

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 Minutes March 10, 2020 7:00 p.m.

CALL TO ORDER

- **REPORT: Council President Hernandez called the meeting to order at 7:13 p.m.**

ROLL CALL

- **REPORT: City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**
 - Council President Paul Hernandez
 - Council Vice President Oscar De la Rosa
 - Councilwoman Katharine Cue-Fuente
 - Councilwoman Jacqueline Garcia-Roves
 - Councilwoman Monica Perez
 - Councilman Jesus Tundidor
 - Councilman Carl Zogby
- **REPORT: Councilwoman Cue-Fuente was not in the Council Chambers during roll call, but returned during the invocation.**
- **REPORT: Also present were:**
 - Lorena Bravo, City Attorney
 - Mayor Carlos Hernandez

INVOCATION

- A. The invocation to be led by Marbelys Fatjo, City Clerk.
- **REPORT: Council President Hernandez requested a moment of silence for former Council Member Lourdes Lozano and Council Member Andres Mejides.**

- **REPORT: Invocation given by Marbelys Fatjo, City Clerk**

PLEDGE OF ALLEGIANCE

- A. The pledge of allegiance to be led by Councilman Tundidor.
- **REPORT: Councilmember Tundidor led the Pledge of Allegiance.**

MEETING GUIDELINES

The following guidelines have been established by the City Council:

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

1. COMMENTS AND QUESTIONS

- A. **Marilyn Rueda, 1495 West 3rd Avenue**, addressed the City Council regarding implementing drug prevention programs for the youth.
- B. **Jose Azze, 788 SE Park Drive**, addressed the City Council regarding the City's Parks and Recreation Department and the Cultural Affairs Council.
- C. **Council Vice President De la Rosa** spoke regarding the Corona Virus.
- D. **Willians Guerra**, Chief of the Hialeah Fire Department, spoke regarding the Corona Virus.

E. **Julio Ponce, Hialeah Housing Authority, 75 East 6 Street**, addressed the City Council regarding the protocols in place if a resident of public housing is infected by the Corona Virus.

2. PRESENTATIONS

➤ **REPORT: None.**

3. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- A. Additional backup to Consent Item H, LU 1 and LU2 has been placed on the dais for the City Council's review.
- B. Consent Item V has been added to today's agenda and placed on the dais for the City Councils' review.
- C. Items PZ 1, PZ 2 and PZ 4 are postponed until April 14, 2020, per the request of each applicant.
- D. Item PZ 5 is postponed until further notice, per the applicant's request.

4. 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: Councilman Tundidor requested a separate discussion on Items H, I, N, O and Q.

REPORT: Motion to Approve the Consent Agenda, except items H, I, N, O and Q, made by Council Member Cue-Fuente and seconded by Council Member Zogby. Motion passed 7-0.

- A. Request permission to approve the minutes of the Council Meeting held on February 25, 2020.
(OFFICE OF THE CITY CLERK)

APPROVED 7-0

- B. Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2020-960, issued to Image First of SE Florida, LLC, for laundry and linen services to all eight (8) fire stations, which consists of picking up linens

used by fire personnel at the stations, as well as those utilized on stretchers for patients, and dropping off clean linens at all eight locations, by an additional amount of \$28,000, in a total cumulative amount not to exceed \$43,000.

(FIRE DEPARTMENT)

APPROVED 7-0

- C. Request permission to increase Purchase Order No. 2020-1407, issued to Community Revitalization Affiliates, Inc, vendor under agreement with the City to administer a portion of the City's State Housing Initiatives Partnership Program Owner-Occupied Rehabilitation Program through June 30, 2021, for the final fee of the inspection and construction services provided by this vendor to administer and implement negotiated services per Resolution No. 2019-093, passed and adopted by the City Council on August 13, 2019, to increase the number of safe, healthy and viable homes to aid the community and residents of the City, by an additional amount of \$50,000, in a new total cumulative amount not to exceed \$64,000.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 7-0

- D. Request permission to utilize a cooperative contract from Sourcewell, Contract No. 120716-NAF, effective through January 17, 2021, and issue a purchase order to Alan Jay Chevrolet-Cadillac, Inc., for the purchase of one (1) 2020 Chevrolet Express Passenger Van 3500 155" LS, in a total cumulative amount not to exceed \$27,524.

