

**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**  
**October 27, 2020**  
7:00 p.m.

---

**1. CALL TO ORDER**

A. **REPORT:** Council President Hernandez called the meeting to order at 7:05 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. Councilwoman Katharine Cue-Fuente
3. Councilwoman Jacqueline Garcia-Roves
4. Councilman Jesus Tundidor
5. Councilman Carl Zogby

B. **REPORT:** Councilwoman Perez logged in to the meeting through Zoom at approximately 7:14 p.m.

C. **REPORT:** City Clerk, Marbelys Fatjo, called the roll with the following Council Member absent:

1. Council Vice President De la Rosa

D. **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. REPORT: Council Member Garcia-Roves 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](mailto: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 received one e-mail message from a person interested in making comments or posing questions on matters of public concern.

(1) **Isis Antelo**, with a home address of **650 West 77<sup>th</sup> Street**, sent an email message on October 26, 2020 at 2:32 p.m., with the subject "Covid and petitions" was read into the record.

B. **REPORT:** No one interested in making comments or posing questions on matters of public  
10/29/2020 4:49 PM

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. Three members of the public expressed interest in participating.

(1) **Aurelio Martinez**, with a home address of **525 West 69 Street, Apt. 304, Hialeah, Florida 33014**, addressed the City Council in regards to Item LU 1.

**REPORT: Mr. Martinez was advised by Council President Hernandez to hold his questions and / or comments until the second reading and public hearing of LU 1.**

(2) Yvette Acebo, with a home address of **7007 West 5<sup>th</sup> Court, Hialeah, Florida 33014**, spoke in regards to the appeal process of a landuse decision made by the City Council.

(3) **Eric Johnson**, with a home address exempt from public disclosure per Florida law, Local 1102, spoke on the resurgence of COVID-19 cases, commended Council Member Perez for her donation of fourteen inches of hair to “Wigs for Kids”, and a celebration held in honor of fire fighter Mike Miller.

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

- The expenditure amount for Consent Item L has been amended.
- Consent Items AA, BB, CC, DD, EE, FF and GG have been added to today’s agenda.
- Additional backup documentation has been added to Items LU 1 and PZ 8.

## **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 Items P and T.**

**REPORT: Motion to Approve the Consent Agenda, except Items P and T, made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President De la Rosa absent.**

A. Request permission to approve the minutes of the Virtual City Council Meeting held on October 13, 2020.

(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- B. Request permission to increase Purchase Order No. 2020-923, issued to the Miami Herald, a newspaper of general circulation in the City of Hialeah as required by state law, for the cost of legal and classified advertisements for fiscal year 2019-2020, by an additional amount of \$27,562.78, for a total cumulative amount not to exceed \$172,562.78

(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- C. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same prices from fiscal year 2019-2020, and issue a purchase order to Super Landscape & Maintenance, Inc., for ground maintenance services to various City facilities, in a total cumulative amount not to exceed \$418,555.

(DEPARTMENT OF PARKS AND RECREATION)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- D. Request permission to award Hialeah Invitation to Bid No. 2019/20-3230-00-025 – *Fire Alarm Police Sector 5*, to G. & R. Electric Corp., lowest responsive and responsible bidder, in the amount of \$20,550, and further request a ten percent (10%) contingency allowance to cover any unforeseen issues that may arise during the project, as well as for the reimbursement of permit fees, in the amount of \$2,055, for a total cumulative amount not to exceed \$22,605.

(CONSTRUCTION AND MAINTENANCE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- E. Request permission to renew Hialeah Bid No. 2018/19-2000-12-017 - *Medical Supplies*, issued to the following vendors: **Quadmed, Inc., Bound Tree Medical, LLC, Henry Schein, Inc., and Medline Industries, Inc.**, for a period of one (1) year beginning on October 1, 2020 and ending on September 30, 2021, in a total cumulative amount not to exceed \$160,000. On November 12, 2019, Item Z, the City Council awarded this bid to the vendors for a twelve (12) month service agreement with an option to renew on a yearly basis for two (2) consecutive years.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- F. Request permission to issue a purchase order to Liquid O2 Transfills, Inc., vendor under contract with the City for the pickup and delivery of medical oxygen cylinders and commercial gases to eight (8) fire stations, in a total cumulative amount not to exceed \$20,000. This is the third year of a three-year contract.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- G. Request from San Lazaro Catholic Church and Shrine, located at 4400 West 18<sup>th</sup> Avenue, Hialeah, Florida, for a permit to host a procession on Thursday, December 17, 2020, commencing at 8:30 p.m., beginning on church grounds, traveling on West 44<sup>th</sup> Place to West 16<sup>th</sup> Avenue, West 16<sup>th</sup> Avenue to West 42<sup>nd</sup> Street, West 42<sup>nd</sup> Street to West 18<sup>th</sup> Avenue, and West 18<sup>th</sup> Avenue ending at the Church grounds, in accordance with recommendations from the Police Department and Fire Department.

