

City of Opa-locka

*Commission Chambers
215 Perviz Avenue
Opa-locka, FL 33054*



REGULAR COMMISSION MEETING Agenda

Wednesday, January 13, 2021

7:00 PM

City Commission

**Mayor Matthew A. Pigatt
Vice Mayor Veronica J. Williams
Commissioner Alvin Burke
Commissioner Chris Davis
Commissioner John H. Taylor Jr.**

Appointed Officials

**City Manager John E. Pate
City Attorney Burnadette Norris-Weeks
City Clerk Joanna Flores, CMC**

SPEAKING BEFORE THE CITY COMMISSION

NOTE: All persons speaking shall come forward and give your full name and address, and the name and address of the organization you are representing.

There is a three (3) minute time limit for speaker/citizens forum and participation at all city commission meetings and public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If your matter requires more than three (3) minutes, please arrange a meeting or an appointment with the City Clerk prior to the commission meeting. *City of Opa-locka Code of Ordinances Section 2-57*

DECORUM POLICY

Any person making impertinent or slanderous remarks or who become boisterous while addressing the commission, shall be declared to be out of order by the presiding officer, and shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members. *City of Opa-locka Code of Ordinances Section 2-58*

NOTICE TO ALL LOBBYISTS

Any person appearing in a paid or remunerated representative capacity before the city staff, boards, committees and the City Commission is required to register with the City Clerk before engaging in lobbying activities. *City of Opa-locka Code of Ordinances Section 2-18*

FLORIDA STATUTES, CHAPTER 285.0105:

“If a person decides to appeal any decision made by the Board, Agency or Commission with respect to the proceedings, and that, for such purpose, that person 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.”



CITY OF OPA-LOCKA PROCEDURES FOR VIRTUAL PARTICIPATION AT COMMISSION MEETINGS

Virtual Participation at Commission Meetings

Due to COVID-19 and pursuant to Governor Ron DeSantis Executive Order Number 20-69, the City of Opa-locka has been holding its meetings virtually using the Zoom teleconferencing platform. As of November 2020, the City of Opa-locka will meet in-person with social distancing while still allowing virtual participation via Zoom.

City Commission Meeting location for in-person meetings

In-person meetings will be held in the Auditorium at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida, with offsite participants joining by Zoom.

How to watch the meeting

Members of the public are encouraged to watch the public meeting and public hearings at <https://www.youtube.com/user/CityofOpaLocka>

How to participate

For meetings held in-person with virtual participation, members of the public wishing to address the body on any agenda item may do so in person or virtually. **Space for in-person attendance is very limited due to COVID-19 social distancing. Members of the public wishing to address the Commission are strongly encouraged to participate virtually.**

To participate virtually, please register by emailing publiccomments@opalockafl.gov at least 2 hours prior to the scheduled meeting time to request the meeting link.

Providing comments in advance

Those wishing to provide comments on any agenda item are encouraged to do so in advance by submitting their comment via email to publiccomments@opalockafl.gov

Comments on any agenda item must be submitted 2 hours prior to the scheduled meeting time. Comments received after the deadline will be kept for the record, but will not be read during the meeting. If you have comments for more than one agenda item, please state which item you are commenting on.

Reasonable accommodation requests during COVID-19 pandemic

Persons with disabilities who need to request reasonable accommodation(s) to effectively participate in this meeting may contact the Office of the City Clerk. As the City of Opa-locka is currently operating under a Declaration of Emergency relating to the COVID-19 Pandemic, and is practicing CDC recommended social distancing protocols, staff from the Office of the City Clerk may be working remotely.

Persons with disabilities who need reasonable accommodations are asked to e-mail such requests to jflores@opalockafl.gov at least three (3) business days in advance of the need for reasonable accommodation. You may also call (305) 953-2800.

City of Opa-locka public participation and decorum rules

Speaking before the Commission

NOTE: All persons speaking shall come forward and give your full name and address, and the name and address of the organization you are representing.

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Decorum Policy

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If the Chair or Commission declares a virtual participant to be out of order, he or she may be muted by the moderator.

All remarks shall be addressed to the Commission as a body and not to any member thereof.

No person, other than a member of the Commission and the person having the floor, may be permitted to enter into any discussion, either directly or through a member of the Commission, without permission of the Chair. No question may be asked except through the Chair.

Speakers should make their comments concise and to the point.

For questions and/or additional information, please contact the Office of the City Clerk at (305) 953-2800 or (786) 877-4038.

CITY OF OPA-LOCKA
“The Great City”

AGENDA
REGULAR COMMISSION MEETING
January 13, 2021
7:00 P.M.

- 1. CALL TO ORDER:**
- 2. ROLL CALL:**
- 3. INVOCATION:**
- 4. PLEDGE OF ALLEGIANCE:**
- 5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:**
- 6. APPROVAL OF CONSENT AGENDA AND PULL LIST (deferrals and deletions):**
- 7. APPROVAL OF AGENDA:**
- 8. APPROVAL OF MINUTES:**
 - Virtual COVID-19 Workshop Minutes – May 7, 2020**
 - Virtual Audit Workshop Minutes – May 14, 2020**
 - Virtual COVID-19 Workshop Minutes – May 14, 2020**
 - Special Commission Meeting Minutes – November 12, 2020**
 - Regular Commission Meeting Minutes – November 19, 2020**
- 9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:**
- 10. PUBLIC PRESENTATIONS:**
- 11. CITIZENS’ FORUM:**
(Opportunity for discussion of any concerns – please limit to 3 minutes)
- 12. ACTION ITEMS (items from consent agenda pull list):**
- 13. ADMINISTRATION:**
 - CONSENT AGENDA:**
 - 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMERGENCY CONTRACT, ATTACHED HERETO AS EXHIBIT “A”, WITH HCA ASSET MANAGEMENT, LLC FOR THE PROVISION OF ASSET VALUATION,**

INSURANCE APPRAISAL AND POLICY AND PROCEDURES DEVELOPMENT ASSISTANCE SERVICES IN AN AMOUNT NOT TO EXCEED THIRTY THREE THOUSAND DOLLARS (\$33,000.00), PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

A. FIRST READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

B. SECOND READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING AND REPLACING, IN ENTIRETY, ARTICLE IV OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "STORMWATER UTILITY", SPECIFICALLY AMENDING SECTIONS 21-190 THROUGH 21-196; CREATING NEW SECTIONS 21-197 THROUGH 20-203; PROVIDING FOR INTENT; CONSTRUCTION; DEFINITIONS; UTILITY ESTABLISHMENT; CUSTOMER BASE; UTILITY CATEGORIES; FEE SCHEDULE AND PAYMENT; EXEMPTIONS; STORMWATER UTILITY ENTERPRISE FUNDS; REQUEST FOR ADJUSTMENT; PROHIBITIONS; PERMITS, PLAN REVIEWS, INSPECTIONS AND ADMINISTRATIVE FEES; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by City Manager*

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE IDENTIFIED BY FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14-02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE OF THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by City Manager*

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES, IN ITS ENTIRETY, CREATING A NEW CHAPTER TO INCLUDE DEFINITION OF TERMS; PROVIDING FOR THE REGULATION OF BURGLAR ALARMS; PENALTIES AND FEES FOR NON-COMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by City Manager*

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1.5 ENTITLED "CODE OF ETHICS; CONFLICT OF INTEREST" SECTION 2-14 ENTITLED "ORIENTATION OF ELECTED OFFICIALS" TO INCLUDE TRAINING ON THE ROLES AND RESPONSIBILITIES OF APPOINTED OFFICIALS; PARLIAMENTARY PROCEDURE; A REVIEW OF THE CITY'S STRATEGIC PLAN; PREPARATION OF AN ACCOUNTABILITY PLAN FOR THE CITY MANAGER FOR THE UPCOMING YEAR AND A REVIEW OF MAJOR CHALLENGES FACING THE CITY IN A WORKSHOP SETTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by Mayor Pigatt*

C. RESOLUTION(S):

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FOR A NEW OPA-LOCKA COMMUNITY BUS ROUTE FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION AWARDED TO THE CITY OF OPA-LOCKA FOR UP TO TWO HUNDRED TWENTY-FIVE THOUSAND, ONE HUNDRED TWENTY-ONE DOLLARS (\$225,121.00), WHICH REQUIRES A FUNDING MATCH BY THE CITY OF OPA-LOCKA FOR THE PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE FLORIDA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

17. CITY MANAGER'S REPORT:

18. OFFICIAL BOARD REPORTS:

19. FUTURE AGENDA ITEMS:

20. MAYOR/COMMISSION REPORTS:

21. OFFICIAL BOARD APPOINTMENTS:

Civil Service Board

1 Individual Appointment (Commissioner Taylor)

1 Individual Appointment (Vice Mayor Williams)

Historic Environmental Preservation Board

4 At-Large Appointments

Fair Housing and Nuisance Abatement Board

1 Individual appointment (Commissioner Taylor)

1 Individual appointment (Vice Mayor Williams)

1 Individual appointment (Mayor Pigatt)

Community Relations, Recreation and Activities Board

1 Individual appointment (Commissioner Taylor)

1 Individual appointment (Commissioner Davis)

1 Individual appointment (Vice Mayor Williams)

1 At-large appointment

Planning & Zoning Board

2 At-Large Appointments

22. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

A. City of Opa-locka Workshop, Friday, **January 8, 2021 at 5:30 p.m. to discuss the 2021 State of the City Address. This meeting will be streamed live at <http://www.youtube.com/user/CityofOpalocka>**

B. Feeding South Florida Drive-Thru Food Distribution, Tuesday, **January 12, 2021 at 9:00 a.m. – 11:00 a.m., Sherbondy Park, 215 Perviz Avenue, Opa-locka, Florida.**

C. City of Opa-locka Workshop, Thursday, **January 14, 2021 at 5:30 p.m. to discuss the Operational Audit. This meeting will be streamed live at <http://www.youtube.com/user/CityofOpalocka>**

D. SAVE THE DATE: City of Opa-locka 2021 State of the City Address presented by the Honorable Mayor Matthew A. Pigatt, Friday, **January 29, 2021 at 6:30 p.m.**

For further information, please contact the Office of the City Clerk by telephone at (305) 953-2868 or email at jflores@opalockafl.gov.

APPROVAL OF MINUTES

CITYOF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
VIRTUAL WORKSHOP (COVID-19)
Thursday, May 7, 2020
5:30 P.M.

1. WELCOME/OPENING REMARKS:

Mayor Matthew Pigatt called the virtual meeting to order at 5:30 p.m. on Thursday, May 7, 2020.

Pursuant to Executive Order No. 20-69, issued by the office of the Governor Ron DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5) (b) 2, Florida Statutes.

An opportunity was given to the public to email the City Clerk prior to the Commission Meeting with any questions/comments/concerns on items we will hear on this evening’s Regular Commission Meeting agenda. This meeting is being streamed live at <https://www.youtube.com/user/CityofOpalocka>.

Since this is a virtual meeting as authorized by the Governor of the state of Florida, again, members of the public wishing to address the commission have been offered the opportunity to do so. Public comments will be included as part of the public record for this virtual meeting and will be considered by the City commission prior to any action taken.

2. ROLL CALL:

The members of the City Commission appearing remotely were: Mayor Matthew Pigatt, Vice Mayor Chris Davis, Commissioner Sherelean Bass, and Commissioner Alvin Burke. Also appearing remotely was: City Attorney Burnadette Norris-Weeks, City Manager John E. Pate, and City Clerk Joanna Flores. Commissioner Joseph L. Kelley was not present during this meeting,

3. INVOCATION:

The invocation was delivered by Commissioner Sherelean Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by Commissioner Alvin Burke.

5. PUBLIC INPUT:

(Agenda items only)

City Clerk Flores stated there were no public comments for the meeting and briefly explained how residents can participate virtually.

6. DISCUSSION ITEM:

City's Response to the Coronavirus Disease 2019 (COVID-19)

Mayor Pigatt requested City Manager Pate to start the discussion by providing a report of the City's response to COVID-19.

Manager Pate reported that enforcement has been lowered and businesses have been kept close. Those businesses not in compliance were shut down. He reported that cases are slowly going up and spiking on the day of the meeting. He explained the City didn't foresee the numbers going down anytime soon and it is important to comply with social distancing and other rules and regulations including COVID-19 regulations. A report will be released sometime later on that evening. He provided a short summary regarding giving out masks and how the City currently stands with that equipment to be given out to law enforcement and administrative staff. He reported having issues with law enforcement not answering adequately to calls related to COVID-19. He stated he had exhorted to Chief Dobson the importance of enforcing COVID-19 related issues. He then requested Chief Dobson provide a report.

Chief James Dobson of the Opa-locka Police Department reported that the police department had assisted with numerous amounts of food giveaways; crossing guards were actively assisting with ensuring the parks were vacant; and 4 new officers have been assisting with enforcing curfew, social distancing and masks mandate from 10 pm to 2 am. He said there were a few businesses operating over hours and people not wearing masks, nonetheless, 1 to 2 businesses did not abide by the mandates and they were closed down by the police department. He stated the department received 2100 masks, 1700 gloves and sanitizing liquid from Miami-Dade County Operations Center.

Mayor Pigatt asked Chief Dobson if he believed he had enough personnel to enforce the emergency orders from the County and the City.

Chief Dobson stated "Yes".

Mayor Pigatt was concerned about continuing to enforce the new guidelines. He further asked Chief Dobson how the City was assisting businesses to help enforce the orders.

Chief Dobson said the businesses were offered to contact 305-953-2877 to request assistance.

Mayor Pigatt requested for the number provided to be advertised on social media and any other form of advertisement for the businesses to be supported. He asked Chief Dobson whether the police department has received an uptick on calls related to enforcing the mandates.

Chief Dobson stated that the department had not received calls related to enforcing the masks mandate.

Mayor Pigatt stressed the importance of being helpful to businesses to assist them in enforcing the mandate.

Vice Mayor Davis asked Chief Dobson whether the police department had done any outreach to distribute masks to the residents and educate them.

Chief Dobson said that City Manager Pate had requested a quote for mask; however, the police department had not been given masks to provide to residents.

Airia Austin, Director of Public Works reported that as of May 4 the public works department resumed regular working schedules of 8 hours a day. He asserted the pothole program was going to resume the following day and reported a low number of potholes across the City with 90% of patched filled thus far. He explained pump station number 5 was being lined and it should have been ready by the middle of the current month. He projected having 2 more pumps ready, for a total of three before the rainy season begins in the month of November.

Commissioner Bass commended the report of Mr. Austin and the work done by his department.

Vice Mayor Davis requested that Mr. Austin provide an update regarding the bus benches.

Mr. Austin reported he was waiting for City Attorney Norris-Weeks to review a document to move forward with a vendor.

Mayor Pigatt commended the work of the Public Works Department. He further requested Mr. Austin for an update on pavement projects.

Mr. Austin stated that the projects on 139 Street and 141 Street were completed except for beauty enhancements, for which landscaping was projected to be performed.

Mayor Pigatt requested that the pictures of the completed roads be uploaded to social media.

Commissioner Burke commended Mr. Austin for the work on NW 139 Street and NW 141 Street. He shared his concerns for an issue with the cement trucks using the road.

Mr. Austin advised that efforts had been made to let the drivers of the trucks take an alternate road, and he said signs will be put out for drivers to heed by the requests.

Commissioner Burke shared the concerns for a drain being completely covered.

Mr. Austin explained that was done deliberately by his department in order to prevent illegal dumping of toxic liquids.

Mayor Pigatt requested for an update on the budget.

Budget Director Robert Anathan stated that he provided a memo the day before, regarding expenditures related to COVID-19 of roughly \$131,000.00. He further provided a breakdown of where the expenditures were made: \$110,000.00 for police overtime, \$10,000 for laptop computers for essential employees working from home, \$7,500.00 for police meals, and the remainder in PPE.

Mayor Pigatt said that in the past two months, \$117,000.00 of extra expenses were for the police department alone. He asked if that was a correct statement.

Mr. Anathan stated that it was.

Mayor Pigatt voiced his concern regarding the extra expenses reported and stated they were not sustainable. He requested City Clerk Flores to provide the date the Emergency Order began.

City Clerk Flores she was going to look it up and let him know.

Manager Pate stated it was two months ago.

Mr. Anathan explained the first two weeks after the emergency order caused a great deal of police overtime. He explained the police have scaled down significantly to a more sustainable level and he asserted that those funds were reimbursable through FEMA.

Mayor Pigatt acknowledged Mr. Anathan's statements. He still advocated for seeking public aid to support enforcing the guidelines and writing citations as an alternative.

Commissioner Burke agreed that was a large sum of money.

Vice Mayor Davis stressed the importance of a having detailed report outlining expenditures related to COVID-19.

Mr. Anathan stated that the report had already been made and it will be made available to the Commission.

Mayor Pigatt requested the detailed report expedited. He further emphasized on recommendations for handling COVID-19 related enforcement along with a physical analysis and related projected costs.

Manager Pate explained most of the things mentioned were considered. He advised that Mr. Anathan was currently putting together the information and he will make it available to the Commission as soon as he had reviewed it.

Commissioner Bass requested to know what percentage of the expenses related to COVID-19 were reimbursable to the City.

Mr. Anathan stated that after qualification, FEMA will reimburse 75% and possibly another 12% from the State.

Commissioner Bass stressed the importance of being mindful with the resources of the City.

Mayor Pigatt requested to know who was handling the documentation for FEMA reimbursement purposes.

Manager Pate said that Mr. Anathan was handling the documentation along with his assistant Airia Austin.

Mayor Pigatt said the city could hire external consultants, if needed, in order to avoid missing out on reimbursements for a lack of documentation. He agreed with Commissioner Bass.

Manager Pate reported the City's cases for COVID-19 were rising.

Mayor Pigatt requested that the City Manager provide an update on the positive cases of COVID-19 in the City.

Commissioner Bass stated it was 238 for the day prior and that was the latest information.

Manager Pate continued with his report, he stated that an update on the cases were going to be provided later that day. He stated some businesses were closed for lack of compliance with the COVID-19 guidelines.

Mayor Pigatt moved the meeting to discuss the priorities of the administration and the masks mandate.

Commissioner Bass voiced her support for face coverings mandates across the City.

Vice Mayor Davis asked if the information on COVID cases related to Zip Code 33054 were taken as a whole taking into account that it goes outside of the boundaries of the City of Opa-locka or if the data was correctly appropriated to only represent the number of cases within the city boundaries.

Mr. Anathan explained he has not been able to separate the data.

Mayor Pigatt moved the discussion to the topic of masks. He explained the State and the County were requiring people entering businesses to wear masks. He suggested a law mandating all residents in public to wear masks.

Commissioner Bass advocated for having a law mandating masks to the residents as a manner of precaution before the risks of COVID-19.

Vice Mayor Davis agreed the law was necessary. He voiced concerns in regards to enforcing the law and the cost associated with it to the City.

Mayor Pigatt requested to review the penalties for violating the mask mandate, which were up to \$250 in fines and how it would be enforced.

Manager Pate explained the mandate would cause a change in the code. He expressed that this would be a permanent law on the books.

Mayor Pigatt reiterated the question in regards to the penalties and the cost to the City in enforcing this law.

Manager Pate explained it would cause the need for more police officers and 100% of the penalties of \$250 were going towards the City coffers.

Mayor Pigatt further requested information on how the process will look like prior to citing a resident.

Manager Pate stated it will be a \$250 local citation for violating the order. He suggested a tirade system, with first offense being penalized at \$200, the second at \$250 and the third at \$300.

Vice Mayor Davis expressed his concerns relating to having the ability to retreat or amend the ordinance at a later date.

Manager Pate said that the Commission can always retreat or amend an ordinance. He further explained that the language of the ordinance means it only applies while a worldwide pandemic is in place.

Commissioner Bass requested Manager Pate to clarify what were the consequences for not paying the \$250.00

Manager Pate stated it will most likely be doubled to \$500 and the debt will be sold to collections.

Mayor Pigatt asked whether not paying the fine would prevent a resident from getting a driver's license, city services or anything else?

Manager Pate said it would probably prevent residents from getting a driver's license or any benefits from the City of Opa-locka.

Mayor Pigatt requested that information to be clearly written and established.

Commissioner Burke voiced his concerns for residents who would not be able to afford the \$250 penalty.

Mayor Pigatt shared the concerns of Commissioner Burke and wanted to make sure the Commission and everyone is clear on the consequences of the law and its penalties.

Commissioner Bass suggested that the city enforce the law in a manner in which the residents would think twice before violating it.

Commissioner Burke suggested a more lenient consequence, such as doing community service hours in the City for those who could not afford the penalty. He suggested using the language from a previous ordinance known as the saggy pants law.

Mayor Pigatt requested City Clerk Flores to find the ordinance referenced by Commissioner Burke to consider using the same or similar language as it relates to the fines.

Commissioner Bass said that the city should be holding the residents of the City of Opa-locka to a high standard and to expect them to intentionally abide by the laws.

Vice Mayor Davis acknowledged both sides of the issues. He stated a penalty was needed but not too severe to hinder the residents financially.

Mayor Pigatt asked Chief Dobson to discuss the saggy pants penalties based on his recollections.

Chief Dobson stated he had been working with the City since 2014 and he recalled only two instances of violations that were punished. The penalties imposed were community service hours.

Mayor Pigatt requested a clear report from the administration including: (1) how will residents be penalized, (2) fiscal impact of enforcing the mask law, and (3) how will the City inform the residents. He suggested replacing the signs of the saggy pants law with the masks law as he felt they were strategically placed. He provided an opportunity to the Commission for any final thoughts on the masks law.

Commissioner Burke stated he had great respect for his fellow residents. He stated, however, he understood the struggles of some residents.

Mayor Pigatt requested Manager Pate provide an update regarding the projects of: online engagement strategy, virtual healthy living practices, wellness calls to seniors and a call center.

Manager Pate stated those items were currently in budget review and a report will be made available at a later time. He reported the steps the administration has taken to move forward on the items mentioned.

Mayor Pigatt concluded with emphasizing the importance of letting the residents know the steps the City is taking to better their standard of living and protect them. He requested City Clerk Flores to give an overview of the penalties regarding the saggy pants ordinance.

City Clerk Flores briefly provided the information regarding the saggy pants law and its penalties.

Mayor Pigatt requested City Clerk Flores share the information with the Commission for discussion at the next meeting. He asked if any of his colleagues would be interested in co-sponsoring the item. He suggested amending the item to add the penalty steps used for the saggy pants law.

Commissioner Bass and Vice Mayor Davis both agreed to co-sponsor the item.

Mayor Pigatt requested the Commission review the saggy pants law in order to integrate the language for penalties in the mask mandate. He briefly concluded by thanking everyone for their support and efforts to respond to the needs of the residents.

7. ADJOURN:

There being no further business to come before the City Commission, it was moved by Commissioner Burke, seconded by Vice Mayor Davis to adjourn the meeting at 7:24 p.m.

Matthew A. Pigatt
Mayor

ATTEST:

Joanna Flores
City Clerk

CITYOF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
VIRTUAL AUDIT WORKSHOP
Thursday, May 14, 2020
3:00 P.M.

1. WELCOME/OPENING REMARKS:

Mayor Matthew Pigatt called the Virtual Workshop to order at 3:00 p.m. on Thursday, May 14, 2020.

Pursuant to Executive Order No. 20-69, issued by the office of the Governor Ron DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

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2. ROLL CALL:

The members of the City Commission appearing remotely were: Mayor Matthew Pigatt, Vice Mayor Chris Davis, Commissioner Sherelean Bass, Commissioner Alvin Burke, and Commissioner Joseph L. Kelley. Also appearing remotely were: City Attorney Burnadette Norris-Weeks, City Manager John E. Pate, and City Clerk Joanna Flores.

