

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Summary Agenda

March 8, 2016
7:00 P.M.

Call to Order - **Council President Gonzalez called the meeting to order at 7:32 pm.**

Roll Call - **City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- Council President Luis Gonzalez
- Council Vice President Cue-Fuente
- Councilman Jose Caragol
- Councilwoman Vivian Casáls-Muñoz
- Councilwoman Lourdes Lozano
- Councilwoman Isis-Garcia Martinez

• **Council Members Absent:**

- Councilman Paul Hernandez

• Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation - **Marbelys Fatjo, City Clerk, led the invocation.**

Pledge of Allegiance - **Council President Gonzalez 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 the City Clerk in English and by Lisette Perez, Administrative Aide, Office of the City Clerk, in Spanish.

Presentations – **Mayor Hernandez introduced Ruben Jimenez, a community leader of Santa Marta, who was present in the Council meeting.**

1. Announcement of Amendments/Corrections to the Agenda – **The following was announced by the City Clerk.**
 - **Items K and L have been added to today's agenda.**
 - **Items 5, 6, 7 and 8 have been withdrawn from the agenda.**
 - **Items 9 and 10 (Development Agreements) are being postponed until the City Council Meeting of April 12, 2016.**

2. 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: Councilwoman Casáls-Muñoz requested separate discussion on Item B.

REPORT: Councilwoman Garcia-Martinez requested separate discussion on Item G.

REPORT: Mayor Hernandez requested separate discussion on Item K.

Motion to Approve the Consent Agenda, except Items B, G and K, made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Councilman Hernandez absent.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on February 23, 2016. (OFFICE OF THE CITY CLERK) **APPROVED 6-0-1 with Councilman Hernandez absent.**
- B. Proposed resolution approving the co-designation of that portion of West 79th Street, between West 10th Avenue and West 12th Avenue, in Hialeah, Florida, presently unnamed, as “Danny Perez Way”, in honor and memory of the outstanding community service and dedication of Danny Perez to the City of Hialeah and its residents, with the cost of signage to be paid by the City. (OFFICE OF THE CITY CLERK) **APPROVED 6-0-1 with Councilman Hernandez absent. RESOLUTION NO. 2016-24**

REPORT: Councilwoman Casáls-Muñoz and Mayor Hernandez addressed the Council on this item.

REPORT: Motion to Approve Item B made by Councilwoman Casáls-Muñoz, and seconded by Councilman Garcia-Martinez. Motion passed 6-0-1 with Councilman Hernandez absent.

- C. Request permission to renew the Payment Collection and Remittance Agreement between the City of Hialeah and Amscot Corporation, entered into on or about April 5, 2013, for an additional term of one year, expiring on April 4, 2017. Further request approval of an increase of fifty (0.50) cents to the convenience fee charged to customers from one dollar (\$1.00) to one dollar and fifty cents (\$1.50). (LAW DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent.**
- D. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of South Miami as a participating municipal police department to provide for requesting and rendering assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 1, 2020, and attached hereto as Exhibit "A". (POLICE DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent. RESOLUTION NO. 2016-25**
- E. Request permission to reject Hialeah Bid #2015/16-3230-00-013-*Farmers Market Flooring (Polished Concrete)*, since it is advantageous to the City in that no responsive/responsible bids were received. All bidders failed to include signed addendums with their bid, and one bidder did not provide a bid bond, as required by the bid documents. Further request permission to waive competitive bidding and obtain quotations for this project. (CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent.**
- F. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2016-1211, issued to Mystic Gardens Lawn Contractors Inc., to continue the replacement of damaged trees, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (STREETS DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent.**
- G. Request permission to issue a purchase order to R.J. Behar & Company, Inc., a vendor recommended by the City's Selection Committee in 2010 for engineering services and approved by the City Council on June 8, 2010, for the design of West 76th Street from West 36th Avenue to Hialeah Gardens Boulevard, in a total cumulative amount not to exceed \$50,038. (STREETS DEPT.) **APPROVED 6-0-1**

REPORT: Councilwoman Garcia-Martinez inquired as to the leveling of the street and Jose Sanchez of the Streets Department addressed the Councilwoman's inquiry.