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 7-0

- E. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has consistently and successfully provided these services at a number of events for the City over the past several years, and issue a purchase to Exclusive Events By L Corp, for linen rental services for the Educational and Community Services Department's Adult Programs' monthly dances, by an additional amount of \$3,672, for a total cumulative amount not to exceed \$33,672.

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 7-0

- F. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor provided the lowest quotation and is familiar with the staff of the Fire Department, and issue a purchase order to Cepero Corp, doing business as Health and Safety Training Institute, for medical training, in a total cumulative amount not to exceed \$25,000.

(FIRE DEPARTMENT)

APPROVED 7-0

- G. Request permission to increase Purchase Order No. 2020-1391, issued to Community Revitalization Affiliates, Inc, vendor under agreement with the City to administer a portion of the City's State Housing Initiatives Partnership Program Owner-Occupied Rehabilitation Program through June 30, 2021, for the initial fee of the inspection and

construction services provided by this vendor to administer and implement negotiated services per Resolution No. 2019-093, passed and adopted by the City Council on August 13, 2019, to increase the number of safe, healthy and viable homes to aid the community and residents of the City, by an additional amount of \$34,000, in a new total cumulative amount not to exceed \$48,000.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 7-0

- H. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to each of the following six vendors: (1) Florida Fire & Burglary Inc. (2) Fire and Security Systems Specialists, Inc. (3) MGC Systems Corp., doing business as Mircom Engineered Systems Florida (4) Integrated Fire & Security Solutions Inc (5) Red Hawk Inc. and (6) G. & R. Electric Corp., for fire alarm services, in a total cumulative amount not to exceed \$100,000 to be distributed among all six vendors.

(CONSTRUCTION & MAINTENANCE DEPARTMENT)

APPROVED 7-0

On February 25, 2020 the City Council tabled the item until March 10, 2020.

REPORT: Vicente Rodriguez, 900 East 56 Street, addressed the City Council.

REPORT: Motion to Approve Consent Item H made by Council Member Cue-Fuente, and seconded by Council Member Zogby. Motion passed 7-0.

- I. Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide Zumba Gold Classes to the participants of the City's Senior Enrichment Program, for a term commencing on October 21, 2019 and ending on March 31, 2020, in an amount not to exceed \$6,480.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1".

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-037

REPORT: Sharon Dziedzic, Supervisor for Education and Community Services Department, 7400 West 24th Avenue, addressed the City Council.

REPORT: Motion to Approve Consent Item I, made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passed 7-0.

- J. Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide Zumba classes to the participants of the Therapeutics Enrichment Program, for a term commencing on October 21, 2019 and

ending on September 30, 2020, in an amount not to exceed \$6,480.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1".

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-038

- K. Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide Zumba classes to the participants of the Step Ahead Social Enrichment Program, for a term commencing on October 15, 2019 and ending on September 30, 2020, in an amount not to exceed \$5,760.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1".

(EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-039

- L. Proposed resolution accepting an additional grant award from the Florida's Twenty-First (21st) Century Community Learning Centers Grant in the amount of \$130,829.00, to continue to fund the Young Leaders with Character Steam Ahead Afterschool and Summer Programs, operating out of three 21st Century Community Learning Centers sites within the City of Hialeah, for students from grades 6 through 8; ratifying the grant agreement; and further authorizing the Mayor or his designee to execute any and all agreements, documents and subcontracts in furtherance thereof; and providing for an effective date.

(EDUCATION AND COMMUNITY SERVICE DEPARTMENT)

APPROVED 7-0

RESOLUTION NO. 2020-040

- M. Proposed resolution authorizing the application for, and the acceptance of, a grant from the Federal Universal Service Fund (e-Rate) for schools and libraries, for state fiscal year 2020-2021, for discounts on internet and telecommunication services whereby the grant provides for an 80% discount to the City of Hialeah's public libraries for internet services; and authorizing the expenditure of \$12,840.00 annually for two years, and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute and extend the Internet Provider Agreement for an additional two year term with Comcast Business Communications, LLC; and providing for an effective date.