3. INVOCATION:

The invocation was delivered by Commissioner Sherelean Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was lead by Police Chief Dobson and recited in unison.

5. PUBLIC INPUT:

City Clerk Flores stated the protocols for public participation and virtual meetings.

There were no public comments.

6. PRESENTATION BY ANTHONY BRUNSON, P.A.:

City of Opa-locka Financial Audit for Fiscal Year 2018

Mayor Pigatt requested City Manager Pate to introduce the agenda item.

City Manager Pate stated the purpose of the meeting was to review the audit findings and to respond to any questions the commission may have. He introduced Mr. Anthony Brunson.

Anthony Brunson of Anthony Brunson, P.A. shared his screen to provide an overview of the City of Opa-locka Financial Audit Report for Fiscal Year ending 2018. He stated that the audit report was submitted to the City and its staff. The scope of the audit was to be sure the financial statements were fairly stated and free from any material error or fraud as a result of his work. The audit shows all of the financial disclosures were consistent with what is required in the industry. He strongly suggested the City perform a physical inventory of its assets. He explained there was an attachment with the audit adjustments, and it showed there were about 150 audit adjustments, which is a significant amount.

He went on to share the internal control comments in the report, which were compared to 2017's financial audit. He stated there was no concern of fraud being committed and recommended updating the financial policy manual. To avoid fraud, he suggested getting third party approval of any journal entry prior to having a City financial clerk entering records.

Gerri Lazarre, Financial Consultant for the city explained that the major reason for the change in revenues of the City in the years 2017 and 2018 had to do with the fact that funds were withheld by the State due to a freeze from not having audits on time.

7. DISCUSSION / QUESTION & ANSWERS:

Vice Mayor Davis inquired as to whether this was a qualified audit.

Mr. Brunson stated the opinion was that it is qualified due to the physical assets. There has not been a physical inventory of the assets done in a few years and in order to lift the qualification, a physical inventory of the assets must be performed.

Commissioner Burke also recognized the importance of physical assets inventory.

Commissioner Bass shared her gratitude towards the job performed so far, and encouraged the team to continue to move forward.

Mayor Pigatt shared the concerns and gratitude of the commissioners. He acknowledged the advice from the financial firm that having a finance department is important for the City to be effective in managing its finances. He emphasized the difficulty of the circumstances in the City in regards to the financial crisis it is overcoming and he embraced the recommendations of Mr. Brunson and his team to be implemented in the finance department in the coming years.

City Manager Pate commended the finance firm for the work performed. He acknowledged the recommendations provided by Mr. Brunson. He further stated that an independent impartial physical inventory audit will be performed in the near future.

8. ADJOURN:

There being no further business to come before the City Commission, it was moved by Vice Mayor Davis, seconded by Commissioner Burke to adjourn the meeting at 3:56 p.m.

Matthew A. Pigatt
Mayor

ATTEST:

Joanna Flores
City Clerk

CITYOF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES

VIRTUAL WORKSHOP (COVID-19)

Thursday, May 14, 2020

5:30 P.M.

1. WELCOME/OPENING REMARKS:

Mayor Matthew Pigatt called the Virtual Workshop Meeting to order at 5:30 p.m. on Thursday, May 14, 2020.

Pursuant to Executive Order No. 20-69, issued by the office of the Governor Ron DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

An opportunity was given to the public to email the City Clerk prior to the Commission Meeting with any questions/comments/concerns on items we will hear on this evening’s Regular Commission Meeting agenda. This meeting is being streamed live at <https://www.youtube.com/user/CityofOpalocka>.

Since this is a virtual meeting as authorized by the Governor of the state of Florida, again, members of the public wishing to address the commission have been offered the opportunity to do so. Public comments will be included as part of the public record for this virtual meeting and will be considered by the City commission prior to any action taken.

2. ROLL CALL:

The members of the City Commission appearing remotely were: Mayor Matthew Pigatt, Vice Mayor Chris Davis, Commissioner Sherelean Bass, Commissioner Alvin Burke, and Commissioner Joseph L. Kelley. Also appearing remotely were: City Attorney Burnadette Norris-Weeks, City Manager John E. Pate, and City Clerk Joanna Flores.

3. INVOCATION:

The invocation was delivered by Commissioner Joseph L. Kelley.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC INPUT:

City Clerk Flores stated the protocols for public participation at virtual meetings.

There were no public comments.

6. DISCUSSION ITEM:

City's Response to the Coronavirus Disease 2019 (COVID-19)

Mayor Pigatt introduced the discussion by first requesting an update on the testing, mask ordinance details, reopening plan, and opened discussions for any other concerns.

City Manager Pate explained that the City of Opa-locka's testing was delayed until the end of the weekend due to inclement weather. The testing will be a soft opening for Commissioners, staff and public safety personnel. A press conference was scheduled for 10:30 a.m. on Monday with stakeholders from the State of Florida, Florida National Guard, County Commissioners, and local representatives. He stated that after Sunday, anybody can take the test, whether they have symptoms or not, with a capacity of 120 persons for appointments and 80 for walk-ins. He explained that the Public Relations Firm had been working very closely with him on that day in ensuring that the City puts the word out to the residents and various other stakeholders about testing. He further explained all of the different institutions and staff involved in testing all paid for by the County.

Mayor Pigatt stressed the importance of the testing site and the impact it will have on the City. He showed his gratitude towards the County and the officials involved in making the testing site a reality.

City Manager Pate said that he will be at the testing site on Sunday and welcomed the Commission to join him.

Mayor Pigatt proceeded to discuss the mask ordinance. He reviewed the details in the ordinance in regards to the masks and asked Commissioner Kelley if he wanted to elaborate on a previous comment he had made in a previous meeting.

Commissioner Kelley stated his concern related to addressing multi-unit complexes and whether specific language referring to enforcement for those units was permitted.

City Attorney Norris-Weeks stated that language could only be added during a meeting after discussion as an amendment must be agreed upon by the Commission.

Commissioner Kelley stood firm on adding the language in regards to large complex units.

Mayor Pigatt asked City Attorney Norris-Weeks whether the ordinance would apply to private property and if not, what could be done to include it. He explained the ordinance currently includes public spaces only.

City Attorney Norris-Weeks stated that only public areas of the complex are included.

City Manager Pate suggested financial fines to the owners of the complexes to ensure they are enforcing the mask rule.

Commissioner Kelley agreed that the owners of the large complexes need to be held accountable.

Mayor Pigatt cautioned against it as the ordinance may receive strong pushback for punishing others for the lack of compliance of some.

City Manager Pate suggested the complex owner should take action against the resident, such as evicting the residents who are violating the law.

City Attorney Norris-Weeks explained that it was not that simple, and lawsuits could easily follow. She requested more guidance as to what type of large complexes should be included in such language, as in more than 25 units for example, so that she could draft the language in a manner in which it would avoid problems.

Commissioner Kelley acknowledged it was difficult task, but he stressed the issue with large complexes and their lack of compliance/enforcement in the past. He further requested the help of City Attorney Norris-Weeks to see if there was adequate language to help enforce it within those buildings.

Commissioner Bass voiced her concern for adding the proposed language without first having open discussions with the owners of the properties in question and what can they do to help enforce the mask mandate.

Vice Mayor Davis agreed with Commissioner Bass and recommended open discussions with the owners of the large complexes.

Commissioner Kelley acknowledged his colleagues recommendations and stressed the importance of meeting with property owners or designees who can make decisions.

Mayor Pigatt cautioned against adding the specific language or punishing property owners. He explained the law can stand as it is and be enforced. He further opened the discussion regarding the age requirement for those who need to wear the mask.

Commissioner Burke commented on the discussion regarding large complexes and stated that at the very least the City should reach out to the owners.

Mayor Pigatt agreed that reaching out to the owners would be necessary. He further asked about the age.

Commissioner Bass, Vice Mayor Davis and Commissioner Kelley all agreed on the age for wearing a mask to be revised from 2 years old to 5 years old.

Mayor Pigatt agreed that the language should be amended to children over 5 years old.

Commissioner Kelley requested the language in section 5, where it says “all violations should be charged by the police department” should also say Code Enforcement.

City Attorney Norris-Weeks stated the language could be changed to include Code Enforcement in being able to cite any violator.

Commissioner Kelley suggested adding to the ordinance a time frame to revisit the law.

Mayor Pigatt stated that the ordinance states it only applies during a pandemic caused by person to person transmission.

City Attorney Norris-Weeks agreed it covers such circumstance only, and it can still be reviewed in 6 months or any other time the commission requires it.

Mayor Pigatt provided an opportunity to the commission to voice any other concerns related to the mask ordinance, for which there was none. He then began the discussion related to a re-opening plan. One of the indicators to start a re-opening was a lower trend of cases and death. He stated that currently the County was in an upper trend. He requested City Manager Pate to share what is his plan to re-open the City. He suggested developing a new normal guideline.

City Manager Pate explained he had performed a basic research on the re-opening plans in the State, and thus far he has not seen language that would allow cities to be more restrictive. He explained that thus far, the City will have to abide by the County’s order.

City Attorney Norris-Weeks briefly reviewed the Emergency Order of the County, and stated she will summarize it and send it to the Commission at a later time. She explained it was a detailed plan known as the New Normal Guide made by Miami-Dade County.

Mayor Pigatt advised that the New Normal Guide has great recommendations for the City's businesses.

Commissioner Bass shared her concerns for what the City's true numbers actually are as it relates to COVID-19, and that is why she does not feel the City is ready to be re-opened. She further requested to know what percentage of the City's businesses was closed at the time.

City Manager Pate stated the majority of businesses were closed due to not meeting the characteristics of essential businesses.

Commissioner Kelley requested for clarification as to whether the City will have or not have any flexibility in the re-opening plan.

City Attorney Norris-Weeks explained that those questions were being discussed at the time, but she recommended working in tandem with the County due to the restrictions of the City. She suggested the commission wait a few days while the discussions progress in regards to each city having particular restrictions.

Commissioner Kelley requested clarification to know whether the City will do just as the County has ordered starting on Monday.

City Attorney Norris-Weeks explained that the County is working on it and the New Normal Guidelines are fairly new and are being discussed.

Commissioner Kelley shared his concerns with certain businesses being able to open.

City Manager Pate explained that he will advocate for not beginning to re-open certain businesses until more information is available.

Mayor Pigatt said he reviewed the document and he does not see anything that would be a problem. He explained that the document provided ways for businesses to be able to open with strict procedures that will respect social distancing and high standards of hygiene. However, he shared his concerns for the enforcement of those guidelines. He further suggested the new guidelines will be an expansion to the Code Enforcement department. He requested City Manager Pate to identify the changes in the structure of the government that will be needed in order to adapt to the new situation.

Commissioner Kelley asked City Attorney Norris-Weeks if City Manager Pate would be allowed to do the Emergency Orders separately.

City Attorney Norris-Weeks stated the same process previously used applies, in which an emergency meeting would be called and the order can be made then. She further reminded the Commission that the guidelines are usually followed by an order, but that an order is not in place yet. She stated that based on previous conversations with her colleagues, the cities will have flexibility to create their own orders. She suggested the Commission to give City Manager Pate their input so that he could make the decision with the consideration of the Commissioners.

Commissioner Kelley stressed that the City is not ready to open on Monday with the terms the County is suggesting that cities re-open. He shared his concern for the challenge to enforce the guidelines.

Mayor Pigatt requested that City Manager Pate have an analysis performed before moving to re-open the City.

City Manager Pate explained many things are a variable and it would take him at least one week to have a document prepared with the information. He requested more staff for the Code Enforcement Department.

Mayor Pigatt acknowledged the challenge the City will have to enforce the guidelines and that it will require more personnel. He requested City Manager Pate perform an assessment and let the commission know what the City will require in order to adapt to the new normal guidelines.

Commissioner Bass stressed her concerns due to the lack of information of the number of cases and she was not comfortable in re-opening without the information.

Vice Mayor Davis agreed with Commissioner Bass.

Mayor Pigatt asked City Manager Pate to find out the information regarding the number of cases in the City of Opa-locka and the current process used to record the data for the residents.

City Manager Pate acknowledged the importance of the information and stated that he will work closely with the testing sites in order to get the information requested.

Mayor Pigatt moved the discussion towards Code Enforcement and requested City Manager Pate to do an introduction on the matter.

City Manager Pate shared with the Commission the overall challenges of the City and requested Chief Dobson to provide specific information regarding a recent event in the City.

Chief Dobson reported to the Commission about an incident with a large number of people who were gathering in two areas of the City. He said that it came to his knowledge that there were officers and a supervisor not enforcing the guidelines. The officers involved were disciplined and a Zero Tolerance policy was put in place within the police department in regards to loitering, social distancing and the curfew.

Vice Mayor Davis asked Chief Dobson to provide clarification in the manner in which the curfew is being enforced in large complexes, specifically dealing with residents whom are merely standing outside of their apartments and if that was not allowed.

Mayor Pigatt echoed the concerns of Vice Mayor Davis.

Chief Dobson explained that it was allowed for residents to stand in the corridors of their apartments; however, they must abide by social distancing.

Commissioner Bass voiced her confusion caused by the statements between City Manager Pate and Chief Dobson in which it was not clear whether corridors in apartment complexes are private or public space.

Chief Dobson clarified that it is public space. He further explained that after conversations with the State Attorney and Miami Public Defender's office, he was directed to not enforce the curfew in large complexes due to complications in the jails. He was instructed to educate residents to abide by social distancing.

Commissioner Bass requested Chief Dobson and City Manager Pate to decide which route the City is going to abide by so that the residents could be properly educated and informed.

City Manager Pate explained that his order determined that those individuals violating the curfew can and should be cited or arrested.

Mayor Pigatt asked City Attorney Norris-Weeks if it was possible to amend the ordinance to prevent people from going to jail.

City Attorney Norris-Weeks explained that the City could pursue the avenue incorporated in the ordinance which is to cite the offender with a notice to appear. She further explained that it could not be amended because the County provided the ordinance. She further emphasized in being

discretionary in order to avoid arrests as no other cities have reported arrests from violation of curfews.

Commissioner Kelley suggested Chief Dobson to abide by the order provided by City Manager Pate. He emphasized the challenge of a large number of residents not abiding by the curfew and he requested Chief Dobson to enforce it as needed. He recommended the Commission to either enforce the curfew, or remove it from the ordinance and hope educating people will make it better. He requested Chief Dobson to report how many times does the police get notified for large groups congregating.

Chief Dobson replied that it was about 3 times a day for the past 2 months.

City Manager Pate said he stands with enforcing the order. He suggested the Commission to remove the language of the curfew from the ordinance if that was appropriate and desired.

Mayor Pigatt requested that Chief Dobson provide the Commission with the number of arrests made and how many notices to appear had been given.

Chief Dobson said he would have that information ready by the following day.

Mayor Pigatt advocated for removing the language because it criminalized the residents. He explained that being arrested has long lasting repercussions for residents. The City can enforce but it may not arrest the residents for the reason discussed, including the curfew and restriction on large gatherings.

Commissioner Kelley agreed with enforcing it as described by Mayor Pigatt. He stressed his concerns for the violations of large gatherings.

City Manager Pate stressed the importance for the Commission to make a firm decision and repeal the ordinance or continue to enforce it the way it was, because that is how it was signed at that moment.

Vice Mayor Davis shared that there are other cities with the same law at the time, but he expressed the level of enforcement should be lowered or discretionary. He believed the intent of the law was not executed well.

City Attorney Norris-Week shared information regarding an injunction entered in Metrowest for individuals to abide by social distancing guidelines. She further stated that at the time of the meeting, the City of Opa-locka was the only city arresting residents for violating the curfew.

City Manager Pate explained how the Police Department had exercised discretion when dealing with COVID-19 violations including the curfew and provided a concrete example.

Chief Dobson concurred with City Manager Pate's comments regarding the exercise of discretion performed by the police department.

Mayor Pigatt said he would like to have the numbers previously requested and acknowledged the importance of keeping the curfew to limit the spread of the virus. He strongly encouraged the administration to not put residents in jail during that time. He stated that once he had the numbers he requested regarding the arrests made and notices to appear given to residents, he will be calling a Special Commission Meeting. He provided his wishes for the administration to apply best practices and discretion in a similar way as other cities were.

Commissioner Kelley asked City Attorney Norris-Weeks to provide the commission with a list of other cities that still had the curfew in place and what changes have they made, if any. He further asked her whether the curfew will be in effect starting on Monday when Phase I begins.

City Attorney Norris-Weeks shared information to a website which provided the information of each city in regards to the curfew. She further explained that the County's curfew order was tied to the Governor's Executive Order.

City Manager Pate expressed his opposition to repealing the curfew order in place and he believed it would not be favorable for the government. He was committed to provide the data Mayor Pigatt requested.

Mayor Pigatt said he was not suggesting repealing the law. He explained it was about the fact that more people were being put at risk of contracting the virus.

City Manager Pate requested Chief Dobson to appropriate data relevant to curfew hours comparing the following two variables: (1) how many people were contacted for violating curfew, and (2) how many people were arrested for violating curfew.

Chief Dobson said he will also add the notices to appear given to residents to the data requested.

Commissioner Kelley asked City Manager Pate whether he had information relating to the relocation of the Food Drive.

City Manager Pate said he was waiting for a response from Feeding South Florida to process the change of address made, which should not be an issue.

7. ADJOURN:

There being no further business to come before the City Commission, it was moved by Vice Mayor Davis, seconded by Commissioner Burke to adjourn the meeting at 8:08 p.m.

Matthew A. Pigatt
Mayor

ATTEST:

Joanna Flores
City Clerk

CITY OF OPA-LOCKA

SPECIAL COMMISSION MEETING MINUTES

**Thursday, November 12, 2020
5:30 PM**

1. CALL TO ORDER:

Mayor Matthew A. Pigatt called the Special Commission Meeting to order at 5:30 p.m. on Thursday, November 12, 2020 in the Auditorium at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Alvin Burke, Vice Mayor Chris Davis and Mayor Matthew A. Pigatt. Also in attendance were: City Manager John E. Pate, City Attorney Burnadette Norris-Weeks and City Clerk Joanna Flores. Commissioner Joseph L. Kelley was not in attendance.

3. INVOCATION:

The Invocation was delivered by Commissioner Sherelean Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC INPUT:

Clerk Flores announced the protocols for public participation at commission meetings.

She further advised that there were no public comments submitted in advance of the meeting.

6. RESOLUTION:

A) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DECLARING EMERGENCY REGULATIONS RELATED TO CERTAIN PUBLIC MEETINGS DURING THE COVID-19 STATE OF EMERGENCY; AUTHORIZING THE CITY MANAGER TO ARRANGE FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND ADVISORY BOARD ATTENDANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. *Sponsored by City Attorney*

The above resolution was ready by City Attorney Norris-Weeks.

It was moved by Vice Mayor Davis, seconded by Commissioner Bass to pass the resolution.

City Attorney Norris-Weeks explained that this agenda item is being brought because the Governor's Executive Order which pertained to being able to hold meetings by virtual technology has expired and as a result, the Commission is now in a position like so many other cities to continue to do this in the areas it can which would be advisory board meetings. Also, with respect to public participation she believes that legally the commission is within its grounds to be able to do that. The City Attorney's Office has drafted this resolution to be tailored in a way that will support the law. She advised that there is a Florida Attorney General's opinion which suggests that commissioners have to meet in public and in person with at least the majority of the commission attending. When a majority is not there, basically under the old Attorney General's ruling that goes way back, a valid purpose is necessary for not attending; it may be a sickness or something that is extraordinary in nature and that's what the municipalities have been abiding by for many years. Now with the Governor's order expiring, there are certain home rule powers that cities have to be able to operate the way that will allow for public participation and we believe a pandemic of this nature would fall under those emergency provisions that would allow for health, safety, and welfare of citizens. This would allow for those persons to participate the same way they have been through media communication/technology such as teleconferencing or videoconferencing or some other manner. In addition to that, we believe that because the Commission is the last resort in terms of hearing all items that advisory boards would fall under that extraordinary type of an exclusion that would allow for those advisory boards, staff and so forth to be able to appear virtually.

She reiterated that this has been crafted so that as a commission they would have to appear in person because that is the law. She said that some cities are interpreting this to also extend to Commission so this resolution is being done in a way so that if they find out that 50 – 60% of the cities are meeting virtually, then this would allow for the Commission to easily change this and be able to then go back and meet virtually.

Mayor Pigatt thanked the City Attorney for drafting this legislation to protect the Commission, residents and public. He said he is hoping the Governor will provide some leeway to municipalities especially considering the situation of elder statesmen and women in this community that still have to do their public duty and serve, but still want to be safe during this time. This is the highest rates of COVID throughout the nation and it's getting worse in the State of Florida and to be operating as if that is not the case, it's just not right.

There being no further discussion, the motion passed by a 4-0 vote.

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Absent
Commissioner Bass	Yes
Mayor Pigatt	Yes

7. FIRST READING ORDINANCES / PUBLIC HEARINGS:

A) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT “A”; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above ordinance was read by City Attorney Norris Weeks.

Mayor Pigatt opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

It was moved by Commissioner Burke, seconded by Vice Mayor Davis to pass the ordinance on first reading.

Robert Anathan, Budget Administrator for the City of Opa-locka came forward at the request of the City Manager and stated that at the end of the fiscal year which ended September 30, 2020, the city has sixty days to make any final budget amendments for the fiscal year. He further provided an overview/breakdown of the budget amendments which were included as a part of the agenda packet provided to the Commission.

There being no discussion, the motion passed by a 4-0 vote.

Commissioner Kelley	Absent
Vice Mayor Davis	Yes
Commissioner Bass	Yes
Commissioner Burke	Yes
Mayor Pigatt	Yes

B) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT “A”; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND

REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above ordinance was ready by City Attorney Norris Weeks.

Mayor Pigatt opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

It was moved by Commissioner Bass, seconded by Vice Mayor Davis to pass the ordinance on first reading.

Robert Anathan, Budget Administrator for the City of Opa-locka came forward at the request of the City Manager to introduce the above item. He informed the Commission that the primary purpose for this budget amendment is to fund a couple of projects intended for last fiscal year but for whatever reason were not funded. He provided the breakdown of the budget amendments, a copy of which was included as a part of the agenda packet provided to the Commission.

Vice Mayor Davis asked for clarification as it related to the Red Light Camera and Cares Act Funding for the community program?

Mr. Anathan stated that that addresses moving forward and not past due red light camera fees. He said that the receipts that come in are composed in two parts: one is the portion due to the city and the other is the state portion of it and for every dollar that comes in, there is an expenditure going out to the state. The city is proposing removing receipts that the city has been calling revenue, removing the payouts to the state, again for current year, so it's dollar for dollar with no impact on the bottom line.

In terms of the Cares Act, Mr. Anathan said that he was told by the interim Finance Director that the administrative fee was going to be a much larger number but the key thing to keep in mind is that it will be 100% reimbursable.

City Manager Pate explained that the city is expanding the program so the administrative fee budgeted was \$50,000, however, as of today's meeting that will go up to \$150,000. The city is doing rental and mortgage assistance as well as a grocery program to cut through the money in an expedient fashion.

He further provided details on the city's Cares Act rental/mortgage assistance and grocery gift card programs.

Vice Mayor Davis requested that the city work with apartment complexes throughout the city to make sure the information is getting out.

City Manager Pate said that the City Manager's Office is working with Finance and Community Development to coordinate the program and he is sure that there won't be a problem in making those communications.