REPORT: Motion to Approve Item G made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Councilman Hernandez absent.

- H. Request permission to increase purchase order # 2015-1649, issued to Acosta Tractors Inc, since it is advantageous to the City in that existing field conditions and modifications to the original scope of work required additional work that was not part of the original contract, for the Public Works Complex parking lot paving, drainage and site lighting, by an additional amount of \$17,508, for a new total cumulative amount not to exceed \$374,921.42. On March 24, 2015, the City Council approved the award of Hialeah Bid # 2014/15-3230-00-24 – *Public Works Complex-Parking Lot Paving, Drainage and Site Lighting* to this vendor. (CONSTRUCTION & MAINTENANCE DEPT. AND DEPT. OF PUBLIC WORKS) **APPROVED 6-0-1 with Councilman Hernandez absent.**
- I. Request permission to award Hialeah Bid # 2015/16-3230-00-015 – *Farmer’s Market Framing & Drywall* to GC Works Inc., lowest responsive and responsible bidder, in a total cumulative amount not to exceed \$42,018. (CONSTRUCTION & MAINTENANCE DEPT. AND GRANTS & HUMAN SERVICES DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent.**
- J. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to enter into a Memorandum of Agreement renewing the association between the City of Miami Fire Rescue, as the sponsoring agency of Florida Task Force 2 under the U.S. Department of Homeland Security’s National Urban Search and Rescue Response System (USAR), and the City of Hialeah, as participating agency of the task force, a copy of which is attached hereto as “Exhibit 1”. (FIRE DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent. RESOLUTION NO. 2016-26**
- K. Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a sponsorship agreement with Simply Healthcare Plans, Inc., in substantial conformity with the agreement attached and made a part hereof as Exhibit “1”, to become a Hialeah Pillar Partner and be designated the Official Domino Partner of the Goodlet Adult Center, for a term of three years, commencing on April 1, 2016 through March 31, 2019, with the option to renew for an additional three-year term, under similar terms and conditions in exchange for a total sponsorship fee of \$75,000, a marketing bundle including on-site, media, internet, and direct-mail advertising opportunities, presentation at special events and programs, VIP parking, presenting sponsor at designated events, signage on Hialeah transit buses, in receipt of other promotional items in connection with special events, for the duration of the agreement. (EDUCATION & COMMUNITY SERVICES DEPT.) **APPROVED 6-0-1 RESOLUTION NO. 2016-27**

REPORT: Mayor Hernandez addressed the Council on this item.

REPORT: Motion to Approve Item K made by Councilwoman Casáls-Muñoz, and seconded by Councilman Garcia-Martinez. Motion passed 6-0-1 with Councilman Hernandez absent.

- L. Request permission to utilize Brevard County Contract # P-5-15-13, since it is advantageous to the City, and issue a purchase order to Life Extension Clinics, Inc., to purchase Firefighter Physical Exams/Health Screenings, in a total cumulative amount not to exceed \$83,980. (FIRE DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent.**

3. Second reading and public hearing of proposed ordinance approving a Use, Sponsorship and Limited Concession Management Services Franchise Agreement between Hialeah Youth Baseball Association, Inc. and the City of Hialeah, to create, develop and operate a Youth Baseball League at the City of Hialeah Babcock Park, to provide Concession Management Services at Babcock Park in connection with the City of Hialeah Youth Baseball League, and become the Youth Baseball Partner of the City of Hialeah, for a term of one year, commencing on March 1, 2016 and ending on February 28, 2017, for a monthly fee in the amount of \$1,500.00, and limited advertising and marketing opportunities for the duration of the agreement; and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Use, Sponsorship and Limited Concession Management Services Franchise Agreement in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; 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. (PARKS AND RECREATION DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent. ORDINANCE NO. 2016-17**

Item was approved by City Council on first reading on February 23, 2016.

REPORT: Motion to Approve Item 3 made by Councilman Caragol, and seconded by Councilman Casáls-Muñoz. Motion passed 6-0-1 with Councilman Hernandez absent.