(LIBRARY)

APPROVED 7-0

RESOLUTION NO. 2020-041

- N. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Professional Services Agreement with Walter H. Keller, Inc., as consultant to develop, prepare and implement the police impact fee, for a term of one year with an option to renew for one (1) additional year, in an amount not to exceed \$17,920.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date.
(ADMINISTRATION)

APPROVED 7-0

RESOLUTION NO. 2020-042

REPORT: Motion to Approve Consent Item N, made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passed 7-0.

- O. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute a Sub-Recipient Grant Agreement between Citrus Health Network, Inc. and the City of Hialeah, Florida, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”, to provide homeless assistance activities under the City’s established emergency solutions strategies including without limitation, homelessness prevention, rapid re-housing, emergency shelter, and outreach, in the total amount of \$212,664.00, for a term commencing on January 1, 2020 through September 30, 2020; 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 7-0

RESOLUTION NO. 2020-043

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

REPORT: Motion to Approve Consent Item O made by Council Member Zogby, and seconded by Council Member Tundidor. Motion passed 7-0.

- P. Request permission to utilize State of Florida Contract No. 31160000-18-ACS-*Industrial and Commercial Supplies and Equipment*, effective through September 30, 2020, between the State of Florida and this vendor, and issue a purchase order to W.W. Grainger Inc., for online and store purchases of commercial supplies and equipment, in a total cumulative amount not to exceed \$40,000 to be allocated through various City departments.
(PURCHASING DIVISION)

APPROVED 7-0

- Q. Request permission to award the Maria Benitez & Migdalia Benitez Project (SHIP Case No. 10052) for property located at 2673 West 9th Court, Hialeah, Florida, to R & B Remodeling, Inc., lowest responsive bidder, in a bid amount of \$77,950. Further request permission to increase the expenditure amount up to, but no greater than, \$118,500,

which is the maximum available cap in this grant appropriated to cover any construction change order for unforeseen conditions or additions/changes to scope of services without delaying these projects which serve only elderly, low income, special needs and other vulnerable population, since it is advantageous to the City in that these projects have expedited permitting pursuant to the current and approved City of Hialeah's Local Housing Assistance Plan.

(DEPARTMENT OF GRANTS & HUMAN SERVICES)

APPROVED 7-0

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

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

- R. Request permission to award the Raul & Margaret Cruz Project (SHIP Case No. 10026) for property located at 5150 Palm Avenue, Hialeah, Florida, to Reliant Construction Group, Inc, lowest responsive bidder, in a bid amount of \$87,310. Further request permission to increase the expenditure amount up to, but no greater than, \$118,500, which is the maximum available cap in this grant appropriated to cover any construction change orders for unforeseen conditions or additions/changes to scope of services without delaying these projects which serve only elderly, low income, special needs and other vulnerable populations, since it is advantageous to the City in that these projects have expedited permitting pursuant to the current and approved City of Hialeah's Local Housing Assistance Plan.

(DEPARTMENT OF GRANTS & HUMAN SERVICES)

APPROVED 7-0

- S. Request permission to award the Dulce Rafuls Project (SHIP Case No. 10033) for property located at 1010 West 33 Street, Hialeah, Florida, to R & B Remodeling, Inc., lowest responsive bidder, in a bid amount of \$88,300. Further request permission to increase the expenditure amount up to, but no greater than, \$118,500, which is the maximum available cap in this grant appropriated to cover any construction change order for unforeseen conditions or additions/changes to scope of services without delaying these projects which serve only elderly, low income, special needs and other vulnerable population, since it is advantageous to the City in that these projects have expedited permitting pursuant to the current and approved City of Hialeah's Local Housing Assistance Plan.

(DEPARTMENT OF GRANTS & HUMAN SERVICES)

APPROVED 7-0

- T. Request permission to award the Victor & Dulce De Armas Project (SHIP Case No. 10035) for property located at 502 East 18th Street, Hialeah, Florida, to R & B Remodeling, Inc., lowest responsive bidder, in a bid amount of \$86,250. Further request permission to increase the expenditure amount up to, but no greater than, \$118,500, which is the maximum available cap in this grant appropriated to cover any construction change order for unforeseen conditions or additions/changes to scope of services without delaying these projects which serve only elderly, low income, special needs and other

vulnerable population, since it is advantageous to the City in that these projects have expedited permitting pursuant to the current and approved City of Hialeah's Local Housing Assistance Plan.