Mayor Pigatt gave kudos to Vice Mayor Davis for securing the \$2.1 Million Dollars for the community. Since the start of COVID-19, Vice Mayor Davis has pushed for the rental

assistance program and when the money came down he was able to work with the City Manager to submit that application to make sure it was successful. He further thanked the City Manager and staff for coordinating the program and making sure the Opa-locka community receive the assistance that they desperately need during this time.

Mayor Pigatt suggested that the city hand out flyers at schools, apartment complexes, stores, etc. to get the word out on the Cares Act assistance programs.

Manager Pate assured the Commission that the Public Relations firm is working on a marketing plan.

As it relates to the budget amendment on the Red Light Camera, Mayor Pigatt said he was extremely happy to see that modification because basically this indicates that the city will not hold on to any state funds which they have in the past which lead to being in debt.

There being no further discussion, the motion passed by a 4-0 vote.

Commissioner Bass	Yes
Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Absent
Mayor Pigatt	Yes

8. DISCUSSION ITEMS:

A) City of Opa-locka FY 2018-2019 Annual Financial Audit Report

Mayor Pigatt explained that he asked that this item be placed on the agenda for discussion due to the recent letter notification from the Joint Legislative Auditing Committee (JLAC) informing the city that they are at risk of being delinquent on the audits and that the city needed to submit a timeline by December 7, 2020. Due to the importance of this item, he wanted the Commission to discuss this due to the city's current financial status.

He said he would like the Commission to get updates from the City Manager and his staff as it relates to the status of submitting the outstanding audit so that everyone is very clear and to ensure the city does not lose any funding for this upcoming year. He requested that the City Manager provide an update on the status of the audit, provide details on the letter received from JLAC and how the city plans to address this matter.

City Manager Pate thanked the Mayor for placing this item on the agenda and explained that he does provide updates as best as he possibly can to the Commission in regards to the audit. He explained that the correspondence received from JLAC is a standard correspondence that is sent to all cities once a date passes and their audits are not submitted based on State Statute. The city has been in detailed discussions with the JLAC coordinator as well as the Governor's designee in regards to the city's financial recovery plan and status relating to submitting the audits. Based on the

conversation that staff has had with JLAC, JLAC has agreed to an extension of March 15, 2021 to submit this current audit. This is based on a work plan that was introduced and submitted to himself and shared with the JLAC coordinator. As everybody is aware, JLAC committee appointments have not been fully made and JLAC is actually not scheduled to meet until January or February timeframe. JLAC staff as always wants to ensure that the cities have their appropriate responses submitted before the committee meets so that they can provide a status update. Typically, the JLAC Committee does accept all staff recommendations that are made through their coordinators. In saying that, he thinks the city is in excellent position compared to the past, as far as preparation for the audit, back reconciliations being done and actual preparatory work. The only issue that he sees is with the asset audit, which he received communication today in regards to doing an emergency expenditure to bring on a firm to do the city's asset inventory. He said he had not reviewed it, but he will be making a decision by midweek next week of what firm the city will go with and to make sure the information is appropriately provided to the Commission so that they are aware. The asset inventory is considered a part of the city's financial emergency so the emergency expenditure will most likely be authorized and approved. The asset inventory management is the final piece to having a fully clean audit and he believes that is the goal of the Commission, to not have audits that are not fully in compliance.

He further stated that one thing that the Governor's designee did share with the city was that regardless of the status of this upcoming audit, the state would like to see 3 – 5 clean audits prior to releasing the city from a financial emergency. So in saying that and making that clarification, because we get this audit done by March 15, the city is still 3 – 5 years out from being removed from financial emergency. Getting the asset audit done may get the city out of financial emergency one year earlier because we would have a clean audit a year earlier and that's what the city is striving for.

Gerri Lazarre, Financial Consultant for the City of Opa-locka came forward and stated that the City Manager provided in depth discussion about the discussions the city had with JLAC in regards to the letter. The letter basically stated that the city had until December 7, 2020 to submit its audit and if it cannot be done by December 7, to please provide some type of timeline. The city thought it was best to communicate with JLAC staff to get an idea and to provide them with some view points as to why the city could not meet the December 7, 2020 deadline because they realized that was impossible for the city at its current state. The city communicated with them that by the time the city could finalized the books and records to get them in a state to be prepared to be audited, to select a new audit firm and go through the audit that the December 7 timeline would be too aggressive and instead they discussed a more realistic timeline. It was decided that the city would get the audit done by February 26, 2021 and that will provide an additional 15 days to have a workshop, take it to resolution and have time to submit it to the state which would then push it to about March 15. JLAC was in agreement and they stated that they were really just wanting the city to communicate its position and to make sure that if they cannot meet that deadline or if anything happens in between that the city is constantly communicating. JLAC also shared that it would be important for the city to communicate to them the progress of the city since the last JLAC meeting. Last year in October, the city flew up to Tallahassee and gave a report of the status of

where the city was and they said it would be to the city's advantage to submit some type of progress letter that kind of stated what the city has done over the last year in terms of completing the 2018 audit, perhaps mentioning the completion of the five year recovery plan, and two successful years of going through budgets that was actually completed ahead of time. This would be an opportunity for the city to share its progress and this should probably be done on a routine basis.

Ms. Lazarre shared that the city has had two clean audits, it's just two clean audits with a modification which is the audit inventory of assets.

City Manager Pate said it is prudent and he will be making a formal request to meet before JLAC at their next regularly meeting. It is very important that the city preemptively do a presentation and preemptively go up there instead of being summoned to Tallahassee. He said that the city is making positive progress as it relates to the audits and financial emergency status.

B) Orientation for Newly Elected Officials

Mayor Pigatt stated that it has been a passion of his to make sure that those who serve on this dais have the best education possible. He said he wanted to take some time to make sure the Commission talks about what they would want to see in the orientation and hear the plan from the City Manager, City Attorney and City Clerk to make sure the newly elected officials are prepared for the job as soon as they are sworn in.

City Manager Pate stated that as a City Manager one of the biggest luxuries he has is always talking to the Commission and being accountable to the Commission. One of his key roles is to run the day to day operations of the city, the City Manager roles is to train the newly elected officials. This is the City Manager's role to make sure the newly elected officials are briefed and know the operational status of the city. He said he appreciates the Mayor bringing this agenda item forward, the thought process first is to do a generalized update from the City Manager's Office and then schedule workshops in December depending on Commission availability. Following the orientation sessions, he would like to go into strategic planning mode, preferably after the briefings from the City Manager's office have concluded.

He continued by saying that his biggest emphases as everybody is aware on the dais is the form of government which is a Council-Manager form of government. The City Manager runs the day-to-day operations of the city and the Commission provides the City Manager with day-to-day insight in regards to the direction they want to see staff and the city go. The City Manager's Office then implements those plans appropriately as long as they are legal and proper.

Mayor Pigatt said that since the swearing in ceremony is November 19, 2020 and the first meeting after is December 9, 2020, he is hoping that those series of meetings can take place between those dates which is almost a three week timeframe.

He stated that this orientation is important because one of the things that's coming up is the State of the City Address where he has to report to the people what the city has

done over the past year and what are the goals for the upcoming year. He wants to make sure that at the State of the City Address they are very clear and the people understand the reports from the departments. These workshops not only would give these newly elected officials an understanding of what has been done for each department and what goals have been achieved over the past year, it lets the public know those things in detail. Following that orientation and proposed legislation making this an annual requirement to where they review the accomplishments as a city and plan out the goals for the upcoming year.

He further said that he is excited about the newly elected officials coming on board to bring a new vision to the city.

9. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Bass, seconded by Vice Mayor Davis to adjourn the meeting at 7:05 p.m.

Matthew A. Pigatt
Mayor

ATTEST:

Joanna Flores
City Clerk

CITY OF OPA-LOCKA
“The Great City”

AGENDA
RESCHEDULED REGULAR COMMISSION MEETING
November 19, 2020
7:00 P.M.

1. CALL TO ORDER:

Mayor Matthew A. Pigatt called the Regular Commission Meeting (Rescheduled) to order at 7:00 p.m. on Thursday, November 19, 2020, in the Auditorium at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Alvin Burke, Vice Mayor Chris Davis, and Mayor Matthew A. Pigatt. Also in attendance were: Assistant City Manager George Ellis, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Candace Cobbs and City Clerk Joanna Flores. City Manager John Pate appeared remotely and Commissioner Joseph L. Kelley arrived at 7:06 p.m.

3. INVOCATION:

The Invocation was delivered by Commissioner Sherelean Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

There were none.

6. APPROVAL OF CONSENT AGENDA AND PULL LIST (deferrals and deletions):

Commissioner Burke pulled agenda item 13-2 (Pulled items would be discussed separately under agenda item 12 – Action Items).

It was moved by Commissioner Burke, seconded by Vice Mayor Davis to approve the Consent Agenda.

The Consent Agenda passed by a 4-0 vote.

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Bass	Yes

Commissioner Kelley	Absent
Mayor Pigatt	Yes

7. APPROVAL OF AGENDA:

Clerk Flores advised of the request to amend the agenda to include the following under agenda item 14-1 New Items:

14-1: AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 13 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS", ARTICLE XIV ENTITLED "LANDLORD PERMIT", SPECIFICALLY AMENDING SECTION, 13-274(3) TO REQUIRE THAT ALL APARTMENT BUILDINGS WITH FORTY (40) UNITS OR MORE TO BE REQUIRED TO HAVE ONSITE 24-HOUR ARMED OFF-DUTY POLICE OFFICER SECURITY; AMENDING SECTION 13-278(5)(b) TO REQUIRE PERMIT APPLICANTS WITH FORTY (40) OR MORE APARTMENT UNITS TO COMPLETE A SEPARATE FORM TO BE CREATED BY CITY CONTAINING AN ACKNOWLEDGMENT THAT A DAILY LOG WILL BE KEPT CONTAINING THE NAME OF THE ON-SITE ARMED OFF-DUTY POLICE OFFICER BEFORE A PERMIT SHALL ISSUE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

Manager Pate advised that as the Commission is aware of the rampant amount of crime that has occurred in apartment complexes. This add-on was to be on the agenda, however, it was overlooked. Based on the recent shootings in the city, this is an emergency circumstance and is in the best interest of the city.

Mayor Pigatt asked the City Attorney if an emergency ordinance can be included on the agenda as an add-on item.

Attorney Cobbs replied, yes it can. The ordinance has already been read into the record prior and this would be the second reading, there was a clerical oversight so it should be fine.

It was moved by Commissioner Kelley, seconded by Vice Mayor Davis to amend the agenda to include item 14-1.

There being no discussion, the motion passed by a 5-0 vote.

Commissioner Kelley	Yes
Commissioner Bass	Yes
Commissioner Burke	Yes
Vice Mayor Davis	Yes
Mayor Pigatt	Yes

It was moved by Commissioner Bass, seconded by Commissioner Burke to approve the agenda.

There being no discussion, the motion passed by a 5-0 vote.

Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Commissioner Burke	Yes
Mayor Pigatt	Yes

8. APPROVAL OF MINUTES:

Virtual Regular Commission Meeting Minutes – October 28, 2020

It was moved by Commissioner Bass, seconded by Vice Mayor Davis to approve the minutes of the Virtual Regular Commission Meeting on October 28, 2020.

There being no discussion, the motion passed by a 5-0 vote.

Commissioner Bass	Yes
Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Mayor Pigatt	Yes

9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

There were none.

10. PUBLIC PRESENTATIONS:

1. Florida Department of Transportation (FDOT) ref: Operation S.T.R.I.D.E (Statewide Traffic and Railroad Initiative using Dynamic Envelopes)

Paula Baez, Consultant for the Florida Department of Transportation, District Six, appeared virtually via zoom and reported on the initiative Operation S.T.R.I.D.E. – Statewide Traffic and Railroad Initiative using Dynamic Envelopes. The presentation included information about implementation and tips for safety behavior around railroad tracks.

Commissioner Kelley asked, what is the time frame on what is being proposed?

Ms. Baez said that the implementation of all construction is to be completed by March 2022, but they are working quickly and are confident that it will be much sooner.

Commissioner Kelley said that one of the challenges in the past with railroad crossings when improvements are scheduled is the lack of advance notification to the community. He assumed that the notification was a part of the logistical layout.

Ms. Baez said they did coordination beforehand with the city's Public Works Department as well as coordinated with the County in getting approval because the pavement markers in the future will be maintained by the County.

Commissioner Kelley stated that although there has been contact with the County, in the past, it has been lost in translation getting to the city so the city can let the residents know. He further thanked Ms. Baez for the presentation.

Mayor Pigatt thanked Ms. Baez for bringing this project to the city's attention and to the public. He said that there are some railroad crossings in Opa-locka that are in need of attention. He asked, what is the time frame for getting the railroad crossings in Opa-locka fixed?

Ms. Baez said that the dynamic envelopes were already implemented on all the crossings in Opa-locka that are owned by the State. She said she represents the Florida Department of Transportation and they are only doing these improvements on State owned facilities which are the crossings on South Florida Corridor and crossings on the State roads. She advised that they have completed everything that they were going to do in Opa-locka.

Mayor Pigatt asked for clarification as to whether Ms. Baez is saying that the work has already been completed in Opa-locka.

Ms. Baez replied, yes, the payment markings.

Mayor Pigatt informed Ms. Baez of the railroad crossing on Opa-locka Boulevard and Ali-baba Avenue which is pretty rough getting through. The city sent a request to get that paved and done and he would hope with this process that can be completed swiftly.

Ms. Baez advised that Mayor Pigatt is speaking about railroad crossing reconstruction and this project of which she is speaking on does not include any railroad crossing reconstruction. She said she can exchange contact information and the Department can get back with the Mayor once they review the agreements for Opa-locka. She said when they previously contacted the city's Public Works Office, the city mentioned that the crossings needed reconstruction. However, in reviewing the agreement from when that crossing was installed, the surface reconstruction is the responsibility of the City of Opa-locka and the signalization maintenance would be the responsibility of the County because this is off system roadway and it is not a part of the state road system.

Mayor Pigatt thanked Ms. Baez for the information and extended an open invitation to FDOT to come back to the City of Opa-locka with future updates.

11. CITIZENS' FORUM:
(Opportunity for discussion of any concerns – please limit to 3 minutes)

Clerk Flores stated the protocols for virtual public participation due to COVID-19.

Mayor Pigatt opened the floor for Citizen's Forum.

1. Natasha Ervin of 670 Dunad Avenue, Opa-locka, Florida, came forward and spoke about the establishment of the Booster Club, their accomplishments over the years and the success of the annual Christmas Toy Giveaway. She said the Booster Club would like to continue their partnership with the City of Opa-locka Parks & Recreation.

2. Gary Johnson of 13235 Alexandria Drive, Opa-locka, Florida, came forward and expressed his concerns regarding the recent crimes at Glorietta Apartments; the lack of police presence in that area since the city did away with the curfew; and the flooding issues at Glorietta.

He urged the city to come up with some kind of forum to address the crime and flooding at Glorietta Garden Apartments.

Vice Mayor Davis said he worked closely with Glorietta Gardens Apartments on the Tenant Association. With regards to the recent shooting, this is not a new issue; this is something that all of them on the dais have contemplated numerous times as to how do they solve crime/violence. He said that he and Commissioner Kelley sponsored legislation to require apartment complexes of a certain size to have armed security and since then the city has moved to requiring police security as oppose to that. One of those measures was actually put in place to solve the issue as it relates to violence in the community.

As it relates to the Toy Drive, he said he was unsure as to what the city is doing, but he did ask the City Manager about having a more coordinated effort. Although everyone has different ideas, they all serve one community and he believes impact goes further when resources are combined. He reiterated that he wasn't sure what direction the city was going in terms of the Toy Drive, but he would like to see those efforts consolidated, if possible.

Commissioner Burke said he was unaware that the Booster Club was no longer affiliated with the city's Parks & Recreation Department for the Toy Giveaway. For the years he's been with the city, when the city had no money and could not hold a Toy Drive for the kids in the City of Opa-locka, the Booster Club got together, washed cars and sold food to get money to provide toys for the kids. The city is saying that they have money now and they no longer need the Booster Club because they are going in a different direction. He asked, what direction is the city going in?

He further said if there was a problem with the Booster Club and Parks & Recreation during the Christmas Giveaway, the least the city could have done was have a meeting with the Booster Club and express any concerns see if it could have been resolved. The city is always saying we want participation from our citizens, but when the citizens go above and beyond to participate in the city, then the city turns around and says they no longer want them to participate. He is just now hearing about this for the first time.

Commissioner Bass informed Ms. Ervin that as of tomorrow she was at her disposal.

Commissioner Kelley asked the City Manager, what has been determined, if anything, regarding the Toy Giveaway?

Manager Pate advised that the city had not made any official notification to the Booster Club in regards to their participation with the city this year. Last year, upon coming on as City Manager, they attempted to work with the Booster Club as far as providing financial assistance and what the Finance Department determined is that they needed a 501C3 to be officially registered with the State of Florida as an entity in order to seek donations. At no time has his administration denied this fact. He has offered to meet with both individuals and they will be meeting in the near future to discuss their aspirations as far as the Holiday season, but the City Manager's Office nor the City of Opa-locka has sent out any communications saying they are not working with the Booster Club.

He further said the intent for everybody on the dais, including himself, as the Vice Mayor stated, is to have a more coordinated effort in that there is a partnership with the city and the Booster Club so that they can do a joint event.

Commissioner Kelley shared the sentiments of his colleague because when the city didn't have the funds, the Booster Club stepped in and stepped up. He hoped that because the city has a few dollars they don't forget from which they've come. Hopefully, the Commission will follow through and they would have a successful and a great Holiday Season including the Christmas Tree Lighting and all of those kind of things.

He went on to say that there is an item on the agenda tonight regarding public safety so he will wait until that portion of it; however, there is a great concern and he does share Mr. Johnson's frustration about having a coordinated effort with the challenges going on at the apartment complex there and others. So hopefully going forward the city will really address that and do something in a more cohesive manner to address those kind of challenges.

Mayor Pigatt addressed the Toy Drive and the partnership and said he did search and found that the Opa-locka Booster Club did take the steps to become a certified business with the State of Florida as of October. It is good to see that they are taking the steps to continue that partnership. In the future agenda items, one of the things he requested was having an annual list of events coordinated as a city, as a Commission, as a community. That will hopefully be on the agenda for the next upcoming meeting, to establish these events on one accord to move this city forward and ensure that all holidays are taken care of.

He said the previous week he asked about the plans for the Tree Lighting and there were no plans so this coming Monday he does have a meeting to discuss those details. Hopefully with the event protocol, the city can ensure these events are planned in advance and all of the community partners have their place to make it a very successful event for the community.

With regards to Glorietta Gardens, he said there are a lot of challenges happening at that property and it is not good for any human being at all to be living in fear and flooding with those types of hazards. The city has been working with management to address the issues raised by Mr. Johnson and one of the issues in particular that they need to focus on is the flooding. He advised that there

is an item on the agenda that would allow the city to move forward along with what is currently being done to enforce the code all around the City of Opa-locka.

He requested that the City Manager provide an update on the police substation at Glorietta Gardens and also the concern about the flooding situation with the surrounding properties.

Manager Pate reported that over the last week, the city had very productive meetings with management/ownership of the property; meetings that have not occurred in the past as far as a coordinated effort with the elected officials, city staff, City Manager's office, the actual owners of the property and their management company. In the development agreement with Glorietta Garden, the property owner and management are solely responsible for the drainage of the property. The city is looking into any contributing factors that the city may have in regards to the contribution of flooding on the property. He said there are issues with leveling of land to prevent flooding and the pipe that leads to the drainage pond to the canal which may be clogged or potentially broken. There is a dispute between management and the city at this time on who is responsible for fixing that. Also, there is a hole leading from the junk yard to the property and that has been thoroughly investigated and as far as the junk yard, they are responsible for punching that hole in the wall with a fork lift. The junk yard has been fined and placed on notice. As far as Alexandria Drive, there is an accidental hole on the wall by a third party contractor that worked for the city and that repair was immediately made by that third party contractor. That hole has not contributed to any flooding, not the extensive flooding on Glorietta Gardens. The city has requested its engineer to do an assessment of the area and suggested to management to do an assessment of their property to be able to come together for a solution.

He further stated that there is legislation on the agenda with regards to the city taking action as far as issues management should have been doing but the city is going to step forward with funds and then seek reimbursement from management either through legal processes or a lien.

As far as the police substation is concerned, Manager Pate said he emailed management with the necessary requirements for the substation. Once the necessary requirements are completed, the police substation will be manned by on-duty and off-duty officers.

He continued by saying that the city has a Street Crimes Unit that has been working diligently to curve violent crime over at 22nd Avenue Apartments and Glorietta Gardens Apartments.

Mayor Pigatt acknowledged Miami-Dade County and State Representative James Bush for their support during the recent flooding events throughout the city.

12. ACTION ITEMS (items from consent agenda pull list):

1. (13-2) AN EMERGENCY RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING THE CITY MANAGER'S DECISION TO ISSUE A PURCHASE ORDER FOR H.W. LOCHNER, INC. FOR THE PROVISION OF QUALIFIED PROFESSIONAL SERVICES TO DESIGN AND PREPARE A COMPLETE SET OF CONSTRUCTION CONTRACT PLANS FOR THE RETENTION POND REHABILITATION PROJECT AT GLORIETA GARDENS APARTMENTS;

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FORMAL AGREEMENT REGARDING SAME, IN AN AMOUNT NOT TO EXCEED THIRTY-SIX THOUSAND SIX HUNDRED DOLLARS (\$36,600.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Cobbs.

It was moved by Commissioner Burke, seconded by Vice Mayor Davis for discussion.

Manager Pate said the above item is being sponsored by the City Manager's Office on behalf of the Public Works Department. He requested Mr. Airia Austin come forward to explain this matter in detail.

Airia Austin, Public Works Director came forward and explained that in light of the flooding conditions at Glorietta Gardens, the city thought it best to have an engineer directly study the problems that exist in this area and provide plans for resolving the canal. The city requested the contractor upfront to allow for one hour of storage in the retention without the activation of any pumps in the event there is a catastrophic failure of electricity, they will be able to mitigate any flooding by storing the water for a period of time to allow for the safe operation of the facility and then pumping into the canal. Once the determination is made, including the possibility of deep well injections systems rather than pumping it out to the canal; we'll inject directly back into the ground. After which they will be providing the city with plans to perform construction.

Commissioner Burke said that the city is spending \$36,000 just for plans and not for construction.

Mr. Austin replied, this is not for the construction.

Commissioner Burke asked, if the city is paying for the plans, who is going to pay for the construction?

Mr. Austin said the project will be put out to bid after which it will be a determination if the property owner will pay for the construction or if the city will have to do that in light of life, health and safety of the residents at Glorietta Gardens.

Commissioner Burke said that this is private property. There are many taxpaying residents whose homes were flooded and they had to incur the cost. Although he sympathized with the residents at Glorietta Gardens, the city should be in the business of making sure the owners take care of this. The city has streets that are flooded.

He asked the City Attorney if there was a way the city could recoup the money.

Attorney Norris-Weeks said that she was told earlier this week that some of these issues may have gone to Code Enforcement before, so the City Manager is looking into that and to see where that is in the process of what had been done. If there was some mechanism that has been going through Code Enforcement, they will figure that out, otherwise the other alternative is to enforce the development agreement which is the city's legal right if the Commission decided to pursue the

land owner to come into the compliance with the development agreement, that's certainly an option. But it sounds like there are communications taking place at this time so the City Manager would be in a better position to discuss the issues as to whether litigation would be fruitful or not.

