

Carlos Hernández
Mayor

Paul B. Hernández
President

Oscar De la Rosa
Vice President



Council Members
Katharine Cue-Fuente
Jacqueline Garcia-Roves
Monica Perez
Jesus Tundidor
Carl Zogby

City Council Meeting (VIRTUAL)
Minutes
September 22, 2020
7:00 p.m.

1. CALL TO ORDER

A. **REPORT:** Council President Hernandez called the meeting to order at 7:03 p.m.

2. ROLL CALL

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

1. Council President Hernandez
2. Council Vice President De la Rosa (*was not present during roll call, and joined the meeting at approximately 7:10 p.m.*)
3. Councilwoman Katharine Cue-Fuente
4. Councilwoman Jacqueline Garcia-Roves
5. Councilwoman Monica Perez
6. Councilman Jesus Tundidor
7. Councilman Carl Zogby

B. **REPORT:** Also present were Mayor Carlos Hernandez and Lorena Bravo, City Attorney.

3. INVOCATION

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

4. PLEDGE OF ALLEGIANCE

A. **Council Member Zogby led the Pledge of Allegiance.**

5. MEETING GUIDELINES

The following guidelines, which apply to today's City's Council Meeting, have been set by Mayor Carlos Hernandez through the execution of an Order on Emergency Public Meeting Guidelines and Procedures Using Communications Media Technology In Response To COVID-19:

- Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 on March 20, 2020, suspending the "Florida's Government in Sunshine Laws" requirement that a quorum of the legislative body holding a public meeting be met in-person and the meeting be held at a physical location accessible to the public for the duration of the State's Declaration of Emergency issued on March 9, 2020 as a result of the COVID-19 pandemic affecting the State of Florida. Executive Order 20-69 allows local governments to use communications media technology to hold public meetings during the public health emergency as a result of COVID-19, in order to protect the health, welfare and safety of the public, including public officials, from being exposed to COVID-19 and meet the requirements of the Sunshine Law.
- The following Procedures for Virtual Public Meetings of the City Council using Communications Media Technology in Response to COVID-19 have been adopted as minimum procedures for all emergency public meetings of the City Council, boards and committees of the City of Hialeah effective the execution of **Order on Emergency Public Meeting Guidelines and Procedures using Communications Media Technology in Response to COVID19**, signed by Mayor Carlos Hernandez on April 8, 2020.
- The virtual public meeting shall be broadcast live for members of the public to view on the City's Facebook page. A Facebook account is not required in order to view this virtual public meeting. In addition, members of the public may hear the meeting live through telephonic conferencing. You can join the meeting via 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.
- Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so prior to the meeting taking place by email to virtualmeeting@hialeahfl.gov by 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. Email comments and questions shall not exceed three (3) minutes when read. Only the first three minutes of e-mail comments and questions received by the deadline will be read into and form part of the public record.
- Any person 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 by joining the meeting using Zoom or any other similar web-based

meeting platform being used as identified in the notice. The person interested in joining the meeting to participate for this purpose must register with the City Clerk by completing a registration form, providing the information required and submitting the completed form to the City Clerk no later than 3:00 p.m. the business day prior to the meeting or no later than six (6) hours prior to the meeting if only 24-hours' notice prior to the meeting is provided by the City. All registered participants 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.

- Participants are reminded to maintain decorum in their comments and appearance throughout their participation as the whole meeting will be recorded and published on the City's Facebook page and retained pursuant to the Florida Public Records Law.
- All existing laws or rules of procedure applicable to public meetings (i.e. three minute limit on speaking, three in favor and three in opposition on any item on the agenda, lobbyist registration requirements), that are not in conflict with these procedures and can be observed under the circumstances remain in effect and to the greatest extent practicable should be observed.
- Public comments and questions, whether on general matters of public concern or on a matter on the agenda, will be heard at the beginning of the meeting and once heard no other public participation will be permitted.
- Persons making public comments must identify themselves by first and last name and provide their address for the record, prior to speaking.
- If during the course of the meeting, technical problems develop with the communications network that prevent interested persons from attending, the meeting shall be adjourned until the problems have been corrected.

REPORT: The meeting guidelines were read into the record by Marbelys Fatjo, City Clerk.

6. COMMENTS AND QUESTIONS

- A. **REPORT:** The Office of the City Clerk did not receive e-mail messages from person interested in making comments or posing questions on matters of public concern.
- B. **REPORT:** No one 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 meeting using Zoom.
- C. **REPORT:** Council President Hernandez asked anyone watching or listening to the meeting who would like to speak, to use the raising of the hand feature on Zoom. One member of the

public expressed interest in participating.

- (1) **Eric Johnson**, with a home address exempt from public disclosure per Florida law, Local 1102, spoke regarding the importance of life scans and comprehensive physical evaluations for firefighters.

7. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Item LU 1 will not be considered today. The item will be considered by the City Council on October 13, 2020.
- Consent Items I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, EE and FF were added to the agenda and sent to the City Council on Friday, September 18, 2020.
- Consent Items GG and HH have been added to today's agenda.
- Additional backup has been added to Consent Items D and E, and Administrative Item 9B.
- Item PZ 4 is postponed until October 13, 2020, per the applicant's request.

8. 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: Council Member Perez requested separate discussion on Consent Item D.

REPORT: Council Member Tundidor requested separate discussion on Consent Items P and U.

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

REPORT: Council Member Zogby requested separate discussion on Consent Item Q.

REPORT: Motion to Approve the Consent Agenda, except Items D, H, P, Q and U, made by Council Member Cue-Fuente, and seconded by Council Vice President De la Rosa. Motion passes 7-0.

- A. Request permission to approve the minutes of the Virtual Meeting of the City Council held on September 8, 2020.

(OFFICE OF THE CITY CLERK)

APPROVED 7-0

9/24/2020 12:09 PM

- B. Proposed resolution authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the City to enter into a Consulting Services Agreement with Civitas, LLC, to provide the City with technical assistance and program management services related to the City's housing programs funded by the U.S. Department of Housing and Urban Development (HUD), including CDBG, Home and ESG, as well as recently awarded CARES Act funding, completing project environmental reviews, and other services as set forth in the scope of work attached hereafter as Exhibit "A", for a term commencing on October 1, 2020 and ending on September 30, 2021, in an amount not to exceed \$84,000.00, in a form acceptable to the City Attorney; and providing for an effective date.