(DEPARTMENT OF GRANTS & HUMAN SERVICES)

APPROVED 7-0

- U. Request permission to award the Maria Tapia Project (SHIP Case No. 10031) for property located at 5522 West 27th Avenue, Hialeah, Florida, to Reliant Construction Group Inc, lowest responsive bidder, in a bid amount of \$88,450. Further request permission to increase the expenditure amount up to, but no greater than, \$118,500, which is the maximum available cap in this grant appropriated to cover any construction change order for unforeseen conditions or additions/changes to scope of services without delaying these projects which serve only elderly, low income, special needs and other vulnerable population, since it is advantageous to the City in that these projects have expedited permitting pursuant to the current and approved City of Hialeah's Local Housing Assistance Plan.

(DEPARTMENT OF GRANTS & HUMAN SERVICES)

APPROVED 7-0

- V. Request permission to increase Purchase Order No. 2020-1392, issued to Community Revitalization Affiliates, Inc, vendor under agreement with the City to administer a portion of the City's State Housing Initiatives Partnership Program Owner-Occupied Rehabilitation Program through June 30, 2021, for the income qualification administration services provided by this vendor to administer and implement negotiated services per Resolution No. 2019-093, passed and adopted by the City Council on August 13, 2019, to increase the number of safe, healthy and viable homes to aid the community and residents of the City, by an additional amount of \$31,000, in a new total cumulative amount not to exceed \$45,000.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

APPROVED 7-0

5. ADMINISTRATIVE ITEMS

- A. Second reading and public hearing of proposed ordinance repealing and rescinding Hialeah Fla., Ordinance 12-69 (October 10, 2012), that allowed an Automotive Technician School and a variance for parking for the school and repealing and rescinding in its entirety the Declaration of Restrictions recorded in Official Records Book 28336 at Pages 3483-3485 in the Public Records of Miami Dade County, Florida and the Declaration of Restrictions and Unity of Title recorded in Official Records Book 28885 at Pages 4968-4971, property zoned M-1 (Industrial District). **Property located at 7815 and 7875 West 20 Avenue, consisting of approximately 102,578.6 square feet of land abutting and adjacent thereto east of West 20 Avenue between West 76 Street and West 79 Street, Hialeah, Florida;** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

(ZONING)

APPROVED 7-0

ORDINANCE NO. 2020-012

Item was approved on first reading by the City Council on February 25, 2020. Second reading and public hearing was scheduled for March 10, 2020.

Registered Lobbyist: Carlos Diaz, Esq., Greenberg Traurig P.A., 333 SE 2nd Avenue, 44th Floor, Miami, Florida 33134, on behalf of SPG NW 20th Ave LLC, 100 Front Street, Suite 350, West Conshocken, PA 19428.

REPORT: Carlos Diaz, 333 SE 2nd Avenue, was present.

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

6. BOARD APPOINTMENTS

- A. Proposed resolution appointing **Beatriz Sosa** to the Personnel Board of the City of Hialeah, as the *City Council's appointment*, for the remainder of a two (2)-year term ending on June 26, 2020.

(NOMINATED BY COUNCILMAN TUNDIDOR)

APPROVED 7-0

RESOLUTION NO. 2020-044

REPORT: Motion to Approve Item 6A made by Council Vice President De la Rosa, and seconded by Council Member Zogby. Motion passed 7-0.

7. UNFINISHED BUSINESS

REPORT: None.

8. NEW BUSINESS

- A. Mayor Hernandez provided an update on new technology for the police department.

