

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Isis Garcia-Martinez
Council Vice President



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

City Council Meeting Minutes
June 25, 2019
7:00 P.M.

Call to Order

REPORT: Council President Casáls-Muñoz called the meeting to order at 7:07 p.m.

Roll Call

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

- Council President Vivian Casáls-Muñoz
- Councilman Jose Caragol
- Council Vice President Isis Garcia-Martinez
- Councilman Paul Hernandez (*arrived at 7:11 p.m.*)
- Councilman Carl Zogby

REPORT: The following Council Members were absent:

- Councilwoman Cue-Fuente
- Councilwoman Lourdes Lozano

• Also present was:

- Lorena Bravo, City Attorney
- Mayor Carlos Hernandez

Invocation given by Marbelys Fatjo, City Clerk

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

Pledge of Allegiance to be led by Councilman Hernandez

REPORT: Council President Casáls-Muñoz led the Pledge of Allegiance.

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

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

1. PRESENTATIONS

REPORT: NONE

2. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- The expenditure amount and duration of the term for services of Consent Item C has been corrected and additional backup documentation has been placed on the dais for the City Council's review.
- Consent Items K, L, M, N, O, P, Q and R have been added to today's agenda and placed on the dais for the City Council's review.
- Items PZ 2 and PZ 4 have been postponed until August 13, 2019.

3. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the

Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Mayor Hernandez requested separate discussion on Consent Item K.

REPORT: Motion to Approve the Consent Agenda, except Item K, made by Council Vice President Garcia-Martinez, and seconded by Councilman Zoby. Motion passed 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- A. Request permission to approve the minutes of the Council Meeting held on June 11, 2019. (OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- B. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2019-1574, issued to Eureka Farms LLC, to purchase Green Island Ficus Plants to be planted throughout the City, by an additional amount of \$50,000, for a new total cumulative amount not to exceed \$80,000. (STREETS)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- C. Proposed resolution waiving competitive bidding and approving a purchase agreement between Motorola Solutions, Inc. and the City of Hialeah, for the purchase of Motorola's P25 Phase II-Compliant Subscriber Radios, with embedded software, radio accessories and related services including warranty and maintenance services, technical support, and radio repair, for a term of five years, in a total amount not to exceed \$4,600,924.60, in substantial conformity with the agreement attached hereto as Exhibit "1"; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the purchase agreement; and providing for an effective date. (EMERGENCY MANAGEMENT)

APPROVED 4-0-3 with Councilmembers Cue-Fuente Hernandez, and Lozano absent.

RESOLUTION 2019-076

- D. Report of Scrivener's Error – Ordinance No. 2018-150 of the City Council Meeting of December 11, 2018 was passed and adopted with an error. Section 7 – Registration of Voters - of the ordinance was passed and adopted as follows:

“The Miami-Dade County Supervisor of Elections will register voters for the primary election until 5:00 p.m., on *Tuesday*, October 7, 2019.”

The ordinance should be corrected as follows:

“The Miami-Dade County Supervisor of Elections will register voters for the primary election until 5:00 p.m., on *Monday*, October 7, 2019.”

(OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- E. Report of Scrivener's Error – Ordinance No. 2018-170 of the City Council Meeting of September 25, 2018 was passed and adopted with an error. Section 2 of the ordinance was passed and adopted as follows:

Section 2: Property located at 7000 West 12 Avenue, Hialeah, Florida, zoned CR (Commercial Residential District).

The ordinance should be corrected as follows:

Section 2: "Property located at 7000 West 12 Avenue, Hialeah, Florida, zoned C-2 (Liberal Retail Commercial District)." (LAW DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- F. Request permission to award Hialeah Bid No. 2018/19-3210-00-009 – *NW 97th Avenue from NW 154th Street to NW 162 Street Phase I Roadway and Drainage*, to Acosta Tractors Inc, lowest responsive bidder, for a total cumulative expense amount not to exceed \$2,826,244.97, which includes a ten percent contingency. (STREETS)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- G. Request permission to approve an increase of the total expenditure amount for the purchase of medical supplies, by an additional amount of \$35,000, from the following vendors, for a new total cumulative amount not to exceed \$155,000.