(GRANTS AND HUMAN SERVICES DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-121

- C. Proposed resolution approving a Consulting Services Agreement with Franco Government Relations, Inc., to assist the City in identifying and securing additional federal resources for funding, in an amount not to exceed \$50,000.00, for a term commencing on October 1, 2020 and ending on September 30, 2021; and authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the City, to execute the Consulting Services Agreement, a copy of which is attached hereto in substantial form, and made a part hereof as Exhibit "1"; and providing for an effective date.

(GRANTS AND HUMAN SERVICES DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-122

- D. Request permission to utilize Sourcewell Contract No. 2020-120716-NAF, effective through January 17, 2022, and issue a purchase order to Alan Jay Chevrolet-Cadillac, Inc., for the purchase of four (4) 2021 Chevy Tahoe, 2WD, 1LS (CC10706 1LS), for the fire department, in the amount of \$39,128 per truck, in a total amount of \$156,512, and one (1) 2020 Ford Expedition XLT, 119" WB (U1H), for the fire department, in the amount of \$50,276, for a total cumulative expense amount not to exceed \$206,788.

(FIRE DEPARTMENT)

ITEM TABLED 6-0-1

REPORT: Willians Guerra, Fire Chief, City of Hialeah, addressed the City Council on this item.

REPORT: Mayor Hernandez spoke on this item.

REPORT: Council Member Tundidor requested a list of the staff members who will receive the new vehicles, as well as a list of the old vehicles being replaced.

REPORT: Motion to Table Consent Item D made by Council Member Perez, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Vice President De la Rosa not present during roll call. Council Vice President De la Rosa recorded his vote as "Yes" after the item was approved.

E. Request permission to utilize Lake County Florida Contract No. 17-0606G - *Fire Equipment Parts – Supplies – Service*, effective through June 30, 2021, and issue a purchase order to Municipal Emergency Services, Inc., for purchase of twenty (20) Scott SCBA Air-Paks, in a total cumulative amount not to exceed \$120,000, to be paid with funds of the UASI Grant Program.
(FIRE DEPARTMENT)

APPROVED 7-0

F. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Kronos Systems Incorporated, for a system upgrade to the latest version of Telestaff, which provides Webstaff access to administrative staffing functions through the internet for Fire Communications, in a total cumulative amount not to exceed \$17,000.
(FIRE DEPARTMENT)

APPROVED 7-0

G. Report of Scrivener’s Error – Item J of the City Council Meeting of August 11, 2020, was approved by the City Council with an error on the total cumulative expense amount for Purchase Order No. 2020-1804. The item was approved with \$40,336.40 as the total cumulative expense amount. The item is being amended to reflect the correct total cumulative amount as \$42,500.
(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

H. Proposed resolution appointing Council Member Oscar De la Rosa to participate as a voting member of the Metropolitan Planning Organization for Miami-Dade County, Florida, representing the City of Hialeah, and to serve in this appointed capacity effective on the date of the Mayor’s signature of this resolution following adoption.
(ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2020-123

REPORT: Mayor Hernandez spoke on this item.

REPORT: Motion to Approve Consent Item H made by Council Member Tundidor, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

I. Request permission to utilize State of Florida Contract No. 43220000-WSCA-14-ACS - *Managed Services Contract for Data Communications Products and Services*, effective through September 30, 2020, and issue a purchase order to Acordis International Corp., for the purchase, installation and configuration of the WiFi system within the City’s Building Department to better assist the employees with the use of the new building software, in a total cumulative amount not to exceed \$12,773.56.

(INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 7-0

J. Request permission to increase Purchase Order No. 2020-278, issued to Bryant Miller Olive P.A., for legal services rendered in connection with the City of Hialeah general labor and employment matters, by an additional amount of \$892.50, for a new total cumulative amount not to exceed \$15,892.50.

(LAW DEPARTMENT)

APPROVED 7-0

- K.** Request permission to increase Purchase Order No. 2020-1945, issued to Bryant Miller Olive P.A., for legal services rendered in connection with City of Hialeah professional services, by an additional amount of \$6,420, for a new total cumulative amount not to exceed \$21,420.
(LAW DEPARTMENT)
APPROVED 7-0
- L.** Request permission to increase Purchase Order No. 2020-966, issued to Lewis Longman & Walker, P.A., for legal services rendered in connection with the City's pension plans and retirement benefits, by an additional amount of \$600, for a new total cumulative amount not to exceed \$16,973.69.
(LAW DEPARTMENT)
APPROVED 7-0
- M.** Request permission to increase Purchase Order No. 2020-2099, issued to American Ramp Company, to include a performance bond and an update of the business terms being requested of the vendor by the City, thereby requiring an increase in the expenditure, by an additional amount of \$6,328.93, for a new total cumulative amount not to exceed \$322,775.61. On July 28, 2020, the City Council approved the construction of a new skate park at Bucky Dent Park in the amount of \$316,446.68.
(PARKS AND RECREATION DEPARTMENT)
APPROVED 7-0
- N.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-1208, issued to Terra Scape, Inc., for pest control services to the homes of canine police officers, the City's canine facility and police sub-stations one through five, by an additional amount of \$4,125, for a new total cumulative amount not to exceed \$45,375.
(POLICE DEPARTMENT)
APPROVED 7-0
- O.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-314, issued to West Publishing Corporation, for the Clear Investigator investigative tool used in locating and linking victims, witnesses and subjects, by an additional amount of \$2,600, for a new total cumulative amount not to exceed \$18,200.
(POLICE DEPARTMENT)
APPROVED 7-0
- P.** Proposed resolution authorizing through the services of Pinetree Capitol, LLC d/b/a Emphasis Benefits, a Florida corporation, the placement of the Open Access Plus (OAP) health insurance plan with Cigna Healthcare for a total annual amount not to exceed \$9,500,000.00 for calendar year 2021, placement of the GAP health insurance coverage with American Public Life for an amount not to exceed \$1,750,000.00 for calendar year 2021, placement of the stop loss health insurance coverage with HCC Life Insurance Company for a total annual amount not to exceed \$650,000.00 for calendar year 2021, eliminate the \$21.00 per employee/retired employee per month discount which increases the fixed monthly rate to \$53.77 per employee/per retiree per month for United Healthcare to administer the City's self funded PPO plans for calendar years 2021 and 2022 and utilize NFP RX Solutions to manage the carving-out of the pharmacy benefits from the City's self funded PPO plans, and the placement of the Medicare Advantage PPO Health insurance plan with United Healthcare for a total amount not to exceed \$2,250,000.00 for calendar year 2021.
(RISK MANAGEMENT)
APPROVED 7-0

RESOLUTION NO. 2020-124

REPORT: Robert Lloyd-Still, Risk Manager, City of Hialeah, 501 Palm Avenue, addressed the City Council on this item.