9. CITY COUNCIL'S NEW BUSINESS

- A. **Council Vice President De la Rosa** requested an update on the public meeting for recycling.
- B. **Armando Vidal, 3700 West 4th Avenue**, updated the City Council on the recycling program.
- C. **Council Member Tundidor** recognized the Hialeah Police Department for implementing the recertification of CPR.
- D. **Councilmember Perez** spoke on the following:
- Resident involvement with the Census count.
 - Youth Advisory Board and potential nominees.
 - Commended the Special Events Department and extended an invitation to the Autism Awareness Event taking place on April 19, 2020 at Milander Center from 11:00 a.m. to 4:00 p.m.
 - Extended an invitation to the Driving Under the Influence Mock Trial Event taking place in Westland High School from 7:30 a.m. until 10:30 a.m. on Monday.
 - Requested an update on the possibility of livestreaming the City's public meetings.
 - Recognized former Mayor Julio Martinez.
- E. **Council President Hernandez** spoke on the following:
- Vacancies on the Veterans Affairs Board.
 - Update on legislation coming before the City Council.
 - Anti-littering campaign.
 - Façade Program for the renovations of outdated shopping centers in the City.
- F. **Annette Quintana, Director of Grants and Human Services Department**, addressed the City Council regarding a Façade Program.

REPORT: Council President Hernandez called a recess at 8:46 p.m.

REPORT: Council President Hernandez called the meeting to order at 9:02 p.m.

10. 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.

➤ **REPORT: All present were duly sworn in.**

Attention Applicants: Items approved by the City Council are subject to the Mayor’s approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor’s signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. Second reading and public hearing of proposed ordinance rezoning property from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District); and granting a variance permit to allow the construction of a duplex on a substandard lot with frontage of 40 feet and area of 4,000 square feet, where 75 feet frontage and 7,500 square feet are required; allow 0 feet south side interior setback, where 7.5 feet is required; allow 18 feet rear setback where 25 feet are required; and allow 39% lot coverage, where 30% is the maximum allowed; all contra to Hialeah Code of Ordinances §§ 98-544, 98-546, 98-547(a) and 98-2056(b)(2). **Property located at 851 East 43 Street (Lot 14), Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

POSTPONED UNTIL APRIL 14, 2020.

<i>Item was approved on first reading by the City Council on February 25, 2020.</i>
<i>Registered Lobbyist: Ceasar Mestre, Jr., Esq. 8105 NW 155 Street, Miami Lakes, Florida, on behalf of SOB 3011 LLC, 6500 Cowpen Road, Suite 303, Miami Lakes, FL 33014.</i>
<i>On February 12, 2020 the Planning and Zoning Board approved the item.</i>
<i>Planner’s Recommendation: Approval.</i>
<i>Owners of the Property: SOB, 3011 LLC, Gregorio Betancourt, and Melinda Betancourt, 6500 Cowpen Road, Suite 303, Miami Lakes, Florida 33014.</i>

PZ 2. Second reading and public hearing of proposed ordinance rezoning property from R-1 (One-Family District) to R-2 (One-and Two-Family Residential District); and granting a variance permit to allow the construction of a duplex on a substandard lot with frontage of 40 feet and area of 4,000 square feet, where 75 feet frontage and 7,500 square feet are required; allow 0 feet north side interior setback, where 7.5 feet is required; allow 10 feet street side setback, where 15 feet are required; allow 18 feet rear setback where 25 feet is required; and allow 39% lot coverage, where 30% is the maximum allowed; all contra to Hialeah Code of Ordinances §§ 98-544, 98-546, 98-547(a) and 98-2056(b)(2). **Property located at 851 East 43 Street (Lot 15), Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

POSTPONED UNTIL APRIL 14, 2020.

<i>Item was approved on first reading by the City Council on February 25, 2020.</i>
<i>Registered Lobbyist: Ceasar Mestre, Jr., Esq., 8105 NW 155 Street, Miami Lakes, Florida, on behalf of SOB 3011 LLC, 6500 Cowpen Road, Suite 303, Miami Lakes, Florida 33014.</i>
<i>On February 12, 2020 the Planning and Zoning Board approved the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: SOB, 3011 LLC, Gregorio Betancourt and Melinda Betancourt, 6500 Cowpen Road, Suite 303, Miami Lakes, Florida 33014.</i>

PZ 3. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit pursuant to Hialeah Code of Ordinances § 98-181 to allow a vocational school. **Property located at 3309 East 4 Avenue, Hialeah, Florida.** Property 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 7-0

ORDINANCE NO. 2020-013

<i>Item was approved on first reading by the City Council on February 25, 2020.</i>
<i>On February 12, 2020, the Planning and Zoning Board approved the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: Eladio Garcia and Liniete Garcia, 3309 East 4th Avenue, Hialeah, Florida 33013</i>

REPORT: Eladio Garcia, 3309 East 4th Avenue, addressed the City Council.

