

CITY OF HIALEAH



NOTICE OF PUBLIC MEETING OF THE CITY COUNCIL

Notice is hereby given that the City Council of the City of Hialeah will hold a regularly scheduled **Public Meeting at 7:00 p.m. on Tuesday, February 23, 2021.**

During the meeting, the City Council will consider the following administrative items and planning and zoning items on second reading published on the agenda of the February 9, 2021 regularly scheduled meeting of the City Council, which was adjourned with no action taken due to a lack of quorum.

Second reading and public hearing of proposed ordinance accepting the dedication of land improved with a lift station of approximately 5,570 square feet, subject to and approving the terms of the Special Warranty Deed attached as Attachment "1", from Countyline 2 LLC, a Delaware limited liability company; 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.

(DEPARTMENT OF PUBLIC WORKS)

Second reading and public hearing of proposed ordinance approving a Fixed Capital Outlay Certification, in substantial conformity with the form attached hereto and made a part hereof as Exhibit "A", pursuant to F.S. §287.05805, granting a security interest to the State of Florida in the amount of \$500,000.00 for improvements to the Goodlet Adult Center located within Goodlet Park located at **900 W 44th PL, Hialeah, Florida 33012**, for a period of five (5) years from the date of completion of the facility improvements, in accordance with the requirements, terms and conditions of Contract No. XQ902 between the State of Florida, Department of Elder Affairs and the City of Hialeah, attached hereto and made a part hereof as Exhibit "B"; authorizing the Mayor and City Clerk, as attesting witness, to execute the Fixed Capital Outlay Certification and all necessary documents on behalf of the City; authorizing all other actions necessary in furtherance of the transactions contemplated by this ordinance; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date.

(DEPARTMENT OF GRANTS AND HUMAN SERVICES)

Second reading and public hearing of proposed ordinance granting a Conditional Use Permit pursuant to Hialeah Code of Ordinances § 98-181 to allow the sale and consumption of alcohol within the facility located in the Alwod Artist Live/Work Overlay District, “Leah Art District”. **Property located at 901 East 10 Avenue, Bay # 24, 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.

Second reading and public hearing of proposed ordinance granting a Conditional Use Permit (CUP) pursuant to Hialeah Code of Ordinances §98-181 to allow a K-5 grade school with an enrollment of 40 students within a facility that also includes a daycare with an enrollment of 83 students; **property located at 1995 West 60 Street consisting of 4,400 square feet with a street addresses within the site of 1917 and 1919 West 60 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.

Second reading and public hearing of proposed ordinance granting a variance permit to allow a duplex on a substandard lot having a frontage of 50 feet and total lot area of 6,000 square feet, where 75 feet frontage and 7,500 square feet are required; allow north and south side setbacks of 5 feet, where 7.5 feet is the minimum required; allow rear setback of 20 feet, where 25 feet is the minimum required; and allow 41% lot coverage, where 30% is the maximum allowed, all contra to Hialeah Code of ordinances §§ 98-544, 98-546, 98-547 and 98-2056(b)(2). **Property located at 2455 West 5 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.

Second reading and public hearing of proposed ordinance approving a Final Plat of Beacon Logistics, accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located east of NW 107 Avenue and NW 145 Place (West 91 Place), Hialeah, Florida.**

Pursuant to emergency management powers as set forth in F.S. §§252.31-252.90, Governor Ron DeSantis issued Executive Order 20-69 (March 20, 2020), suspending the “Florida’s Government in the Sunshine Laws” requirement that a quorum of the legislative body holding a public meeting be met in-person and that 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 (EO20-52) as a result of the COVID-19 pandemic affecting the State of Florida. The nation and the State of Florida remain in a state of emergency. The Governor has extended the declaration every 60 days, as

required by law, since the execution of Executive Order 20-52. The latest extension made through the execution of Executive Order 20-276 (November 3, 2020).

Notwithstanding the continuing statewide threat of COVID-19 to the health, safety and welfare of our citizens, Executive Order 20-69, issued specifically to allow local governments to use communications media technology to hold public meetings during the public health emergency, has expired as of 12:01 a.m. November 1, 2020 (EO 20-246). As such, all public meetings in this City of any deliberative body must comply with the in-person quorum requirement of the Sunshine Law. This means, at a minimum, there must be present, in-person, the minimum number of board members required to meet quorum based on the composition of the deliberative body at the location of the meeting. All other members of the deliberative body exceeding quorum may choose, in coordination with the secretary of the respective board conducting the public meeting, to appear using communication media technology.

Except for the requirement to meet physical quorum and as otherwise amended by this document, all other minimum guidelines and procedures adopted by City of Hialeah Emergency Order dated April 8, 2020 and Hialeah, Fla. Resolution 2020-048 (April 14, 2020) shall continue to govern the conduct of public meetings of the City Council of the City of Hialeah, Florida and the public meetings of all other boards or committees for the City of Hialeah, Florida using communications media technology, held during the duration of the public health emergency as a result of COVID19, 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.

A limited number of members of the public will be allowed to be present at the location of the meeting considering the physical spacing limitations of the location to observe social distancing. As such, only 15 members of the public will be allowed to attend in person any scheduled meeting of the Council held in Chambers on a first-come-first serve basis. Based upon anticipated in-person attendance of any meeting, the City will provide additional space at City Hall to accommodate the public and provide both viewing and participation capabilities.

This public meeting will be broadcast live for members of the public to view on the City's Facebook page (@CityofHialeah). A link to the City's Facebook page can be found on the City's website at www.hialeahfl.gov. A Facebook account is not required in order to view this virtual public meeting.

As an additional alternative, members of the public may hear the meeting live through telephonic conferencing. You can join the meeting via telephonic conferencing using any telephone or cellular phone service. A smart device or computer are not necessary to participate in the meeting if you join by phone.

Any person interested in making comments or posing questions on matters of public concern or on any item on the agenda may do so prior to the meeting taking place by email to virtualmeeting@hialeahfl.gov **by 3:00 p.m. on Monday, February 22, 2021**. 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, whether participating via the web platform, telephonic conferencing or physical presence at City Hall, who is 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. Persons interested in joining the meeting to participate for this purpose may 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. **by 3:00 p.m. on Monday, February 22, 2021.**

All registered participants participating via the web platform will be muted during the meeting until called upon to be heard. Participation through Zoom requires a computer or smart mobile device with a microphone and web camera. The participant may elect to participate in the meeting using audio only or appear through both audio and video. The video function of all participants appearing through video will be turned off until called upon to be heard.

The agenda for this Meeting will be available to the public on the City's website and can be accessed at <https://www.hialeahfl.gov/agendacenter> by Friday, February 19, 2021. The Office of the City Clerk can also email a copy of the agenda to anyone who requests a copy by telephone at (305) 883-5820 or by email at cityclerk@hialeahfl.gov.

Any person wishing to appeal any decision made by the City Council with respect to any matter considered at this 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.

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).