REPORT: Pete Cabrera, Emphasis Benefits, 5511 North University Drive, Suite 102, Coral Springs, FL, addressed the City Council on this item.

REPORT: Todd Brown, 5511 North University Drive, Suite 102, Coral Springs, FL, addressed the City Council on this item.

REPORT: Council President Hernandez opened Consent Item P for public participation. One member of the public expressed interest in participating using the raising of the hand feature on Zoom.

(1) Eric Johnson, with a home address exempt from public disclosure per Florida law, Local 1102, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item P made by Council Member Tundidor, and seconded by Council Vice President De la Rosa. Motion passes 7-0.

- Q. Proposed resolution authorizing the City utilization of State Housing Initiatives Partnership (SHIP) program funds awarded to the City by the State of Florida through the Florida Housing Finance Corporation to increase the existing amount of funding awarded to Volunteers of America, Inc., for Rapid Re-Housing Rental Assistance for homeless individuals and families, by \$10,000.00 for a new total award in an amount not to exceed \$49,000.00, through the execution of a contract amendment attached hereto and made a part hereof as Exhibit "2", in order to further facilitate rapid re-housing services for those in need. (GRANTS AND HUMAN SERVICES DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-125

REPORT: Annette Quintana, Director of the Grants and Human Services Department, 501 Palm Avenue, addressed the City Council on this item.

REPORT: Motion to Approve Consent Item Q made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 7-0.

- R. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-1218, issued to G. & R. Electric Corp., for payment of pending invoices for service calls and troubleshooting, including repairs and materials, by an additional amount of \$2,500, for a new total cumulative amount not to exceed \$3,500. (DEPARTMENT OF PARKS AND RECREATION)

APPROVED 7-0

- S. Request permission to issue a purchase order to Infor Public Sector, Inc., sole source vendor, for maintenance and support services of the Police and Fire Computer Aided Dispatch and Records Management Systems for fiscal year 2021, in a total cumulative amount not to exceed \$337,509.03. (INFORMATION TECHNOLOGY DEPARTMENT)

APPROVED 7-0

- T. Request permission to issue a purchase order to A.A. Magic Plumbing, Inc, vendor providing the lowest quotation, for the bathroom renovation, including plumbing and plumbing fixtures to Fire Station No. 7, in a total amount of \$35,000, and further request a ten percent (10%) contingency in the amount of \$3,500 to cover any unforeseen issues that may arise during the scope of the work, for a total cumulative expense amount not to exceed \$38,500. On September 8, 2020, the City Council approved the rejection of Hialeah Invitation to Bid No. 2019/20-3230-00-021 – *Fire Station No. 7 Bathroom Renovations- Plumbing and Plumbing Fixtures*, because no bids were submitted to the City, and further approved for the Department of Construction and Maintenance to obtain quotes.
(DEPARTMENT OF CONSTRUCTION AND MAINTENANCE)

APPROVED 7-0

- U. Proposed resolution amending Hialeah Florida Resolution No. 2020-108 (August 11, 2020), which authorized the Mayor or his designee on behalf of the City of Hialeah to submit to the United States Department of Housing and Urban Development (HUD) the Action Plan, and the Action Plan budgets for fiscal year 2020-2021, which included the allocation for selected programs for CDBG, HOME and ESG and awarded sub-recipients, to include a grant award under the CDBG Program to an additional sub-recipient, as set forth in the updated attachment E, a copy of which is attached hereafter and incorporated herein; and providing for an effective date.
(GRANTS AND HUMAN SERVICES DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-126

REPORT: Annette Quintana, Director of Grants and Human Services, 501 Palm Avenue, addressed the City Council on this item.

REPORT: Mayor Hernandez spoke on this item.

REPORT: Motion to Approve Consent Item U made by Council Member Tundidor, and seconded by Council Member Cue-Fuente. Motion passes 7-0.

- V. Proposed resolution approving the expenditure in an amount not to exceed \$29,439.01 from the Law Enforcement Trust Fund-*State* to the Miami-Dade Police Department-Fiscal Administrative Bureau for the cost of operating and maintaining E-Notify System during fiscal years 2019 and 2020 upon such costs having been approved by the Chief of Police, and providing for an effective date.
(POLICE DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-127

- W. Request permission to waive competitive bidding and extend the Service Agreement between the City of Hialeah and Morey Elevator Company of Florida, Inc., for a period of two (2) years ending on September 30, 2022, for monthly maintenance, repairs and inspections, and any necessary emergency repairs that may arise during the fiscal year, in a total cumulative amount not to exceed \$43,493.84. On October 10, 2017, the City Council awarded Hialeah Request for Proposal No. 2016/17-8500-36-007 – *Elevator Maintenance* to this vendor for a period of three (3) years ending on September 30, 2020.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- X. Request permission to award Hialeah Invitation to Bid No. 2019/20-8500-36-0022 – *Fire Alarm Monitoring, Maintenance and Annual Testing*, to G. & R. Electric Corp., sole responsive bidder, for a period commencing on October 1, 2020 and ending on September 30, 2023, in the amount of \$33,630, and further request a contingency allowance in the amount of \$25,000 to cover the cost of emergency fire alarm repairs at City facilities, for a total cumulative expense amount not to exceed \$58,630.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

APPROVED 7-0

- Y. Request permission to issue a purchase order to Amano McGann, Inc., the original manufacturer of the pay-on-foot machine, to cover yearly cost for parking garage pay-on-foot services and maintenance, in a total cumulative amount not to exceed \$18,568.00. On October 9, 2018, the City Council approved for the City to enter into a Nowcare Premium Support Agreement with this vendor for three years, ending on October 31, 2021.

