

**Carlos Hernández**  
Mayor

**Jesus Tundidor**  
President

**Monica Perez**  
Vice President



Council Members  
**Katharine Cue-Fuente**  
**Oscar De la Rosa**  
**Jacqueline Garcia-Roves**  
**Paul B. Hernandez**  
**Carl Zogby**

City Council Meeting  
**Minutes**  
**June 22, 2021**  
7:00 p.m.

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**1. CALL TO ORDER**

**A. REPORT: Council President Tundidor** called the meeting to order at 7:00 p.m.

**2. ROLL CALL**

**A. REPORT: Brigitte Leal**, Office Coordinator of the Office of the City Clerk, called the roll with the following Council Members present:

1. Council President Tundidor
2. Council Vice President Perez
3. Council Member De la Rosa
4. Council Member Garcia-Roves
5. Council Member Zogby

**B. REPORT: Council Member Hernandez** was not present during the roll call for attendance, but arrived to the Council Chambers at 7:05 p.m.

**C. REPORT: Office Coordinator of the Office of the City Clerk, Brigitte Leal**, called the roll with the following Council Member absent:

1. Council Member Cue-Fuente

**D. REPORT:**

1. Mayor Hernandez was present.
2. Lorena Bravo, City Attorney, was present.
3. Brigitte Leal, Office Coordinator of the Office of the City Clerk, was present.

### 3. INVOCATION

- A. **REPORT:** Brigette Leal, Office Coordinator of the Office of the City Clerk, led the invocation.

### 4. PLEDGE OF ALLEGIANCE

- A. **REPORT:** Council Vice President Perez 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 Facebook page (@CityofHialeah).
- 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: Brigette Leal, Office Coordinator of the Office of the City Clerk, read the meeting guidelines.**

## **6. PRESENTATIONS**

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A. **REPORT:** None.

## **7. COMMENTS AND QUESTIONS**

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A. **REPORT:** The Office of the City Clerk did not receive any email messages from persons 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:** No one in the meeting via Zoom expressed interest in making comments or posing questions on matters of public concern during this portion of the meeting.

D. **REPORT:** Three (3) individuals expressed interest in speaking during this portion of the meeting.

(1) **Frank De la Paz**, with an address of **9341 Bird Road**, addressed the City Council regarding inspections and business tax license for a Catholic Church.

(2) **Jose Corillo**, with an address of **10689 SW 88 Street**, spoke regarding the hotels/motels proposed legislation.

(3) **Eric Johnson, Local 1102**, with a home address that is exempt from public disclosure per Florida law, provided an update regarding the Hialeah Fire Department.

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

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➤ Consent Items P, Q, R and S have been added to the agenda and a copy has been placed on the dais for the City Councils review.

➤ The backup to Consent Item L has been updated and a copy has been placed on the dais for the City Councils review.

➤ Additional backup to Administrative Item 10B has been added and a copy has been placed on the dais for the City Council's review.

➤ Items PZ 1 and PZ 2 have been postponed until July 13, 2021, per the applicant's request.

- The backup to Item PZ6 has been updated and a copy has been placed on the dais for the City Council's review.

## 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 Member De la Rosa requested separate discussion on Consent Item F.**

**REPORT: Council Member Hernandez requested separate discussion on Consent Item N.**

**REPORT: Council President Tundidor requested separate discussion on Consent Item P.**

**REPORT: Motion to Approve the Consent Agenda, except items F, N and P, made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passed 6-0-1 with Council Member Cue-Fuente absent.**

**REPORT: The items for separate discussion were considered by the City Council in the following order: (1) F (2) N and (3) P.**

