May 10, 2022, the City Council approved the item on first reading. Second reading and public hearing is scheduled for May 24, 2022.</i>

<i>On April 26, 2022, the item was deferred until May 10, 2022.</i>

APPROVED 7-0

ORDINANCE NO. 2022-044

REPORT: **Frank De La Paz**, 9361 Bird Road, commented on including food truck regulations on this proposed ordinance.

REPORT: **Motion to Approve Item 10 A made by Council Member Garcia-Roves, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.**

10 B. ORDINANCE: Second reading and **public hearing** 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)

<i>On May 10, 2022, the City Council approved the item on first reading, Second reading and public hearing is scheduled for May 24, 2022.</i>

<i>On April 13, 2022, the Planning and Zoning Board recommended approval of this item.</i>
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APPROVED 7-0

ORDINANCE NO. 2022-045

REPORT: **Motion to Approve Item 10 B made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.**

10 C. ORDINANCE: First reading of proposed ordinance amending City of Hialeah Ordinance No. 2022-20 (March 22, 2022), to correct the last date that the Miami-Dade County Supervisor of Elections will register voters for the City of Hialeah Special Primary Election of November 8, 2022.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

REPORT: Motion to Approve Item 10 C made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for June 14, 2022.

10 D. PUBLIC HEARING TO RECEIVE THE PUBLIC'S COMMENTS: The City is proposing to provide free bus services (elimination of fare) to the public through City of Hialeah Transit System for the routes of Flamingo and Marlin.

(ADMINISTRATION)

(TRANSIT)

APPROVED 7-0

REPORT: Mayor spoke on this item.

REPORT: Motion to Approve Item 10 D made by Council Member Casáls-Muñoz, and seconded by Council Vice President Perez. Motion passes 7-0.

11. BOARD APPOINTMENTS

REPORT: None.

12. UNFINISHED BUSINESS

REPORT: Council Member Calvo spoke regarding his meeting with the Mayor and CRA staff of West Palm Beach.

REPORT: Mayor Bovo spoke regarding a hurricane preparedness press conference to be held on Thursday, May 26, 2022 at 10:30 a.m. at the Home Depot on 49th Street.

13. NEW BUSINESS

14. LANDUSE

ADMINISTRATION OF OATH OF ALL TESTIFYING ON AN ITEM: Oath administered in English by Marbelys Fatjo, City Clerk, and in Spanish by Sylvana Soler-Gonzalez of the Office of the City Clerk.

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

1. Landuse Item 1
2. Planning and Zoning Item PZ 1
3. Landuse Item 2
4. Planning and Zoning Item PZ 5
5. Planning and Zoning Item PZ 8
6. Planning and Zoning Item PZ 3
7. Planning and Zoning Item PZ 4
8. Planning and Zoning Item PZ 6
9. Planning and Zoning Item PZ 7
10. Planning and Zoning Item PZ 9
11. Planning and Zoning Item PZ 10
12. Final Decision Item FD 1

LU 1. ORDINANCE: Second reading and **public hearing** 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 7-0

ORDINANCE NO. 2022-046

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 LU 1 made by Council Member Tundidor, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

LU 2. ORDINANCE: First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Transit Oriented Development District; **Property located at 922 East 26 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.

<i>Registered Lobbyists: Carlos L. Diaz, 333 Southeast 2nd Ave, 44th Floor, Miami, Florida 33131, on behalf of Metro Parc Hialeah, LLC.</i>
<i>On May 11, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Jose Campo, 580 East 26th Street, Hialeah, Florida 33013.</i>

APPROVED 7-0

REPORT: Carlos Diaz, 333 Southeast 2nd Avenue, spoke on behalf of the applicant.

REPORT: Motion to Approve Item LU 2 made by Council Member Casáls-Muñoz, and seconded by Council Vice President Perez. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for June 14, 2022.

15. ZONING

PLANNING AND ZONING

PZ 1. ORDINANCE: Second reading and **public hearing** 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.

<i>On May 10, 2022, the item was approved on first reading by the City Council. Second reading and public hearing was scheduled for May 24, 2022.</i>
<i>Registered Lobbyist: Maritza Haro Salgado and Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 300, 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 7-0

ORDINANCE NO. 2022-047

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 PZ 1 made by Council Member Rodriguez, and seconded by Council Vice President Perez. Motion passes 7-0.