(PURCHASING DIV.)

APPROVED 7-0

- Z. Request permission to utilize City of Tamarac Contract No. 19-12R– *Office Supplies, Products and Related Services*, effective through October 13, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and issue a purchase order to Office Depot, Inc., to purchase office supplies during fiscal year 2020-2021, in a total cumulative amount not to exceed \$120,000, to be allocated through various City departments. (PURCHASING DIV.)

APPROVED 7-0

- AA. Request permission to utilize U.S Communities Contract No. R-TC-17006 between this vendor and Prince William County Public Schools, VA, effective through January 18, 2022, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and issue a purchase order to Amazon Capital Services, Inc., for online marketplace purchase of products and services during fiscal year 2020-2021, in a total cumulative amount not to exceed \$120,000 to be allocated through various City departments.

(PURCHASING DIV.)

APPROVED 7-0

- BB. Request permission to utilize State of Florida Contract No. 14111500-15-1 - *Office, Virgin and Recycled Content*, effective through July 19, 2021, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and issue a purchase order to Mac Papers Inc., for the procurement of paper supply during fiscal year 2020-2021, in a total cumulative amount not to exceed \$60,000, to be allocated through various City departments.

(PURCHASING DIV.)

APPROVED 7-0

- CC. Request permission to utilize the pricing of City of Tuscan, Arizona, Contract No. 192163 – *Maintenance, Repair and Operations (MRO), Supplies, Parts, Equipment, Materials and Related Services*, effective through December 31, 2024, contract which is part of Omnia Partners, the

largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and issue a purchase order to W.W. Grainger Inc., for maintenance, repair and operation supplies, in a total cumulative amount not to exceed \$80,000, to be allocated through various City Departments.

(PURCHASING DIV.)

APPROVED 7-0

DD. Request permission to utilize the pricing of State of Texas, Contract No. R200601 – *Equipment and Tool Rental Services*, effective through October 31, 2023, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and issue a purchase order to Sunbelt Rentals Inc., for equipment and tool rental when needed, in a total cumulative amount not to exceed \$50,000, to be allocated through various City Departments.

(PURCHASING DIV.)

APPROVED 7-0

EE. Request permission to utilize the pricing of Maricopa County, Arizona, Contract No. 16154 – *Maintenance, Repair, Operating Supplies, Industrial Supplies and Related Products and Services*, effective through December 31, 2021 and renewed through December 31, 2026, contract which is part of Omnia Partners, the largest cooperative purchasing organization for the public sector offering a large portfolio of competitively bid contracts, which the City of Hialeah is registered to utilize, and issue a purchase order to The Home Depot, for the purchase of paint supplies when needed, in a total cumulative amount not to exceed \$90,000, to be allocated through various City departments.

(PURCHASING DIV.)

APPROVED 7-0

FF. Request permission to issue a purchase order to Toshiba American Business Solutions, Inc., doing business as Toshiba Financial Services, to pay for the lease cost of the citywide copier, in the amount of \$6,245.72 per month, in a total cumulative expense amount not to exceed \$74,948.64 for the fiscal year, and further request permission to issue a second purchase order to this vendor for black and white impressions and color impressions, with a cost of \$0.044 for black and white impressions and \$0.045 for color impressions, in a total cumulative amount not to exceed \$25,000 for fiscal year 2021. On December 12, 2017, the City Council approved for the City to enter into a lease agreement with this vendor for a four (4) year term ending on January 31, 2022.

(PURCHASING DIV.)

APPROVED 7-0

GG. Request permission to utilize Contract No. RQS19-0084-2 between this vendor and the City of Orlando, Florida, effective through May 31, 2021, and issue a purchase order to MSE Group, LLC, an environmental consultant, to conduct a site assessment of our fire training facility as required by the Florida Department of Environmental Protection, in a total cumulative amount not to exceed \$200,000.

(ADMINISTRATION)

APPROVED 7-0

HH. Proposed resolution establishing the “Amelia District” comprised of the area bounded by the Gragny Highway on the north, West 74 Street on the south, Amelia Earhart Park on the east, and Red Road on the west and identified; and providing for an effective date.

(ADMINISTRATION)

APPROVED 7-0
RESOLUTION NO. 2020-128

9. ADMINISTRATIVE ITEMS

REPORT: Council President Hernandez stepped away at approximately 8:28 p.m. Council Vice President De la Rosa took over the role of Chair of the meeting during the Council President's absence.

- A. Second reading and public hearing of proposed ordinance amending the Code of Ordinances of the City of Hialeah, **Chapter 58** entitled "Offenses", Article VI. "Miscellaneous", and in particular, adding Code **Section 58-70**, making violations of all state, county and local emergency rules and orders, promulgated pursuant to Chapter 252, Florida Statutes, enforceable through civil violations pursuant to Chapter 22 of the Hialeah Code; amending **Chapter 22** entitled "Code Enforcement", Article I. "In General", and in particular, amending **Section 22-2**, "Definitions", revising the definition of Code to include any emergency rules, regulations, ordinances or orders adopted and promulgated by the city, county or state; amending Article III. "Enforcement Procedures", Division 3. "Civil Violation Enforcement Procedures", and in particular, amending Section 22-190, entitled "Schedule of Civil Penalties", providing for a civil penalty in the amount of \$100.00 for violations of emergency rules, regulations, ordinances or orders; amending **Chapter 86** entitled "Taxation and Fees", Article II. Local Business Tax, in particular, amending **Section 86-53**, entitled "Denial of Business Tax Receipt", adding subsection (a) (16) to provide that an application for a business tax receipt may be denied if the applicant has violated state, county and/or local emergency orders or rules promulgated pursuant to Chapter 252, Florida Statutes; amending **Section 86-54**, entitled "Suspension and Revocation of Business Tax Receipt", adding subsection (a) (17) to provide that the City Council shall either revoke or temporarily suspend a business tax receipt if the business tax receipt holder has violated or allows the violation of state, county and/or local emergency orders or rules promulgated pursuant to Chapter 252, Florida Statutes; 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.