(OFFICE OF THE CITY CLERK)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- H. Request permission to issue a purchase order to Inphynet Contracting Services, LLC, for emergency medical services provided by Dr. Fredrick Keroff in fiscal year 2017-2018, which include medical consulting, training, and advisory services to the Hialeah Fire Department, in a total cumulative

amount not exceed \$60,000. The City entered into an agreement with this vendor for a period of five years, commencing on October 1, 2017 and ending on September 30, 2022.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- I. Request permission to utilize NASPO Value Point Contract No. 43211500-WSCA-15-ACS - *Computer Equipment, Peripherals & Services*, effective through July 31, 2021, between the State of Florida Department of Management Services and this vendor, and issue a purchase order to Lenovo (United States) Inc., for the purchase of fifty (50) ThinkPad X1 Yoga and fifty (50) Lenovo Powered USB-C Travel Hub, in a total cumulative amount not to exceed \$94,300.

(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- J. Request permission to issue a purchase order to West Publishing Corporation, vendor providing the lowest quotation, for the purchase of a one (1) year subscription to CLEAR for Law Enforcement Plus & CLEAR Government Arrest Gateway Pro Add-on, in a total cumulative amount not to exceed \$16,380.

(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- K. Request permission to issue a purchase order to Cepero Corp, vendor providing the lowest quotation, for medical training in Advanced Cardiac Life Support (ACLS) and Pediatrics Advanced Cardiac Life Support, both at a rate of \$85.00 per person, in a total cumulative amount not to exceed \$25,000.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- L. Request permission to waive competitive bidding, since it is advantageous to the City, in that this vendor has completed the scope of work for Phase I of the construction of NW 97<sup>th</sup> Avenue from 154<sup>th</sup> Street to 162<sup>nd</sup> Street, and has agreed to extend the unit prices of the current contract for the construction of Phase II, and issue a purchase order to Acosta Tractors Inc, for Phase II of the construction of NW 97<sup>th</sup> Avenue from 162<sup>nd</sup> Street to 170<sup>th</sup> Street, in a total amount of \$3,133,808.17. On June 25, 2019, Item F, the City Council awarded this vendor Phase I of the project in a total cumulative amount of \$2,826,244.97. On August 31, 2020, the Board of County Commissioners approved the First Amendment to the Joint Participation Agreement, and through the agreement, the County increased the project's funding from \$4,289,298 to \$7,052,463.24.

(STREETS)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- M. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is currently providing services to the City, and increase Purchase Order No. 2020-1853, issued to the TotalCaption, LLC, vendor providing the lowest quotation, for the closed captioning services provided during virtual City meetings, by an additional amount of \$7,762, for a total cumulative amount not to exceed \$17,762.

(INFORMATION TECHNOLOGY DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- N. Proposed resolution authorizing the application for, agreement and if awarded, the acceptance of, Victims of Crime Act (VOCA) pass through grant award with the State of Florida, Department of Legal Affairs, Office of the Attorney General, under the administration of the U.S. Department of Justice, Office for Victims of Crime, and the City of Hialeah, as participating agency; to assist the Hialeah Police Department and provide partial funding for victim advocate assistant positions that

provide services to victims of violent crimes; accepting the award of a grant in the total amount of \$140,632.00; and authorizing the Mayor or his designee to execute all necessary documents in furtherance thereof, which is attached hereto and made a part hereof as Exhibit "1", and providing for an effective date.

(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

**RESOLUTION NO. 2020-142**

- O. Request permission to approve a donation to the Hialeah Housing Authority to fund the elderly residents' Meals and Supportive Services Program that is partially funded through the Alliance for Aging Grant, in the amount of \$135,000. The City has collaborated with the Hialeah Housing Authority to provide meals, nutrition education and counseling as supportive services to the elderly residents of the Hialeah Housing Authority.