Vice Mayor Davis said that the issue at Glorietta Gardens is a public health concern and he could understand why the City Manager is seeking a remedy or solution to the issue, however, the 2015 development agreement clearly states that Glorietta Gardens is responsible for the maintenance of the retention pond.

He said his position is that he doesn't think the city should spend taxpayer dollars to remedy a private issue because ultimately there is an agreement in place that is not being adhered to. He said this in essence sets a bad precedence because he doesn't want to reward property owners for not being in compliance. If anyone knows the history of these particular property owners, they recently received millions of dollars in tax credits to refinance the property. Being that flooding has been a long standing issue within the community and not to have seen that addressed in the most recent rehab, that was done tax credit, done through subsidies, he must say he cannot support this issue.

Commissioner Kelley agreed with his colleagues, however, the challenge he sees with this resolution is that it is ratifying what the City Manager has already done. The City Manager has already taken this action that the Commission is ratifying, if the Commission does not approve it, the city will be on the hook anyway. He asked the City Attorney if he was interpreting this item correctly.

Attorney Norris-Weeks advised that if the document has been executed according to the terms, the city may be liable, however, she would have to review the document.

Commissioner Kelley said that the term "ratifying" in the resolution basically means that the City Manager has already taken the action and the Commission is ratifying what has been done. Although the Commission may be oppose to it, as he looks at the document, in his opinion the city would be on the hook for the \$36,000 regardless. He said that his challenge is that a special meeting should have been called for something of this magnitude because this is long standing issue that goes back with many issues and the City Manager eluded to some of them in his comments when he basically said that the owners need to step up to the plate.

He continued to say that if the city continues to bail the property owners out, then there is no need for them to step up to the plate. He said he'd also received the calls of flooding on streets of people who couldn't get out to go to work but yet we are pumping which he understands health and safety, however, they did not get to some of the other areas of the city like Archbishop, Curtiss Drive, York Street and Superior Gardens that had flooding issues for several days. If the city is going to do something and embark on that plan, then they must include the entire city.

He further said that the question remains as to whether or not the city is on the hook for the \$36,000 because it doesn't make sense to not approve this item if the city is on the hook, otherwise, the city may become liable for the \$36,000. He went on to express his concerns relating to the challenge with seeking reimbursement and making the property owners responsible for implementing the plans.

Mr. Austin said that the contract has been signed and the contractor is already on board.

Commissioner Kelley said that the city is on the hook for the \$36,000 and it doesn't matter what the Commission does. He stated that he has a problem with putting out that kind of money without having a special meeting for health and safety which could have easily been called in 24 hours. Moving forward, when the city has these types of situations, he would hope that a special meeting is called.

He stated to his colleagues that while he agrees with everything they've said, if this item doesn't pass, the city will still have to pay.

Mr. Austin said that the secondary aspect of this safety and emergency is the fact that the sanitary sewer system is being directly impacted which could cause catastrophic failure to the city's system from pumping stormwater into the sanitary sewer system. This is one station that is directly connected to the Master Pump Station and the failure of that station would fill most of the city's systems. This is the urgency in which the city had to proceed to get this work done to try and resolve this concern.

While Manager Pate appreciated the sentiments of the Commission with regards to their concerns of the \$36,000 expenditure, he said at the end of the day the buck does stop with him in regards to this action. The action was done because of several complaints from residents in Glorietta Gardens to DERM, Florida Department of Health, Representative Bush's Office, Federal Elected Officials Office, EPA and various other entities in regards to this matter. Because the flooding at Glorietta Gardens does directly impact the city's sanitary system, the Vice Mayor eluded to this, the stormwater mixes with sanitary sewer which results in a larger issue. This is what happens when Glorietta Gardens floods, there is a mixture of rain water and sanitary sewer water and it does impact the city's pump station. As the City Manager, he made the decision under emergency based on the health, welfare and safety of the residents at Glorietta Gardens as well as the residents of Opa-locka in that if that Master Pump Station fails, that catastrophic failure will cause sanitary sewer back-up in homes all across the City of Opa-locka. Secondly, he said that in order to hold the property owners responsible for the maintenance of the property, the city must have some type of documentation on a plan from a professional engineer of the cause of flooding at Glorietta Gardens so that the City Attorney can take action. Merely asking management to take action has not worked for several years and he wants to make sure the city has the professional assessments in place, if needed, to take legal action against Glorietta Gardens to include the reimbursement of the \$36,000 in addition to any future expenses in regards to the city as it affects the sanitary sewer system.

He further explained that as the City Manager he felt this was prudent and he stands on it. He said he was hired to do a job and requested the Commission's undivided support on this legislation.

Mayor Pigatt pointed out that per the city's charter sections 2.5 subsections 10 and 11 – Powers of the City Commission is to provide for the safe and sanitary housing of low income families and to adopt, modify, and carry out plans, propose the clearance of slum districts and rehabilitation of blighted areas. It is the duty of the Commission to provide for the residents and make sure the

people are taken care of and he does support the City Manager in making sure this gets done. The living conditions out there with regards to the flooding are unconscionable. As the City Manager stated, this plan will give an idea of what the situation is so that everyone can be held accountable. This Commission declared a flooding emergency throughout the City of Opa-locka, pulled together architects and engineers to address these issues who are currently in the middle of conducting a city-wide flooding assessment to address all areas. This is just a component of the city-wide effort to address the flooding and dealing with the condition of those with the most needs within the city at this time.

He further said he was in full support of this item, but he did hear the sentiments of his colleagues that the city needs to hold management accountable, make sure Code Enforcement is doing their job to ensure the city's codes are being upheld in that property, and make sure the Commission is well aware. He requested that in the future the City Manager keep the Commission abreast of these types of expenditures prior to the meeting and that they have more understanding prior to the meeting.

There being no further discussion, the motion passed by a 5-0 vote.

Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Commissioner Burke	Yes
Mayor Pigatt	Yes

13. ADMINISTRATION:

CONSENT AGENDA:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING THE ELECTION RESULTS OF THE CITY OF OPA-LOCKA GENERAL ELECTION HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING TWO CITY COMMISSIONERS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Clerk*

This item passed under the approval of the Consent Agenda – Agenda Item 6.

14. NEW ITEMS:

1. AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 13 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS", ARTICLE XIV ENTITLED "LANDLORD PERMIT", SPECIFICALLY AMENDING SECTION, 13-274(3) TO REQUIRE THAT ALL APARTMENT BUILDINGS WITH FORTY (40) UNITS OR MORE TO BE REQUIRED TO HAVE ONSITE 24-HOUR ARMED OFF-DUTY POLICE OFFICER SECURITY;

AMENDING SECTION 13-278(5)(b) TO REQUIRE PERMIT APPLICANTS WITH FORTY (40) OR MORE APARTMENT UNITS TO COMPLETE A SEPARATE FORM TO BE CREATED BY CITY CONTAINING AN ACKNOWLEDGMENT THAT A DAILY LOG WILL BE KEPT CONTAINING THE NAME OF THE ON-SITE ARMED OFF-DUTY POLICE OFFICER BEFORE A PERMIT SHALL ISSUE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Kelley and Vice Mayor Davis*

The above ordinance was read by Attorney Cobbs.

Mayor Pigatt opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

It was moved by Commissioner Kelley, seconded by Vice Mayor Davis to pass the ordinance.

City Manager Pate stated that the sponsors of the above legislation are Commissioner Kelley and Vice Mayor Davis.

Commissioner Kelley said he would not prolong the time since this was already discussed in length the first time and the only question was the amount of units which has been adjusted. Going forward, he said he would just hope like all the other issues concerning the apartment complexes, that the city really hold people accountable.

Vice Mayor Davis thanked Commissioner Kelley for allowing him to co-sponsor the item. The Commission has been working hard and looking at ways to make the community safer and to remedy violence which is one of those issues that's very difficult to wrap your arms around. This move is a more safer step to providing security and making sure our community is able to enjoy themselves and flourish.

Commissioner Burke said this ordinance is great but it was in place previously. If the city is serious about this, they're going to have to follow through with this and enforce it. For the health and safety of the residents, he asked that the city stay on top of this.

There being no further discussion, the motion passed by a 5-0 vote.

Commissioner Bass	Yes
Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Mayor Pigatt	Yes

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TENTATIVE PLAT REVIEW FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIO 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above item was ready by Attorney Cobbs.

Mayor Pigatt opened the floor for a public hearing.

Jane Storms, representing the applicant for the above item appeared virtually and advised that she was available to answer any questions regarding the item.

There being no further persons to speak on the public hearing, the public hearing was closed.

It was moved by Vice Mayor Davis, seconded by Commissioner Burke to approve the resolution.

There being no discussion, the motion passed by a 5-0 vote.

Commissioner Kelley	Yes
Commissioner Bass	Yes
Commissioner Burke	Yes
Vice Mayor Davis	Yes
Mayor Pigatt	Yes

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

A. FIRST READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND ADOPTING THE OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY'S PROPOSED GENERAL OPERATING AND TAX INCREMENT FUND BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021 AS SET FORTH IN EXHIBIT "A"; DIRECTING THE EXECUTIVE DIRECTOR TO TRANSMIT A COPY OF SAID BUDGET TO THE CITY OF OPA-LOCKA AND MIAMI-DADE COUNTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A CONFLICT AND REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Cobbs.

Mayor Pigatt opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

It was moved by Commissioner Burke, seconded by Vice Mayor Davis to pass the ordinance on first reading.

Manager Pate explained that on a yearly basis the City Commission is required to vote on and ratify the budget for the CRA being incorporated in the city's budget so this is a standard item that is presented to the Commission on a yearly basis.

There being no further discussion, the motion passed by a 5-0 vote.

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

B. SECOND READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on November 12, 2020). *Sponsored by City Manager*

The above ordinance was read by Attorney Cobbs.

Mayor Pigatt opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

It was moved by Commissioner Burke, seconded by Vice Mayor Davis to adopt the above ordinance.

Manager Pate stated that this item is a budget amendment that was prepared by the Budget Administrator and he is available for any questions of the Commission based on any changes that were done between first and second readings.

Robert Anathan, Budget Administrator came forward and briefly highlighted the major changes made to budget amendment #6 which included \$115,406 for bank legal fees associated with the bank settlement for the release of the 5.2 Million Dollars. The other item has to do with wastewater processing. At the moment, there are thirteen months of charges in that account, the city believes that may or may not be correct, but for the moment he is bringing in \$65,000 just in case the city has to cover that thirteenth month. He said everything else was as discussed before.

Under the maintenance repair of police vehicles for \$35,000, Commissioner Kelley asked, is that for repair and maintenance or painting too?

Mr. Anathan advised that the \$35,000 included the repainting of the vehicles.

Commissioner Kelley asked, is that for all of the vehicles?

Mr. Anathan said he believes it is for nine vehicles.

Commissioner Kelley requested that Mr. Anathan elaborate on the year end acquisition for the public safety equipment.

Mr. Anathan said that with the new command staff that came aboard, they looked and realized there was a deficit in the supplies needed for day-to-day operations. The need was identified and the materials were acquired. This was for basic items like ammunition, handcuffs, and things of that nature.

There being no further discussion, the motion passed by a 5-0 vote.

Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Commissioner Burke	Yes
Mayor Pigatt	Yes

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT “A”; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on November 12, 2020). *Sponsored by City Manager*

The above ordinance was read by Attorney Cobbs.

Mayor Pigatt opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

It was moved by Commissioner Kelley, seconded by Vice Mayor Davis to pass the above ordinance.

Manager Pate explained that this is a budget amendment for the current fiscal year and the city felt it was appropriate that some adjustments be made. He invited the Budget Administrator to come forward to provide details on significant adjustments made between first and second readings and to also answer any questions.

Mr. Anathan came forward and informed the Commission of one major change that was made from the first hearing. He explained that there are many projects underway and because of the nature, they start one year and carry into the second year. What was added to the budget amendment was the sixteen projects that are underway right now for \$2.8 Million Dollars. The city needs to move the projects to keep paying the bills, move the funding approved in FY 20 into FY 21 so that the funding is available to finish off the project. This is not a decision item because the Commission has already approved the projects; it's just a question of moving the remaining portion of the project into the new fiscal year and the funding to support it.

He said that an additional item that's different from first reading, when the city made reference to the county CARES program at that time the city talked about \$50,000 administrative cost. At this point the program has been re-directed and that administrative cost will increase to \$100,000 in addition to the One Million Dollars for the cash cards which would be directly reimbursed by the county. It's a big addition to the budget, but it's all reimbursable so there's no bottom line impact.

He further said that there are a couple of items that he has classified as material of which he has addressed most previously. The new expenditures include \$1,000 for Commission professional organizations, \$105,000 for an additional ten police vehicles, \$25,000 for grant writing services, and \$10,000 for furniture for Sherbondy Village due to the relocation of Teen Upward Bound.

Vice Mayor Davis asked for an update on the Burlington Canal project.

Mr. Anathan said that the contract is in progress but has not been finally approved yet.

Vice Mayor Davis explained that he had been receiving a lot of residential concerns in relation to the matter. The canals are some of the city's most visible amenities in addition to the parks and other items throughout the city like bus stops and different things that residents rely on.

Commissioner Burke applauded whomever was responsible for including the ten additional police vehicles.

There being no further discussion, the motion passed by a 5-0 vote.

Commissioner Kelley	Yes
Commissioner Bass	Yes
Commissioner Burke	Yes
Vice Mayor Davis	Yes
Mayor Pigatt	Yes

C. RESOLUTIONS:

17. CITY MANAGER’S REPORT:

Manager Pate briefly reported on Glorietta Gardens, the Grocery Card and Rental/Mortgage Assistance Programs, and the city-wide assessment on flooding.

He personally thanked both Commissioner Kelley and Commissioner Bass for their service.

18. OFFICIAL BOARD REPORTS:

19. FUTURE AGENDA ITEMS:

Mayor Pigatt stated that it is important for the Commission to discuss event planning for the year. The city had some amazing events that they have traditionally done, many of which have been spearheaded by Commissioner Kelley and his team. He said he wants to make sure the city continues to develop the events, participation, proper planning in a more concerted effort. He proposed the creation of an event policy for the city to include the approval of a yearly calendar of events.

Vice Mayor Davis thanked the Mayor for putting this item forward. As a former community organizer and he would always see different non-profits and organizations hosting events and his hope was to always see those organizations work together. As stated earlier, he said he believes if the effort is consolidated, they can increase the capacity and have a more coordinated effort.

He further said that this item would satisfy one of the findings from the Auditor General’s report which spoke specifically to Special Events and creating a policy and process.

There being no further discussion, the following vote was taken on the placement of a Special Events Policy for the upcoming agenda as proposed by Mayor Pigatt.

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

20. MAYOR/COMMISSION REPORTS:

Commissioner Kelley left the meeting at 9:00 p.m.

Mayor Pigatt acknowledged both Commissioner Kelley and Commissioner Bass for their service to the City of Opa-locka.

He stated to the City Manager that he would like to make sure that the city continues to look into the bus benches. He advised the community to remain vigilant in regards to COVID-19. He announced the information for the COVID testing site located at Sherbondy Park.

Vice Mayor Davis thanked both Commissioner Bass and Commissioner Kelley for their service.

Commissioner Bass thanked everyone who has supported her in the past two years.

Attorney Norris-Weeks thanked Commissioner Bass for being such a wonderful person to work with and Commissioner Kelley for his institutional knowledge.

21. OFFICIAL BOARD APPOINTMENTS:

There were none.

22. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Bass, seconded by Vice Mayor Davis to adjourn the meeting at 9:07 p.m.

Matthew A. Pigatt
Mayor

ATTEST:

Joanna Flores
City Clerk

CONSENT AGENDA

RESOLUTION NO. 21-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMERGENCY CONTRACT, ATTACHED HERETO AS EXHIBIT "A", WITH HCA ASSET MANAGEMENT, LLC FOR THE PROVISION OF ASSET VALUATION, INSURANCE APPRAISAL AND POLICY AND PROCEDURES DEVELOPMENT ASSISTANCE SERVICES IN AN AMOUNT NOT TO EXCEED THIRTY THREE THOUSAND DOLLARS (\$33,000.00), PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Opa-Locka requires financial audits without qualified opinions as a pre-requisite for exiting the status of Financial Emergency; and

WHEREAS, the City of Opa-Locka has received qualified audit opinions on the basis of an inability to fully identify its infrastructure assets, not having performed a physical inventory of capital assets for years and due to a lack of an asset management system to document that the City's capital assets are properly managed and preserved; and

WHEREAS, the City of Opa-Locka is planning to initiate an audit in January, 2021 whereby these asset conditions must be remedied in a timely way to eliminate a basis for another audit with a qualified opinion; and

WHEREAS, HCA Asset Management, LLC ("HCA") has presented a proposal to remedy the stated issues and the City Manager has determined that HCA is the best qualified firm to complete the stated work on an emergency basis and for an amount not to exceed Thirty-three Thousand Dollars (\$33,000.00); and

WHEREAS, the City Commission desires to authorize the City Manager to execute the contract, attached hereto as Exhibit "A", as in the best interest of the City of Opa-Locka.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA- LOCKA, FLORIDA:

SECTION 1. The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

The City Commission of the City of Opa-Locka, Florida hereby authorizes the City Manager to execute the emergency contract with HCA Asset Management, LLC for the provision of asset valuation, insurance appraisal and policy and procedures

development services within seventy-five days of contract execution and for an amount not to exceed Thirty-three Thousand Dollars (\$33,000) .

SECTION 3. SCRIVENER'S ERRORS

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors, which do not affect the intent of this Resolution may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE

This Resolution shall take effect upon the adoption and is subject to the approval of the Governor or Governor's Designee.

PASSED and ADOPTED this 13th day of January, 2021.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke	_____
Commissioner Davis	_____
Commissioner Taylor	_____
Vice-Mayor Williams	_____
Mayor Pigatt	_____



City of Opa-locka Agenda Cover Memo

Department Director:	Bob Anathan		Department Director Signature:		
City Manager:	John E. Pate		CM Signature:		
Commission Meeting Date:	January 13, 2021		Item Type:	Resolution	Ordinance
			(Enter X in box)	X	
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	
			Public Hearing: (Enter X in box)	Yes	No
	X			X	X
Funding Source: Account# :	(Enter Fund & Dept) Ex:		Advertising Requirement: (Enter X in box)	Yes	
	See Below				
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:		
	X				
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
	X				
Sponsor Name	City Manager		Department:	City Manager	

Short Title:

Asset Valuation Consulting Services

Staff Summary:

Issue: The most recent City financial audit received a qualified opinion due to an inability to fully identify its infrastructure assets, not having performed a physical inventory of capital assets for several years, and due to a lack of an asset management system to document that the City's capital assets are being properly managed and preserved. Staff has identified a consulting service to remedy these issues.

Background: One criterion for being permitted to exit from the current status of Financial Emergency is to receive financial audits without qualified opinions. The objective is to remove this impediment as quickly as possible from future audits.

Current Activity: In view of the urgency to identify a firm to complete this work in a timely way, staff bypassed the normal procedure of issuing a Request For Proposals (RFP) and reached out to firms capable of providing

these services. In each instance the estimated cost, based on preliminary discussions, ranged from the mid-twenty thousands to the low thirty thousands. Since the City had little experience with these types of services, \$100,000 had been added to the FY 21 budget at the end of the budget process last summer for these services. The ultimate criteria became the schedule upon which the project could be completed, with nearly all firms contacted not being able to start for several months due to commitments to other clients.

The firm identified as being able to complete the project soonest was HCA Asset Management, based in Bradenton, Florida. This firm was recommended as an extremely reliable and capable firm by one of its competitors whom staff originally contacted, but who could not be considered since its backlog of existing business precluded a start before the end of March. HCA Asset Management has proposed completing this project within 75 days of the signing of a contract.

HCA Asset Management has proposed the following projects:

1. \$26,000 – Baseline Fixed Asset Inventory / Reconciliation
2. \$ 5,000 – Insurance Appraisal (Buildings / Structures)
3. \$ 2,000 – Policy and Procedure (Development Assistance)

As indicated in the attached proposal, HCA Asset Management has provided these services to a broad range of prominent clients, including Broward, Sarasota and Hillsborough Counties.

Financial Impact:

Account	Description	Available *	Project	Remaining Balance
17-513312	Other Professional Services	\$257,500	\$33,000	\$224,000
Total			\$33,000	

* As indicated elsewhere, within the indicated budget for Other Professional Services, \$100,000 had been budgeted for this service.

Proposed Action:

Staff recommends that the City Commission authorize the appropriate City official to sign a contract with HCA Asset Management to provide asset valuation, insurance appraisal and policy and procedure development services to remove a basis of qualified opinions on future audits.

Attachment:

1. HCA Asset Management Proposal
2. HCA Asset Management Contract
3. Resolution

AGREEMENT

THIS IS AN AGREEMENT, dated _____ day of _____, 2021, between:

CITY OF OPA-LOCKA, a Florida municipal corporation,
hereinafter "CITY,"

and

HCA Asset Management, LLC, a company, authorized to do
business in the State of Florida, hereinafter "CONTRACTOR."

WITNESSETH:

In consideration of the mutual terms and conditions, promises, covenants, and payments hereinafter set forth, CITY and CONTRACTOR agree as follows:

ARTICLE 1 PREAMBLE

In order to establish the background, context and form of reference for this Agreement and to generally express the objectives, and intentions, of the respective parties herein, the following statements, representations and explanations shall be accepted as predicates for the undertakings and commitments included within the provisions which follow and may be relied upon by the parties as essential elements of the mutual considerations upon which this Agreement is based.

- 1.1 CITY is in immediate need of an independent contractor to provide a comprehensive capital asset inventory, financial reconciliation and asset verification study, insurance appraisal services and assistance in developing related policies and procedures.
- 1.2 Services are needed on an emergency basis and will be utilized for future financial audits.
- 1.3 HCA Asset Management, LLC ("Contractor") has presented a proposal to remedy the stated issues, See Exhibit "A", and the City Manager has determined that HCA is the best qualified firm to complete the emergency work needed for an amount not to exceed Thirty-three Thousand Dollars (\$33,000).
- 1.4 The City Commission authorizes the City Manager to enter into this agreement under the terms and conditions set forth herein.

ARTICLE 2
STATEMENT OF WORK

2.1 CONTRACTOR shall furnish all of the materials, tools, supplies, and labor necessary to perform all of the work described in its Proposal, a copy of which is attached hereto and specifically made a part of this Agreement as Exhibit "A" hereto.

2.2 CONTRACTOR shall abide by all specifications outlined in Exhibit "A" and shall complete all work within seventy five days from the execution of this Agreement.

2.3 CONTRACTOR hereby represents to CITY, with full knowledge that CITY is relying upon these representations when entering into this Agreement with CONTRACTOR, that CONTRACTOR has the professional expertise, experience and manpower to perform the services to be provided by CONTRACTOR pursuant to the terms of this Agreement.

2.3 CONTRACTOR assumes professional and technical responsibility for performance of its services to be provided hereunder in accordance with applicable recognized professional standards and relevant Florida Statutes.

ARTICLE 3
COMMENCEMENT OF SERVICES

3.1 The CONTRACTOR shall commence work as directed by CITY upon the effective date stated in a Notice to Proceed issued by the City Manager or his designee.

ARTICLE 4
CONTRACT SUM

4.1 CITY hereby agrees to pay CONTRACTOR for the faithful performance of this Agreement, for work completed in accordance with its Proposal. Prices for work completed by CONTRACTOR shall not exceed Thirty Three Thousand Dollars (\$33,000.00) as reflected in CONTRACTOR's Proposal made a part hereof as Exhibit "A" and in accordance with the prices set forth in Exhibit "A".