- A. Request permission to approve the minutes of the Special City Council Meeting held on June 8, 2021 at 5:30 p.m.  
(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- B. Request permission to approve the minutes of the City Council Meeting held on June 8, 2021 at 7:00 p.m.  
(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- C. Request permission to increase Purchase Order No. 2021-1033, issued to Biocollections Worldwide, Inc., as an exception to competitive bidding per Section 2-817 on the basis of an emergency based on objective facts in that on March 16, 2020 Mayor Hernandez signed a Declaration of a state of emergency due to the COVID-19 pandemic and the services of this vendor were used on an as needed basis for the testing of City employees for the COVID-19 virus, for the payment of two invoices, invoice number MI-37923, dated April 13, 2021, in the amount of \$3,600.00 for forty-eight (48) COVID-19 tests at a cost of \$75.00 per test, as well as for the payment of invoice number MI-38077, dated June 7, 2021, in the amount of \$3,600.00 for forty-eight (48) COVID-19 tests at a cost of \$75.00 per test, by an additional amount of \$5,225.00, for a new total cumulative amount to exceed \$53,550.00.  
(HUMAN RESOURCES DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- D. Request permission to issue a purchase order to Rescue Systems Unlimited LLC, sole source vendor, to purchase battery-powered hydraulic extrication tools for the Fire Department, in a total cumulative amount not to exceed \$36,945.00.  
(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- E. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Bulldog Hose Company LLC, vendor providing the lowest quotation, for the purchase of new firefighting supply and attack hose for all eight (8) City of Hialeah Fire Stations and the Training Division, in a total cumulative amount not to exceed \$37,920.00.  
(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- F. Proposed resolution authorizing 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 on the home of Karina Vallina, an approved strategy under the Local Housing Assistance Plan (LHAP) for funding years 2016-2017, 2017-2018, 2018-2019 as set forth in Exhibit "1"; authorizing the Mayor and his designee, to execute any and all agreements in furtherance of the project on behalf of the City, and providing for an effective date.  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-082**

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

**REPORT:** Annette Quintana, Director of the Grants and Human Services Department, addressed the City Council.

**REPORT: Motion to Approve Consent Item F made by Council Member De la Rosa, and seconded by Council Member Zogby. Motion passes 6-0-1 Council Member Cue-Fuente absent.**

- G. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Federal Security of America, L.L.C., vendor which has provided security services to the City in the past, to provide twenty-four (24) hour on site security service during the event set up on Monday, June 21, 2021 and ending on Monday July 5<sup>th</sup>, 2021, in a total cumulative amount not to exceed \$4,000.00.  
(COMMUNICATIONS AND SPECIAL EVENTS DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- H. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Top Seal Services Corp, vendor providing the lowest quotation, for a new shingle roof for the property located at 685 East 18<sup>th</sup> Street, Hialeah, Florida, through the State Housing Initiatives Partnership (SHIP) Program, in a total amount of \$17,500.00, and further request a ten percent (10%) contingency in the amount of \$1,750.00 to cover any unforeseen issues that may arise during the work, for a total cumulative expense amount not to exceed \$19,250.00.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Top Seal Services Corp, vendor providing the lowest quotation, for a tile roof for 7001 West 35<sup>th</sup> Avenue, #244, Hialeah, Florida, through the State Housing Initiatives Partnership (SHIP) Program, in a total amount of \$18,500.00, and further request a ten percent (10%) contingency in the amount of \$1,850.00 to cover any unforeseen issues that may arise during the work, for a total cumulative expense amount not to exceed \$20,350.00. On June 8, 2021, the City Council approved Consent Item D, rejecting Hialeah Bid No. 2020-21-3230-00-016 because no bids were received, and granting the Department of Construction of Maintenance to obtain quotes for the project.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- J. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to G. & R. Electric Corp., vendor providing the lowest quotation, for a new 100 AMP service and lighting for the entry feature located at 6800 Hialeah Gardens Boulevard, in a total cumulative amount not to exceed \$19,600.00.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- K. Proposed resolution approving the Purchase Order Q-01174644, an agreement between the City of Hialeah and West Publishing Corporation, for a term of five years, beginning on July 1, 2021 and ending on June 30, 2026, for a monthly payment of \$4,044.46 for the first year, and a once percent increase each subsequent year, for a total amount not to exceed \$48,533.52 for year one, \$49,018.92 for year two, \$49,509.12 for year three, \$50,004.24 for year four and \$50,504.28, for year five, subject to appropriations, for access to West's select database of legal publications, research and drafting tools; and providing for an effective date.