(OFFICE OF MANAGEMENT AND BUDGET)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- P. Request permission to approve a contribution to the Hialeah Housing Authority to defray the costs of transportation services to the elderly residents of the City and the Hialeah Housing Authority, in a total cumulative amount not to exceed \$44,000. The City has collaborated with the Hialeah Housing Authority to provide transportation services to these residents, which includes transportation to social functions, events and fieldtrips throughout the City and the County.

(OFFICE OF MANAGEMENT AND BUDGET)

**POSTPONED UNTIL NOVEMBER 10, 2020.**

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

**REPORT: Ines Beecher, Office of Management and Budget Director, City of Hialeah, addressed the City Council.**

**REPORT: Motion to Table Consent Item P until November 10, 2020, made by Council Member Perez, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Vice President De la Rosa absent.**

- Q. Request permission to utilize Minnesota Multistate Contracting Alliance for Pharmacy Contract No. MMS24001, a competitively bid governmental contract, since it is advantageous to the City, and issue a purchase order to Cardinal Health 110, LLC, doing business as Cardinal Distribution, for the purchase of pharmaceuticals, vaccines, and medical supplies, in a total cumulative amount not to exceed \$45,000.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- R. Request permission to issue a purchase order to Wintergreen Corporation, vendor providing the lowest quotation, for the purchase of a variety of commercial grade holiday lights and supplies for installation at the City of Hialeah Triangle Park during the holiday season, in a total cumulative amount not to exceed \$41,000, of which includes a ten percent (10%) contingency allowance for freight cost.

(COMMUNICATIONS AND SPECIAL EVENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- S. Request permission to utilize Harford County Public Schools, State of Maryland, Contract No. 15-JLP-023- HVAC Products, Installation, Services and Related Products and Services, effective through September 30, 2022, for a period of three (3) years, 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 Trane U.S. Inc., to provide service and maintenance to the thirteen (13) Trane units and controls installed at Milander Center, in the amount not to exceed \$22,762, and further request a ten percent (10%) contingency in the amount of \$10,000 to be used on an as needed basis for repairs and parts not covered under the maintenance contract, for a total cumulative expense amount not to exceed \$32,762.

(MILANDER CENTER)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- T. Proposed resolution approving a State Housing Initiatives Partnership (SHIP) Program Rental Assistance/Rapid Re-Housing Sub-Recipient Services Agreement (“Agreement”) between Volunteers of America of Florida, Inc. and the City of Hialeah, Florida, to provide financial assistance and support to homeless individuals and families in need of permanent housing, in an amount not to exceed \$50,000.00, for a term commencing upon execution of the agreement and ending on June 30, 2021, to reimburse for allowable rental assistance from July 01, 2020 to June 30, 2021; authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the City to execute the agreement, a copy of which is attached hereto in substantial form and made a part hereof as Exhibit “1”; and further authorizing the Mayor or his designee on behalf of the City to execute all other necessary documents in furtherance thereof; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

#### **RESOLUTION NO. 2020-143**

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

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

**REPORT: Motion to Approve Consent Item T made by Council Member Tundidor, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President De la Rosa absent.**

- U. Proposed resolution establishing a new Local Affordable Housing Advisory Committee for the City of Hialeah, consisting of ten members, to recommend to City Council specific local housing initiatives and incentive strategies designed to encourage and facilitate affordable housing for the State Housing Initiatives Partnership (SHIP) Program and to carry out the duties of an Affordable Housing Advisory Committee as set forth in Florida Statute § 420.9076; providing for the appointment of the Local Affordable Housing Advisory Committee members; providing for the term of service; providing for the definition of “Affordable Housing”; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

#### **RESOLUTION NO. 2020-144**

- V. Proposed resolution to accept an additional award of Coronavirus Relief Funds (CRF) from the Florida Housing Finance Corporation, in the amount of \$382,500.00, for a cumulative total of \$1,020,000.00 to provide assistance with mortgage and utility payments to eligible residents of the City of Hialeah who have been financially impacted by the novel coronavirus (COVID-19),



authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the City, to execute the first amendment of the Coronavirus Relief Fund (CRF) Sub-recipient Agreement between the City of Hialeah and the Florida Housing Finance Corporation, a copy of which is attached hereto and made a part of hereof as Exhibit "1"; and further authorizing the Mayor or his designee on behalf of the City to execute all other necessary documents in furtherance thereof; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

#### **RESOLUTION NO. 2020-145**

- W. Request permission to utilize State of Texas Contract No. R192006 – Maintenance, Repair and Operations (MRO) Supplies & Related Services, effective through March 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 Lowe’s Home Centers, Inc., for the purchase of maintenance, repair and operations, in a total cumulative amount not to exceed \$35,000, to be allocated through various City departments.