4.2 CONTRACTOR shall be solely responsible for and shall provide for the payment of workers compensation insurance coverage and premium, and all other insurance pursuant to Article 5 below, withholding taxes, FICA, pension and profit sharing contributions, retirement contributions, if any, all remunerations; all labor contract compliance, and all other charges, fees, permits and expenses associated with the employment of such personnel provided by CONTRACTOR hereunder. CITY shall bear no responsibility for any such charge, fees, permits or expenses associated with the employment of such personnel by CONTRACTOR.

4.3 Payment to CONTRACTOR for all tasks and charges under this Agreement shall be in accordance with the schedule set forth in Exhibit "A" hereto and the following conditions:

- A. Disbursements. There are no reimbursable expenses associated with this Agreement.
- B. Payment Schedule. Invoices received from CONTRACTOR pursuant to this Agreement will be reviewed by the appropriate City Department. If services have been rendered in conformity with the Agreement, the invoice will be sent to the City's Finance Department for payment.
- C. Availability of Funds. CITY's performance and obligation to pay under this Agreement is contingent upon an annual appropriation for its purpose by the City Commission.
- D. Final Invoice. In order for both parties herein to close their books and records, CONTRACTOR will clearly state "final invoice" on CONTRACTOR's final bill to CITY.

4.4 Payment by CITY of CONTRACTOR's final invoice and CONTRACTOR'S acceptance of the final payment shall consist CONTRACTOR's waiver of all claims against CITY related to or arising out of this Agreement.

ARTICLE 5 CONTRACTOR'S LIABILITY INSURANCE

5.1 CONTRACTOR shall not commence work under this contract until it has obtained all insurance required under this paragraph and such insurance has been approved by CITY nor shall CONTRACTOR allow any Subcontractor to commence work on its sub-contract until all similar such insurance required of the subcontractor has been obtained and approved.

5.2 Certificates of insurance, reflecting evidence of the required insurance, shall be filed with CITY prior to the commencement of the work. These Certificates shall contain a provision that coverage afforded under these policies will not be canceled until at least thirty days (30) prior written notice has been given to CITY. Policies shall be issued by companies authorized to do business under the laws of the State of Florida.

5.3 Financial Ratings must be no less than "A" in the latest edition of "Bests Key Rating Guide", published by A.M. Best Guide.

5.4 Insurance shall be in force until all work required to be performed under the terms of the Contract is satisfactorily completed as evidenced by the formal acceptance by CITY.

In the event the insurance certificate provided indicates that the insurance shall terminate and lapse during the period of this contract, then in that event, CONTRACTOR shall furnish, at least thirty (30) days prior to the expiration of the date of such insurance, a renewed certificate of insurance as proof that equal and like coverage for the balance of the period of the contract and extension thereunder is in effect. CONTRACTOR shall not continue to work pursuant to this contract unless all required insurance remains in full force and effect.

5.5 Comprehensive General Liability insurance to cover bodily injury liability and property damage liability with minimum limits of One Million Dollars (\$1,000,000.00) per occurrences. Exposures to be covered are:

- Premises and Operation
- Products/Completed Operations
- Broad Form Property Damages
- Broad Form Contractual Coverage applicable to this specific Agreement, including any hold harmless and/or indemnification agreement.
- Personal Injury Coverage with Employee and Contractual Exclusions removed, with minimum limits of coverage equal to those required for Bodily Injury Liability and Property Damage Liability.

Business Automobile Liability with minimum limits of One Million Dollars (\$1,000,000.00) per occurrence combined single limit for Bodily Injury Liability and Property Damage Liability. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability policy, without restrictive endorsements, and must include:

- Owned vehicles
- Hired and Non-Owned Vehicles
- Employers' Non-Ownership.

5.6 CONTRACTOR shall hold CITY, its agents, and employees, harmless on account of claims for damages to persons, property or premises arising out of the operations to complete this Agreement and name CITY as an additional insured under their policy.

5.7 CITY reserves the right to require any other insurance coverage it deems necessary depending upon the exposures.

ARTICLE 6 PROTECTION OF PROPERTY

6.1 At all times during the performance of this Contract, CONTRACTOR shall protect CITY's property and properties adjoining the Project site from all damage whatsoever on account of the work being carried on pursuant to this Agreement.

ARTICLE 7
CONTRACTOR'S INDEMNIFICATION

7.1 CONTRACTOR agrees to release CITY from and against any and all liability and responsibility in connection with the above mentioned matters. CONTRACTOR further agrees not to sue or seek any money or damages from CITY in connection with the above mentioned matters, except in the event that CITY fails to pay CONTRACTOR the fees and costs as provided for in Article 4 herein.

7.2 CONTRACTOR agrees to indemnify and hold harmless CITY, its trustees, elected and appointed officers, agents, servants and employees, from and against any and all claims, demands, or causes of action of whatsoever kind or nature, and the resulting losses, costs, expenses, reasonable attorneys' fees, liabilities, damages, orders, judgments, or decrees, sustained by CITY or any third party arising out of, or by reason of, or resulting from CONTRACTOR's negligent acts, errors, or omissions.

7.3 If a court of competent jurisdiction holds CITY liable for certain tortuous acts of its agents, officers, or employees, such liability shall be limited to the extent and limit provided in 768.28, Florida Statutes. This provision shall not be construed as a waiver of any right or defense that CITY may possess. CITY specifically reserves all rights as against any and all claims that may be brought.

ARTICLE 8
INDEPENDENT CONTRACTOR

8.1 This Agreement does not create an employee/employer relationship between the parties. It is the intent of the parties that CONTRACTOR is an independent contractor under this Agreement and not CITY's employee for all purposes, including but not limited to, the application of the Fair Labor Standards Act minimum wage and overtime payments, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, the State Workers Compensation Act, and the State unemployment insurance law. CONTRACTOR shall retain sole and absolute discretion in the judgment of the manner and means of carrying out CONTRACTOR's activities and responsibilities hereunder provided. This Agreement shall not be construed as creating any joint employment relationship between the CONTRACTOR and CITY and CITY will not be liable for any obligation incurred by CONTRACTOR, including but not limited to unpaid minimum wages and/or overtime premiums.

ARTICLE 9
PERFORMANCE BOND

9.1 No performance bond is required for this contract.

ARTICLE 10
CHANGES TO STATEMENT OF WORK AND ADDITIONAL WORK

10.1 CITY or CONTRACTOR may request changes that would increase, decrease or otherwise modify the Statement of Services/Basic Services to be provided under this Agreement as described in Article 2 of this Agreement. Such changes or additional services must be in accordance with the provisions of the Code of Ordinances of CITY and must be contained in a written amendment, executed by the parties hereto, with the same formality and with equality and dignity prior to any deviation from the terms of this Agreement, including the initiation of any additional or extra work. Each amendment shall at a minimum include the following information on each project:

Project Name
Project Description
Estimated Project Cost
Estimated Cost for Addition or Change to Project Contract
Estimated Project Completion Date

10.2 In no event will CONTRACTOR be compensated for any work which has not been described in a separate written agreement executed by the parties hereto.

ARTICLE 11
TERM AND TERMINATION

11.1 This Agreement shall commence upon the effective date stated in a Notice to Proceed issued by the City Manager or his designee, and shall remain in effect until date specified in the notice or as extended in writing.

11.2 This Agreement may be terminated by either party for cause, or CITY for convenience, upon thirty (30) days written notice by CITY to CONTRACTOR, in which event CONTRACTOR shall be paid its compensation for services performed to termination date. In the event that CONTRACTOR abandons this Agreement or causes it to be terminated, CONTRACTOR shall indemnify CITY against any loss pertaining to this termination up to a maximum of the full contracted fee amount. All finished or unfinished documents, data, studies, plans, surveys, and reports prepared by CONTRACTOR shall become the property of CITY and shall be delivered by CONTRACTOR to CITY.

ARTICLE 12
CONTRACT DOCUMENTS

12.1 CONTRACTOR and CITY hereby agree that the following Specification and Contract Documents, which are attached hereto and made a part thereof, are fully incorporated herein and made a part of this Agreement, as if written herein word for

word: this Agreement and all Exhibits attached hereto.

ARTICLE 13
MISCELLANEOUS

13.1 Legal Representation. It is acknowledged that each party to this Agreement had the opportunity to be represented by counsel in the preparation of this Agreement and, accordingly, the rule that a contract shall be interpreted strictly against the party preparing same shall not apply due to the joint contribution of both parties.

13.2 Assignments. This Agreement, or any interest herein, shall not be assigned, transferred or otherwise encumbered, under any circumstances, by CONTRACTOR without the prior written consent of CITY. For purposes of this Agreement, any change of ownership of CONTRACTOR shall constitute an assignment which requires CITY approval. However, this Agreement shall run to CITY and its successors and assigns.

13.3 Records. CONTRACTOR shall keep books and records and require any and all subcontractors to keep books and records as may be necessary in order to record complete and correct entries as to personnel hours charged to this engagement, and any expenses for which CONTRACTOR expects to be reimbursed, if applicable. Such books and records will be available at all reasonable times for examination and audit by CITY and shall be kept for a period of three (3) years after the completion of all work to be performed pursuant to this Agreement. Incomplete or incorrect entries in such books and records will be grounds for disallowance by CITY of any fees or expenses based upon such entries.

CITY is a public agency subject to Chapter 119, Florida Statutes. To the extent CONTRACTOR is acting on behalf of CITY pursuant to Section 119.0701, Florida Statutes, CONTRACTOR shall:

- a. Keep and maintain public records that ordinarily and necessarily would be required to be kept and maintained by CITY were CITY performing the services under this agreement;
- b. Provide the public with access to such public records on the same terms and conditions that CITY would provide the records and at a cost that does not exceed that provided in Chapter 119, Florida Statutes, or as otherwise provided by law;
- c. Ensure that public records that are exempt or that are confidential and exempt from public record requirements are not disclosed except as authorized by law; and
- d. Meet all requirements for retaining public records and transfer to CITY, at no cost, all public records in possession of CONTRACTOR upon termination of this Agreement and destroy any duplicate public records that are exempt or

confidential and exempt. All records stored electronically must be provided to CITY.

13.4 Ownership of Documents. Reports, surveys, plans, studies and other data provided in connection with this Agreement are and shall remain the property of CITY.

13.5 No Contingent Fees. CONTRACTOR warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for CONTRACTOR, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement. For the breach or violation of this provision, CITY shall have the right to terminate the Agreement without liability at its discretion, to deduct from the contract price, or otherwise recover the full amount of such fee, commission, percentage, gift or consideration.

13.6 Notice. Whenever any party desires to give notice unto any other party, it must be given by written notice, sent by registered United States mail, with return receipt requested, addressed to the party for whom it is intended and the remaining party, at the places last specified, and the places for giving of notice shall remain such until they shall have been changed by written notice in compliance with the provisions of this section. For the present, CONTRACTOR and CITY designate the following as the respective places for giving of notice:

CITY: John E. Pate, City Manager
780 Fisherman Street, Fourth Floor
Opa-Locka, FL 33054

Copy To: Burnadette Norris-Weeks, City Attorney
Burnadette Norris-Weeks, P.A.
401 North Avenue of the Arts (NW 7th Avenue)
Fort Lauderdale, Florida 33311

CONTRACTOR: **Brandon Hirons**
HCA Asset Management, LLC
5124 4th Street, Cir E
Bradenton, FL 34208

13.7 Binding Authority. Each person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Agreement.

13.8 Exhibits. Each Exhibit referred to in this Agreement forms an essential part of this

Agreement. The exhibits if not physically attached should be treated as part of this Agreement and are incorporated herein by reference.

13.9 Headings. Headings herein are for convenience of reference only and shall not be considered on any interpretation of this Agreement.

13.10 Severability. If any provision of this Agreement or application thereof to any person or situation shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement, and the application of such provisions to persons or situations other than those as to which it shall have been held invalid or unenforceable shall not be affected thereby, and shall continue in full force and effect, and be enforced to the fullest extent permitted by law.

13.11 Governing Law. This Agreement shall be governed by the laws of the State of Florida with venue lying in Miami-Dade County, Florida.

13.12 Disputes. Any claim, objection, or dispute arising out of the terms of this Agreement shall be litigated in the Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida.

13.13 Attorney's Fees. To the extent authorized by law, in the event that either party brings suit for enforcement of this Agreement, the prevailing party shall be entitled to attorney's fees and court costs in addition to any other remedy afforded by law.

13.14 Extent of Agreement. This Agreement together with Contract Documents, attached as an Exhibit hereto, as amended herein above represents the entire and integrated agreement between CITY and CONTRACTOR and supersedes all prior negotiations, representations or agreements, either written or oral.

13.15 Waiver. Failure of CITY to insist upon strict performance of any provision or condition of this Agreement, or to execute any right therein contained, shall not be construed as a waiver or relinquishment for the future of any such provision, condition, or right, but the same shall remain in full force and effect.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

CITY OF OPA-LOCKA

ATTEST:

Joanna Flores, City Clerk

BY:

John Pate, City Manager

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, City Attorney

HCA Asset Management, LLC

WITNESSES:

BY: _____
Brandon Hirons

ATTEST:

SECRETARY

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE) SS:

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgments, personally appeared _____ as _____, of _____ a Florida corporation, and acknowledged executed the foregoing Agreement as the proper official of _____, for the use and purposes mentioned in it and affixed the official seal of the corporation, and that the instrument is the act and deed of that corporation.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal at in the State and County aforesaid on this ____ day of _____, 2021.

NOTARY PUBLIC

My Commission Expires:

EXHIBIT "A"
(STATEMENT OF WORK AND PRICES)



CORPORATE OFFICE
5124 4th Street Cir E
Bradenton, FL 34208
Tel: 941.752.6330

Mr. Robert Anathan
Budget Administrator
City of Opa-Locka, FL
ranathan@opalockafl.gov

PROPOSAL FOR: Capital Asset Valuation and Physical Inventory Services

Dear Mr. Anathan:

HCA Asset Management LLC (hereafter "HCA is pleased to submit the following proposal to the City of Opa-Locka, Florida, (hereafter "City"), for your consideration. The proposed services will provide a comprehensive Capital Asset Inventory, Financial Reconciliation and Asset Verification study for the capital assets owned and reported by the City. The results of the engagement will provide reliable, supportable detail and valuation for the City's assets to remove recent modified audit opinion. Additionally, we have provided an optional Insurance Appraisal Service to provide current replacement cost estimated for all subject / insured assets under the City's control.

The services offered are designed to provide a fixed asset inventory and data base reconciliation of all capital asset costs accounted for in the City financial statement reports. In addition, the inventory results will provide a "crosswalk" between current asset numbers found in the field (if any) to the new barcode asset numbers applied & recorded during this inventory and a cost accounting valuation and financial reconciliation for qualifying City assets. The fixed asset inventory/reconciliation will consider comments and suggestions from previously audited City financial statements to ensure City capital assets are accurately accounted for and reported. At the conclusion of the physical inventory, and after spending time on site and in City's environment, HCA will work in conjunction with City staff/management in the development of fixed asset policy and procedures to ensure proper stewardship of capital assets prospectively. The records and reports will enable The City to achieve compliance with all their required accountability, accounting, auditing and oversight bodies.

The inventory of the City capital asset equipment will support accounting valuation and financial reconciliation for assets supporting Property Control System thresholds and assets meeting City Capitalization Policies. The purpose of this proposal is to enter a contract to provide a physical inventory of ALL City capital asset and infrastructure items for current fiscal year. The engagement results are designed to support audit requirements described in GASB Statement 34, OMB A-21 and A-110 F&A Cost Reimbursement Requirements. Our inventory methodology supports GAAP, GAAFR, A-133 and the CASB audit standards - now all under the Uniform Guidance (UG) umbrella. **HCA is prepared to support The City and the engagement results upon State, independent and Federal audit.**

HCA acknowledges that:

- The proposal has been arrived at independently and is submitted without collusion.
- The contents of our proposal have not been disclosed by HCA nor to the best of our knowledge and belief, by any of our employees or agents, to any person not an employee or agent of HCA.

On behalf of HCA, I will act as the City engagement contact manager. With over 25 years of experience in providing inventory and valuation services to the State & Local Government, Healthcare, K-12 and Higher Education communities, it will be my pleasure to work with and support the City in this important initiative. Please do not hesitate to contact me if we can provide further insight regarding the services proposed. My contact information is outlined below.

HCA Asset Management LLC



Gregory P. Sheahan

President

941.752.6330 office 941.544.2369 cell 941.755.0083 fax

gsheahan@hcamgt.com

COMPANY DESCRIPTION & HISTORY

Our firm was established in 1985 with a primary focus on indirect cost recovery and building componentization studies. Thirty-five years ago, the concept of documenting a firm's "Core Values" simply did not exist. Yet our company was born operating under a few very basic principles. Three decades later we take great pleasure in summarizing these as follows:

- **Our Clients are our Friends** – HCA employees genuinely care about our clients and the services they receive (just ask them!).
- **Fiercely Protect our Reputation** – each team member will act professionally at all times, deliver value for our clients, and do precisely what we say we will.
- **Obsessed with Outcomes** – we're entirely committed to complete company and client satisfaction.
- **Motivated and Always Learning** – our professionals are independent, requiring little oversight, and we're continually improving ourselves.
- **We are a Team** – we support one another through humility, trust and collaboration.

In 2004 the firm added its second core business line: performing accurate insurance-related property valuation services. In 2011, our firm underwent an internal corporate "refresh", resulting in our renaming and the birth of **HCA Asset Management, LLC**. As a privately held organization, this restructuring significantly enhanced our position in the property appraisal markets, helping ensure the long-term viability of our company through extensive upgrades in technology and reporting systems. HCA possesses the financial stability and proven track record to assist your program today – and for many years to come. ***With over 35 consecutive years in business, HCA is a viable, ongoing business concern.***

Headquartered in Bradenton, Florida, many of our professional staff are domiciled there. HCA also serves clients from Minneapolis; Indianapolis; Phoenix; Park City, UT; Kansas City; and St. Louis offices. We regularly assist clients nationally, working with Governmental, Educational, Nonprofit and Pooling concerns in all 50 states. We will deploy full-time staff based out of our Florida and other offices for this engagement.

Our experience working with Federal, State and Local Governments for the purpose of supporting Inventory Control, Financial and Federal Fixed Asset reporting requirements is second to none. HCA's professional services include the development and review of fixed asset policies and procedures, inventory and valuation of land, infrastructure, buildings, movable equipment, and the implementation of bar code equipment inventory systems, plus optional future equipment re-verification studies and outsourcing of the property management function. Our engagement results are provided in flexible electronic formats and can be offered in a manner that interfaces with existing client fixed asset systems.

With over 150 years of combined management experience, we have the knowledge and expertise to establish consistent, reliable inventory and valuation conclusions. Our senior staff includes members of the American Society of Appraisers (ASA), with backgrounds in accounting, engineering, construction management and finance/economics. We are affiliated with and support NACUBO, RIMS, NPMA, AGRIP, PRIMA, HFM, NACURA, FRA, NECA, SECA, WECA, AACC and many other regional and local business organizations.

PURPOSE & OBJECTIVE

HCA has engaged in initial discussions with City staff and resulting in four (4) main objectives the City is hoping to accomplish through project. HCA believes that the primary objectives are as follows:

1. **Audit Compliance** – HCA staff will implement a plan that addresses the City’s current qualified audit opinion and provide City management audit confidence and with a solid plan for continued stewardship.
2. **Accountability and Control** – HCA will work with the City’s management and staff to develop a plan and schedule to meet all deadlines and expectations for this engagement. To provide The City with a complete comprehensive listing and valuation of ALL capital assets and infrastructure currently in their stewardship. HCA will update custodial information and contacts on all items to improve operational efficiency. We will also assist the City with implementation of simple, concise Policies and Procedures to ensure future integrity of the asset records.
3. **Capital Expenditure Planning** – The resulting records HCA develops can also be used as a tool for forecasting future capital expenditures. While this is not an immediate / primary objective the City may have in mind now, it should not be overlooked as our project unfolds. By cleaning up information on equipment, infrastructure, buildings and facility renovations a more realistic life analysis can eventually be performed, and this information can be utilized by the City for long term capital asset improvement and replacement forecasting.
4. **Property Insurance Values** – Again, this may not be a primary objective of the engagement, but HCA has provided an optional service to develop and prepare Insurance Appraisal reports to assist in this area. We have used your current Statement of Values as a starting point for this estimate.

Our Project Team personnel have worked on numerous related projects supporting specifications identical to those requested by The City. This experience, coupled with our consulting expertise, will provide the City with the professional services needed to achieve a successful seamless conclusion to this project.

PROJECT APPROACH - METHODOLOGY

All onsite fieldwork begins with a comprehensive kick-off meeting with our clients. We believe the most important elements to successfully completing your inventory and appraisal project(s) are adequate communication and proper planning. Once contacts have been established at all locations and adequate notification has been sent regarding the purpose of our project, HCA staff will conduct the physical inventory process. This effort will involve a room-by-room, area-by-area inspection to record all assets subject to this engagement.

HCA will utilize our proprietary software **HITS** to record all equipment data elements subject to this engagement. The HITS software allows us the ability to capture missing pertinent data elements while in the field standing in front of the item (i.e. serial #, model, manufacturer, different asset tag on item etc.) and sync “real time” whenever internet access is available. By syncing real time, HITS provide HCA inventory staff the ability to reconcile with departments regarding not located items on the spot – limiting City staff time and involvement. The inventory data will be uploaded on a continual basis,

providing the ability to identify matched assets and to provide the inventory exception reports needed to support the inventory reconciliation requirements.

All assets including infrastructure items will be recorded in general “classes”, or categories, and assigned an estimated useful life supporting the City’s asset classifications and useful life guidelines. A table of the coding structure and descriptions will be developed and included with the final report. Fixed asset classes will be recorded, valued, and classified in a reasonable, consistent manner. HCA anticipates utilizing City Engineering documentation, data, and “tribunal knowledge”, to support infrastructure component valuations:

Historical Cost - The actual or normal/estimated cost of property in accordance with market prices as of the date the property was first constructed or originally installed.

HCA staff will establish the Historical Cost by using Direct, Standard or Normal Costing methods, described as follows:

Direct Costing – Under this approach, HCA will directly match an inventoried asset to actual historical cost records, tying back the cost and date of acquisition. This approach is common for the more material and more recently acquired assets.

Standard Costing – This approach can be employed when the actual historical cost for an asset cannot readily be determined (i.e. Direct Cost). A standard cost is an estimated historical cost based on a widely-known average installed cost for a similar asset at the same period of acquisition. The asset’s age is estimated based on the observed condition; the manufacturer, model, serial #; and other factors deemed relevant.

Normal Costing – Where the preceding techniques cannot be employed to derive historical cost, we will estimate cost based on a present cost of replacement, indexed by a reciprocal factor of the price increase from the estimated date acquired to the appraisal date. GASB Statement Number 34 (§158) says “There are a number of price-level indexes that may be used, both private- and public-sector, to remove the effects of price-level changes from current prices.” HCA has developed a series of trend factors based on the detailed US Government Producer Price Index, and updates this set of factors annually.

The assigned useful life will be used as a basis for calculating depreciation, and is defined as follows:

Estimated Useful Life – The estimated number of periods (usually years or months) that an asset will be able to be used in the service of its intended purpose. In general, assets should have a useful life of greater than one year if they are to be capitalized.

Note: Where readily available, our staff will utilize existing (direct) cost and date information, obtained from existing City’s fixed asset and cost accounting records.

Our team will **include** the following assets in the scope of our work:

Land (beginning with client-supplied records); Land Improvements; Buildings / Structures; Moveable Equipment; Licensed Vehicles; and Infrastructure assets c/o Water / Sewer / Storm Sewer Lines, Roads, Bridges, and ROW assets assigned to roadways.