(ADMINISTRATION)

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

ORDINANCE NO. 2020-045

Item was approved on first reading by the City Council on September 8, 2020. Second reading and public hearing was scheduled for September 22, 2020.

REPORT: Motion to Approve Administrative Item 9A made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 5-0-2 with Council President Hernandez and Council Member Perez not present during roll call. Council President Hernandez and Council Member Perez recorded their vote as "Yes" after the item was approved.

- B. First reading of proposed ordinance amending Section 98-1607.3 RH-CD-Mixed Use

Multiple Family District of the Code of Ordinances of the City of Hialeah, in Chapter 98 entitled "Zoning", Article V. "Zoning District Regulations", Division 29. Hialeah Heights Commercial District; amending its purpose to apply to properties within one-quarter mile of the Hialeah Heights Commercial District; amending development standards to provide that residential developments within a quarter mile of the district are subject to approval by conditional use permit; and amending the parking for properties within a quarter mile radius of the Hialeah Heights Commercial Development District; 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.

(ZONING)

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

REPORT: Motion to Approve Administrative Item 9B made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council President Hernandez and Council Member Perez not present during roll call. Council President Hernandez and Council Member Perez recorded their vote as "Yes" after the item was approved. Second reading and public hearing is scheduled for October 13, 2020.

10. UNFINISHED BUSINESS

REPORT: None.

11. NEW BUSINESS

REPORT: Council Member Perez returned to the meeting at 8:35 p.m.

- **Mayor Hernandez spoke regarding the coronavirus and the reopening of schools.**
- **Council Member Perez spoke on the following:**
 - *Reopening of schools.*
 - *Thanked the Parks and Recreation Department and Communications and Special Events Department for their efforts towards the drive-in movie night.*
 - *Two additional Covid-19 testing sites*

REPORT: Council President Hernandez returned at 8:38 p.m.

- **Council Member Tundidor spoke on the following:**
 - *Commended Council Member Perez on the additional Covid-19 testing sites and the drive-in movie night event.*
 - *Requested an update on the fire trailer*
 - *Willians Guerra, Fire Chief, and Mayor Hernandez responded.*

- **Council Vice President De la Rosa requested an update on the 97th Avenue project.**
 - Mayor Hernandez and Jose Sanchez, Director of Streets, City of Hialeah, responded.

12. CITY COUNCIL'S NEW BUSINESS

13. 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.

- PZ 1.** Second reading and public hearing of proposed ordinance approving a Final Plat of Bridge Hialeah West, accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; 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. **Property located at the NE corner of NW 102 Avenue and NW 162 Street, Hialeah, Florida.**

APPROVED 7-0

ORDINANCE NO. 2020-046

<i>Item was approved on first reading by the City Council on September 8, 2020. Second reading and public hearing was scheduled for September 22, 2020.</i>
<i>Registered Lobbyist: Matthew Barnes, 98 SE 7 Street, Suite 1100, Miami, Florida 33131, on behalf of H-21 Cold LLC, 1000 East Irving Park Road, Suite 150, Itasca, IL 60143.</i>
<i>On August 26, 2020, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>

REPORT: City Clerk, Marbelys Fatjo, 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. Matthew Barnes.

REPORT: Matthew Barnes, 98 SE 7 Street, Suite 1100, Miami, Florida 33131, addressed the City Council.

REPORT: Motion to Approve Item PZ 1 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 7-0.

- PZ 2.** Second reading and public hearing of proposed ordinance granting a variance permit to allow a single-family home on a substandard lot having a frontage of 25 feet and total lot area of 3,125 square feet, where 75 feet and 7,500 square feet are required; allow interior north and south side setbacks of 5 feet, where 5 feet 1 inch is the minimum required; all contra to

Hialeah Code of Ordinances §§ 98-499 and 98-501. **Property located at 2190 West 4 Court, Hialeah, zoned R-3 (Multiple-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

ORDINANCE NO. 2020-047

Item was approved on first reading by the City Council on September 8, 2020. Second reading and public hearing was scheduled for September 22, 2020.

On August 26, 2020, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

Owner of the Property: Gilberto Aguila, 5735 West 12 Lane, Hialeah, Florida 33012.

REPORT: Motion to Approve Item PZ 2 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 7-0.

PZ 3. Second reading and public hearing of proposed ordinance repealing and rescinding Hialeah, Fla., Ordinance 2014-02 (January 14, 2014); rezoning property at 601 E. Okeechobee Road to C-2 (Liberal Retail Commercial District); granting a Special Use Permit (SUP) to allow the expansion of the NBD (Neighborhood Business District) overlay pursuant to Hialeah Code of Ordinances § 98-1630.8; granting a variance permit to allow only residential uses, where residential and commercial uses are required; allow residential use on the ground floor, where residential uses are allowed above the ground level only; allow 30 units with area of 600 square feet, where area of 850 square feet is the minimum required for 90% of the units; allow 8" setback for building and 1'8" feet front setback for balconies above the ground floor fronting SE 6 Avenue; allow 5 foot front setback on E. Okeechobee Road, allow 5 foot secondary front setback abutting residential uses on SE Park Drive, and allow no front setback for privacy parapets on E. Okeechobee Road, where 10 feet built-to-line setbacks are required; allow 32 parking spaces, where 68 parking spaces are required; allow 23.4% pervious area (5,800 square feet), where 30% (7,407 square feet) is the minimum required; allow 26.4% (6,520 square feet) of open space, where 30% (7,407 square feet) is the minimum required; allow 1'8" landscape buffer at SE Park Drive, where 7 feet landscape buffer is required; and allow a metal fence where a concrete wall is required between dissimilar land uses. **Property located at 601 East Okeechobee Road, 604 and 610 Park Drive, Hialeah, zoned P (Parking) and R-3 (Multiple-Family District).** All contra to Hialeah Code of Ordinances §§ 98-1630.1, 98-1630.2, 98-1630.3(e)(1), 98-2056(b)(1), 98-2189(16)a., and contra to the latest edition of the Hialeah Landscape Manual dated July 9, 2015 Paragraph (D)(7) Parking Lot Buffers and Paragraph (D)(6) Buffers Between Dissimilar Land Uses. 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 7-0

ORDINANCE NO. 2020-048

Item was approved on first reading by the City Council on September 8, 2020. Second reading and public hearing was scheduled for September 22, 2020.