- Bound Tree Medical, LLC (Purchase Order No. 2019-770)
- Quadmed, Inc., (Purchase Order No. 2019-771)
- Concordance Healthcare Solutions LLC (Purchase Order No. 2019-772)
- Henry Schein, Inc. (Purchase Order No. 2019-773)

(FIRE DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- H. Request permission to utilize Contract No. 15-CA-1415-A – *Archive Record Storage and Management Services*, effective through June 30, 2020, between the State of Florida Department of Children and Families and GRM Information Management Services, Inc., and issue a purchase order to GRM Information Management Services, Inc., for the services of off-premise storage of City records, for a period of one year ending on June 30, 2020, in a total cumulative amount not to exceed \$20,000. (OFFICE OF THE CITY CLERK)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- I. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Zarabanda Production Inc., for a ninety (90) minute performance by Willy Chirino at the 2019 City of Hialeah Independence Day Celebration, in a total cumulative amount not to exceed \$20,000. (COMMUNICATIONS & SPECIAL EVENTS DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- J. Request permission to waive competitive bidding, since it is advantageous to the City, and issue and purchase order to Albita Rodriguez Enterprises, Inc., for a ninety (90) minute performance by Albita at the 2019 City of Hialeah Independence Day Celebration, in a total cumulative amount not to exceed \$10,000. (COMMUNICATIONS & SPECIAL EVENTS DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- K. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is a newspaper of general circulation in the City of Hialeah and Miami-Dade County, as required by law, and increase Purchase Order No. 2019-786, issued to the Miami Herald, for the publication of legal advertisements and public notices, by an additional amount of \$60,000, for a new total cumulative amount not to exceed \$140,000. (OFFICE OF THE CITY CLERK)

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

REPORT: Councilman Hernandez arrived at 7:11 p.m.

REPORT: Motion to the Consent Agenda, except Item K, made by Council Vice President Garcia-Martinez, and seconded by Councilman Caragol. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

- L. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Sponsorship Agreement with Leon Advertising & Public Relations, Inc., a Florida corporation, doing business as Leon Medical Centers, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1", for a term of three years, with the option to renew for an additional two-year term, under similar terms and conditions, for a sponsorship fee in the amount of \$58,000.00 per year; and providing for an effective date. (COMMUNICATIONS & SPECIAL EVENTS DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

RESOLUTION 2019-077

- M. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2019-333, issued to Florida Wood Recycling, Inc., for the disposal of the City's vegetation debris and occasional purchase of colored mulch, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$20,000. (STREETS)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- N. Request permission to award Hialeah Request for Proposal No. 2018/19-8500-36-001 – *Emergency Management Administrative Support Services RFP*, to Tidal Basin Government Consulting, LLC, highest ranked proposer. (EMERGENCY MANAGEMENT DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

- O. Proposed resolution approving a Service Agreement between the City of Hialeah and J&M Vera, Inc. to provide bus transportation services to the City's Step Ahead Program, for a term

commencing on June 10, 2019 and ending on July 25, 2019; and authorizing the Mayor, or his designee, and the City Clerk, as attesting witness, on behalf of the City, to execute the Service Agreement attached hereto in substantial form and made a part hereof as Exhibit "1"; and providing for an effective date. (EDUCATION & COMMUNITY SERVICES DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

RESOLUTION 2019-078

- P. Proposed resolution supporting communications infrastructure efforts in anticipation of Miami-Dade County's hosting of Super Bowl LIV. (ADMINISTRATION)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

RESOLUTION 2019-079

- Q. Proposed resolution adopting the City of Hialeah Comprehensive Emergency Management Plan (CEMP) and Hialeah Emergency Operations Plan (EOP) 2019 in the event of and for the duration of a state of emergency. (EMERGENCY MANAGEMENT DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

RESOLUTION 2019-080

- R. Proposed resolution establishing a policy and procedure for the acquisition of goods and services during a state of emergency, where it is not advantageous or practicable for the City to use competitive bidding. (EMERGENCY MANAGEMENT DEPT.)

APPROVED 4-0-3 with Councilmembers Cue-Fuente, Hernandez and Lozano absent.