4. Second reading and public hearing of proposed ordinance authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute a Non-Exclusive Concession Management Services Franchise Agreement between Juanita's Kitchen, LLC and the City of Hialeah, Florida, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1", to provide Concession Management Services to the City at designated locations for a monthly fee of \$1,500.00 during the off-season and \$2,500.00 during the peak-season, for a term of one year commencing on March 1, 2016 and ending on February 28, 2017, with an option to renew for three consecutive one-year terms; 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. (PARKS AND RECREATION DEPT.) **APPROVED 6-0-1 with Councilman Hernandez absent. ORDINANCE NO. 2016-18**

Item was approved by City Council on first reading on February 23, 2016.

REPORT: Motion to Approve Item 4 made by Councilman Caragol, and seconded by Councilman Lozano. Motion passed 6-0-1 with Councilman Hernandez absent.

4. ~~Second reading and public hearing of proposed ordinance amending the Operating Budget for fiscal year 2014-2015 in the amount of \$120,000,000, for the City of Hialeah, Florida, for all departments of the City of Hialeah, except the Department of Public Works, Street Transportation Funds, Stormwater Funds, Capital Project Funds, Debt Service Funds and Special Revenue Funds approved and adopted by Hialeah, Ordinance 2014-48 (Sept. 22, 2014) to approve and ratify supplemental appropriations in the amount of \$10,000,000 for a new year-end budget in the total amount of \$130,000,000; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET) **WITHDRAWN**~~

Item was approved by City Council on first reading on February 23, 2016.

- 5. ~~Second reading and public hearing of proposed ordinance amending the Stormwater Fund Budget for fiscal year 2014-2015 in the amount of \$3,701,000 for the City of Hialeah, Florida, approved and adopted by Hialeah, Ordinance 2014-53 (Sept. 22, 2014) to approve and ratify supplemental appropriations in the amount of \$2,699,000 for a new year-end budget in the total amount of \$6,400,000; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET) WITHDRAWN~~

Item was approved by City Council on first reading on February 23, 2016.

- 6. ~~Second reading and public hearing of proposed ordinance amending the Special Revenue Funds for fiscal year 2014-2015 in the amount of \$18,133,285 for the City of Hialeah, Florida, approved and adopted by Hialeah, Ordinance 2014-49 (Sept. 22, 2014) to approve and ratify supplemental appropriations in the amount of \$7,701,715 for a new year-end budget in the total amount of \$25,835,000; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET) WITHDRAWN~~

Item was approved by City Council on first reading on February 23, 2016.

- 7. ~~Second reading and public hearing of proposed ordinance amending the Capital Projects Fund Budget for fiscal year 2014-2015 in the amount of \$5,362,187 for the City of Hialeah, Florida, approved and adopted by Hialeah, Ordinance 2014-51 (Sept. 22, 2014) to approve and ratify supplemental appropriations in the amount of \$1,137,813 for a new year-end budget in the total amount of \$6,500,000; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET) WITHDRAWN~~

Item was approved by City Council on first reading on February 23, 2016.

- 8. Second reading and public hearing of proposed ordinance approving the Development Agreement by and among Alberto Micha, as Trustee of Hialeah Gardens Irrevocable Trust dated December 6, 2010, and the City of Hialeah, Florida, a copy of which in substantial form is attached hereto and made a part hereof as Exhibit "1". **Property comprising approximately 77.25 acres within an area bounded on the west by NW 102 Avenue, on the north by theoretical NW 142 Street, on the east by NW 97 Avenue, and on the south by NW 138 Street / State Road 924; all located in Hialeah, Florida. Property having a land use classification of Mixed-Use Commercial and to be developed within the parameters of the Hialeah Heights - Commercial Zoning 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. (ADMNISTRATION) POSTPONED UNTIL APRIL 12, 2016.

Item was approved by the City Council on first reading on January 12, 2016. Second reading and public hearing was scheduled for March 8, 2016.

Item was postponed by the administration on December 8, 2015 due to notice requirements.

