

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

Special Meeting of the City Council
Minutes
August 3, 2021
5:30 p.m.

1. CALL TO ORDER

A. REPORT: Council President Tundidor called the meeting to order at 5:47 p.m.

2. ROLL CALL

A. REPORT: Marbelys Fatjo, City Clerk, called the roll with all Council Members present:

1. Council President Tundidor
2. Council Vice President Perez
3. Council Member Garcia-Roves
4. Council Member Hernandez

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

1. Council Member Cue-Fuente
2. Council Member De la Rosa
3. Council Member Zogby

C. REPORT:

1. Mayor Hernandez was not present.
2. Lorena Bravo, City Attorney, was present.
3. Marbelys Fatjo, City Clerk, was present.

3. INVOCATION

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

4. PLEDGE OF ALLEGIANCE

A. Council President Jesus Tundidor 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: Marbelys Fatjo, City Clerk, read the meeting guidelines.

6. COMMENTS AND QUESTIONS

- 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:** No one present in the Council Chambers expressed interest in speaking during this portion of the meeting.

7. PRESENTATIONS

- A. **REPORT:** None.

8. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- A. **REPORT:** None.

9. LAND USE

- LU 1. Second reading and public hearing 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 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

ORDINANCE NO. 2021-066

<i>On July 13, 2021, the item was postponed until August 3, 2021, due to the need of the publication of an ad required by state law.</i>

<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for July 13, 2021.</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>Owner of the Property: Yerandis Leal, 6541 West 12 Avenue, Hialeah, Florida 33012.</i>

REPORT: Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

REPORT: Motion to Approve Item LU 1 made by Council Member Hernandez, and seconded by Council Member Garcia-Roves. Motion passes 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

LU 2. Second reading and public hearing 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 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

ORDINANCE NO. 2021-067

<i>On July 13, 2021, the item was postponed until August 3, 2021, due to the need of the publication of an ad required by state law.</i>
<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for July 13, 2021.</i>
<i>Registered Lobbyist: Felix M. Lasarte, 3520 NE 1st Avenue, Suite 334, Miami, Florida 33137, on behalf of 4700 NW 37th Investments (David Martin).</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 37th Investments, 2665 S. Bayshore Drive, Suite 1020.</i>

REPORT: Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

REPORT: Motion to Approve Item LU 2 made by Council Member Garcia-Roves, and seconded by Council Member Perez. Motion passes 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

LU 3. 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 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 providing for an effective date.

APPROVED 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

ORDINANCE NO. 2021-068

<i>On July 13, 2021, the item was postponed until August 3, 2021, due to the need of the publication of an ad required by state law.</i>
<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public hearing is scheduled for July 13, 2021</i>
<i>Registered Lobbyist: Manny Reus, 18501 Pines Boulevard, #342, Pembroke Pines, Florida, on behalf of Marcial Rodriguez.</i>
<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>
<i>Owner of the Property: Juan Barroso, 8005 NW 164 Terrace, Miami Lakes, Florida 33016</i>

REPORT: Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

REPORT: Motion to Approve Item LU 3 made by Council Vice President Perez, and seconded by Council Member Hernandez. Motion passes 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

LU 4. Second reading and public hearing 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 (Liberal 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 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

ORDINANCE NO. 2021-069

<i>On July 13, 2021, the item was postponed until August 3, 2021, due to the need of the publication of an ad required by state law.</i>
<i>On June 22, 2021, the City Council approved the item on first reading. Second reading and public</i>

<i>hearing is scheduled for July 13, 2021</i>
<i>Registered Lobbyist: Ceasar Mestre, 8105 NW 155 Street, Miami Lakes, Florida, on behalf of Thirty Palms Inc (Cesar Munoz).</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: Thirty Palms Inc., Cesar Munoz and Marlene Munoz, 144 Hialeah Drive, Hialeah Florida, 33010.</i>

REPORT: Council President Tundidor opened the item for public participation and no one present in the Council Chambers or participating via Zoom expressed interest in speaking during this portion of the meeting.

REPORT: Motion to Approve Item LU 4 made by Council Member Garcia-Roves, and seconded by Council Member Hernandez. Motion passes 4-0-3 with Council Member Cue-Fuente, Council Member De la Rosa and Council Member Zogby absent.

REPORT: Council President Tundidor adjourned the meeting at 5:54 p.m.

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

NEXT CITY COUNCIL MEETING: Tuesday, August 10, 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, 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).