(LAW DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-083**

- L. Proposed resolution approving a substantial amendment to the City of Hialeah Five Year Consolidated Plan and annual Action Plan for program year 2020 to award the City of Hialeah Fire Department \$700,000.00 for the purchase of fire equipment detailed in Exhibit 1; authorizing the submission of the plan amendment to the U.S. Department of Housing and Urban Development (HUD), upon the conclusion of the mandatory public comment period; authorizing the Mayor, or his designee, Director of Grants and Human Services Annette Quintana, on behalf of the City to execute any and all documents necessary to carry out the purpose of this resolution; authorizing the Grants and Human Services Director and the Fire Chief to enter into a Memorandum of Understanding to allow the Fire Department to procure and manage the grant funds; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-084**

- M. Request permission to waive competitive bidding, since it is advantageous to the City in that this repair is required immediately in order to stop the ongoing water leaks which are affecting the integrity of the building, and increase Purchase Order No. 2021-519, issued to the Weathertrol Maintenance Corp, for emergency repairs required to replace the saturated aged fiberglass insulation of the chiller supply lines at City Hall, by an additional amount of \$4,381.50, for a new total cumulative amount not to exceed \$26,158.90.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

- N. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor was the only contacted vendor able to produce the product within the time frame needed by the Police Department to secure a shipment of ammunition that is incoming, and issue a purchase order to Paldama Investment, Inc., for the purchase of a galvanized cage and security door for the storage and safeguard of ammunition and guns, in a new total cumulative amount not to exceed \$10,900.00.

(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

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

**REPORT:** Sergio Velazquez, Chief of the Hialeah Police Department, addressed the City Council.

**REPORT: Motion to Approve Consent Item N made by Council Member Hernandez, and seconded by Council Member De la Rosa. Motion passes 6-0-1 Council Member Cue-Fuente absent.**

- O. Proposed resolution approving the expenditure in an amount not to exceed \$100,000.00 from the Law Enforcement Trust Fund - *Federal* for the costs associated with protracted and complex investigations, upon such costs having been approved by the Chief of Police, and providing for an effective date.

(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-085**

- P. Proposed resolution accepting a grant award, from the State of Florida Department of Elder Affairs, in the amount of \$1,900,000 appropriated to the City of Hialeah through the passing of Florida Senate Bill 2500, Line Item 139, attached herein as Exhibit "I", to provide home-delivered meals and congregate meals throughout the City, commencing on July 1, 2021 and ending on June 30, 2022; and further authorizing the Mayor or the Grants and Human Services Director to execute, amend, and submit any and all agreements and documents in furtherance thereof; and ratifying any actions taken to date in furtherance thereof.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-086**

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

**REPORT: Motion to Approve Consent Item P made by Council Vice President Perez, and seconded by Council Member Zogby. Motion passes 6-0-1 Council Member Cue-Fuente absent.**

- Q. Proposed resolution authorizing a Sub-Recipient Services Agreement between Hialeah Housing Authority and the City of Hialeah, Florida, executed by Annette Quintana as Director of the Grants Department on behalf of the Mayor and the City, a copy of which is attached hereto and made a part hereof as Exhibit "I". to operate the City's Hot Lunch Program for elderly residents and provide other related services and activities for commencing July 1, 2021 and ending on June 30, 2022, and further authorizing the Mayor or the Grants and Human Services Director to execute, amend, and submit any and all agreements and documents in furtherance thereof.  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-087**

- R. Proposed resolution authorizing 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 on the home of Violeta Garcia, an approved strategy under the Local Housing Assistance Plan (LHAP) through the execution and recordation of mortgage and promissory note set forth herein as Exhibit "1"; authorizing the Mayor or his designee, to execute amend and submit any all agreements and documents in furtherance of the project on behalf of the City, and providing for an effective date.  
(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-088**