(PURCHASING DIVISION)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- X. Request permission to utilize University of California, State of California, Contract No. 2020002299 – Janitorial Supplies & Equipment, effective through May 31, 2027, 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 Pro Institutional., for the purchase of janitorial supplies and equipment, in a total cumulative amount not to exceed \$150,000, to be allocated through various City departments.

(PURCHASING DIVISION)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- Y. Request permission to utilize Contract No. 47QSHA18D000U – *Industrial Product and Services* between General Services Administration Authorized Federal Supplier and this vendor, effective through February 5, 2023, and issue a purchase order to The Sherwin-Williams Company, for the purchase commercial paint and supplies as needed, in a total cumulative amount not to exceed \$30,000, to be allocated through various City departments.

(PURCHASING DIVISION)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- Z. Proposed resolution recognizing the growing problem of Anti-Semitism in America and adopting the International Holocaust Remembrance Alliance (IHRA), working definition of antisemitism that has become the internationally recognized, authoritative definition for use by governments and international organizations.

(ADMINISTRATION)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

#### **RESOLUTION NO. 2020-146**

- AA. Request permission to utilize Sourcewell Contract No. 120215-LFF – *Exercise, Fitness and Rehabilitation Equipment with Related Accessories, Services, Installation and Supplies*, effective through January 19, 2021, and issue a purchase order to Life Fitness, LLC, for the purchase of ten (10)

selectorized gym equipment for an outdoor gym being constructed at Bucky Dent Park for the community and surrounding areas, in a total cumulative amount not to exceed \$30,355.58.

(PARKS AND RECREATION DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- BB.** Proposed resolution waiving competitive bidding; and authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the City to enter into a Professional Services Agreement with Gen Recruiting Solutions, LLC to provide recruiting services, for a term of one year, in an amount not to exceed \$3,500 a month in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date.

(HUMAN RESOURCES DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

**RESOLUTION NO. 2020-147**

- CC.** Request permission to issue a purchase order to Zoll Medical Corporation, sole source vendor, for the purchase of medical supplies and equipment that include, but are limited to AutoPulse LifeBands, AutoPulse Lithium Ion Batteries, AutoPulse Carry Case, X-Series Monitor Defib Pads, X-Series Monitor carry case, X-Series Monitor Batteries, and AED Pro, in a total cumulative amount not to exceed \$35,000.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

- DD.** Proposed resolution authorizing an intergovernmental transfer in an amount not to exceed \$171,977.67 as the City's share of state funding requirements to the State of Florida Agency for Health Care Administration as part of the City's participation in the Public Emergency Medical Transportation Program for supplemental Medicaid reimbursements; approving and ratifying the execution of a Letter of Agreement between the State of Florida Agency for Health Care Administration and the City of Hialeah attached as Exhibit 1 for a period beginning July 1, 2020 and ending on June 30, 2021; authorizing the Mayor or Mayor's designee to execute all required agreements or documents to participate in intergovernmental transfers and Supplemental Payment Program for Medicaid managed patients; and providing for an effective date.

(FIRE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

**RESOLUTION NO. 2020-148**

- EE.** Proposed resolution approving the expenditure in an amount not to exceed \$20,510.00 from the Law Enforcement Trust Fund-Federal and 2018 to 2020 DOJ Jag Grant Accounts for the cost of rollout and configuration services of the National Incident-Based Reporting System (NIBRS) and for a Florida Incident Based Reporting User Training; upon such costs having been approved by the Chief of Police, and providing for an effective date.

(POLICE DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

**RESOLUTION NO. 2020-149**

- FF.** Request permission to issue a purchase order to JRD & Associates, Inc., industrial engineering and management consulting firm with significant expertise and experience in analyzing local municipal building departments, for the examination of the City's Building Division operations, including analyzing the department permitting cycle and inspection process, examining the direct and indirect costs and expenditures for enforcing the Florida Building Code and providing permit related services by building staff, in a total cumulative amount not to exceed \$125,000.