RESOLUTION 2019-081

4. ADMINISTRATIVE ITEMS

- 4A. First reading of proposed ordinance amending Chapter 50 entitled "Housing", Article II. Minimum Housing Code, of the Code of Ordinances of the City of Hialeah, and in particular, adding a new Section 50-30 entitled "Storm Shutters", to provide for storm shutter regulations including conditions during which storm shutters can be used, and to provide for penalties for violations thereof; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in the code; providing for a severability clause; providing for an effective date. (ADMINISTRATION)

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

Item was postponed by administration on June 11, 2019.

REPORT: Motion to Approve Item 4A made by Councilman Zogby, and seconded by Councilman Caragol. Motion passed 5-0-2 with Councilmembers Cue-Fuente Hernandez and Lozano absent. Second reading and public hearing is scheduled for August 13, 2019.

- 4B. First reading of proposed ordinance accepting from Bonterra Communities TIC, LLC and Club Bonterra Lennar, LLC a Warranty Deed conveying all right, title and interest

to improved land as described in the Warranty Deed attached as Exhibit “1”; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (DEPT. OF PUBLIC WORKS)

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

REPORT: Motion to Approve Item 4B made by Council Vice President Garcia-Martinez, and seconded by Councilman Caragol. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent. Second reading and public hearing is scheduled for August 13, 2019.

- 4C. First reading of proposed ordinance approving a second amendment to the Development Agreement by and among FDG Countyline, LLC, a Delaware limited liability company, FDG BN Expansion, LLC, a Delaware limited liability company, and the City of Hialeah, Florida, dated March 31, 2014 approved by Hialeah, Fla. Ordinance 2014-18 (March 25, 2014), as amended on June 19, 2018 (Hialeah, Fla. Ordinance 2018-41, May 22, 2018), a copy of the Second Amendment in substantial form is attached hereto and made a part hereof as Exhibit “1”, incorporating additional vacant land to be developed pursuant to the project program and providing for roadways to be built and dedicated by developer. **Property comprising approximately 515 acres, more or less, within an area bounded on the west by NW 107 Avenue, on the north by NW 170 Street, on the east by NW 97 Avenue and on the south by NW 154 Street; all located in Hialeah, Florida. Property having a land use classification of industrial and located within the BDH Business Development Zoning 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. (ZONING)

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

On April 23, 2019 the item was postponed until further notice.

REPORT: Motion to Approve Item 4C made by Councilman Hernandez, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent. Second reading and public hearing is scheduled for August 13, 2019.

- 4D. First reading of proposed ordinance approving an Equipment Lease-Purchase Agreement with Motorola Solutions, Inc., as lessor, and the City, as lessee, for the acquisition, purchase, financing and leasing of certain equipment as described herein; authorizing the Mayor and City Clerk, as attesting witness, to execute the Equipment Lease-Purchase Agreement attached hereto and made a part hereof in substantial form as Exhibit “A” and all necessary documents on behalf of the City; authorizing all other actions necessary in furtherance of the transactions contemplated by this ordinance; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violations hereof; providing for a severability clause; and providing for an effective date. (EMERGENCY MANAGEMENT DEPT.)

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

REPORT: Motion to Approve Item 4D made by Council Vice President Garcia-Martinez, and seconded by Councilman Zogby. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent. Second reading and public hearing is scheduled for August 13, 2019.

5. BOARD APPOINTMENTS

- 5A. Proposed resolution appointing **Oscar D. Banegas** as a member of the Planning and Zoning Board for the period of a two (2)-year term ending on June 28, 2020. (COUNCIL VICE PRESIDENT GARCIA-MARTINEZ)
APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.
RESOLUTION 2019-082

On June 11, 2019 the item was tabled by the City Council until June 25, 2019.

REPORT: Motion to Approve Item 5A made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

- 5B. Proposed resolution reappointing **Jacqueline Garcia-Roves** to the Personnel Board of the City of Hialeah, as the Mayor's appointment, for a two (2)-year term ending on June 26, 2021. (MAYOR HERNANDEZ)
APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.
RESOLUTION 2019-083

On June 11, 2019 the item was tabled by the City Council until June 25, 2019.