Should the Insurance Appraisal Option be selected, our team will appraisal Buildings, Contents (based on a modeling technique) and insurable Property In The Open in a manner consistent with your current Statement of Values.

HCA is committed to timely delivery and high-quality services to all our clients. Built-in quality control measures are integral to every project. We focus not only on thoroughness but on accuracy and consistency as well. Some of HCA's quality control processes include the following:

- Our Project Managers verify that every location has been visited by an HCA team member by reviewing maps, building and/or site plans, and monitoring the matched and unmatched asset list from the City's data base. Additionally, a listing of any locations unable to be accessed is provided to our clients for resolution.
- To ensure that all data collected by HCA staff is included in project deliverables, a daily log is maintained by our Project Manager. This daily log, which includes daily asset counts, is made available to our clients upon request and is compared to the total asset count in the final reports to ensure every inventoried asset is included.
- HCA will supply barcodes, barcode readers and database software to manage the asset inventory and track the inventory results on a continual basis. Inventory data captured will be uploaded throughout the day and reconciled against the entire City capital asset file. This process allows us to track the progress of the inventory and identify matched assets, matched assets transferred to different locations, assets added to the data base, and assets and locations not yet accounted for.
- Our Project Manager will review all inventory data for accurate and consistent:
 - Descriptions/Nomenclature
 - Numbering/Coding
 - Costs/Values

As our clients will attest to, the challenging portion of this engagement is not necessarily the data collection and fixed asset tagging/inventory itself, but rather the reconciliation of that data to existing records. HCA prides itself in the proven methodology, procedures and the level of detail that is taken by our staff to support an audit trail that will be acceptable to the City and your state, independent and Federal auditors. It is not uncommon to see firms with less experience to not properly allocate the time (and therefore the costs) associated with this extremely important effort. When you contact references, we recommend that you specifically address the qualifications of all firms in this area. Completing this effort right the first time can eliminate added cost and time to resolve post engagement issues. We work closely with the City's departments, management staff and auditors to provide reports and recommendations that guarantee success.

Project Approach – Reports and Deliverables

HCA will provide all required report formats for both Accounting and Insurance initiatives. The following are representative samples which can easily be modified in the planning stage of our assignment to meet your specific desires:

Sample Accounting Summary Report

2/18/20XX				CITY OF SAMPLE <i>Account Summary</i> Fiscal Year Ending: 12/31/20XX		Page 1
Account Code	Account Description	# of Assets	Original Cost	Accumulated Depreciation	Book Value	
10	Land Parcels	52	\$545,391.21	\$0.00	\$545,391.21	
20	Outdoor Improvements	12	\$203,678.53	\$102,627.46	\$101,051.06	
30	Buildings	46	\$3,862,592.49	\$1,313,352.17	\$2,549,240.31	
40	Infrastructure	90	\$7,492,506.34	\$4,115,393.56	\$3,377,112.78	
50	Machinery & Equipment	62	\$2,791,842.57	\$2,095,820.68	\$696,021.89	
60	Licensed Vehicles	29	\$1,130,612.30	\$845,235.90	\$285,376.40	
REPORT TOTALS:		291	\$16,026,623.43	\$8,472,429.78	\$7,554,193.65	

Sample Accounting Detail Report

2/16/20XX

CITY OF SAMPLE
Accounting Detail Report - Organizational
Fiscal Year Ending: 12/31/20XX



Page 11

ACTIVITY: 01 GOVERNMENTAL
PROGRAM: 874 FIRE DEPARTMENT
DEPARTMENT: 874 FIRE DEPARTMENT

-----Description-----

Asset ID	Class	Qty	Manufacturer	Model	S/N	Acq. Date	Life	Original Cost	Accumulated Depreciation	Book Value
ACCOUNT: 30 Buildings										
BA0047	300	1	FIRE STATION			1/1/1976	50	\$184,011.67	\$96,054.09	\$87,957.58
ACCOUNT TOTALS:						Asset Count:	1	\$184,011.67	\$96,054.09	\$87,957.58
ACCOUNT: 50 Machinery & Equipment										
BA0048	520	1	SET, BULLARD CAMERA HEIMAN			3/24/2004	12	\$10,285.00	\$714.24	\$9,570.76
ACCOUNT TOTALS:						Asset Count:	1	\$10,285.00	\$714.24	\$9,570.76
ACCOUNT: 60 Licensed Vehicles										
BA0049	600	1	VAN FORD	ECONOLINE	2158	1/1/1987	8	\$21,426.25	\$21,426.25	\$0.00
BA0050	602	1	FIRE TRUCK CHEVROLET	FIRE	TBD	1/1/1932	10	\$10,083.41	\$10,083.41	\$0.00
BA0051	602	1	FIRE TRUCK CHEVROLET	1 TON, 300 GALLO	1841	1/1/1988	10	\$44,645.49	\$44,645.49	\$0.00
BA0052	602	1	FIRE TRUCK GMC	FIRE TRUCK	2124	1/1/1991	10	\$102,363.37	\$102,363.37	\$0.00
BA0053	602	1	FIRE TRUCK INTERNATIONAL	TANKER	5660	1/1/1976	10	\$22,623.41	\$22,623.41	\$0.00
BA0054	602	1	FIRE TRUCK IHC	4400	9313	1/1/2002	10	\$176,000.00	\$52,800.00	\$123,200.00
ACCOUNT TOTALS:						Asset Count:	6	\$377,141.94	\$253,941.94	\$123,200.00
DEPARTMENT TOTALS:						Asset Count:	8	\$571,438.62	\$350,710.27	\$220,728.34
PROGRAM TOTALS:						Asset Count:	8	\$571,438.62	\$350,710.27	\$220,728.34

Sample Insurance Detail Report

HCA Asset Management, LLC

Sample Anywhere Insurance Detail Report

As of date: 5/1/20XX

ENTITY:	IRF03	Magnificent Municipality	ISO CONSTRUCTION CLASS:	MASONRY NONCOMBUST.
SITE:	15	Memorial Library	FRAMING:	STEEL
BUILDING:	275	MAIN LIBRARY	DATE OF CONSTRUCTION:	1994
ADDRESS:	555 MEMORIAL PARKWAY COLLEGE TOWN, SC 29201		ADDITIONS (YES-YR. OR NO):	2013
OCCUPANCY:	LIBRARY		RENOVATIONS (YES-YR OR NO):	2013
FIRE PROTECTION AND SAFETY:	AUTO FIRE PROTECTION/ALARM SYS. EMERGENCY BACK-UP GENERATOR EMERGENCY LIGHTING EXIT LIGHTING INTRUSION SYSTEM MANUAL FIRE ALARM PULL STATIONS SECURITY CAMERAS SPRINKLER SYSTEM		NUMBER OF STORIES:	2
SPRINKLERED (YES-% OR NO):	100%		GROSS/BASEMENT SF:	63,305 / NO
FOUNDATION:	CONCRETE FOOTING CONCRETE SLAB CONCRETE WALLS		ELEVATION (FT):	300
EXTERIOR WALLS:	BRICK ON MASONRY BRICK ON STUD CONCRETE BLOCK - DECORATIVE GLASS CURTAIN		DIST TO COAST (MI):	110
ROOFING:	METAL - STANDING SEAM SINGLE PLY - FULLY ADHERED		FLOOD ZONE:	X
PARTITION WALLS:	CONCRETE BLOCK CONCRETE-REINFORCED DRYWALL ON STUD		LATITUDE/LONGITUDE:	34.003952°N 81.037621°W
CEILING:	ACOUSTICAL TILE DRYWALL WOOD		 Main Entrance - North Exposure	
BUILDING SERVICES:	AIRCONDITIONING-CENTRAL ELECTRIC HEATING - CENTRAL HOT WATER HVAC - ROOFTOP PACKAGE UNITS PLUMBING			
FLOORING:	CARPETING CERAMIC TILE STONE			
BUILDING FEATURES:	AUTOMATIC DOOR OPENERS BUILT-IN CABINETS & SHELVING ELEVATOR-PASSENGER UNIQUE - SEE NARRATIVE BELOW SOLAR PANELS			
BUILDING NOTES: BUILDING COMPLETELY RENOVATED WITH SIGNIFICANT ADDITIONS ON BOTH THE NORTH AND SOUTH ENDS - WORK COMPLETE 2013. FEATURES INCLUDE NATURAL GAS, CUMMINS BACKUP GEN SET; SLATE STAIRS AND LOBBY; MANY "GREEN" / ENERGY EFFICIENT FEATURES; PV AND SOLAR THERMAL PANELS ON ROOFTOP; ADULT READING ROOM WITH 30' WALL HEIGHT; SUN SHADING ON PERIMETER ON SOUTH ADDITION; AND (2) PASSENGER ELEVATORS. CONTENTS INCLUDE HIGH QUALITY FF&E; IT SERVERS AND TERMINAL STATIONS; COLLECTION OF 197,290 ITEMS. LEED "SILVER" CERT.				

BUILDING:	
REPLACEMENT COST NEW (RC):	\$19,148,200
EXCLUSION AMOUNT:	\$315,200
RC MINUS EXCLUSIONS:	\$18,833,000
PROPERTY IN THE OPEN:	\$0
PERSONAL PROPERTY:	
CONTENT VALUE:	\$6,232,500
EDP:	\$130,000
PERSONAL PROPERTY TOTAL:	\$6,362,500

HCA...
We Value What's
Important to YOU!

Page 1 of 2

MANAGEMENT PLAN AND TIMETABLE

HCA understands that “time is of the essence” for this valuation, inventory and reconciliation project and we are prepared to begin the engagement shortly after award and contract execution. The anticipated timeframe for completion of the capital asset review, inventory, reconciliation, valuation and delivery of the final reports and electronic media is estimated to be 75 **calendar** days from receipt of the City’s executed contract and commencement of the on-site field work.

HCA shall perform onsite work during normal City business hours Monday through Friday, 8:00 am through 5:00 pm, but is also prepared to inventory 24-hour facilities, such as Fire/Police stations and facilities after hours as stipulated by the City. HCA has a proven record on engagements of this size and scope. Managing the onsite inventory of City’s assets in conjunction with the inspection and valuation of The City’s capital equipment, buildings and infrastructure is not without its challenges; however, HCA is up to each one of them.

PROJECT EXPERIENCE & REFERENCES

HCA prides itself on having attracted and retained some of the most skilled and experienced staff in the public-sector inventory, valuation & appraisal industry. We tackle assignments with a “one client at a time” approach, unique in a field where many firms focus on top-line (revenue) targets, and short-term growth. Our team has taken the opposite approach, focusing on delivering a quality report, on time and for a fair fee – one commensurate with our skill sets. Our staff has many years working with HCA and fully trained for this type of work, you will never find personnel who are *unqualified* on **any** of our engagements.

Our proposed team is well-qualified and extremely experienced on projects with similar scope and size. HCA is a unique firm offering clients a national presence and capabilities, without losing that “small company” feel so often associated with the highest level of customer satisfaction. Although there are larger consulting practices, we feel we are appropriately sized to satisfy our clients. With the HCA focused approach, every client is important, regardless of project size or fee.

REFERENCES

City of Oxnard, California – Government

Baseline inventory, cost valuation and financial accounting reporting. 2017 – assisted the City with removal of modified audit opinion, initial baseline valuation, accounting allocation including buildings, equipment, vehicles, infrastructure, land, land improvements etc.

Contact: Ms. Deanna Purcell – Assistant CFO 805-200-5400 deanne.purcell@oxnard.org

Successfully audited by: Eadie and Payne Certified Public Accountants CA. Contact: Ms. Eden Casareno CPA, Partner in-Charge of Attest Services 951.241-7805 ecasareno@eadiepaynellp.com

The infrastructure component of this engagement was a large reason that we were selected to assist on this engagement.

City of St. Clairsville, Ohio – Government

Baseline inventory, cost valuation and financial accounting reporting. 2013 – present ongoing annual updates after initial baseline accounting allocation including buildings, equipment, vehicles, infrastructure, land improvements etc.

Contact: Ms. Cindi Henry – Finance Director 740-695-0880 chenry@stclairsville.com

Successfully audited by: State of Ohio Auditors Office Contact: Ms. Denise Wiethe, Auditor of State Dave Yost's Office, Assistant Chief Project Manager – Special Projects drwiethe@ohioauditor.gov

Dekalb County, Georgia – Government

Baseline inventory, cost valuation and financial accounting and Insurable value reporting. 2019 - present ongoing annual updates after initial baseline accounting allocation including buildings, equipment, vehicles, infrastructure, land, land improvements etc.

Contact: Ms. Lisa Williams MBA – Controller 404-371-2238 lisawilliams@dekalbcountyga.gov

Monroe County, Ohio – Government

Baseline inventory, cost valuation and financial accounting reporting. 2017 – present ongoing annual updates after initial baseline accounting allocation including buildings, equipment, vehicles, infrastructure, land improvements etc. Contact: Ms. Sheila Turner – Finance Director 740-472-1341 sheilaturner@monroecountyohio.com

Sarasota County, Florida – Government

Capital asset inventory, cost valuation and financial accounting reporting. 2013-2020 provided annual capital fixed equipment inventory, audit, reconciliation services for compliance with **Chapter 274, Florida Statutes**, which establishes provisions regarding the control, supervision, and disposal of tangible personal property owned by local governments. Contact: Ms. Carol Alder – Supervisor, Fixed Assets Management 941-861-7252 calder@scgov.net

Broward County Fire and Rescue, Florida – Government

Capital asset inventory, cost valuation and financial accounting reporting. 2019 provided annual capital fixed equipment inventory, audit, reconciliation services for compliance with **Chapter 274, Florida Statutes**, which establishes provisions regarding the control, supervision, and disposal of tangible personal property owned by local governments. Broward Sheriff Fire & Emergency “The largest dual accredited public safety agency in America”. Contact: Deputy Chief Greg Holness BA, 954-321-4592 gregory_holness@sheriff.org

Clark County Water Reclamation District – Las Vegas, NV

2006 to present. Ongoing appraisal and capital asset inventory, valuation and updating. HCA annually assists the District with both Financial Capital Asset and Insurable reporting needs, performing onsite reviews of all completed projects.

Contact: Ms. Maggie Chan, CPA – Accounting Manager; 702-668-8107 mchan@cleanwaterteam.com

Metropolitan Council Environmental Services – St. Paul, Minnesota

2011 – present ongoing appraisal and capital asset inventory comprehensive 2017. State of Minnesota's largest wastewater collection and treatment authority.

Contact: Ms. Marie Henderson, Controller, 90 North Robert Street, St. Paul, MN, 55101, 651-602-1387 Marie.Henderson@metc.state.mn.us

HCA INVENTORY/AUDIT/VALUATION CLIENTS (Partial Listing)

City of Oxnard California

Hamilton County, Ohio

Sarasota County Florida

City of Flagstaff Arizona

City of Alamogordo New Mexico

City of Brian Texas

Weill Cornell Medical College

Loudoun County Public Schools VA

California Institute of Technology

University of Michigan

Dekalb County Georgia

University of Virginia

City of Downey California

Maryland Transit Authority

City of St Clairsville Ohio

Monroe County, Ohio

City of Palmetto Florida

Hillsborough County FL

University of Wisconsin

Pennsylvania State University

Manassas Park City Schools

Loudoun County Govt. VA

Boston University

University of Arizona

Broward County Florida

City of Niles Ohio

City of Lake Forest California

Milwaukee Transit Authority

CITY STAFF COMMITMENT

The successful execution of any fixed asset valuation, inventory & reconciliation requires a cooperative and coordinated relationship between the consultant and client. Our anticipated role as the selected vendor will be to perform the majority of all tasks associated with the execution of the engagement. However, The City's involvement will be critical in the following areas to ensure our overall success.

Based on our vast project experience, the most critical step will be the assignment of a City employee as coordinator for the engagement. Having your coordinator involved in the assignment from start to finish is essential and helps ensure total project continuity and stewardship once our staff has completed our work and the data resides in The City's property system. The City's coordinator should have a basic understanding of fixed asset cost accounting and full knowledge of your internal fixed asset accounting requirements. The coordinator should be available to:

- A. Coordinate appraisal staff requirements concerning:
 - a. Access to sites, buildings and space
 - b. Security clearances
 - c. Requests for the System fixed asset database, reports, and work space.
- B. Arrange introductions of HCA staff to appropriate City personnel (i.e. specific project contacts, City Engineers, Accounting Staff, MIS, Building Security, etc.).
- C. Notify appropriate City personnel concerning the nature of the project (i.e. Project Announcement Memo/Correspondence).
- D. Obtain workspace for the inventory meetings, preferably near Project Management or Accounting Departments.
- E. Provide HCA with all current and up-to-date asset listings immediately upon award (or as soon thereafter as possible).

Procedures will be developed to account for capital assets that are received by The City during the inventory process. The HCA working file will be frozen as of a specific date, allowing us and The City to properly account for new assets.

PRICE QUOTE

Thank you for this opportunity to submit our proposal to provide professional capital asset inventory, valuation and financial reconciliation services. To indicate acceptance of the service option described, please place your initials in the space provided, execute the signature line, and return to the undersigned. Based on our understanding of the City of Opa-Locka's requirements and the level of professional skills necessary to complete the engagement to support the specifications described in our proposal response, HCA is pleased to submit the following professional fees and expenses supporting the proposed services. Out-of-at pocket administrative, travel and living expenses are included in our fixed cost fees.

We have reviewed the City's current property and fixed asset listing schedules, as provided by City staff, in advance of this estimate. The number of locations identified on these schedules and total asset counts were instrumental in the development of this proposal. HCA will negotiate significant variances, if any, prior to submittal of final, certified reports. Based on our understanding of the City of Opa-Locka Florida requirements and the level of professional skills necessary to complete the engagement to support the specifications described in our proposal response, HCA is pleased to submit the following professional fees and expenses supporting the proposed services:

ACCEPTED

- Perform physical inventory, tagging, valuation and financial reconciliation of ALL City capital assets

Baseline Fixed Asset Inventory/Reconciliation (Individual item threshold \$1,000 or greater)
Includes 1,000 barcode asset tags reading Property of City of Opa-Locka **\$26,000** _____

Option 1: Insurance Appraisal (buildings/structures) **\$5,000** _____

Option 2: Policy and Procedure (development assistance) **\$2,000** _____

Exclusions include staff personal property, historical collections, antiques, works of art, etc.

Proposed Payment Schedule:

HCA will invoice the City of Opa-Locka for services rendered throughout the progress of our work. The City will be billed twenty percent of the total contract fees upon contract authorization and a minimum of one week of field work has been completed by HCA staff. Thereafter the City will be billed on a monthly progressive basis for professional fees and expenses incurred up to ninety percent of the total contract amount. An invoice for the remaining professional fees will be submitted with the delivery of the final reports and electronic media. Invoices shall be payable upon receipt. HCA reserves the right to charge interest calculated on the basis of one and one-half percent per month if payment is not received within 40 days of receipt of our invoice.



With my signature below and designation of the desired options with my initials above, I hereby signify The City of Opa-Locka, Florida acceptance of the services and professional fees proposed.

ACCEPTED BY: City of Opa-Locka, Florida

Signature _____

Date _____

Name, Title (printed) _____

Tele _____

Email _____

OFFERED BY: HCA ASSET MANAGEMENT



Date 12/30/2020

Gregory P. Sheahan, President

Office 941.752.6330 Direct 941.544.2369

Email gsheahan@hcamgt.com

**FIRST READING
ORDINANCE / PUBLIC
HEARING**

1st Reading/Public Hearing:

2nd Reading/Public Hearing:

Adopted:

Effective Date:

Sponsored By: City Manager

ORDINANCE NO. 20-~~XXX~~

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka, FL adopted its 2020-2021 fiscal year General, Proprietary and Special Revenue Funds budgets by passage of Ordinance 20-16 and as amended by passage of Budget Amendment # 1, Ordinance 20-22; and

WHEREAS, pursuant to Section 166.241(5), Florida Statutes, the governing body of each municipality at any time within a fiscal year or within 60 days following the end of a fiscal year may amend a budget for that year as follows:

- a) Appropriations for expenditures within a fund may be decreased or increased by motion recorded in the minutes if the total appropriations of the fund is not changed;
- b) The governing body may establish procedures by which the designated budget officer may authorize budget amendments if the total appropriations of the fund is not changed;
- c) If a budget amendment is required for a purpose not specifically authorized in paragraph (a) or paragraph (b), the budget amendment must be adopted in the same manner as the original budget unless otherwise specified in the municipality's charter; and

WHEREAS, the City Commission desires to amend its 2020-2021 Fiscal Year General, Proprietary and Special Revenue Funds budgets as set forth in Exhibit "A".

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA- LOCKA, FLORIDA:

SECTION 1. RECITALS ADOPTED

The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

Pursuant to Article IV, Section 4.5 of the City Charter, the City Manager has recommended proposed Amended General, Proprietary and Special Revenue Funds Budgets to the City Commission for the Fiscal Year retroactive to October 1, 2020, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein.

The City Commission of the City of Opa-Locka hereby approves, adopts and ratifies the proposed Amended General, Proprietary and Special Revenue Funds Budgets for the Fiscal Year 2020-2021, and hereby appropriates the budgeted expenditures and revenues as set forth in the attached Exhibit "A".

The City Manager is authorized to expend or contract for expenditures, pursuant to the City of Opa-Locka's Charter and the adopted Code of Ordinances in accordance with the adopted Amended General, Proprietary and Special Revenue Funds Budgets for Fiscal Year 2020-2021.

The department/division expenditure allocations established by the City Manager, as revised and summarized in the budget attached as Exhibit "A", are hereby adopted and ratified. Funds of the City for General, Proprietary and Special Revenue Funds Budgets shall be expended in accordance with the appropriations provided by the budget, which shall constitute an appropriation of amounts specified therein. Expenditure control shall be at the fund level. Funds may be expended by, and with the approval of, the City Manager and the City Commission, in accordance with the provisions of the City Charter, adopted Code of Ordinances and applicable laws. Supplemental appropriations and reduction of appropriations, if any, shall be made in accordance with the City Charter.

Any and all outstanding encumbrances as of September 30, 2020, shall not lapse at that time and appropriations have been hereby provided for those outstanding encumbrances that have been incurred prior to September 30, 2020, but are not expected to be paid until after then. Receipts from sources not anticipated in the attached budget may be appropriated and expensed by Ordinance duly enacted by the City Commission in accordance with the applicable law. Adjustments within the same fund to departmental appropriations made in the attached Budget may be approved, from time to time, by the City Manager, or by Resolution adopted by the City Commission, if

lawful. The City Manager is authorized to approve adjustments to the expenditure code allocations, within the limit of department appropriations made in the attached Budget.

All Ordinances setting fees and charges, and all other fees and charges consistent with appropriations adopted herein, as may be amended during the fiscal year, are hereby ratified, confirmed and approved.

SECTION 3. SCRIVENER'S ERRORS.

Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-locka and upon a filing of a certified copy hereof with the Florida Department of State and is subject to the approval of the Governor or Governor's Designee.