(BUILDING DIVISION)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

**GG.** Request permission to issue a purchase order to TUSA Consulting Services II, L.L.C., vendor under contract with the City for consulting services for the P25 Mobile Radio System project, for services rendered including but not limited to managing the overall project schedule providing bi-weekly status and progress reports, and facilitating on-site project meetings or conference calls, in a total cumulative amount not to exceed \$25,000.

(EMERGENCY MANAGEMENT DEPARTMENT)

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

## 9. ADMINISTRATIVE ITEMS

---

**REPORT: None.**

## 10. UNFINISHED BUSINESS

---

- **Council President Hernandez** spoke regarding the dismissal of the complaint filed against the City of Hialeah and Miami Dade County regarding the Miami Lakes bridges.
- **Lorena Bravo** spoke regarding the ruling on the bridges issues.
- **Mayor Hernandez and Council President Hernandez** spoke on the state law requiring the publishing of legal advertisements in a newspaper of general circulation in the City of Hialeah.

## 11. NEW BUSINESS

---

- **Mayor Hernandez:**
  - Thanked the members of the City Council for their hard work during the pandemic.
  - Spoke regarding safety during the pandemic.
  - Halloween and Christmas festivities.

## 12. CITY COUNCIL'S NEW BUSINESS

---

- **Council Member Tundidor** recognized Mayor Hernandez and Jose Sanchez, Director of the City's Streets Department, for assistance in receiving the tree donations from Joe of Fair Lawn, and expressed wanting to honor the donor for his donation to the City.

- **Council Member Perez spoke regarding the following:**

- Recognizing companies that have assisted the City during the pandemic.
- Recognizing the Vallejo Family.
- Halloween Festivities.

**REPORT: Council Member Cue-Fuente logged off at 8:15 p.m.**

### **13. ZONING**

---

#### **LAND USE**

**LU 1.** Second reading and public hearing 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.

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

#### **ORDINANCE NO. 2020-062**

*Registered Lobbyist: Melissa Tapanes Llahues, Esq., Bercow Radell Fernandez & Larkin, PLLC, 200 S. Biscayne Boulevard, Suite 850, Miami Florida 33131, on behalf of Florida Kennels, Inc., 7218 West 4th Avenue, Hialeah, FL 33014.*

*On October 13, 2020, the City Council approved the item on first reading.*

**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 Ms. Melissa Tapanes.**

**REPORT: Melissa Tapanes, 200 South Biscayne Boulevard, Suite 850, Miami, Florida addressed the City Council with a presentation.**

**REPORT: Council Member Cue-Fuente logged on to the meeting at 8:25 p.m.**

**REPORT: Three individuals 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.**

(1) Isis Antelo, 650 West 77<sup>th</sup> Street, spoke in opposition to the approval of this item.

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Ms. Isis Antelo.**

- (2) Julio Beltran, 7063 West 5 Court, addressed the City Council and requested that the item be postponed.

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is 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 Beltran.**

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is 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. Aurelio Martinez.**

- (3) Aurelio Martinez, 525 West 69 Street, addressed the City Council in opposition to the approval of this item.

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is 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. Aurelio Martinez.**

**REPORT: Council President Hernandez asked anyone watching or listening to the meeting who would like to speak, to please use the raising of the hand feature on Zoom, and four (4) members of the public expressed interest in participating.**

- (4) Juan Santana, 5601 West 10<sup>th</sup> Avenue, Hialeah, Florida 33012, addressed the City Council in opposition to the approval of this item, and asked that the item be tabled.

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is 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. Juan Santana.**

- (5) Adam Martinez, 670 West 7<sup>th</sup> Street, addressed the City Council and requested that this item be tabled.

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is 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. Adam Martinez.**

- (6) Yvette Acebo, 7007 West 5 Court, addressed the City Council in opposition of the approval of this item.

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Ms. Yvette Acebo.**

(7) Ana Lorenzo, 310 West 38 Street, addressed the City Council in opposition to the approval of this item.