REPORT: Motion to Approve Item 5B made by Councilman Zogby, and seconded by Council Vice President Garcia-Martinez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

- 5C. Proposed resolution reappointing **Ovidio J. Perez** as a member of the Planning and Zoning Board for a two (2)-year term ending on June 28, 2021. (COUNCILMAN HERNANDEZ)
APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.
RESOLUTION 2019-084

REPORT: Motion to Approve Item 5C made by Councilwoman Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

6. UNFINISHED BUSINESS

REPORT: NONE

7. NEW BUSINESS

REPORT: NONE

8. COMMENTS AND QUESTIONS

- Gustavo Falcon, 200 Alton Road, Apartment 1116, Miami Beach, Florida, addressed the Mayor and City Council regarding the Independence Day Celebration at Milander Park.
- Ricardo Rodriguez, 5000 East 9th Lane, addressed the Mayor and City Council regarding the Independence Day Celebration at Milander Park.
- Emilio Izquierdo Jr., 7212 SW 21 Street, addressed the Mayor and City Council regarding the Independence Day Celebration at Milander Park.
- Sasha Tirador, 9363 Fountain Blvd, addressed the Mayor and the City Council regarding the Independence Day Celebration at Milander Park.
- Eduardo Macaya Alvarez, 7035 West 15th Avenue, addressed the Mayor and the City Council.
- Auria Feria, 1770 Curtis Drive, addressed the Mayor and the City Council.
- Maggie, Rivera, 5560 West 14th Avenue, addressed the Mayor and City Council regarding animal sacrifices.
- Fernando Godo, 3390 West 12th Avenue, addressed the Mayor and City Council on meeting guidelines.
- Dania Victorious, 2765 West 54th Street, addressed the Mayor and City Council regarding pedestrian walkways.
- Frank De La Paz, 3920 West 13th Avenue, addressed the City Council regarding turning signals on West 12th Avenue and 37 Street.

ZONING

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

Attention Applicants:

REPORT: All were duly sworn in.

- a. Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is

withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. Second reading and public hearing of proposed ordinance rezoning C-1 (Restricted Retail Commercial District) and C-2 (Liberal Retail Commercial District) to C-3 (Extended Liberal Commercial District); and granting a variance permit to allow 11 parking spaces, where 13 are required; allow 5 feet rear setback, where 15 feet is the minimum required; and allow a pervious area of 13.46%, where an 18% minimum is required; contra to Hialeah Code of Ordinances §§ 98-2189(7), 98-1071, 98-1161; and contra to the latest edition of the City of Hialeah Landscape Manual dated July 9, 2015, ¶ (E) Tree and Lawn Requirements by Zoning Classification, Table A, ...minimum pervious area...percent of net lot area. **Property located at 975 and 995 Hialeah Drive, Hialeah, Florida;** repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.
ORDINANCE NO. 2019-051

On June 11, 2019 the City Council approved the item on first reading. Second reading and public hearing was scheduled for June 25, 2019.

On May 28, 2019, the item was postponed until June 11, 2019.

On May 15, 2019, the item was approved by the Planning and Zoning Board.

Planner's Recommendation: Approval.

Owners of the Property: Ignacio M. Urbietta, 9701 NW 89 Avenue, Medley, Florida 33178.

REPORT: Motion to Approve Item PZ 1 made by Councilman Caragol, and seconded by Council Vice President Garcia-Martinez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

PZ 2. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow an elementary school for a maximum of 23 students pursuant to Hialeah Code of Ordinances § 98-181; and granting a variance permit to allow 13 parking spaces, where 23 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(9); allow a 1.4% pervious area, where 18% is required; allow a 2 foot landscape buffer, where a 7 foot landscape buffer is required; and allow no trees and no shrubs, where 8 trees and 80 shrubs are required, subject to mitigation pursuant to § 98-2233; all contra to the City of Hialeah Landscape Manual, latest edition dated July 9, 2015, ¶ (E) Tree and Lawn Requirements by zoning classification, Table A, ...minimum pervious area...percent of net lot area, ¶ (D)(7), parking lot buffers, and ¶ (G) landscape legend information required to be permanently affixed to plan, subpart trees and shrubs. Property zoned C-1 (Restricted Retail Commercial District); **property located at 375 East 49 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **POSTPONED UNTIL AUGUST 13, 2019.**

Item was approved on first reading by the City Council on May 28, 2019. Second reading and public hearing was scheduled for June 25, 2019.