Registered Lobbyists: Hugo Arza, Esq. and Alejandro J. Arias, Esq., 701 Brickell Avenue, Suite 3300, Miami, Florida 33131, on behalf of LeJeune Airport Park Suites, Inc.

On August 26, 2020, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approve as recommended.

Owner of the Property: LeJeune Airport Park Suites, Inc., 555 East Okeechobee Road, Hialeah, FL 33010.

REPORT: City Clerk, Marbelys Fatjo, 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, addressed the City Council.

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

REPORT: Motion to Approve Item PZ 3 made by Council Member Perez, and seconded by Council Member Cue-Fuente. Motion passes 7-0.

- PZ 4.** Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow an existing K-5 grade school with an enrollment of 121 students to expand to 144 students within a facility that also includes a daycare with an enrollment of 22 students and allow the day care to expand to 54 students, pursuant to Hialeah Code of Ordinances § 98-181; and granting a variance permit to allow the expansion on the nonconforming site with 98 parking spaces, where 118 parking spaces are required; allow a 7.30 foot front setback on West 49 Street, where 20 feet are required; allow a 3 foot rear setback for dumpster enclosure, where 10 feet are required; allow 12 foot rear setback on West 47 Place for existing building, where 15 feet are required; and allow 10.6% pervious area, where 18% is the minimum required; all contra to Hialeah Code of Ordinances §§ 78-108(c)(1), 98-1069, 98-1071, 98-1115, 98-1117, 98-2189(8) and (9); and the latest edition of the Hialeah Landscape Manual dated July 9, 2015 Paragraph (E) Tree and Lawn Requirements by Zoning Classification, Table A. **Property located at 1290 and 1300 West 49 Street, zoned C-2 (Liberal Retail Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **POSTPONED UNTIL OCTOBER 13, 2020.**

Item was approved on first reading by the City Council on September 8, 2020 contingent upon the drafting of a Declaration of Restrictions with language requiring the maintenance and square footage of the self-storage. Second reading and public hearing is scheduled for September 22, 2020.

On August 26, 2020, the Planning and Zoning Board recommended approval of the item with the condition that the shopping center generally preserves the current tenant mix (8,000 square feet of retail at 1290 West 49th Street; and at 1300 West 49th Street: 40,000 square feet of self-storage, 1,700 square feet of limited service restaurant, 1,500 square feet of retail and 11,757 square feet of daycare/school.

Planner's Recommendation: Approve with conditions.

Owner of the Property: Raquel E. Valverde Sarmiento, 1306 West 49 Street, Hialeah, Florida 33012.

PZ 5. Second reading and public hearing of proposed ordinance rezoning property from GU (Miami-Dade County Zoning Designation) to MH (Industrial District). **Property located on the east side of NW 102 Avenue and north of NW 142 Street, Hialeah, with folio number 04-2020-002-0020.** 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 7-0

ORDINANCE NO. 2020-049

Item was approved on first reading by the City Council on September 8, 2020. Second reading and public hearing was scheduled for September 22, 2020.

Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Gimrock Property LLC, 13901 NW 118 Avenue, Miami, FL 33178.

On August 26, 2020, the Planning and Zoning Board recommended approval of the item.

Planner's Recommendation: Approval.

*Owner of the Property: Gimrock Property LLC, 13901 NW 118 Avenue, Miami, Florida 33178.
HEC Holdings LLC, 13901 NW 118 Avenue, Miami, Florida 33178.
Daniel I. Halley, 8620 SW 48 Street, Miami, Florida 33155.*

REPORT: City Clerk, Marbelys Fatjo, 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. Ceasar Mestre.

REPORT: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, addressed the City Council.

REPORT: Motion to Approve Item PZ 5 made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passes 7-0.

PZ 6. First reading of proposed ordinance granting a conditional use permit (CUP) to allow an existing K-5 grade school with combined maximum enrollment of 148 students with no more than 88 students in K-5 within a facility that also includes a daycare with an enrollment of 60 students, pursuant to Hialeah Code of Ordinances § 98-181. **Property located at 1265 West 66 Street, Hialeah, zoned R-3 (Multiple Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

<i>Registered Lobbyist: Javier L. Vasquez, Esq., 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131, on behalf of Escar Corp., 1265 West 66 Street, Hialeah, Florida, 33012.</i>
<i>On September 9, 2020, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Aileen Machado, Oscar Socarras, Esther Socarras and Carlos Veloz, 1265 West 66 Street, Hialeah, Florida 33012.</i>

REPORT: City Clerk, Marbelys Fatjo, 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. Javier Vasquez.

REPORT: Javier Vasquez, Esq., 1450 Brickell Avenue, addressed the City Council.

REPORT: Motion to Approve Item PZ 6 made by Council Member Cue-Fuente, and seconded by Council Member Tundidor. Motion passes 7-0. Second reading and public hearing is scheduled for October 13, 2020.

PZ 7. First reading of proposed ordinance granting a special use permit (SUP) pursuant to Hialeah Code of Ordinances § 98-161 to allow welding in a property zoned M-1 (Industrial District), where welding is not a permitted use in the M-1 (Industrial District) zoning classification. **Property located at 8000 West 24 Avenue, Unit 1, Hialeah, zoned M-1 (Industrial District).** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

<i>On September 9, 2020, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Jorge Hernandez 8000 West 24 Avenue, Unit 3, Hialeah, Florida 33016. Fady Girgis, 8000 West 24 Avenue, Unit 5, Hialeah, Florida 33016. Jaime Correa, 8000 West 24 Avenue, Unit 7, Hialeah, Florida 33016. Rapid Act, 8000 West 24 Avenue, Unit 4, Hialeah, Florida 33016. 2nd Paradise Investment, 8000 West 24 Avenue, Hialeah, Florida 33016. Rosado Dental Lab, 8000 West 24 Avenue, Unit 2, Hialeah, Florida 33016. Guaritoto Investment Inc 8000 West 24 Avenue, Unit 8 Hialeah, Florida 33016.</i>

REPORT: Motion to Approve Item PZ 7 made by Council Vice President De la Rosa, and seconded by Council Member Cue-Fuente. Motion passes 7-0. Second reading and public hearing is scheduled for October 13, 2020.