- S. Request permission to issue a purchase order to Florida East Coast Railway, L.L.C., for the payment of Invoice No. 44481388, in a total amount of \$135,107.56, for the materials, labor, equipment, and repairs of a new structure located on railroad crossing of East 10<sup>th</sup> Avenue, for services rendered from February 21, 2019 through September 27, 2019. On May 13, 1992, the City of Hialeah and Florida East Coast Railway entered into a License Agreement, in which the City of Hialeah is the secondary party and responsible for the cost of repairs and maintenance  
(STREETS)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**10. ADMINISTRATIVE ITEMS**

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- 10 A. Second reading and public hearing of proposed ordinance approving the release of a public utility easement traversing land located at 1950 West 49 Street, Hialeah, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.  
(ZONING)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**ORDINANCE NO. 2021-060**



*The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.*

**REPORT: Motion to Approve Administrative Item 10A made by Council Member Garcia-Roves, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Garcia-Roves absent.**

- 10 B.** First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 18, entitled “Businesses”, creating Article XII. – Hotels and Motels, and a new Section 18-613 entitled “Hotel and Motel Rentals” to prohibit hourly rentals, prohibit rentals to persons under the age of twenty-one (21); requiring identification, a guest registration log and closed circuit television system or similar monitoring device with recording and retention capabilities; providing for license application, payment of yearly fee to defray the costs of enforcement and approval of a Crime Mitigation Plan; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for inclusion in the code; and providing for an effective date.

(SPONSOR: COUNCIL PRESIDENT TUNDIDOR)

(CO-SPONSOR: COUNCIL MEMBER DE LA ROSA)

**APPROVED 4-2-1 with Council Member Hernandez and Council Member De la Rosa voting “No” and with Council Member Cue-Fuente absent.**

*Due to material changes made to the proposed ordinance, the item will be reconsidered on first reading on June 22, 2021, per the administration.*

*On May 11, 2021, the City Council postponed the item until June 8, 2021.*

*Registered Lobbyist: Robert H. Fernandez, Esq., RHF Law Firm, LLC on behalf of 151 East Okeechobee Road, LLC.*

*On April 27, 2021, the City Council approved the item on first reading. Second reading and public hearing was scheduled for May 11, 2021.*

*Registered Lobbyist: Ben Fernandez, Bercow Radell Fernandez Larkin & Tapanes, PLLC, on behalf of 151 East Okeechobee Road, LLC.*

*Registered Lobbyist: Wolfpack Consulting and Governmental Relations (Arnaldo Alonso), on behalf of (1) Nexx Motels, LLC, doing business as Nexx Motel; and (2) Miami Motel, LLC, doing business as Unique Motel.*

*Registered Lobbyist: Melissa Tapanes Llahues, Bercow Radell Fernandez Larkin & Tapanes, on behalf of 151 East Okeechobee Road, LLC*

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

**REPORT: Sergio Velazquez, Chief of the Hialeah Police Department, addressed the City Council.**

**REPORT: Council President Tundidor granted Council Member Hernandez’s request for Melissa Tapanes Llahues to address the City Council.**

**REPORT:** Melissa Tapanes Llahues, 200 South Biscayne Boulevard, addressed the City Council.

**REPORT: Motion to Approve Administrative Item 10B made by Council Member De la Rosa, and seconded by Council Member Hernandez. Motion fails 2-4-1 with Council President Tundidor, Council Vice President Perez, Council Member Garcia-Roves and Council Member Zogby voting “No” and Council Member Cue-Fuente absent.**

**REPORT: Motion to Approve Administrative Item 10B as amended (*striking the prohibition of hourly rental, addition of the allowance of fractional rentals at no less than three-hours, addition of a requirement of providing automobile tag information upon check-in, and amending the effective date of the ordinance to October 1, 2021*) made by Council Member Garcia-Roves, and seconded by Council Vice President Perez. Motion passes 4-2-1 with Council Member De la Rosa and Council Member Hernandez voting “No” and Council Member Cue-Fuente absent.**