REPORT: Ceasar Mestre, 8105 NW 155 Street, addressed the City Council.

REPORT: Motion to Approve Item PZ 3 made by Council Member Tundidor and seconded by Council Member Zogby. Motion passed 7-0.

PZ 4. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit pursuant to Hialeah Code of Ordinances § 98-181 to allow the expansion of an

existing non-conforming church including a patronage building; and granting a variance permit to allow a 25 foot front setback for the patronage building, where 5 feet are required; allow for 3 back out parking spaces on the front setback, where parking in the front setback and back out parking is not allowed; allow a 14 foot front setback for the church, where 10 feet are required; allow 0 feet interior side setback, where 5 feet are required; allow 9 parking spaces, where 77 parking spaces are required; and allow 8.5% pervious area, where 30% pervious area is required. All contra to §§ 98-881(1)a., 98-881(1)a.2., 98-2186, 98-641(a) and (b), and 98-2189(17) and contra to the latest edition of the City of Hialeah Landscape Manual dated July 9, 2015, Paragraph (e), Table A. **Property located at 16-26 East 7 Street, Hialeah, Florida.** Property zoned R-3-D (Multifamily District) and CR (Commercial Residential). 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 APRIL 14, 2020.

<i>On February 11, 2020, the item was postponed until March 10, 2020</i>
<i>On January 28, 2020, the item was postponed until February 11, 2020.</i>
<i>On January 14, 2020, the item was approved on first reading by the City Council.</i>
<i>On December 11, 2019, the item was approved by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Israel Suarez, 702 East 30 Street, Hialeah, Florida. Isis D. Suarez, 650 East 62 Street, Hialeah, Florida.</i>

PZ 5. Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) to allow the expansion of an existing 55 student, K-8 school to a 100 student K-12; variance permit to allow 95 parking spaces, where 327 are required and allow 9 of those 33 existing parking spaces to back out into the street. **Property located at 5800 Palm Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

ITEM IS POSTPONED, PER THE APPLICANT'S REQUEST, UNTIL FURTHER NOTICE.

<i>On February 11, 2020, the item was postponed until March 10, 2020, per the applicant's request.</i>
<i>On January 28, 2020, the item was postponed until February 11, 2020, per the applicant's request.</i>

<i>On January 14, 2020, the item was postponed until January 28, 2020, per the applicant's request.</i>
<i>On December 10, 2019, the item was postponed until January 14, 2020, per the applicant's request.</i>
<i>Item was postponed on November 26, 2019 until December 10, 2019 per the applicant's request.</i>
<i>On November 12, 2019, the item was postponed until November 26, 2019, per the applicant's request.</i>
<i>On October 22, 2019, the City Council postponed the item until November 12, 2019.</i>
<i>Item was approved on first reading by the City Council on October 8, 2019.</i>
<i>On September 25, 2019, the Planning and Zoning Board approved the item with conditions.</i>
<i>Planner's Recommendation: Approval with the condition that the school remains with 60 students and 6 staff members until the proposed parking lot is completed. A Declaration of Restrictive Covenants should describe the operational plan, number of students and staff before and after the completion of the parking lot, number of high school students that will be allowed to park on premises, control method to avoid that other high school students park on the swale areas, pick-up and drop-off times and number of parking control employees to manage that process.</i>
<i>Owner of the Property: Daniel Ramos, 5855 West 2 Avenue, Hialeah, Florida 33012 Larry Weeks, 740 SW 61 Avenue, Plantation, Florida 33317 Maria, Elizabeth Vitale, 155 East 61 Street, Hialeah, Florida 33013</i>

PZ.6 First reading of proposed ordinance granting a variance permit to allow an existing oversized accessory building with a total area of 708 square feet, where 500 feet is the maximum allowed, and allow a distance separation of 5 feet between the carport and metal roof, where 10 feet is the minimum distance separation required. All contra to Hialeah Code of Ordinances §§ 98-1666 and Hialeah Ordinance No. 2019-046. Property zoned R-1 (One Family District). Property located at 368 East 64 Street, Hialeah Florida. Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

<i>On February 26, 2020, the Planning and Zoning Board approved the item.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Rafael Fernandez, 368 East 64th Street, Hialeah, Florida 33013.</i>

REPORT: Debora Storch, Director of Planning and Zoning, addressed the City Council on

this item.