PASSED and ADOPTED this 13th day of January, 2021.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke
Commissioner Davis
Commissioner Taylor
Vice-Mayor Williams
Mayor Pigatt

_____ (Yes)
_____ (Yes)
_____ (Yes)
_____ (Yes)
_____ (Yes)

_____ (No)
_____ (No)
_____ (No)
_____ (No)
_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Robert Anathan			Department Director Signature:			
City Manager:	John Pate			CM Signature:			
Commission Meeting Date:	Jan 13, 2021		Item Type: (Enter X in box)	Resolution	Ordinance	Other	
Fiscal Impact: (Enter X in box) N/A	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading	
	X		Public Hearing: (Enter X in box)	Yes	No	Yes	No
				X		X	
Funding Source: Account# :	(Enter Fund & Dept) See Attachments		Advertising Requirement: (Enter X in box)	Yes		No	
				X			
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:				
		X					
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)			
		X	Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐				
Sponsor Name	City Manager		Department: City Manager's Office	City Manager			

Short Title:

FY 21 Budget Amendment #2

Staff Summary:

Issue: Purchase orders and contracts initiated in FY 20 but which carry over into FY 21 for completion require budget amendments to cover the portion of the projects and the related funding sources to be expended in FY 21. Additionally new unbudgeted issues arising also require budget amendments.

Background: The City's FY 21 budget of \$45,838,283 was initially adopted on September 22, 2020. On November 19, 2020, FY 21 Budget Amendment #1 was approved, increasing the budget by \$4,414,244 to a new total of \$50,252,527. This amendment included \$427,600 related to new issues with the remainder attributable to rolling over projects approved and funded in FY 20 with the uncompleted portions of these project, and their funding sources, rolled over into FY 21, increased interfund transfers and accounting adjustments.

Current Activity: Budget Amendment #2 is composed of 27 issues, structured as follows:

Gross Expenditures

FY 20 Projects Rolled Into FY 21 (10)	\$ 469,915
Cash Card Program (1)	\$ 600,100
Other (16)	\$ 715,359
Transfers-Out	<u>\$ 54,725</u>
Gross Expenditures	\$1,840,099

Funding

Revenue (1)	\$ 600,100
Cost Savings (10)	\$ 402,400
Use Of Contingency (3)	\$ 176,959
Use Of Fund Balance – Rolled Over Projects (10)	\$ 469,915
Use of Fund Balance – Other (3)	\$ 136,000
Transfers-In	<u>\$ 54,725</u>
Gross Expenditures	\$1,840,099

Net Increase

Gross Expenditures	\$1,840,099
Savings	(\$ 402,400)
Use Of Contingency	<u>(\$ 176,959)</u>
Net Increase	\$1,260,740

Adopted Budget Through Amendment #1 \$50,252,527

Recommended Budget Through Amendment #2 \$51,513,267

A summary of the ten projects which were rolled forward are as follows:

1. As-Built Plans – Pump Station # 7 & Force Main	\$ 6,850
2. City Code Recodification – City Clerk	\$ 11,399
3. City Code Recodification – Community Development	\$ 9,139
4. Pump Replacement – Pump Stations # 10	\$ 14,349
5. Generator Upgrade – Municipal Complex	\$ 18,725
6. Storm Drainage System Maintenance	\$ 12,591
7. Relining Pump Station Collection Basin	\$ 305,695
8. Pump Stations # 4 CCTV Evaluation	\$ 27,741
9. Sewer Evaluation Survey	\$ 44,066
10. Police Chief Recruitment	<u>\$ 16,350</u>
Total – Rolled Forward Projects	\$ 469,915

CARES Act Cash Card Program – The City had anticipated overseeing the distribution of \$1.0 million in food cash cards and another \$1.0 million in rent and mortgage relief. The latter program didn't generate significant community interest and \$600,100 has been moved from that program to the food cash card program.

Significant items in the remaining 16 items include the following:

Additional Use Of Fund Balance (3)

1. \$30,000 – Purchase of a second Police motorcycle and additional equipment for the previously purchased motorcycle. Will be funded from the Special Law Enforcement Fund with no impact on the General Fund.
2. \$36,000 – Replacement of Municipal Complex fire alarm panel. This was scheduled for FY 20 but wasn't undertaken. The FY 20 forecast had assumed this would be completed last year. Since it wasn't initiated, the funding went into the Fund Balance and can be used in FY 21.
3. \$70,000 – Boom Lift Vehicle for PW Building Maintenance and Roads & Streets. This was scheduled for FY 20 but wasn't undertaken. The FY 20 forecast had assumed this would be completed last year. Since it wasn't initiated, the funding went into the Fund Balance and can be used in FY 21

Additional Staffing (2)

1. \$91,599 – Two unbudgeted positions are recommended to be added: (1) Public Works – Administration (Operations Manager) and (2) HR (HR Assistant), including additional compensation adjustments for other division members. The addition of the these two positions, plus an unbudgeted Parks & Recreation Assistant Director position (amendment not required this year due to other vacant positions in the division) will add slightly less than \$1 million of cost over the five-year plan period, reducing the FY 25 General Fund Available Fund Balance from \$4.5 million to \$3.5 million, \$0.3 million above the minimum required balance of \$3.2 million.

Other Significant Items (\$40,000 Or Greater)

1. \$40,000 – Glorieta Gardens Retention Pond
2. \$230,000 – Cairo Lane Clean-Up (Drainage)
3. \$50,000 – Establishment of an account within the Illegal Dumping (Trash) division to track costs associated with illegal dumping.

.Proposed Action:

Staff recommends that the City Commission approve the proposed amendments.

Attachment:

1. Summary of the recommended amendments
2. Detailed information on each recommended amendment

FY 21 Budget Amendment #2

Governmental Funds										
	General Fund	CRA Fund	Safe Neighborhood Capital Fund	People's Transportation Plan Fund	Town Center Fund	Debt Service Fund	Special Law Enforcement Fund	Insurance Service Fund	Information Technology Service Fund	Total Gov Funds
<u>Budget - Thru Amend #1</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	18,290,866	1,046,910	987,280	1,938,140	65,274	3,011,857	-	2,659,159	713,735	28,713,221
Fund Balance	1,440,041	-	-	883,166	-	-	-	-	-	2,323,207
Total Funding	19,730,907	1,046,910	987,280	2,821,306	65,274	3,011,857	-	2,659,159	713,735	31,036,428
<u>Expenditure</u>	19,730,907	1,046,910	987,280	2,821,306	652,744	3,011,857	-	2,659,159	713,735	31,623,898
<u>Amendment #2</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	600,100	-	-	-	54,725	-	-	-	-	654,825
Fund Balance	161,613	-	-	-	-	-	30,000	-	-	191,613
Total Funding	761,713	-	-	-	54,725	-	30,000	-	-	846,438
<u>Expenditure</u>	761,713	-	-	-	54,725	-	30,000	-	-	846,438
<u>Budget Thru Amend #2</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	18,890,966	1,046,910	987,280	1,938,140	119,999	3,011,857	-	2,659,159	713,735	29,368,046
Fund Balance	1,601,654	-	-	883,166	-	-	30,000	-	-	2,514,820
Total Funding	20,492,620	1,046,910	987,280	2,821,306	119,999	3,011,857	30,000	2,659,159	713,735	31,882,866
<u>Expenditure</u>	20,492,620	1,046,910	987,280	2,821,306	707,469	3,011,857	30,000	2,659,159	713,735	32,470,336

FY 21 Budget Amendment #2

General Fund

	Budget Thru Amend #1	Amendment #2	Budget Thru Amend #2
<u>Funding</u>			
Revenue/Loans/Trans In	18,290,866	600,100	18,890,966
Fund Balance	1,440,041	161,613	1,601,654
Total Funding	19,730,907	761,713	20,492,620
<u>Expenditure</u>			
Commission	127,281	-	127,281
City Manager	594,331	-	594,331
General Fund Non-Department	7,494,777	554,216	8,048,993
Clerk	391,921	50,315	442,236
Attorney	645,000	-	645,000
Finance	1,000,138	(70,000)	930,138
Human Resources	204,701	55,000	259,701
Planning & Community Dev	283,783	9,139	292,922
Building & Licenses	419,325	-	419,325
Parks & Recreation	733,842	-	733,842
Police	5,075,342	15,000	5,090,342
Code Enforcement	357,580	(25,000)	332,580
Public Works - Admin	333,067	53,043	386,110
Public Works - Bldg Maintenance	552,559	35,000	587,559
Public Works - Streets	699,275	35,000	734,275
Public Works - Trash	137,886	50,000	187,886
Public Works - Vehicle Maintenance	680,099	-	680,099
Total Expenditure	19,730,907	761,713	20,492,620

FY 21 Budget Amendment #2

Enterprise Funds			
	Water Sewer Fund	Storm Water Fund	Total Enterprise Funds
<u>Budget Thru Amend #1</u>			
<u>Funding</u>			
Revenue/Loans/Trans In	13,849,848	1,853,376	15,703,224
Fund Balance	874,813	2,050,592	2,925,405
Total Funding	14,724,661	3,903,968	18,628,629
Expenditure	14,724,661	3,903,968	18,628,629
<u>Amendment #2</u>			
<u>Funding</u>			
Revenue/Loans/Trans In	-	-	-
Fund Balance	401,711	12,591	414,302
Total Funding	401,711	12,591	414,302
Expenditure	401,711	12,591	414,302
<u>Budget Thru Amend #2</u>			
<u>Funding</u>			
Revenue/Loans/Trans In	13,849,848	1,853,376	15,703,224
Fund Balance	1,276,524	2,063,183	3,339,707
Total Funding	15,126,372	3,916,559	19,042,931
Expenditure	15,126,372	3,916,559	19,042,931

FY 21 Budget Amendment #2

#	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
1	<u>As Built Plans - Pump Station #7 & 3 Inch Main (FY 20 Rollover)</u>							
	Sewer	Exp	35-535340	Other Contracted Services	303,807	6,860	310,667	Carryover of project approved in FY 20 but not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Wtr-Swr	Trf In	440-383010	Transfer-In, Fund Balance	874,813	6,860	881,673	
2	<u>Recodification of City Code (FY 20 Rollover)</u>							
	Clerk	Exp	16-512312	Other Professional Services	16,000	11,399	27,399	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Gen Fund	Trf In	001-383010	Transfer-In, Fund Balance	1,440,041	11,399	1,451,440	
3	<u>Recodification of Land Code (FY 20 Rollover)</u>							
	Com Dev	Exp	37-515312	Other Professional Services	2,500	9,139	11,639	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Gen Fund	Trf In	001-383010	Transfer-In, Fund Balance *	1,451,440	9,139	1,460,579	
	* Budget adjusted for prior items.							
4	<u>Pump Replacement - PS #10 (FY 20 Rollover)</u>							
	Sewer	Exp	35-535640	Machinery & Equipment	40,000	14,349	54,349	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Wtr-Swr	Trf In	440-383010	Transfer-In, Fund Balance *	881,673	14,349	896,022	
	* Budget adjusted for prior items.							
5	<u>Generator Upgrade - Municipal Center (FY 20 Rollover)</u>							
	Twn Cntr	Exp	62-519340	Other Contracted Services	208,000	18,725	226,725	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Twn Cntr	Trf In	490-381001	From General Fund	406,677	18,725	425,402	
	Gen Fund	Trf Out	19-519999	To Town Center Fund	406,677	18,725	425,402	
	Gen Fund	Trf In	001-383010	Transfer-In, Fund Balance *	1,460,579	18,725	1,479,304	
	* Budget adjusted for prior items.							
6	<u>Storm Drainage System Maintenance (FY 20 Rollover)</u>							
	Storm	Exp	43-538340	Other Contracted Services	223,500	12,591	236,091	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Storm	Trf In	450-383010	Transfer-In, Fund Balance	2,050,592	12,591	2,063,183	
7	<u>Relining PS #8 Collection Basin (FY 20 Rollover)</u>							
	Sewer	Exp	35-5356314	SRF Projects - Wastewater	-	308,695	308,695	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Wtr-Swr	Trf In	440-383010	Transfer-In, Fund Balance *	896,022	308,695	1,204,717	
	* Budget adjusted for prior items.							

FY 21 Budget Amendment #2

#	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
8	<u>PS #4 Collection Basin CCTV (FY 20 Rollover)</u>							
	Sewer	Exp	35-535340	Other Contracted Services *	310,667	27,741	338,408	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Wtr-Swr	Trf In	440-383010	Transfer-In, Fund Balance *	1,204,717	27,741	1,232,458	
	* Budget adjusted for prior items.							
9	<u>Sewer Evaluation Survey (FY 20 Rollover)</u>							
	Sewer	Exp	35-535340	Other Contracted Services *	338,408	44,066	382,474	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Wtr-Swr	Trf In	440-383010	Transfer-In, Fund Balance *	1,232,458	44,066	1,276,524	
	* Budget adjusted for prior items.							
10	<u>Police Chief Recruiting (FY 20 Rollover)</u>							
	Non-Dept	Exp	19-519312	Other Professional Services	120,000	16,350	136,350	Carryover of project approved in FY 20 but fully not paid for until FY 21. Fund Balance available since FY 20 approved funding not used in FY 20
	Gen Fund	Trf In	001-383010	Transfer-In, Fund Balance *	1,479,304	16,350	1,495,654	
	* Budget adjusted for prior items.							
11	<u>Motorcycle & Equipment</u>							
	Spc Law	Exp	65-521648	Vehicle Lease/Purchase	-	30,000	30,000	Funding of a second motorcycle and fitting out equipment for first motorcycle. Funded from Special Law Enforcement Fund
	Spc Law	Trf In	165-383010	Transfer-In, Fund Balance	-	30,000	30,000	
12	<u>Municipal Complex Fire Panel</u>							
	Twn Cntr	Exp	62-519640	Machinery & Equipment	-	36,000	36,000	Fire panel in Municipal Complex requires replacement. Was a FY 20 project and FY 20 forecast assumed project would be done. Project wasn't done and funds forecasted for use went to Fund Balance, making them available for use in FY 21
	Twn Cntr	Trf In	490-381001	From General Fund	425,402	36,000	461,402	
	Gen Fund	Trf Out	19-519999	To Town Center Fund	425,402	36,000	461,402	
	Gen Fund	Trf In	001-383010	Transfer-In, Fund Balance *	1,495,654	36,000	1,531,654	
	* Budget adjusted for prior items.							
13	<u>HR - Additional Position / Current Position Compensation Increase</u>							
	HR	Exp	13-513120	Salaries - Regular	31,320	32,201	63,521	Unbudgeted HR Administrator position and promotion for current staff. Funding comes from General Fund Contingency
	HR	Exp	13-513210	FICA	8,309	2,470	10,779	
	HR	Exp	13-513220	Retirement	10,862	3,229	14,090	
	HR	Exp	13-513230	Life And Health Insurance	14,763	1,017	15,780	
	Non-Dept	Exp	19-519390	Contingency	1,256,582	(38,916)	1,217,666	

FY 21 Budget Amendment #2

#	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
14	<u>PW Admin - Additional Position / Current Position Compensation Increase</u>							
	PW Admin	Exp	32-541120	Salaries - Regular	179,291	45,075	224,366	Unbudgeted Operations Manager position and compensation increase for current staff. Funding comes from General Fund Contingency
	PW Admin	Exp	32-541210	FICA	18,992	3,453	22,445	
	PW Admin	Exp	32-541220	Retirement	24,826	4,515	29,341	
	Non-Dept	Exp	19-519390	Contingency *	1,217,666	(53,043)	1,164,623	
	* Budget adjusted for prior items.							
15	<u>HR - Retirement Payment Penalties</u>							
	HR	Exp	13-513225	Retirement Penalty	-	30,000	30,000	Penalties for late and inaccurate payments. Funding from General Fund Contingency
	Non-Dept	Exp	19-519390	Contingency *	1,164,623	(30,000)	1,134,623	
	* Budget adjusted for prior items.							
16	<u>HR - Additional ADP Fees</u>							
	HR	Exp	13-513340	Other Contracted Services	23,000	25,000	48,000	Additional payroll processing fees previously reported elsewhere as an unidentified expenditure. Funding from General Fund Contingency.
	Non-Dept	Exp	19-519390	Contingency *	1,134,623	(25,000)	1,109,623	
	* Budget adjusted for prior items.							
17	<u>Stormwater - Glorieta Gardens Retention Pond</u>							
	Storm	Exp	43-538633	Glorieta Gardens Retention Pond	-	40,000	40,000	Glorieta Gardens Retention Pond - Design Phase. Funding comes from a project to be defined in FY 21.
	Storm	Exp	43-538634	Stormwater Project - TBD	600,000	(40,000)	560,000	
18	<u>Stormwater - Additional Cairo Lane Clean-Up (Drainage)</u>							
	Storm	Exp	43-5386315	Cairo Lane	300,000	230,000	530,000	Additional clean-up (drainage) - Funding comes from a project to be defined in FY 21
	Storm	Exp	43-538634	Stormwater Project - TBD *	560,000	(230,000)	330,000	
	* Budget adjusted for prior items.							
19	<u>Non-Department - Increased CARES Act Cash Card</u>							
	Gen Fund	Rev	001-331511	Fed CARES Act - COVID-19	1,100,000	600,100	1,700,100	Increase in CARES Act cash card program. Reimbursed by County CARES Act Grant
	Non-Dept	Exp	19-525380	CARES Grocery Gift Card	1,000,000	600,100	1,600,100	
20	<u>PW - Boom Lift Vehicle</u>							
	Bldg	Exp	39-541640	Machinery & Equipment	195,000	35,000	230,000	Boom lift required for tree and building maintenance. Was a FY 20 project and FY 20 forecast assumed project would be done. Project wasn't done and funds forecasted for use went to Fund Balance, making them available for use in FY 21
	Roads	Exp	41-541640	Machinery & Equipment	58,000	35,000	93,000	
	Gen Fund	Trf In	001-383010	Transfer-In, Fund Balance *	1,531,654	70,000	1,601,654	
	* Budget adjusted for prior items.							
21	<u>Finance - Audit Fees</u>							
	Finan	Exp	17-513320	Accounting & Auditing	50,000	32,000	82,000	Correction of a budget error. Funded from over budgeting amount required for valuation study.
	Finan	Exp	17-513312	Other Professional Services	257,500	(32,000)	225,500	

FY 21 Budget Amendment #2

#	Amendment Details				Budget	Adj	Revised	
22	Water-Sewer - Audit Fees							
	W-S Finan	Exp	61-513320	Accounting & Auditing	27,500	30,000	57,500	Correction of a budget error. Funded from Water-Sewer Contingency
	W-S Finan	Exp	61-513992	Contingency	435,998	(30,000)	405,998	
23	Non-Dept Terminal Leave Payout							
	GF Non-Dpt	Exp	19-581922	Sick Annual Leave Reserve	125,000	30,000	155,000	Increase in payout of unused leave on termination of employment. Funded from vacant Code positions.
	Code	Exp	23-521120	Salaries - Regular	248,117	(19,000)	229,117	
	Code	Exp	23-521210	FICA	19,052	(1,500)	17,552	
	Code	Exp	23-521220	Retirement	24,905	(2,000)	22,905	
	Code	Exp	23-521230	Life And Health Insurance	36,378	(7,500)	28,878	
24	Additional Police Training Requirements, Including Code							
	Pol-CID	Exp	20-521541	Educational Costs	-	5,000	5,000	Increase Police / Code training requirements. Funded by vacant Finance positions
	Pol-Ptrl	Exp	22-521541	Educational Costs	6,500	10,000	16,500	
	Code	Exp	23-521541	Educational Costs	-	5,000	5,000	
	Finan	Exp	17-513110	Salaries - Executive	115,442	(5,000)	110,442	
	Finan	Exp	17-513120	Salaries - Regular	382,467	(10,000)	372,467	
	Finan	Exp	17-513210	FICA	38,090	(1,000)	37,090	
	Finan	Exp	17-513220	Retirement	49,791	(1,000)	48,791	
	Finan	Exp	17-513230	Life And Health Insurance	54,548	(3,000)	51,548	
25	Trash - Illegal Dumping							
	Trash	Exp	50-534340	Other Contracted Services	-	50,000	50,000	Establishment of separate account in Solid Waste Division to track cost of illegal dumping. Funded by vacant Finance positions.
	Finan	Exp	17-513110	Salaries - Executive *	110,442	(12,500)	97,942	
	Finan	Exp	17-513120	Salaries - Regular *	372,467	(25,000)	347,467	
	Finan	Exp	17-513210	FICA *	37,090	(2,500)	34,590	
	Finan	Exp	17-513220	Retirement *	48,791	(2,500)	46,291	
	Finan	Exp	17-513230	Life And Health Insurance *	51,548	(7,500)	44,048	
* Budget adjusted for prior items.								
26	IT - Postage							
	IT	Exp	85-512420	Postage	-	200	200	Establishment of small postage expense
	IT	Exp	85-512528	Software Licensing	221,027	(200)	220,827	
27	Commission Operating Expense Adjustment							
	Comm	Exp	10-511521	Clothing / Uniforms	700	200	900	Rebalancing of expenditures between Clothing / Uniforms and General Expense
	Comm	Exp	10-511493	General Expenses	900	(200)	700	

SECOND READING ORDINANCES / PUBLIC HEARINGS

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING AND REPLACING, IN ENTIRETY, ARTICLE IV OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "STORMWATER UTILITY", SPECIFICALLY AMENDING SECTIONS 21-190 THROUGH 21-196; CREATING NEW SECTIONS 21-197 THROUGH 20-203; PROVIDING FOR INTENT; CONSTRUCTION; DEFINITIONS; UTILITY ESTABLISHMENT; CUSTOMER BASE; UTILITY CATEGORIES; FEE SCHEDULE AND PAYMENT; EXEMPTIONS; STORMWATER UTILITY ENTERPRISE FUNDS; REQUEST FOR ADJUSTMENT; PROHIBITIONS; PERMITS, PLAN REVIEWS, INSPECTIONS AND ADMINISTRATIVE FEES; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka, Florida, ("City") desires to amend Article IV of the City of Opa-Locka 's Code of Ordinances entitled "Stormwater Utility" to replace said section in its entirety; and

WHEREAS, the City currently charges stormwater fees on the water bill but desires to have the stormwater fee charged on the annual property tax bill, and

WHEREAS, Section 403.0893, Florida Statutes, authorizes the City to establish one or more stormwater utilities and adopt stormwater utility fees or assessments sufficient to plan, construct, operate, and maintain stormwater management throughout the City, and to establish and set aside, as a continuing source of revenue, other funds sufficient to plan, construct, operate, and maintain stormwater management systems throughout the City; and

WHEREAS, Section 403.0893(3), Florida Statutes, authorizes the City to create, alone or in cooperation with the other counties, municipalities, and special districts, one or more stormwater management system benefit areas within Miami-Dade County, Florida, and specifically providing all property owners within the benefit areas may be assessed a Stormwater Utility fee or assessment to fund the planning, construction, operation, maintenance, and administration of a public stormwater management system for the benefited area; and

WHEREAS, Section 403.0893(3), Florida Statutes, further provides the fees to be

assessed within stormwater management system benefit areas shall be calculated to generate sufficient funds to plan, construct, operate, and maintain stormwater management systems, and authorizes the City to utilize the non-ad valorem levy, collection, and enforcement methods provided for in Chapter 197, Florida Statutes; and

WHEREAS, the cost of operating and maintaining all stormwater management systems, and the financing of existing and future necessary repairs, replacements, improvements, and extensions thereof, should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received therefrom; and

WHEREAS, the City has determined the adoption of this Ordinance, and the amendment of a stormwater management system benefits areas under the terms, conditions, and criteria set forth here, is necessary to protect the health, safety, and welfare of the citizens of the City.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. The City Commission of the City of Opa-Locka, Florida hereby amends and replaces, in its entirety, Article IV of the City Of Opa-Locka 's Code of Ordinances entitled "Stormwater Utility" to state as follows:

ARTICLE II. - STORMWATER UTILITY

Sec. 21-190 - Short Title

This article shall be known as the "City of Opa-Locka Stormwater Utility Ordinance."