PZ 8. First reading of proposed ordinance granting a special use permit (SUP) pursuant to Hialeah Code of Ordinances § 98-161 to allow a research facility; and granting a variance permit to

allow 17 parking spaces, where 24 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(7). **Property located at 490 West 84 Street, Hialeah, zoned M-1 (Industrial District).** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

On September 9, 2020, the Planning and Zoning Board recommended approval of the item subject to a Declaration of Restrictive Covenants.

Planner's Recommendation: Approval subject to a Declaration of Restrictive Covenants.

Owner of the Property: Stacy Dilzer, E. Cooper Shamblen, Kenneth Lasserter, 490 West 84 Street, Hialeah, Florida 33014.

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

REPORT: City Clerk, Marbelys Fatjo, 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. Marc Scavuzzo.

REPORT: Marc Scavuzzo, TM Design Associates Architects PA, 7600 West 20th Avenue, Hialeah, Florida, addressed the City Council on this item.

REPORT: Motion to Approve Item PZ 8 made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 7-0. Second reading and public hearing is scheduled for October 13, 2020.

- PZ 9.** First reading of proposed ordinance granting a special use permit (SUP) to allow the expansion of the NBD (Neighborhood Business District) overlay for the adaptive re-use of an existing hotel; pursuant to Hialeah Code of Ordinances § 98-1630.8; granting a variance permit to allow 100% of the residential units with areas ranging from 340 to 599 square feet, where 850 square feet is the minimum required for 90% of the units and 600 square feet is the minimum allowed for 10% of the units; allow front and street side setbacks ranging from 17 feet to 72 feet, where 10 feet built-to-line is required; allow surface parking on the front and side setbacks, where surface parking is not allowed on front and side setbacks; allow pedestal height of 41 feet, where 40 feet is the maximum allowed; allow 500 parking spaces, where 603 parking spaces are required; and allow 7% pervious area, where 30% is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-2189(16)a.; 98-1630.2, 98-1630.3, 98-1630.3(e)(1), 98-1630.3(2) and 98-1630.3(4) and City of Hialeah, Fla. Ordinances 2373 (April 14, 1970) allowing all uses in the R-3 (Multi-Family District) on c-3 zoned property and 2373 (October 13, 1970) granting a variance to allow a motel with 1 parking space per motel unit and 1/1200 square feet of commercial, with a total of no less than 242 parking spaces, which pertain to the northern portion of the property; and repealing City of Hialeah, Fla. Ordinances: 2327 (April 14, 1970) allowing all uses in the R-3 (Multi-Family District) on C-3 zoned property attached as Exhibit "1"; and 2373 (October 13, 1970) granting a variance to allow a motel with 1 parking space per motel unit and 1/1200 square feet of commercial, with a total of no less than 242 parking spaces, which pertain to the northern portion of the property attached as Exhibit "2", and 2780 (July 24, 1973) granting a variance to allow 1 parking space per living unit instead of 1.5 per unit pertaining

to the southern portion of the property attached as Exhibit “3”. **Property located at 1950 West 49 Street, Hialeah, Florida, zoned C-2 (Liberal Retail Commercial District) and C-3 (Extended Liberal Commercial District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

Registered Lobbyist: Hugo P. Arza, Esq., and Alejandro Arias, 701 Brickell Avenue, Suite 3300, Miami, Florida, 33131, on behalf of 1950 Hialeah Holdings, LLC.

On September 9, 2020, the Planning and Zoning Board recommended approval of the item.

Planner’s Recommendation: Approval.

Owner of the Property: 1950 Hialeah, Holdings, LLC., 1950 West 49 Street, Hialeah, Florida.

REPORT: Alejandro Arias, 701 Brickell Avenue, on behalf of Lejeune Airport Park Suites, Inc. addressed the City Council with a presentation.

REPORT: Motion to Approve Item PZ 9 made by Council Member Cue-Fuente, and seconded by Council Vice President De la Rosa. Motion passes 7-0. Second reading and public hearing is scheduled for October 13, 2020.

PZ 10. First reading of proposed ordinance granting a conditional use permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow an existing k-6 grade school with an enrollment of 105 students within a facility that also includes a daycare with an enrollment of 59 students; and granting a variance permit to allow 6 on-site parking spaces, where 19 parking spaces are required; contra to Hialeah Code of Ordinances § 98-2189(8). **Property located at 891 West 29 Street, Hialeah, zoned C-2 (Liberal Retail Commercial District).** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Chanty Learning Center, Inc., 891 West 29 Street, Hialeah, Florida.

On September 9, 2020, the Planning and Zoning Board recommended approval of the item.

Planner’s Recommendation: Denial

Owner of the Property: Chanty Inc and Julio Torrecilla, 891 West 29 Street, Hialeah, Florida 33012.

REPORT: Ceasar Mestre Esq., 8105 NW 155 Street, addressed the City Council on this item.

REPORT: City Clerk, Marbelys Fatjo, 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. Julio Torrecilla.

REPORT: Julio Torrecilla, 255 NW 128 Avenue, Miami, addressed the City Council.

REPORT: Council Member Tundidor made a records request for accident reports for the last five (5) years at the intersection associated with the project.

REPORT: Motion to Approve Item PZ 10 made by Council Member Perez, and seconded by Council Member Cue-Fuente. Motion passes 7-0. Second reading and public hearing is scheduled for October 13, 2020.

PZ 11. Recommendation of denial from the Planning and Zoning Board of the adoption of a ordinance expressing intent to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning from R-1 (One Family District) to R-2 (One- and Two Family Residential District); variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total lot area of 5,644 square feet, where 75 feet frontage and 7,500 square feet are required. **Property located at 586 East 28 Street, Lot 13, Hialeah, zoned R-1 (One Family District).**

RECOMMENDATION OF DENIAL BY THE PLANNING AND ZONING BOARD STANDS.