REPORT: Motion to Approve Item PZ 6, made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for March 24, 2020.

11. FINAL DECISIONS

FD 1. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-04 that granted an adjustment on the property located at **941 East 16 Place, Hialeah, Florida**; and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2020-045

<i>Registered Lobbyist: Ceasar Mestre Jr, Esq., 8105 NW 155 Street, Miami Lakes, Florida 33016, on behalf Sanchez Family Management Company, LLC, located at 6530 SW 72 Court, Miami, FL 33143.</i>
<i>On February 12, 2020, the Planning and Zoning Board approved the item as recommended.</i>
<i>Planner's Recommendation: Approval of 2.80 feet east side setback only.</i>
<i>Owners of the Property: Janette L. Sanchez, Sanchez Family Management Company, LLC, 6530 SW 72 Court, Miami, Florida 33143.</i>

REPORT: Ceasar Mestre, 8105 NW 155 Street, addressed the City Council.

REPORT: Motion to Approve Item FD 1 made by Council Member Zogby, and seconded by Council Member Garcia-Roves. Motion passed 7-0.

FD 2. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-05 that granted an adjustment on the property located at **900 East 45 Street, Hialeah, Florida**; and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2020-046

<i>On February 12, 2020, the Planning and Zoning Board approved the item as recommended.</i>

Planner's Recommendation: Allow 4.15 feet east side setback for the existing house, and allow 5 feet street side setback for a covered terrace only, with the condition that it remains open on its three sides.

Owners of the Property: Porfirio Pereira and Caridad Gomez, 900 East 45 Street, Hialeah, Florida 33013.

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

FD 3. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2020-06 that granted an adjustment on the property located at **291 West 43 Street, Hialeah, Florida**; and providing for an effective date.

APPROVED 7-0

RESOLUTION NO. 2020-047

On February 12, 2020, the Planning and Zoning Board approved the item with the condition that the structure remains open on its four sides.

Planner's Recommendation: Approval with the condition that the structure remains open on its four sides.

Owners of the Property: Diansi N. Romero and Onaike Azcuy, 291 West 43 Street, Hialeah, Florida 33012.

REPORT: Dania Mesa, 9200 West Calusa Drive, Miami, Florida, addressed the City Council on this item, on behalf of the applicant.

REPORT: Debora Storch, Director of Planning and Zoning, addressed the City Council on this item.

REPORT: Motion to Approve Item FD 3 made by Council Member Tundidor, and seconded by Council Member Zogby. Motion passed 7-0.

LAND USE AMENDMENTS

LU 1. Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Residential Office to Medium Density Residential. **Property located at 840 and 860 SE 8 Avenue, Hialeah, Florida**, zoned R-1 (One Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation

hereof; providing for a severability clause; and providing for an effective date.

APPROVED 5-2-0

ORDINANCE NO. 2020-014

<i>On February 25, 2020 the item was postponed by administration until March 10, 2020.</i>
<i>Item was approved on first reading by the City Council on February 11, 2020.</i>
<i>On January 28, 2020 the item was postponed until February 11, 2020, per the applicant's request.</i>
<i>On January 14, 2020, both a motion to approve the item and a motion to table the item until January 28, 2020 failed. The City Council passed a motion to adjourn the City Council Meeting of January 14, 2020 without having taken action on this item.</i>
<i>On December 10, 2019 the item was postponed until January 14, 2020, per the applicant's request.</i>
<i>On November 26, 2019, the recommendation of denial from the Planning and Zoning Board was overridden by the City Council.</i>
<i>On November 12, 2019, the item was denied by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Mitchell Sabina (New Spot, LLC) 7767 NW 146 Street, Miami Lakes, Florida 33016. Michael Osman (Oakwood on Main, LLC) 147- A West 84 Street, Hialeah, Florida 33014</i>

REPORT: Jose Azze, 788 SE Park Drive, spoke in opposition to the approval of this item.