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Ms. Ana Lorenzo.**

**REPORT: City Clerk, Marbelys Fatjo, administered oath which is administered to all applicants and/or anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item to Ms. Maritza Haro.**

**REPORT: Maritza Haro, 200 South Biscayne Boulevard, Suite 850, Miami, Florida on behalf of Komodo Homes 2 LLC, addressed the City Council and read an email received by the City of a neighbor in favor of the approval of this item.**

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

### **PLANNING AND ZONING**

**PZ 1.** 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.

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

### **ORDINANCE NO. 2020-063**

*Item was postponed on October 13, 2020 until October 27, 2020, per the applicant's request.*

*Item was postponed on September 22, 2020 until October 13, 2020, per the applicant's request.*

*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 49<sup>th</sup> Street; and at 1300 West 49<sup>th</sup> 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.

**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 Ms. Raquel Valverde Sarmiento.**

**REPORT: Raquel E. Valverde Sarmiento, 1306 West 49 Street, Hialeah, Florida 33012, addressed the City Council.**

**REPORT: Motion to Approve Item PZ 1 subject to the Planner's recommendations made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 5-0-2 with Council Member Perez not present during roll call and Council Vice President De la Rosa absent. Council Member Perez recorded her vote as "Yes" after the item was approved.**

**PZ 2.** Second reading and public hearing 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 6-0-1 with Council Vice President De la Rosa absent.**

**ORDINANCE NO. 2020-064**

Item was postponed on October 13, 2020 until October 27, 2020, per the applicant's request.

Item was approved on first reading by the City Council on September 22, 2020. Second reading and public hearing was scheduled for October 13, 2020.

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.

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

Planner's Recommendation: Approval.

*Owners of the Property: Aileen Machado, Oscar Socarras, Esther Socarras and Carlos Veloz, 1265 West 66 Street, Hialeah, Florida 33012.*

**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 2 made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 6-0-1 with Council Vice President De la Rosa absent.**

- PZ 3.** Second reading and public hearing 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.

**POSTPONED UNTIL NOVEMBER 10, 2020**

*Item was postponed on October 13, 2020 until October 27, 2020 per the applicant's request.*

*Item was approved on first reading by the City Council on September 22, 2020. Second reading and public hearing was scheduled for October 13, 2020.*

*Registered Lobbyist: Ceasar Mestre Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of Chanty Learning Center, Inc., (owner of the property) 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.*

- PZ 4.** Second reading and public hearing of proposed ordinance vacating and closing and abandoning for public use an un-improved alley that runs east of 11 Avenue and west of the railroad tracks, north of East 17 Street and south of East 18 Street located between the properties with folio numbers 04-3108-002-6310 and 04-3108-002-6331 **with the address of 1799 East 11 Avenue, Hialeah, Florida;** reserving an easement for the placement, maintenance and repair of public utilities, if needed; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**



**ORDINANCE NO. 2020-065**

*On October 13, 2020, the City Council approved the item on first reading.*

*On September 23, 2020, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Owner of the Property: Ernesto Morales, 1799 East 11 Avenue, Hialeah, Florida 33010.*

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

**PZ 5.** Second reading and public hearing of proposed ordinance granting a variance permit to allow for the construction of a duplex on a substandard lot with frontage of 50 feet, where 75 feet is the minimum required and a total net lot area of 6,550 square feet, where 7,500 feet are required; all contra to Hialeah Code of Ordinances §§ 98-544, 98-547(a) and 98-2056(b)(2). **Property located at 2474 West 4 Court, Hialeah, zoned R-2 (One-and Two-Family Residential District);** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.  
**APPROVED 6-0-1 with Council Vice President De la Rosa absent.**

**ORDINANCE NO. 2020-066**

*October 13, 2020, the City Council approved the item on first reading.*

*On September 23, 2020, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Owner of the Property: Fernando Rodriguez, 90 West 61 Street, Hialeah, Florida 33012.*

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

**REPORT: Motion to Approve Item PZ 5 made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 6-0-1 with Council Vice President De la Rosa absent.**

**REPORT: Council Member Cue-Fuente logged off the meeting at 9:59 p.m.**

**PZ 6.** Second reading and public hearing of proposed ordinance granting a Special Use Permit (SUP)

for a twelve-month period from the effective date of this ordinance of a temporary prefabricated building and sorting facility for loading and unloading, sorting and distribution of mail packages; which use was extended and is operating through the extension granted and ending October 28, 2020 pursuant to Ordinance No. 2019-094. **Property located at 6001 East 8 Avenue, Hialeah, zoned M-1 (Industrial 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 Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