**REPORT:** Second reading and public hearing is scheduled for July 13, 2021.

**REPORT:** Council President Tundidor called a recess at 9:10 p.m.

**REPORT:** Council President Tundidor called the meeting to order at 9:23 p.m.

- 10 C.** First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 86, entitled “Taxation and Fees”, amending Article II.- Local Business Tax, Section 86-43 entitled “Schedule of Tax by Business Classification”, Sector 72 “Accommodation and Food Services”, Subsector 721; eliminating the fractional tax; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; providing for an effective date.  
(SPONSOR: COUNCIL PRESIDENT TUNDIDOR)  
(CO-SPONSOR: COUNCIL MEMBER DE LA ROSA)

**ITEM TABLED UNTIL AUGUST 10, 2021.**

**REPORT: Motion to Table Administrative Item 10C until August 10, 2021 made by Council Member Hernandez, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

- 10D.** First reading of proposed ordinance amending the Code of Ordinances of the City of Hialeah, Chapter 22 entitled “Code Enforcement”, Article I. “In General”, and in particular, amending Article III. “Enforcement Procedures”, Division 3. “Civil Violation Enforcement Procedures”, Section 22-190, entitled “Schedule of Civil Penalties” to provide for a civil penalty in the amount of \$250.00 for violations of Section 18-613 of the Code of Ordinances; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date.  
(SPONSOR: COUNCIL PRESIDENT TUNDIDOR)  
(CO-SPONSOR: COUNCIL MEMBER DE LA ROSA)

**ITEM TABLED UNTIL AUGUST 10, 2021.**

**REPORT: Motion to Table Administrative Item 10D until August 10, 2021 made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council**

**Member Cue-Fuente absent.**

- 10E.** First reading of proposed ordinance amending the Hialeah Code of Ordinances Chapter 90, entitled “Vehicle for Hire”, Article III- Wrecker Service, § 90-178 Service Requirements for City-Initiated Towing Services; eliminating the requirement for wrecker companies to be located within the City pursuant to §90-178(b) and allowing wrecker companies to be located within five miles of the City limits; and amending §90-178(dd) eliminating storage charges when a vehicle is on hold at a police impound facility for evidence as an instrumentality of a crime with the Police Department; repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; and providing for an effective date.  
(POLICE DEPARTMENT)

**APPROVED 5-1-1 with Council Member De la Rosa voting “No” and Council Member Cue-Fuente absent.**

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

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

**REPORT:** Sergio Velazquez, Chief of the Hialeah Police Department, addressed the City Council.

**REPORT: Motion to Approve Administrative Item 10E made by Council Vice President Perez, and seconded by Council Member Zogby. Motion passes 5-1-1 with Council Member De la Rosa voting “No” and Council Member Cue-Fuente absent.**

**REPORT:** Second reading and public hearing is scheduled for July 13, 2021.

- 10 F.** First reading of proposed ordinance authorizing the sale of real property located at 601 West 20 Street, Hialeah, Florida, identified by folio number 04-3013-034-0110; approving the terms of the commercial contract and first addendum to commercial contract with Kraftsow Family Investments, LP, a Delaware Limited Partnership, and City of Hialeah, attached hereto as Composite Exhibit “1”; accepting the offer price of \$850,000.00 and all other offer terms; authorizing the Mayor, and the City Clerk, as attesting witness, on behalf of the City to execute the contract, addendum, special warranty deed, seller’s affidavits, closing statements and such other customary documents, in a form acceptable to the City Attorney, as are necessary to close the sale; approving payment for professional legal services rendered by Gardner, Bist, Bowden, Dee, Lavia, Wright, Perry & Harper, P.A. in connection with the sale in an amount not to exceed \$10,000.00 and all other closing costs as provided by the terms of the contract from the proceeds of sale; repealing ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

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

**REPORT: Motion to Approve Administrative Item 10F made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

**REPORT: Second reading and public hearing is scheduled for July 13, 2021.**

- 10 G.** Proposed resolution ratifying and approving the Collective Bargaining Agreement between the Hialeah Civil Service Employees Association/AFSCME Local 161 and City of Hialeah, Florida for a period beginning on October 1, 2020 through September 30, 2022, a copy of which will be on file in the Office of the City Clerk; an providing for an effective date.  
(ADMINISTRATION)