<i>On September 8, 2020, the item was postponed until September 22, 2020 per the applicant's request.</i>
<i>On August 25, 2020, the item was postponed until September 8, 2020 per the applicant's request.</i>
<i>On August 11, 2020, the item was postponed until August 25, 2020 per the applicant's request.</i>
<i>Registered Lobbyist: Andre Vazquez, 488 NE 18 Street, Unit 4701, Miami, Florida 33132, on behalf of H-586, LLC, 2396 Christopher LN, Clewiston, FL 33440.</i>
<i>On July 29, 2020, the Planning and Zoning Board recommended denial of this item.</i>
<i>Planner's Recommendation: Approval of the rezoning and lot variance subject to parking area redesign.</i>
<i>Owner of the Property: Juan Pulles and Dania Pulles, 8242 NW 164 Street, Miami Lakes, Florida 33016.</i>

REPORT: City Clerk, Marbelys Fatjo, 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. Andre Vazquez.

REPORT: Andre Vazquez, 488 NE 18 Street, Unit 4701, Miami, Florida 33132, addressed the City Council.

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

REPORT: Javier Vazquez, Esq., 1450 Brickell Avenue, Suite 1900, Miami, Florida 33131, addressed the City Council, in a probono capacity for Mr. Pulles.

REPORT: Motion to Override the Recommendation of Denial of the Planning and Zoning Board made by Council Vice President De la Rosa, and seconded by Council Member Zogby. Motion fails 4-3-0 at the pleasure of the Council with Council President Hernandez and Council Members Perez and Tundidor voting “No”.

PZ 12. Recommendation of denial from the Planning and Zoning Board of the adoption of a ordinance expressing intent to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning from R-1 (One Family District) to R-2 (One- and Two Family Residential District); variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total lot area of 5,638 square feet, where 75 feet frontage and 7,500 square feet are required. **Property located at 586 East 28 Street, Lot 14, Hialeah, zoned R-1 (One Family District).**

POSTPONED UNTIL FURTHER NOTICE BY THE APPLICANT

<i>On September 8, 2020, the item was postponed until September 22, 2020 per the applicant's request.</i>
<i>On August 25, 2020, the item was postponed until September 8, 2020 per the applicant's request.</i>
<i>On August 11, 2020, the item was postponed until August 25, 2020 per the applicant's request.</i>
<i>Registered Lobbyist: Andre Vazquez, 488 NE 18 Street, Unit 4701, Miami, Florida 33132.</i>
<i>On July 29, 2020, the Planning and Zoning Board recommended denial of this item.</i>
<i>Planner's Recommendation: Approval of the rezoning and lot variance subject to parking area redesign.</i>
<i>Owner of the Property: Juan Pulles and Dania Pulles, 8242 NW 164 Street, Miami Lakes, Florida 33016.</i>

REPORT: Motion to Table Item PZ 12 until further notice from the applicant made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passes 7-0.

PZ 13. Recommendation of denial from the Planning and Zoning Board of the adoption of a ordinance expressing intent to repeal and rescind City of Hialeah, FL Ordinance 98-100 and rezoning from R-1 (One Family District) to R-2 (One- and Two Family Residential District); variance permit to allow a duplex on a substandard lot having a frontage of 40 feet and total lot area of 5,634 square feet, where 75 feet frontage and 7,500 square feet are required; allow street side setback of 5.5 feet, where 7.5 feet is the minimum required. **Property located at 586 East 28 Street, Lot 15, Hialeah, zoned R-1 (One Family District).**

POSTPONED UNTIL FURTHER NOTICE

<i>On September 8, 2020, the item was postponed until September 22, 2020 per the applicant's request.</i>

On August 25, 2020, the item was postponed until September 8, 2020 per the applicant's request.

On August 11, 2020, the item was postponed until August 25, 2020 per the applicant's request.

Registered Lobbyist: Andre Vazquez, 488 NE 18 Street, Unit 4701, Miami, Florida 33132, on behalf of H-586, LLC, 2396 Christopher LN, Clewiston, FL 33440.

On July 29, 2020, the Planning and Zoning Board recommended denial of this item.

Planner's Recommendation: Approval of the rezoning and lot variance subject to parking area redesign.

Owner of the Property: Juan Pulles and Dania Pulles, 8242 NW 164 Street, Miami Lakes, Florida 33016.

REPORT: Motion to Table Item PZ 13 until further notice from the applicant made by Council Member Tundidor, and seconded by Council Member Garcia-Roves. Motion passes 7-0. The item is postponed until further notice per the applicant's request.

LAND USE

- LU 1.** ~~First reading of proposed ordinance amending the Future Land Use Map from Kennels to Medium Density Residential. Property located at 7218 West 4 Avenue, Hialeah, Florida; zoned K (Kennel District). Repealing all ordinances or parts of ordinance in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.~~ **TO BE CONSIDERED BY THE CITY COUNCIL ON OCTOBER 13, 2020.**

FINAL DECISIONS

- FD 1.** Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-11 that granted an adjustment on the property located at **631 East 14 Street, Hialeah, Florida**; and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2020-129

On August 26, 2020, the Planning and Zoning Board recommended approval of the item with the condition that the terrace remains open on 3 sides and lush landscaping is installed along south (rear) property line.

Planner's Recommendation: Approval of 10'7" rear setback with the condition that the terrace remains open on 3 sides and lush landscaping is installed along south (rear) property line.

Owner of the Property: Nelson Delgado, 631 East 14 Street, Hialeah, Florida 33010.

REPORT: City Clerk, Marbelys Fatjo, 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. Nelson Delgado.

REPORT: Nelson Delgado, 631 East 14 Street, Hialeah, Florida 33010, addressed the City Council.

REPORT: Motion to Approve Item FD 1 made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passes 7-0.

REPORT: Council President Hernandez adjourned the meeting at 10:46 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, October 13, 2020 at 7:00 p.m.

SECOND BUDGET HEARING: Monday, September 28, 2020 at 7:00 p.m. (Virtual)

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, September 28, 2020 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).