**ORDINANCE NO. 2020-067**

<i>October 13, 2020, the City Council approved the item on first reading.</i>
<i>On September 23, 2020, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner’s Recommendation: Approval.</i>
<i>Owner of the Property: United States Parcel Service Inc.</i>

**REPORT: Motion to Approve Item PZ 6 made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

**PZ 7.** First reading of proposed ordinance rezoning from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District); and granting a variance permit to allow a duplex on a substandard lot having a frontage of 67.48 feet and total lot area of 6,789 square feet, where 75 feet and 7,500 square feet are required; allow lot coverage of 31%, where 30% is the maximum allowed; allow street side setback of 13.1 feet, where 15 feet is the minimum required; allow interior east side setback of 6.5 feet, where 7.5 is the minimum required; and allow rear setback of 19.1 feet, where 25 feet is the minimum required; all contra to Hialeah Code of Ordinances §§ 98-544, 98-546, 98-547(a) and 98-2056(b)(2). **Property located at 383 West 35 Street, Hialeah, zoned R-1 (One-Family District).** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

<i>On October 14, 2020, the Planning and Zoning Board recommended approval of the item.</i>
<i>Planner’s Recommendation: Approval.</i>
<i>Owner of the Property: CD Duplexes, LLC, 7480 SW 40 Street, #700, Miami, Florida 33155.</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. Manny Reus.**

**REPORT: Manny Reus (architect), 18501 Pines Blvd, addressed the City Council.**

**REPORT: Motion to Approve Item PZ 7 made by Council Member Zogby, and seconded by Council Member Perez. Motion passes 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent. Second reading and public hearing is scheduled for November 10, 2020.**

**PZ 8.** First reading of proposed ordinance rezoning property from K (Kennel District) to R-3-3 (Multiple-Family District); **property located at 7218 West 4 Avenue, Hialeah, zoned K (Kennel 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 Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

*Registered Lobbyist: Monika Entin, Bercow Radell Fernandez & Larkin, PLLC, 200 S. Biscayne Boulevard, Suite 850, Miami, Florida 33131, on behalf of Florida Kennels, Inc., 7218 West 4th Avenue, Hialeah, FL 33014.*

*Registered Lobbyist: Maritza Haro, Bercow Radell Fernandez & Larkin, 200 S. Biscayne Boulevard, Suite 850, Miami, Florida 33131, on behalf of Florida Kennels, Inc., 7218 West 4th Avenue, Hialeah, Florida 33014.*

*Registered Lobbyist: Melissa Tapanes Llahues, Esq., Bercow Radell Fernandez & Larkin, PLLC, 200 S. Biscayne Boulevard, Suite 850, Miami Florida 33131, on behalf of Florida Kennels, Inc., 7218 West 4th Avenue, Hialeah, FL 33014.*

*On October 14, 2020, the Planning and Zoning Board recommended approval of the item.*

*Planner's Recommendation: Approval.*

*Owner of the Property: Florida Kennels, Inc., 7218 West 4<sup>th</sup> Avenue, Hialeah, Florida 33014.  
The 2012 Gift Trust for Descendants of Jeffrey M. Soffer  
Robert S. Kaiser Revocable Trust U/A September 24, 1992  
Jeffrey Soffer  
Brooke Soffer  
Dan Adkins*

**REPORT: Melissa Tapanes, 200 South Biscayne Boulevard, Suite 850, Miami, Florida, addressed the City Council with a presentation.**

**REPORT: Motion to Approve Item PZ 8 made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent. Second reading and public hearing is scheduled for November 10, 2020.**

**PZ 9.** First reading of proposed ordinance repealing and rescinding City of Hialeah, Fla., Ordinance 87-39 (May 12, 1987); granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances § 98-181 to allow a pet grooming school; granting a variance permit to allow 18 parking spaces, where 36 parking spaces are required; allow 7.8% pervious area, where 18% pervious area is the minimum required; and allow a 3 foot landscape buffer in the front for a distance of 30 feet, where 7 feet is the minimum required; all contra to Hialeah Code of Ordinances § 98-2189(7), and the latest edition of the Hialeah Landscape Manual dated July 9, 2015 Paragraph (D)(7) parking lot buffers and Paragraph (E) Tree and Lawn Requirements by Zoning Classification, Table A. **Property located at 1415 West 49 Street, Hialeah**, zoned C-2 (Liberal Retail Commercial District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**APPROVED 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