PZ 2. 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 JUNE 14, 2022, PER THE APPLICANT'S REQUEST.

<i>On May 10, 2022, the item was deferred until the City Council Meeting of May 24, 2022, per the applicant's request.</i>
<i>On April 26, 2022, the City Council approved the item on first reading. Second reading and public hearing was 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>

*Property Owners: Mayra Sanabria, 20110 Northwest 59 Court, Hialeah, Florida 33015
Mayra Aristy, 501 Southeast 4th Street, Hialeah, Florida 33010.*

PZ 3. 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 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.

On May 10, 2022, the item was approved on first reading by the City Council. Second reading and public hearing is scheduled for May 24, 2022.

On May 10, 2022, Council Member Bryan Calvo filed a Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officer, form which is on file in the Office of the City Clerk.

On April 26, 2022, the item was deferred until May 10, 2022.

On April 25, 2022, Mr. Javier Vazquez, registered lobbyist, requested that the item be deferred until May 10, 2022.

Registered Lobbyist: Javier Vazquez, 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131, on behalf of, 4225 LLC C/O Millennium Mgmt LLC.

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.

TABLED UNTIL JUNE 14, 2022 WITH A VOTE OF 6-0-1 with Council Member Calvo having abstained from voting.

REPORT: Council President Zogby opened the item for public participating and two persons present in the Council Chambers expressed interest in speaking.

REPORT: **Javier Vazquez**, 1450 Brickell Avenue, spoke on behalf of Southern Winds Hospital.

REPORT: **Nancy Font**, 4110 West 19th Avenue, spoke in opposition to the approval of the item.

REPORT: **Alex Menendez**, applicant, 10520 Northeast 6th Avenue, spoke.

REPORT: Seth Francis, applicant’s engineer, spoke via Zoom.

REPORT: Gonzalu Vicente, 4211 West 18 Lane, spoke in opposition to the approval of the item.

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

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

REPORT: Motion to Table Item PZ 3 until June 14, 2022 pending the receipt of the revised plans made by Council Member Tundidor, and seconded by Council Vice President Perez. Motion passes 6-0-1 with Council Member Calvo having abstained from voting.

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 4. ORDINANCE: Second reading and **public hearing** 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.

On May 10, 2022, the item was approved on first reading by the City Council. Second reading and public hearing is scheduled for May 24, 2022.

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 7-0

ORDINANCE NO. 2022-048

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 PZ 4 made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.

PZ 5. ORDINANCE: Second reading and **public hearing** 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.

<i>On May 10, 2022, the item was approved on first reading by the City Council. Second reading and public hearing is scheduled for May 24, 2022.</i>
<i>Registered Lobbyist: Alejandro J. Arias, 701 Brickell Avenue, Suite 300, Miami Florida 33131, on behalf of Hialeah Housing Authority.</i>
<i>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.</i>
<i>On April 27, 2022, the Planning and Zoning Board recommended approval of the item as recommended.</i>
<i>Planner's Recommendation: Approval subject to keeping buildings facing West 8 Avenue at a height not exceeding five stories and without commercial uses.</i>
<i>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.</i>

APPROVED 6-0-1 with Council Vice President Perez not present during roll call.

ORDINANCE NO. 2022-049

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 PZ 5 made by Council Member Casáls-Muñoz, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President Perez not present during roll call. Council Vice President Perez recorded her vote as “Yes” after the item

was approved.

PZ 6. ORDINANCE: First reading of proposed ordinance granting a variance permit to allow the replatting of the property into two substandard lots: Lot 1 having a frontage of 40.01 feet and total lot area of 5,399.87 square feet, where 75 feet frontage and 7,500 square feet are required and Lot 2, having a frontage of 40.01 and total lot area of 5,399.91 square feet, where 75 feet frontage and 7,500 square feet are required; and once platted allow the construction of a single-family house on each platted substandard lot, all contra to Hialeah Code of Ordinances § 98-499; **Property located at 1140 West 32nd 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.

<i>On May 10, 2022, the City Council overturned the recommendation of denial of the Planning and Zoning Board. First reading is scheduled for May 24, 2022.</i>
<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>

APPROVED 7-0

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

REPORT: Motion to Approve Item PZ 6 made by Council Member Casáls-Muñoz, and seconded by Council Member Tundidor. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for June 14, 2022.

PZ 7. 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.