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2021-089**

**REPORT: David Alonso, President of AFSCME Local 161, addressed the City Council.**

**REPORT: Motion to Approve Administrative Item 10G made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

**REPORT: Second reading and public hearing is scheduled for July 13, 2021.**

## **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. ZONING**

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### **PLANNING AND ZONING**

- PZ 1.** Second reading and public hearing of proposed ordinance rezoning property from AU and GU (Miami-Dade County Zoning Designations) to RH-CD (Mixed Use Multiple Family District); and Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a multifamily development, including 614 units on property located within a quarter mile radius of the Hialeah Heights Commercial Development District. **Property located at 4030 West 88 Street and 10350 NW 142**

**Street (folio numbers 04-2020-001-0050, 04-2020-001-0061 and 04-2020-001-0060).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**POSTPONED UNTIL JULY 13, 2021**

<i>The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of JVC Management Corp and Cornerland LLC.</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item with the following conditions: (1) build a concrete wall of 8 feet or taller along the west property line, (2) establish a continuous landscape buffer along the exterior side of the sidewalk on West 142<sup>nd</sup> Street and on NW 102<sup>nd</sup> Avenue, and (3) install pedestrian gates with a separation of no more than 165 feet between gates along the exterior perimeter of the site and (4) provide a traffic impact analysis concurrent with the site plan review submittal.</i>
<i>Planner's Recommendation: Approve with conditions.</i>
<i>Owners of the Property: JVC Management Corp., 10350 NW 142 Street, Hialeah, Florida 33018. Juan I. Gonzalez and Juan C. Gonzalez, 14450 NW 102 Avenue, Hialeah, Florida 33018.</i>

**PZ 2.** Second reading and public hearing of proposed ordinance rezoning property from GU (Miami-Dade County Zoning Designation) to RH-CD (Mixed Use Multiple Family District); and Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a multifamily development, including 303 units on property located within a quarter mile radius of the Hialeah Heights Commercial Development District. **Property located at 4200 West 84 Street (folio number 04-2020-001-0080 and 04-2020-001-0100).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**POSTPONED UNTIL JULY 13, 2021**

<i>The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of JVC Management Corp and Cornerland LLC.</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item with the following conditions: (1) build a concrete wall of 8 feet or taller along the west property line, (2) establish a continuous landscape buffer along the exterior side of the sidewalk on West 142<sup>nd</sup> Street, (3) install pedestrian gates with a separation of no more than 165 feet between gates along the south and north sides of the site and (4) provide a traffic impact analysis concurrent with the site plan review submittal.</i>
<i>Planner's Recommendation: Approval with conditions.</i>

*Owners of the Property: Corner Lands LLC, P.O. Box 126370, Hialeah, Florida 33012.  
Juan Carlos Gonzalez and Juan Ismael Gonzalez, 14450 NW 102 Avenue,  
Hialeah, Florida 33018.*

- PZ 3.** Second reading public hearing of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit Oriented Development District). **Property located at 879 East 24 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.

**APPROVED 4-0-3 with Council Member De la Rosa and Council Member Hernandez not present in the Council Chambers during roll call and Council Member Cue-Fuente absent.**

**ORDINANCE NO. 2021-061**

*The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.*

*Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Macallan Rental Properties LLC.*

*On May 26, 2021, the Planning and Zoning Board recommended the approval of the item.*

*Planner's Recommendation: Approval.*

*Owners of the Property: Macallan Rental Properties LLC, Fountain Investments LLC, and Nancy Ortiz, 100 South Pointe Drive, Suite 2702, Miami Beach, Florida.*

**REPORT: Motion to Approve Item PZ 3 made by Council Vice President Perez, and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council Member De la Rosa and Council Member Hernandez not present during roll call for a vote and Council Member Cue-Fuente absent. Council Member De la Rosa and Council Member Hernandez both recorded their vote as "Yes" after the Motion to Approve passed.**

- PZ 4.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit Oriented Development District). **Property located at 909 East 24 Street, 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.