*Registered Lobbyist: Ceasar Mestre, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf of PGSA LLC (property owner), 1415 West 49 Street, Hialeah, FL 33012.*

*On October 14, 2020, the Planning and Zoning Board recommended approval with the conditions proffered in a Declaration of Restrictive Covenants.*

*Planner's Recommendation: Approve Conditional Use Permit to allow a pet grooming school in conjunction with a storage area for online sales of pet food with a total maximum of 5 staff members and 10 students per shift, parking variance to allow 18 parking spaces, where 36 are required, 7.8% pervious area and 3 feet landscape buffer.*

*Owner of the Property: Eduardo Hernando, 6815 Biscayne Blvd, #376, Miami, Florida 33138.*

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

**REPORT: Motion to Approve Item PZ 9 made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passes 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent. Second reading and public hearing is scheduled for November 10, 2020.**

**PZ 10.** First reading of proposed ordinance granting a Special Use Permit (SUP) and Conditional Use Permit (CUP) to allow a child daycare pursuant to Ordinances §§ 98-161 and 98-181 and granting a variance permit to allow interior West side setback of 5 feet, where 7.5 feet is the minimum required and allow rear setback of 5 feet, where 20 feet is the minimum required for the proposed child daycare building; contra to Hialeah Code of Ordinances §§ 98-501 and 98-502. **Property located at 871 East 9 Street, Hialeah, and 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 Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

<i>Registered Lobbyist: Juditt Milian, 930 East 9<sup>th</sup> Street, Hialeah, Florida 33010, on behalf of Elisa Diaz.</i>
<i>On October 14, 2020, the Planning and Zoning Board recommended approval with the conditions proffered in a Declaration of Restrictive Covenants.</i>
<i>Planner's Recommendation: Approval subject to a Declaration of Restrictions.</i>
<i>Owner of the Property: Elisa Diaz, 445 SW 84<sup>th</sup> Avenue, Miami, Florida 33144.</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. Octavio Santurio and Ms. Juddit Milian.**

**REPORT: Octavio Santurio, 6262 Bird Road, Suite 3, South Miami, addressed the City Council.**

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

**REPORT: Motion to Approve Item PZ 10 made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passes 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent. Second reading and public hearing is scheduled for November 10, 2020.**

**FINAL DECISIONS**

**FD 1.** Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-16 that granted an adjustment on the **property located at 321 East 52 Street, Hialeah, Florida**; and providing for an effective date.

**APPROVED 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2020-150**

<i>On September 23, 2020, the Planning and Zoning Board recommended approval with the condition that the two (2) exterior doors are blocked and the kitchen will be removed if the addition is no longer used as an EFLQ.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Yosvel Fernandez Castillo, 321 East 52 Street, Hialeah, Florida 33013</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. Yosvel Fernandez Castillo.**

**REPORT: Yosvel Fernandez, 321 East 52 Street, addressed the City Council.**

**REPORT: Brigette Leal, Office of the City Clerk, translated from Spanish to English to for Mr. Fernandez.**

**REPORT: Motion to Approve Item FD 1 made by Council Member Zogby, and seconded by Council Member Perez. Motion passes 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

**FD 2.** Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-17 that granted an adjustment on the **property located at 742 West 44 Place, Hialeah, Florida**; and providing for an effective date.

**APPROVED 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

**RESOLUTION NO. 2020-151**

<i>On September 23, 2020, the Planning and Zoning Board recommended approval of the east and west side setbacks.</i>
--

<i>Planner's Recommendation: Approval of only east and west side setbacks.</i>
--

<i>Owner of the Property: Gustavo Justo, 742 West 44 Place, 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. Gustavo Justo.**

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

**REPORT: Motion to Approve Item FD 2 made by Council Member Perez, and seconded by Council Member Zogby. Motion passes 5-0-2 with Council Vice President De la Rosa and Council Member Cue-Fuente absent.**

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

**NEXT CITY COUNCIL MEETING: Tuesday, November 10, 2020 at 7:00 p.m.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 10, 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, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

10/29/2020 4:49 PM

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).