<i>Item was approved by the City Council on first reading on November 24, 2015.</i>
<i>Item was approved by the Planning and Zoning Board on November 18, 2015.</i>

9. Second reading and public hearing of proposed ordinance approving the Development Agreement by and among Atlas Hialeah Heights, LLC, a Florida Limited Liability Company, and the City of Hialeah, Florida, a copy of which in substantial form is attached hereto and made a part hereof as Exhibit "1". **Property comprising approximately 135.3 acres within an area bounded on the west by NW 97 Avenue, on the north by NW 170 Street, on the east by Interstate 75 / State Road 93, and on the south by theoretical NW 162 Street; all located in Hialeah, Florida. Property having a land use classification of Low-Medium Density Residential and to be developed within the parameters of the Residential Development District (RDD) Zoning 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. (ADMINISTRATION) **POSTPONED UNTIL APRIL 12, 2016.**

<i>Item was approved by the City Council on first reading on January 12, 2016. Second reading and public hearing was scheduled for March 8, 2016.</i>
<i>Item was postponed by the administration on December 8, 2015 due to notice requirements.</i>
<i>Item was approved by the City Council on first reading on November 24, 2015.</i>
<i>Item was approved by the Planning and Zoning Board on November 18, 2015.</i>

10. First reading of proposed ordinance amending Chapter 78 entitled "Solid Waste", Article II entitled "Nuisances" of the Code of Ordinances of the City of Hialeah, and in particular, revising Hialeah Code § 78-38 entitled "Registration of properties with mortgages in default by mortgagee", increasing the annual registration fee and amending the required information for registration; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (CODE COMPLIANCE DIV.) **APPROVED 6-0-1 with Councilman Hernandez absent.**

REPORT: Violeta Blanco, Code Compliance Official, addressed the Council regarding this item.

REPORT: Scott Blasie, 6322 Rock Creek Dr. Lake Worth, FL, with Community Champions, addressed the Council regarding this item.

REPORT: Motion to Approve Item 11 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Councilman Hernandez absent. Second reading and public hearing is scheduled for March 22, 2016.

11. Board Appointments – **NONE**

12. Unfinished Business – **NONE**

13. New Business – **NONE**

14. Comments and Questions –

- **Councilwoman Garcia-Martinez wished Mayor Hernandez a very Happy Birthday, and acknowledged Gelien Perez for being selected as a finalist for Human Resources Director of the Year.**
- **Mayor Hernandez invited all to two City events being held this week.**
- **Orlando De La Torre, 2775 West Okeechobee Road, Lot #24, Hialeah, FL 33014, addressed the Mayor and Council regarding electricity and water related issue he is currently encountering in his residence.**

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.

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.

REPORT: All were duly sworn in.

ZONING

REPORT: Council President Gonzalez announced that Item PZ 2 would be the first item heard by the City Council of the zoning portion of the meeting.

PZ 1. Second reading and public hearing of proposed ordinance rezoning property from R-3-3 (Multiple Family District) to R-3-5 (Multiple Family District) and granting a Variance Permit to allow a 2-foot landscaped buffer between the off-street parking and the right-of-way, where 7 feet are required, to allow 10 parking spaces, where 12 parking spaces are required, and to allow a rear setback of 8 feet, where 20 feet are required, contra to City of Hialeah Landscape Manual (July 9, 2015) Section (d) Subsection (7), and Hialeah Code §§ 98-2189(19) b and 98-591. **Property located at 20 East 41 Street, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *(Applicant: Ceasar Mestre, Esq. in representation of the owner of the property)* **APPROVED 6-0-1 with Councilman Hernandez absent. ORDINANCE NO. 2016-19**

<i>Item was approved by City Council on first reading on February 23, 2016.</i>
<i>Item was postponed until February 23, 2016 by City Council on February 9, 2016 pursuant to the request of the applicant’s representative.</i>
<i>Planner’s Recommendation: Approve with conditions.</i>

<i>Item was approved by the Planning and Zoning Board on January 27, 2016.</i>
<i>Registered Lobbyist: Ceasar Mestre</i>

REPORT: Motion to Approve Item PZ 1 made by Councilwoman Garcia-Martinez, and seconded by Council Vice-President Cue-Fuente. Motion passed 6-0-1 with Councilman Hernandez absent.