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**ORDINANCE NO. 2021-062**

*The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.*

*Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Macallan Rental Investments LLC*

<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Macallan Rental Investments LLC and Nancy Ortiz, 100 South Pointe Drive Suite 2702, Miami Beach Florida.</i>

**REPORT: Motion to Approve Item PZ 4 made by Council Vice President Perez, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

**PZ 5.** Second reading public hearing of proposed ordinance rezoning property from R-1 (One-Family District) to TOD (Transit Oriented Development District). **Property located at 1091 East 17 Street, 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.

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

**ORDINANCE NO. 2021-063**

<i>The item was approved on first reading by the City Council on June 8, 2021. Second reading and public hearing was scheduled for June 22, 2021.</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Miami Rental Partners LLC.</i>
<i>On May 26, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Miami Rental Partners, Nancy Ortiz, and Monica Otero 100 South Pointe Drive Suite 2702, Miami Beach Florida.</i>

**REPORT: Brigitte Leal, Office Coordinator of the Office of the City Clerk, administered the oath administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Ms. Janet Vazquez and Mr. Ceasar Mestre,**

**REPORT:** Ceasar Mestre, with an address of **8105 NW 155 Street, Miami Lakes, Florida, 3050 West 2<sup>nd</sup> Avenue**, addressed the City Council via Zoom, with a PowerPoint presentation, which has been made part of the record in the Office of the City Clerk.

**REPORT: Motion to Approve Item PZ 5 made by Council Member Hernandez, and seconded by Council Vice President Perez. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

**PZ 6.** Recommendation of Denial by the Planning and Zoning Board to repeal Section 2 of City of Hialeah Ordinance No. 2018-053, and a request for 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 the ground level; allow all residential units with an area of approximately 646 square feet where 850 square feet is the minimum required and only ten percent of the units may have an area of 600 square feet; allow front setback of 5.66 feet for the main building and 2.66 feet for balconies above the ground floor fronting Palm Avenue and allow front setback of 4.25 feet for the main building and 1.25 feet for

balconies above the ground floor fronting East 46<sup>th</sup> Street, where 10 feet built-to-line are required; allow 38 parking spaces, where 67.5 parking spaces are required; allow 15.3% pervious area, where 30% is the minimum required for **property located at 4597-4599 Palm Avenue, Hialeah, zoned R-3-5 (Multiple Family District)**.

**Recommendation of Denial overturned 5-1-1 with Council president Tundidor voting “No” and Council Member Cue-Fuente absent.**

<i>On June 8, 2021, the City Council tabled the item until June 22, 2021.</i>
<i>On May 25, 2021, the item was postponed, per the applicant’s request.</i>
<i>Registered Lobbyist: Alejandro J. Arias, Esq., Holland &amp; Knight, LLP, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131</i>
<i>On May 12, 2021, the Planning and Zoning Board recommended denial of the item.</i>
<i>Planner’s Recommendation: Approve with conditions.</i>
<i>Property Owner: Roberto C. Gonzalez</i>

**REPORT: Brigitte Leal, Office Coordinator of the Office of the City Clerk, administered the oath administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Mr. Alejandro Arias.**

**REPORT:** Alejandro Arias, 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, addressed the City Council with a presentation, which is on file with the Office of the City Clerk.

**REPORT:** Debora Storch, Zoning Official of the City of Hialeah, addressed the City of Hialeah Council.

**REPORT:** Lester Diaz, 40 East 46<sup>th</sup> Street, Hialeah, Florida, addressed the City of Hialeah Council requesting that the applicant provide additional parking.

**REPORT: Motion to overturn the Recommendation of Denial by the Planning and Zoning Board made by Council Member De la Rosa, and seconded by Council Member Zogby. Motion passes 5-1-1 with Council president Tundidor voting “No” and Council Member Cue-Fuente absent.**

**REPORT:** First reading of the proposed ordinance is scheduled for July 13, 2021.

**15. LAND USE**

**LU 1.** First reading of proposed ordinance amending the Future Land Use Map from Kennels to Industrial District. **Property located at 240 West 28 Street, Hialeah, Florida, zoned M-1 (Industrial District);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and proving for an effective date.