Registered Lobbyist: Oscar Gonzalez, 7901 West 21 Avenue, Hialeah, Florida 33016.

On May 15, 2019 the item was approved by the Planning and Zoning Board with the following conditions:

- The increase on the number of students and staff is not recommended and the CUP for the existing 23 student school could be granted with the condition that a 2 feet landscape buffer be provided at the edge of the property line to prevent improper parking encroaching into the sidewalk and that no less than 2 employees for traffic circulation control be on site at drop-off and pick-up hours daily.*
- The parking variance could be approved with the condition that 3,460 square feet of the building remain utilized by a daycare operation which requires 50% parking spaces less than other commercial uses, that the substandard spaces at the rear be exclusively used by compact cars and that a minimum of 5 parking spaces be available at the times that the existing medical clinic is in operation.*
- The pervious area variance could be approved with the condition that adequate drainage be provided through a drainage system, the 2 feet landscape buffer should be approved since there is no space to provide a wider buffer and the waiver of the landscape requirement could be approved with the condition that the 8 trees and 80 shrubs be mitigated in accordance to Sec. 98-2233.*

Planner's Recommendation: Approve with no school expansion and with conditions.

*Owners of the Property: Adriki Investments Corp., 80 Marina Avenue, Key Largo, Florida 33037
Ruben Demblans, 80 Marina Avenue, Key Largo, Florida 33037.*

PZ 3. First reading of proposed ordinance granting a Special Use Permit (SUP) to allow a temporary trailer and a shelter for an ATM machine utilized by Regions Bank while the property is demolished and redeveloped, for a time not exceeding 24 months from the effective date of this ordinance pursuant to Hialeah Code of Ordinances § 98-161, ET. AL.; property zoned M-3 (Industrial District). **Property located at 2899 West 4 Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

Registered Lobbyist: William Rombera, 14125 NW 80 Avenue, Suite 303, Miami Lakes, FL 33016.

On June 12, 2019, the item was approved by the Planning and Zoning Board.

Planner's Recommendation: Approval.

*Owners of the Property: Belsize Park LLC, 20533 Biscayne Blvd, Suite 1305, Aventura, FL 33180.
Achikam Yogev, 20533 Biscayne Blvd, #1305, Aventura, Florida 33160.*

REPORT: Motion to Approve Item PZ 3 made by Councilman Zogby, and seconded by

Councilman Hernandez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent. Second reading and public hearing is scheduled for August 13, 2019.

PZ 4. First reading of proposed ordinance allowing for the site plan signed and sealed and dated March 14, 2019 by Alan D. Lerner, registered architect, and granting a variance permit to allow a rear setback of 38 feet, where 45 are required; allow a pervious area of 15.43 percent, where 20 percent is required; allow parking at the front and side of the property, where all parking is required in the rear; and allow seven occupational licenses, where no more than two occupational licenses are allowed; all contra to Hialeah Code of Ordinances §§ 98-781(2), 98-781(5), 98-782 and 98-778(2). **Property located at 135 West 49 Street, Hialeah, Florida.** Property zoned RO (Residential Office). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **POSTPONED UNTIL AUGUST 13, 2019.**

<i>Registered Lobbyist: Brian S. Adler, Bilzin, Sumberg, 1450 Brickell Avenue, Suite 2300, Miami, FL.</i>
<i>Item was postponed by the City Council on May 14, 2019.</i>
<i>On April 24, 2019 the item was approved by the Planning and Zoning Board with the following conditions:</i> <i>1. The maximum number of business tax receipts for the facility is limited to seven. Notwithstanding the seven issued business tax receipts, no more than three of the seven doctors shall be located at the facility at any given time.</i> <i>2. Should property be converted to a use other than an endoscopy/gastrointestinal center, the maximum number of business tax receipts shall revert to a maximum of two unless otherwise approved by the City of Hialeah City Commission or otherwise permitted under the City of Hialeah Code.</i> <i>3. The facility shall provide a valet parking or a parking attendant at a minimum during workdays between the hours of 7:00 a.m. to 12:00 p.m.</i> <i>4. The facility shall encourage employees to utilize public transportation, drop-off or carpooling.</i> <i>5. The facility shall maintain and/or provide patients with the name of transportation and or pickup services utilized at the property to encourage patients to use the transportation facilities rather than driving separately to the facility.</i>
<i>Planner's Recommendation: Approve rear setback, pervious area and parking location variances and allow a maximum of four occupational licenses.</i>
<i>Owners of the Property: Torres Hialeah Investment, LLC., 4791 West 4th Avenue, Hialeah, Florida 33012.</i>