PZ 2. Recommendation of denial by the Planning and Zoning Board for the approval of rezoning from R-1 (One Family District) to P (Parking District) property located at **991 West 48th Street, Hialeah, Florida.** (*Applicant: Arena-Westland Shoppes, LLC*) **DENIAL OF THE PLANNING AND ZONING BOARD OVERRIDEN 5-1-1 with Council President Gonzalez voting “No” and Councilman Hernandez absent.**

<i>Item was postponed until March 8, 2016 by the City Council on February 23, 2016, per the request of the applicant’s representative. Neighbors were present during the meeting, in opposition to the item’s approval.</i>

<i>Item was postponed until February 23, 2016 by City Council on February 9, 2016 pursuant to the request of the applicant’s representative.</i>
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<i>Planner’s Recommendation: Approval</i>

<i>Item was denied by the Planning and Zoning Board on January 27, 2016.</i>
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<i>Registered Lobbyist: Mario Serralta</i>
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<i>Registered Lobbyist: John Flynn</i>
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<i>Registered Lobbyist: Melissa Tapanes Llahues</i>

<i>Registered Lobbyist: Ceasar Mestre</i>

REPORT: Motion to Remove Item PZ 2 from Table made by Council Vice President Cue-Fuente, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Councilman Hernandez absent.

REPORT: Melissa Tapanes, 200 South Biscayne Boulevard, addressed the City Council on behalf of the applicant. Ms. Tapanes offered a draft of a Declaration of Restrictions and Unity of Title into the record.

REPORT: Ceasar Mestre, 7600 West 20 Avenue, Suite 220, addressed the City Council on behalf of the applicant.

REPORT: Mike Alvarez, 4790 West 9 Avenue, addressed the City Council in opposition to the item’s approval.

REPORT: Carlos Placeres, 4630 West 10 Avenue, addressed the City Council in opposition to the item’s approval.

REPORT: Juan Suarez, 4660 West 9 Court, addressed the City Council in opposition to the item’s approval. Ms. Suarez offered signatures of neighbors in opposition of the items approval, into the record.

REPORT: Motion to Override the Denial of the Planning and Zoning Board made by Councilwoman Garcia-Martinez, and seconded by Council Vice President Cue-Fuente. Motion passed 5-1-1 with Council President Gonzalez voting “No” and Councilman Hernandez absent. First reading is scheduled for April 12, 2016.

PZ 3. First reading 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 a lot coverage of 47.6%, where a maximum of 30% is required, to allow a duplex on a substandard-sized lot with a frontage of 50 feet, where at least 75 feet are required, and to allow a total area of 6,750 square feet, more or less, where a total area of at least 7,500, is required, contra to Hialeah Code §§ 98-2056(b)(2) and 98-544. **Property located at 358 East 11 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. (Applicant: *Cesar Mestre*) **APPROVED 6-0-1 with Councilman Hernandez absent.**

<i>Planner’s Recommendation: Approval.</i>
<i>Item was approved by the Planning and Zoning Board on February 24, 2016.</i>
<i>Registered Lobbyist: Cesar Mestre</i>

REPORT: Motion to Approve Item PZ 3 made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Lozano. Motion passed 6-0-1 with Councilman Hernandez absent and Council Vice-President Cue-Fuente recording her vote after item had been approved. Second reading and public hearing is scheduled for April 12, 2016.

FINAL DECISIONS

FD 1. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No.16-03 that granted an adjustment on property located at **1343 West 77 Street, Hialeah, Florida;** and providing for an effective date. (Applicant: *Luis E. Gonzalez*) **APPROVED 5-0-2 with Council President Gonzalez having abstained and Councilman Hernandez absent. RESOLUTION NO. 2016-28**

<i>Planner’s Recommendation: Approval</i>
<i>Item was approved by the Planning and Zoning Board on February 10, 2016.</i>

REPORT: Motion to Approve Item FD 1 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 5-0-2 with Council President Gonzalez having abstained and Councilman Hernandez absent.

REPORT: A Form 8B Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers has been filed with the Office of the City Clerk.

REPORT: Council President Gonzalez adjourned the meeting at 9:40 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, March 22, 2016 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 24, 2016 at 6:30 p.m.

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

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

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) 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).