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**



<i>On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Yerandis Leal, 6541 West 12 Avenue, Hialeah, Florida 33012.</i>

**REPORT: Motion to Approve Item LU 1 made by Council Member Zogby, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

**REPORT: Second reading and public hearing is scheduled for July 13, 2021.**

- LU 2.** First reading of proposed ordinance amending the Future Land Use Map from Industrial to Transit Oriented Development District. **Property located at 4800 NW 37 Avenue, Hialeah, Florida, zoned TOD (Transit Oriented Development District);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and proving for an effective date.

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

<i>Registered Lobbyist: Felix M. Lasarte, 3520 NE 1<sup>st</sup> Avenue, Suite 334, Miami, Florida 33137, on behalf of 4700 NW 37<sup>th</sup> Investments.</i>
<i>On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: 4700 NW 37<sup>th</sup> Investments, 2665 S. Bayshore Drive, Suite 1020.</i>

**REPORT: Motion to Approve Item LU 2 made by Council Member Hernandez, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

**REPORT: Second reading and public hearing is scheduled for July 13, 2021.**

- LU 3.** First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential. **Property located at 2901 East 5 Avenue, Hialeah, Florida, zoned R-1 (One-Family District);** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and proving for an effective date.

**APPROVED 5-0-2 with Council Member De la Rosa not present during roll call and Council Member Cue-Fuente absent.**

<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Juan Barroso.</i>
<i>On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>

*Owner of the Property: Juan Barroso, 8005 NW 164 Terrace, Miami Lakes, Florida 33016*

**REPORT: Manny Reus, 18501 Pines Boulevard**, after being duly sworn-in by the City Clerk, addressed the City Council.

**REPORT: Manny Reus**, on behalf of **Marcial Rodriguez**, filed a Lobbyist Registration form with the Office of the City Clerk.

**REPORT: Ceasar Mestre**, with an address of **8105 NW 155 Street, Miami Lakes, Florida, 3050 West 2<sup>nd</sup> Avenue**, addressed the City Council via Zoom, with a PowerPoint presentation, which has been made part of the record in the Office of the City Clerk.

**REPORT: Motion to Approve Item LU 3 made by Council Member De la Rosa, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council Member De la Rosa not present during roll call and Council Member Cue-Fuente absent. Council Member De la Rosa recorded his vote as “Yes” after the Motion to Approved passed.**

**REPORT: Second reading and public hearing is scheduled for July 13, 2021.**

- LU 4.** First reading of proposed ordinance amending the Future Land Use Map from Commercial to High Density Residential. **Property located at 3090 Palm Avenue, Hialeah, Florida, zoned C-2 (Liberty Retail Commercial District)**; Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for a violation hereof; providing for a severability clause; and proving for an effective date.

**APPROVED 6-0-1 with Council Member Cue-Fuente absent.**

*Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Miami Thirty Palms Inc.*

*On June 9, 2021, the Planning and Zoning Board recommended the approval of the item.*

*Planner’s Recommendation: Approval.*

*Owners of the Property: Thirty Palms Inc., Cesar Munoz, Marlene Munoz, 144 Hialeah Drive, Hialeah Florida, 33010.*

**REPORT: Debora Storch, Zoning Official of the City of Hialeah**, addressed the City of Hialeah Council.

**REPORT: Motion to Approve Item LU 4 made by Council Member Garcia-Roves, and seconded by Council Member De la Rosa. Motion passes 6-0-1 with Council Member Cue-Fuente absent.**

**REPORT: Second reading and public hearing is scheduled for July 13, 2021.**

**REPORT: Council President Tundidor adjourned the meeting at 11:38 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 24, 2021 at 6:30 p.m.**

6/28/2021 1:38 PM

**NEXT CITY COUNCIL MEETING: Tuesday, July 13, 2021 at 7:00 p.m.**

**FIRST BUDGET HEARING: Wednesday, September 15, 2021 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).