REPORT: Santiago Torres, 775 SE 9th Place, spoke in opposition to the approval of this item.

REPORT: Robin Bonterra, 7865 West 29th Lane, addressed the City Council on this item, on behalf of the applicant.

REPORT: Motion to Approve Item LU 1 made by Council Member Zogby, and seconded by Council Member Cue-Fuente. Motion passed 5-2-0 with Council Vice President De la Rosa and Councilmember Perez voting "No".

- LU 2.** Recommendation of denial from the Planning and Zoning Board of the adoption of a resolution expressing intent to approve and adopt a Map Amendment of a parcel of land having approximately a total of 28.31 acres as follows: Parcel I having 22.55 acres from Kennels to High Density Residential limited to 27.66 units per acre and Parcel II having 5.76 acres from Kennels to Medium Density Residential limited to 15.65 units per acre. **Property located at 7218 West 4th Avenue, zoned K (Kennel District).**

POSTPONED UNTIL MARCH 24, 2020

<i>On January 28, 2020, the item was postponed per the applicants request until March 10, 2020.</i>
<i>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.</i>
<i>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.</i>
<i>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.</i>
<i>On January 15, 2020, the item was denied by the Planning and Zoning Board.</i>
<i>Planner's Recommendation: Approve land use change from Kennels to High Density on Parcel I and from Kennels to Low Density Residential on Parcel II.</i>
<i>Owners of the Property: Florida Kennels, Inc., 7218 West 4th 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</i>

REPORT: Melissa Tapanes, 200 S. Biscayne Boulevard, representing Florida Kennels' owner, addressed the City Council.

REPORT: Juan Santana, 5601 West 10th Avenue, addressed the City Council in opposition to the approval of this item.

REPORT: Julio Beltran, 7063 West 5 Court, addressed the City Council in opposition to the approval of this item.

REPORT: Julio Martinez, 780 West 80th Street, addressed the City Council in opposition to the approval of this item.

REPORT: Aurelio Martinez, addressed the City Council in opposition to the approval of this item.

REPORT: Roger Homes, 660 West 70th Place, addressed the City Council in opposition to the approval of this item.

REPORT: Elena Guevalle, 690 East 9th Lane, addressed the City Council in favor of the approval of this item.

REPORT: Francis Martinez, 625 West 71 Place, addressed the City Council in favor of the approval of this item.

REPORT: Susana Lazaro, 625 West 72 Place, addressed the City Council in favor of the approval of this item.

REPORT: Natalie Arnejo, 7017 West 4th Way, addressed the City Council in opposition to the approval of this item.

REPORT: Mayra Puiz, 620 West 73 Place, addressed the City Council in favor of the approval of this item.

REPORT: Isabel Aedo, 630 West 71 Place, addressed the City Council in opposition to the approval of this item.

REPORT: Jose Martinez, 1650 West 44th Place, addressed the City Council in opposition to the approval of this item.

REPORT: Eliasar Cruz, 7195 West 4th Court, addressed the City Council in opposition to the approval of this item.

REPORT: Hilda Perez, 7094 West 4th Way, addressed the City Council in opposition to the approval of this item.

REPORT: Lowel Dunn, 8083 NW 103 Street, addressed the City Council in favor of the approval of this item.

REPORT: Dan Adkins, applicant, 5480 SW 60 Avenue, Davie, Florida, addressed the City

Council on this item.

REPORT: Debora Storch, City's Planning and Zoning Official, addressed the City Council on this item.

REPORT: Motion to Override the Recommendation of Denial of the Planning and Zoning Board made by Council Member Tundidor, and seconded by Council Member Cue-Fuente. Motion passed 7-0.

REPORT: Motion to Table Item LU 2 until March 24, 2020 made by Council Member Cue-Fuente, and seconded by Council Vice President De la Rosa. Motion passed 7-0.

NEXT CITY COUNCIL MEETING: Tuesday, March 24, 2020 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 26, 2020 at 6:30 p.m.

PENSION WORKSHOP: Wednesday, March 11, 2020 at 7:00 p.m.

BUDGET WORKSHOP: Thursday, March 12, 2020 at 7:00 p.m.

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

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

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than two (2) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).