LAND USE AMENDMENTS

LU 1. Proposed resolution expressing its intent to approve and adopt a text amendment to the Future Land Use Element of the City of Hialeah Comprehensive Plan to eliminate Policy 2.3.5 related to the Growth Management Advisory Committee.

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.
RESOLUTION 2019-085

Item was tabled by the City Council on June 11, 2019.

On May 29, 2019 the item was approved by the Planning and Zoning Board.

REPORT: Motion to Approve Item LU 1 made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

LU 2. Proposed resolution expressing its intent to approve and adopt a map amendment to the Future Land Use Map from Industrial and Office to Industrial. **Property located at the northeast corner of NW 102 Avenue and West 108 Street, Hialeah, Florida.** Zoned BDH (Business Development District).

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.
RESOLUTION 2019-086

Item was tabled by the City Council on June 11, 2019.

Registered Lobbyist: Joni Armstrong Coffey, 98 SE 7th Street, Suite 1100, Miami, Florida 33131.

On May 29, 2019 the item was approved by the Planning and Zoning Board.

Planner's Recommendation: Approval.

*Owners of the Property: Section 17, LLC- 1525 Gabriel Street, Hollywood, Florida 33020.
Lloyd Moriber, James Horland, Bruce Schwartz, Melvyn Drucker,
Norman Klein, Nadine Samter, Brent Samter, and Jordan Samter.*

REPORT: Motion to Approve Item LU 2 made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

LU 3. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to Transit Oriented Development District. **Property located at 962 and 972 East 26th 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.

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.
ORDINANCE NO. 2019-052

Item was approved by the City Council on June 11, 2019.

<i>On May 29, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Eloina G. Rodriguez, Luis A. Valdes, Francisco C. Rodriguez and Javier A. Valdes, 962 East 26th Street, Hialeah, Florida 33013.</i>

REPORT: Motion to Approve Item LU 3 made by Council Vice President Garcia-Martinez, and seconded by Councilman Caragol. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

LU 4. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to Commercial. **Property located at 662 East 27 Street and 2620 East 7 Avenue, 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.

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

ORDINANCE NO. 2019-053

<i>Item was approved by the City Council on June 11, 2019.</i>
<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155th Street, Miami Lakes, Florida 33016.</i>
<i>On May 29, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Machado Investments Inc., Orlando M. Machado, Jose R. Machado, Rolando J. Machado, 6625 Miami Lakes Drive., E#212, Miami Lakes, Florida .</i>

REPORT: Motion to Approve Item LU 4 made by Councilman Caragol, and seconded by Council Vice President Garcia-Martinez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

LU 5. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Low Density Residential to Medium Density Residential. **Property located at 811 East 52 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.

APPROVED 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

ORDINANCE NO. 2019-054

<i>Item was approved by the City Council on June 11, 2019.</i>
<i>Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155th Street, Miami Lakes, Florida 33016.</i>
<i>On May 29, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: ARD Homes LLC, Rene G. Baques, Marta Baques, P.O. Box 520187, Miami, Florida 33152.</i>

REPORT: Motion to Approve Item LU 5 made by Council Vice President Garcia-Martinez, and seconded by Councilman Hernandez. Motion passed 5-0-2 with Councilmembers Cue-Fuente and Lozano absent.

REPORT: The meeting was adjourned by Council President Casáls-Munoz at 8:22 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, August 13, 2019 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 27, 2019 at 6:30 p.m.

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

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

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than 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).