<i>On May 10, 2022, the City Council tabled the item until May 24, 2022. The applicant was not present.</i>
<i>On April 26, 2022, the item was tabled by the City Council until May 10, 2022.</i>
<i>On April 13, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Johanna Ferrer, 7440 SW 69 Terrace, Miami, Florida 33143.</i>

APPROVED 7-0

REPORT: **Guillermo Cuadra with the Lasarte Law Firm**, 3250 Northeast 1st Avenue, spoke on this item.

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

REPORT: Motion to Approve Item PZ 7 made by Council Member Rodriguez, and seconded by Council Member Tundidor. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for June 14, 2022.

PZ 8. ORDINANCE: First reading of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit Oriented Development). **Property located at 922 East 26 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.

<i>Registered Lobbyists: Carlos L. Diaz, 333 Southeast 2nd Ave, 44th Floor, Miami, Florida 33131, on behalf of Metro Parc Hialeah, LLC.</i>
<i>On May 11, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Jose Campo, 580 East 26th Street, Hialeah, FL 33013</i>

APPROVED 5-0-2 with Council Vice President Perez and Council Member Tundidor not present during roll call.

REPORT: Motion to Approve Item PZ 8 made by Council Member Rodriguez, and seconded by Council Member Calvo. Motion passes 5-0-2 with Council Vice President Perez and Council Member Tundidor not present during roll call.

REPORT: Second reading and public hearing is scheduled for June 14, 2022.

PZ 9. ORDINANCE: First reading of proposed ordinance rezoning property from R-1 (One-Family District) and RO (Residential Office) to B-1 (Highly Restricted Retail District); granting a variance permit to allow front setback of 10 feet, where 20 feet are required; contra to Hialeah Code of Ordinances §98-929. **Property located at 4915 East Palm Court, 4935 East Palm Court, 4910 East 1 Avenue and 4930 East 1 Avenue, Hialeah, zoned R-1 (One-Family District) and RO (Residential Office).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>On May 11, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: JCM Medical Services Inc., 87 East 49th Street, Hialeah, Florida 33013.</i>

APPROVED 7-0

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 Tundidor, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for June 14, 2022.

PZ 10. ORDINANCE: First reading of proposed ordinance rezoning property from R-3 (Multiple-Family District) to R-3-5 (Multiple-Family District); granting a variance permit to allow a front setback of 11.4 feet, where 25 feet are required; allow east and west interior side setbacks of 7 feet, where 10 feet are required; allow a rear setback of 10.6 feet, where 20 feet are required; allow lot coverage of 34.5%, where 30% is the maximum allowed; and allow 22.3% pervious area, where 30% pervious area is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-589, 98-590, 98-591 and 98-2056(b)(1) and (b)(2). **Properties located at 61, 63, 75 and 77 West 31 Street, Hialeah, zoned R-3 (Multiple-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Juan V. Pulles.</i>
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<i>On May 11, 2022, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Property Owner: Juan V. Pulles and Dania M. Pulles, 8242 NW 164th Street, Miami Lakes, Florida 33016.</i>

APPROVED 7-0

REPORT: Ceasar Mestre, Esq., 8105 Northwest 155th Street, spoke via Zoom and shared his screen with a presentation.

REPORT: Motion to Approve Item PZ 10 made by Council Member Rodriguez, and seconded by Council Member Calvo. Motion passes 7-0.

REPORT: Second reading and public hearing is scheduled for June 14, 2022.

16. FINAL DECISIONS

FD 1. RESOLUTION: Proposed resolution approving the final decision of the Planning and Zoning Board, **Decision No. 2022-08** granting an adjustment on the property located at **780 SE 5 Place, Hialeah, zoned R-1 (One-Family District)**; and providing for an effective date.

<i>On April 27, 2022, the Planning and Zoning Board recommended approval of the item with the condition that the terrace remain open on three (3) sides.</i>
<i>Planner's Recommendation: Approve with conditions.</i>
<i>Property Owners: Justo A. Diaz and Daysi Jimenez, 780 SE 5 Place, Hialeah, Florida 33010</i>

APPROVED 7-0

RESOLUTION NO. 2022-071

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

REPORT: Motion to Approve Item FD 1 made by Council Member Rodriguez, and seconded by Council Member Casáls-Muñoz. Motion passes 7-0.

REPORT: Council President Zogby adjourned the meeting at 9:38 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, June 14, 2022 at 6:30 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, June 14, 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, 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).