Sec. 21-191 - Legislative Intent.

It is the purpose and intent of the city to create a municipal stormwater utility pursuant to F.S. § 403.0893(1), as amended from time to time, and to establish stormwater utility fees to be levied against all developed property in the city in the amounts sufficient to plan, control, operate and maintain the city's stormwater management system pursuant to F.S. § 403.0891(3).

Sec. 21-192- Construction.

This article shall be liberally construed to protect the public health, safety, and welfare, and to effectuate the purposes set forth herein.

Sec. 21-193. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Developed property means real property within the city on which improvements have been made to foster commercial, residential or civic use, and/ or any property on which impervious structures have been placed. For new construction, a property shall be considered developed for purposes of this article:

(1) Upon issuance of a certificate of occupancy or upon completion of construction or final inspection if no such certificate is issued; or

(2) Where construction is at least 50 percent complete and construction is halted for a period of three months.

Dwelling unit shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating.

Equivalent residential unit (ERU) means the representative average impervious area of single-family residential property located in the city.

Impervious area means any part of any parcel of land that has been modified by the action of persons to reduce the land's natural ability to absorb and hold rainfall. This includes areas that have been cleared, graded, paved, graveled, or compacted, or covered with structures. Excluded are all lawns, landscape areas, and gardens or farming areas.

Manager means the city manager or his/her designee.

Multifamily property means all residential development not classified as single-family residential.

Nonresidential property means all property not zoned or used as single-family or multifamily residential property as defined in this article.

Property means land, with or without structures, having a unique folio number assigned by the Miami-Dade Property Appraiser.

Residential property means any parcel developed exclusively for residential purposes, including but not limited to, single-family homes, manufactured homes, multifamily apartment buildings and condominiums, and transient rentals such as hotels and motels.

Single-family property means all single-family detached residential dwelling structures. All other residential development shall be classified as multifamily.

Stormwater means that part of precipitation that travels over natural, altered, or improved surfaces to the nearest stream, canal, or channel or impoundment and may appear in surface waters.

Stormwater management plan means an approved plan for receiving, handling, and transporting storm and surface waters within the city stormwater management system.

Stormwater management system means all natural and manmade elements used to convey stormwater from the first point of impact with the surface of the earth to a suitable outlet location internal or external to the boundaries of the city. The stormwater management system includes all pipes, channels, streams, canals, ditches, wetlands, sinkholes, detention/retention basins, ponds, secondary canals and their rights-of-way, and other stormwater conveyance and treatment facilities, whether public or private.

Stormwater management utility director means the designee of the city manager responsible for implementing the stormwater management utility function.

Undeveloped property means all real property within the city which does not meet the definition of developed property.

Sec. 21-194. - Utility established.

(a) There is hereby created and established a stormwater management utility program, which shall provide the operational means of implementing and carrying out the functional requirements of the stormwater management system. The stormwater management utility program shall be part of the overall utility systems of the city.

(b) The governing body of the stormwater utility program shall be the city commission.

Sec. 21-195. - Customer base.

All real property within the jurisdictional boundaries of the city shall be subject to stormwater management utility fees unless specifically exempted. The fees shall apply to all tax-exempt properties, including properties of federal, state, city, and county agencies and nonprofit organizations.

Sec. 21-196. - Utility fee categories.

(a) Stormwater management utility fees are established and amended as necessary to be sufficient to plan, construct, operate, and maintain the stormwater management system, as required by F.S. § 403.0891(3). All lots and parcels subject to stormwater management utility fees in the city are divided into three classes as follows:

(1) *Single-family property.* Each single-family property shall be considered 1.0 ERUs for billing purposes.

(2) *Multifamily.* Each multifamily unit shall be considered as 1.0 ERU for billing purposes.

(3) *Houses of worship.* Houses of worship classified by the county property appraiser as land use type 71 shall be assessed a monthly utility fee which is 50 percent of the fee for nonresidential developed property calculated pursuant to subsection (a)(4) of this section.

(4) *Nonresidential property.* The monthly utility fee for all nonresidential properties shall be billed and calculated in accordance with the following formula:

The value of one ERU for nonresidential property is hereby determined to be 1,548 square feet of impervious area. (1,548 square feet of impervious area = 1.0 ERU).

The utility fee shall = (Number of nonresidential ERUs) x (rate per ERU)

A minimum value of one (1.0) ERU shall be assigned to each nonresidential property.

(b) For the purposes of calculating stormwater management utility fees, the calculation of ERUs is based upon property usage, as determined by the city and based on, but not limited by, state and county land use codes, local business licenses, city land development regulations, and site inspections.

(c) The number of ERUs calculated for each property shall be rounded to the nearest 1/100 of a whole number.

Sec. 21-197. - Fee schedule and payment.

(a) The fee schedule shall be adopted by separate resolution to be amended by the city commission from time to time.

(b) Stormwater management utility fees shall be billed and collected in the tax roll as a non-ad valorem fee. The city is authorized to utilize the county appraiser's office as an acceptable third party to perform billing services.

(c) Bills for stormwater management utility fees shall be payable at the same time and in the same manner as all other charges on a property tax bill.

(d) The owner of the property is responsible for all stormwater management utility fees imposed under this article.

Sec. 21-198. - Exemptions.

The following real property located in the city shall be exempt from the imposition of stormwater management utility fees:

- (1) Undeveloped property;
- (2) Paved or improved public rights-of-way;
- (3) Agriculture-classified properties under agriculture uses.

Sec. 21-199. - Stormwater utility enterprise funds.

(a) A stormwater management utility enterprise fund (the fund) account, into which all revenues from stormwater management utility fees, grants, or other funding sources shall be deposited and from which all expenditures related to the stormwater management utility shall be paid, is hereby established.

(b) Accounting and reporting procedures shall be consistent with state general law. Expenditures from the fund for activities that are not related to the city stormwater management utility shall not be permitted, except for a prorated charge for general government services as is in effect for other city utility operations.

(c) The monies within the fund shall be used for the exclusive use of the city's stormwater management utility, including, but not limited to, the following:

- (1) Stormwater management services, such as studies, design, permit review, planned preparation, and development review;
- (2) Operation, maintenance, repair, and replacement of the stormwater collection, storage, treatment, and conveyance infrastructure;
- (3) Project cost related to constructing major or minor structural improvements to the stormwater-related infrastructure as provided in any city stormwater management plan;
- (4) Administrative costs associated with the management of the stormwater management utility fee;
- (5) Debt service financing of stormwater-related capital improvements defined in any city stormwater management plan;
- (6) Funding of any studies, including water quantity and quality monitoring, aerial

photography and geotechnical work associated with the planning of stormwater-related infrastructure.

Sec. 21-200. - Request for adjustment.

All requests for adjustment of the stormwater management utility fee shall be submitted to the stormwater management utility director and shall be reviewed as follows:

(1) All requests shall be in writing and set forth in detail the grounds upon which an adjustment is sought. All requests shall be judged on the basis of the amount of impervious area on the lot or parcel, and/or additional or enhanced stormwater facility on or serving the lot or parcel. No credit shall be given for the installation of facilities required by county or city development codes or state stormwater regulations.

(a) The city shall reimburse the stormwater management utility fees by up to 42 percent for nonresidential properties in excess of ten acres with privately maintained stormwater facilities. However, the property must maintain a valid National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit which drains to waters of the United States, as defined by the U.S. Environmental Protection Agency. The property owner must send the stormwater management utility director a copy of said NPDES Permit and subsequent renewals.

(2) Adjustment requests made during the first calendar year that the fee is imposed shall be reviewed by the stormwater management utility director within a six-month period from the date of submission. Adjustments resulting from such requests shall be retroactive to the effective date of the ordinance from which this article is derived.

(3) All adjustment requests received after the first calendar year that the fee is imposed shall be reviewed by the stormwater management utility director within a two-month period from the date of submission. Adjustments resulting from such requests shall be retroactive to the date of submission of the adjustment request, but shall not exceed three year.

(4) The customer or property-owner requesting the adjustment may be required, at his/her own cost, to provide supplemental information to the stormwater management utility director, including, but not limited to, facts, opinions, survey data, and signed and sealed engineering reports and calculations to substantiate customer's case. Property owners must demonstrate that their existing stormwater or new stormwater control measure controls the volume and quality of stormwater generated from their immediate developed property (onsite).

Maintenance of stormwater systems. The owner or operator of the permanent stormwater management program shall ensure that said program is administered in accordance with the law to ensure they are operated and maintained to achieve the goals of this law. Proper operation and maintenance also includes as a minimum, the following:

(a) A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of this law. Property owner must document all operation and maintenance activities and provide the city with a report annually by April 30. Failure to provide such information may result in a denial of the adjustment request.

(b) Failure to maintain the stormwater facilities onsite or provide information of maintenance or other pertinence information may result in a denial of the cost adjustment request.

(5) The stormwater management utility director shall provide the person requesting the adjustment with a written determination of the request within the time provided herein. Any adjustments shall be prorated monthly.

Sec. 21-201. - Prohibitions, generally.

(a) *Prohibited acts.* The following shall constitute a violation of this Code:

(1) Any discharge into the stormwater system of the city or drainage district without written permission from the stormwater management utility director and the appropriate drainage district.

(2) Any discharge into the stormwater system of the city or drainage district in violation of any city, federal, state, county, municipal or other governmental law, regulation or permit is prohibited, except those discharges authorized by a valid NPDES permit.

(3) Any discharge to the stormwater system that is not composed entirely of stormwater is prohibited, except as authorized by a valid NPDES permit.

(4) Blocking, filling, altering or obstructing any drainage course, swale, canal, ditch or any type of stormwater management facility in a manner which alters the intended use of the facility, whether the facility is located on public right-of-way, dedicated easement, or private property is strictly prohibited unless specifically authorized by the city and the appropriate drainage districts.

(5) Litter, littering material. The accumulation, placing, sweeping, scattering, throwing, or dumping of litter, or littering material such as dead plants, yard clippings, stagnant water, rubbish, debris, trash, refuse, including any wrecked derelict or partially dismantled motor vehicle, trailer, boats, machinery, appliances, furniture or similar article, or any unsanitary, hazardous or significant material or other noxious matter upon any surface area, stormwater management system or waterbody within the city is hereby prohibited.

(6) Development of a parcel of land shall be prohibited from non-permitted discharges onto adjacent parcels of land.

(7) Failure to properly maintain a stormwater management facility so that it operates as originally designed or permitted is strictly prohibited. If a stormwater system ceases to fully function as intended, the property owner may be required to replace or rebuild said system.

(8) A violation of any other mandatory provision of this chapter.

(b) *Authority to issue cease and desist orders for prohibited activities.* Whenever the stormwater management utility director or building official determines that conditions or activities exist which require immediate action to protect the public health, safety, or welfare, the stormwater management utility director, building official or his or her designee are hereby authorized to take all actions reasonably necessary to preserve the public health, safety and general welfare, including to enter upon any property within the city at such reasonable times as the stormwater management utility director or building official deems necessary for the purposes of testing, inspecting, investigating, measuring, and sampling the property where prohibited activities may exist. The stormwater management utility director or building official may issue cease and desist orders to effectuate the immediate discontinuance of any activity that the stormwater management utility director or building official determines causes or tends to cause a prohibited activity or condition. Failure to comply with such order shall constitute a separate violation of this division for each day the activity continues. This order may be made orally provided written notice of such order is subsequently issued in a prompt fashion.

(c) *Liability for pollution abatement.* Any person, entity or property owner who discharges pollutants into any waters of the state or stormwater systems or who fails to correct any prohibited condition or discontinue any prohibited activity at the stormwater management utility director or building official's request, shall be responsible to pay the necessary expenses incurred by the city in carrying out any pollution abatement activities undertaken by the city to preserve the public's health, safety and general welfare, including any expenses incurred in testing, measuring, sampling, collecting, removing, containing, treating, and disposing of the pollutant materials in addition to assessed fines and legal fees.

Sec. 21-202. - Permits, plan reviews, inspections, and administrative fees.

(a) It shall be unlawful for any person or organization to construct, enlarge, alter, repair, relocate, or demolish a storm sewer, natural watercourse or other drainage facility, without first filing an application and obtaining a proper permit from the city, DERM or any required county/state agency. The city shall require the payment of administrative fees to defray certain administrative costs incurred by the city's building department and engineering department, including, but not limited to, permit application and plan review, inspection and engineering review for each project. Payment shall be due upon submission of the permit application.

(b) Stormwater inspections and monitoring procedures. The city may enter, perform

inspections, surveillance and monitoring procedures, within reasonable hours, on and of all structures and premises, and shall have free access to copying or reviewing pertinent records of a facility, system or premises, to ascertain the state of compliance with the laws, rules and regulations of the city, state and federal government regarding compliance as outlined in this chapter.

(1) The compliance personnel of the enforcing agency shall be provided with official identification and shall exhibit such identification when performing inspections.

(2) The owner, operator, lessees, occupant or person in charge of the structure or premises shall give the inspecting officer free access for the purpose of making such inspections without hampering, obstructing, or interfering with such obstruction.

Section 4. **Conflict & Repealer.**

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

Section 5. **Severability.**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Code or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. **Inclusion In Code.**

It is the intention of the City Commission of the City of Opa-Locka that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

Section 7. **Effective Date.**

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-Locka is subject to the approval of the Governor or Governor's Designee.

PASSED FIRST READING this__ day of _____ 2020.

PASSED SECOND READING this__ day of _____ 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



**City of Opa-locka
Agenda Cover Memo**

Department Director:	Robert Anathan		Department Director Signature:				
City Manager:	John E. Pate		CM Signature:				
Commission Meeting Date:	Dec 9, 2020		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
					X		
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
	X						
			Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
				X			
Funding Source: <i>(Enter Fund & Dept)</i> Ex: <i>Account# :</i>	See Financial Impact section below		Advertising Requirement: <i>(Enter X in box)</i> Second Reading In January, 2021	Yes		No	
ILA Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid#: NA				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communcation ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> Additional Stormwater revenue will permit accelerated correction of City flooding issues.			
	X						
Sponsor Name	City Manager		Department: City Manager's Office				

Short Title:

Updated Stormwater Utility Ordinance

Staff Summary:

Issue: By separate resolution, the City has indicated its intent to place the fees associated with the City's stormwater drainage utility on the annual property tax bill rather than continuing to bill these fees on the water bill as has been the practice until now. This decision requires an updating of the City's stormwater Code to enable a different mode of billing.

Background: Billing stormwater fees on the water bill presented many challenges in properly charging each property its fair share in maintaining and improving the City's stormwater drainage system. These problems included

1. The charge has been developed based on the impervious characteristics of a property. Relating a folio number to every water account is challenging.

2. Properties having multiple water services to multiple tenants, e.g., a shopping center, present a particularly difficult challenge in determining how to allocate the property's total stormwater charges over multiple tenants.
3. If a water account is closed due to an occupant's departure, with no immediate replacement, water bills aren't issued, resulting in a loss of stormwater revenue.
4. If a tenant leaves with remaining unpaid bills, the odds of subsequent collection are minimal, resulting in further lost stormwater revenue.

Current Activity: To eliminate the above issues, the City has indicated its intent to place these fees on the annual property tax bill. A property that has been correctly charged on the utility bill will be charged the same amount on the annual tax bill, with one annual payment replacing twelve monthly payments, with the possibility of a discount up to 4% if advantage is taken of the early payment discount. Properties that had been charged less than their fair share of supporting the maintenance and improvement of the stormwater drainage system will now be charged their fair share. Additionally, the property owner, rather than the occupant, often the same person, will now receive the bill.

The stormwater Code required updating to permit billing to occur on the property tax bill. While this was being undertaken, it was noted that the current Code was ineffectual in several regards, and the decision was made to update the entire stormwater Code to increase its effectiveness. Additional improvements include:

1. A more comprehensive definition of relevant terminology.
2. Providing houses of worship with a 50% discount on the stormwater fees.
3. A more comprehensive statement of the stormwater utility's requirements and responsibilities.
4. Recognition that some non-residential properties may have stormwater retention systems that would make them eligible for a discount in the stormwater fees due to the City.
5. A better defined appeal system for property owners seeking adjustment to their assessed charges.
6. Guidelines for the maintenance of private retention systems which are being used to qualify for a reduction of City-assessed stormwater fees.
7. A clearly defined set of prohibitions for all community members enumerating the many prohibited activities that would impede the effectiveness of the stormwater drainage system.
8. A clearly defined process for any property owner seeking to modify the structure of the City's stormwater drainage system.

Financial Impact

1. By ensuring that all properties pay their fair share of the cost of maintaining and improving the City's stormwater drainage system, annual stormwater revenue will be increased by approximately \$500,000 annually at the current rate of \$6.00 per ERU per month. (The State-approved Five Year Plan assumed the uniform method of collection would be implemented as of FY 22.)

Proposed Action:

Staff recommends the City Commission adopt an ordinance authorizing the billing of stormwater drainage fees on the annual property tax bill and implementing other improvements as previously enumerated.

Attachment:

1. Ordinance



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, January 13, 2021 at 7:00 p.m.**, Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following ordinances for adoption:

SECOND READING ORDINANCES/PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING AND REPLACING, IN ENTIRETY, ARTICLE IV OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "STORMWATER UTILITY", SPECIFICALLY AMENDING SECTIONS 21-190 THROUGH 21-196; CREATING NEW SECTIONS 21-197 THROUGH 20-203; PROVIDING FOR INTENT; CONSTRUCTION; DEFINITIONS; UTILITY ESTABLISHMENT; CUSTOMER BASE; UTILITY CATEGORIES; FEE SCHEDULE AND PAYMENT; EXEMPTIONS; STORMWATER UTILITY ENTERPRISE FUNDS; REQUEST FOR ADJUSTMENT; PROHIBITIONS; PERMITS, PLAN REVIEWS, INSPECTIONS AND ADMINISTRATIVE FEES; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE IDENTIFIED BY FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14-02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE OF THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES, IN ITS ENTIRETY, CREATING A NEW CHAPTER TO INCLUDE DEFINITION OF TERMS; PROVIDING FOR THE REGULATION OF BURGLAR ALARMS; PENALTIES AND FEES FOR NON-COMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1.5 ENTITLED "CODE OF ETHICS; CONFLICT OF INTEREST" SECTION 2-14 ENTITLED "ORIENTATION OF ELECTED OFFICIALS" TO INCLUDE TRAINING ON THE ROLES AND RESPONSIBILITIES OF APPOINTED OFFICIALS; PARLIAMENTARY PROCEDURE; A REVIEW OF THE CITY'S STRATEGIC PLAN; PREPARATION OF AN ACCOUNTABILITY PLAN FOR CITY MANAGER FOR THE UPCOMING YEAR AND A REVIEW OF MAJOR CHALLENGES FACING THE CITY IN A WORKSHOP SETTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please email publiccomments@opalockafl.gov by 5:00 p.m. on Wednesday, January 13, 2021.

All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings.

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) 953-2800 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 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877)955-8707 (Creole).

PURSUANT TO FS 286.0105: *Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.*

Joanna Flores, CMC
City Clerk
City of Opa-locka

COVID-19

Miami-Dade County website to help seniors schedule COVID-19 vaccine appointments

BY MICHELLE MARCHANTE
mmarchante@miamiherald.com

Miami-Dade County has created a new website to help seniors, and eventually the rest of the general public, find and schedule COVID-19 vaccination appointments.

The website miamidade.gov/vaccine went live Wednesday and provides information on who is currently allowed to get the COVID-19 vaccine in Florida, where vaccines are available in the county and how people can schedule their vaccination.

Currently, Florida is giving vaccines to health-care workers, long-term care facility residents and staff, and people 65 and older, including snowbirds.

Broward County plans to open a vaccination site Sunday at Tradewinds Park in Coconut Creek and Vista View Park in Davie (by appointment only, www.Broward.FloridaHealth.gov). Vaccination starts by appointment Tuesday at Markham Park, 16001 W State Road 84, Sunrise.

In Miami-Dade, the Florida Department of Health is still finalizing its vaccination plan, which means that for now, the places where people can get COVID-19 vaccines are limited.

WHERE CAN YOU GET A COVID-19 VACCINE IN MIAMI-DADE?

● Mount Sinai Medical



JOSE A IGLESIAS jiglesias@elnuevoherald.com

A nurse prepares to start vaccinations at the Hilton Dadeland Hotel next to Baptist Hospital in Miami-Dade on Wednesday, Dec. 16. Baptist Health began administering the first COVID-19 vaccines for their eligible front-line healthcare workers.

Center in Miami Beach is scheduling appointments for first responders and people 75 and older. The hospital will eventually expand its vaccination target group to people 65 and older.

To make an appointment, call 305-674-2312 Monday through Friday from 8 a.m. to 5 p.m. and Saturday through Sunday from 8 a.m. to 1 p.m. The phone line will be closed on New Year's Day.

● Jackson Health System is expected to open an online platform next week for people 65 and older to request a vaccination appointment and receive a call back with the appointment date and time.

The hospital had initially planned to only offer the vaccine to Miami-Dade County residents but changed course after Jared Moskowitz, director of the state's Division of Emergency Management in

charge of distributing vaccines in Florida, reiterated on Wednesday that hospitals shouldn't be requiring proof of residency or considering it when scheduling appointments.

● Miami-Dade County is also in the process of contacting homebound seniors 65 and older who live in county facilities or receive county services to see if they want to schedule a vaccination appointment. Vaccinations are set to begin Monday.

The county says its website will be updated as more sites become available and will eventually expand to include vaccination locations for other members of the general public.

Miami Herald staff writers Ben Conarck and Douglas Hanks contributed to this report.

Michelle Marchante:
[@TweetMichelleM](https://twitter.com/TweetMichelleM)

1st Reading/Public Hearing:

2nd Reading/Public Hearing:

Adopted:

Effective Date:

Sponsored By: City Manager

ORDINANCE NO. 20-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE, FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14-02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE OF THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER' S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article 1 and Article 2 of the City of Opa-Locka City Code of Ordinance, the City Commission of the City of Opa-Locka ("City Commission") has the power to approve and adopt plats; and

WHEREAS, the City of Opa-Locka ("City") desires to close, abandon and vacate the undeveloped street located between the parcel at 1990 Ali Baba Avenue, folio 08-2122-003-2210 and the parcel identified by folio 08-2122-003-2200, which is approximately 6,518 square feet according to a survey of the property; and

WHEREAS, this City-owned property is on a dead-end street (Right of Way), which was never developed and is a part of a Settlement Agreement, attached hereto as Exhibit "A", which includes several other properties; and

WHEREAS, when an undeveloped street vacation is granted, the City's Land Development Regulations permit a mixed-use commercial / residential development on the parcel; and

WHEREAS, in accordance with Ordinance 14-02, the property was posted with notice 30 days prior to this public hearing and the adjacent property owners were notified as required by the Ordinance; and

WHEREAS, this request is being presented to the City Commission in order to complete the required process with Miami-Dade County; and

WHEREAS, the City Commission desires to approve the closure, vacation and abandonment of the undeveloped street located between the parcel at 1990 Ali Baba Avenue, folio 08-2122-003-2210 and the parcel identified by folio 08-2122-003-2200

pursuant to Ordinance 14-02, for the development of a residential use on this 6,510 square foot parcel in the B-O zoning district and within the corridor mixed use overlay district.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. **Recitals.**

The above recitals are true and correct and are incorporated into this Ordinance by reference.

Section 2. **Approval of the Plat**

The request for street vacation for the Magnolia Subdivision property, as legally described on the survey, attached hereto as Exhibit "B".

Section 3. **Conditions.**

1. The applicant shall comply with all requirements of Section 28 of the Miami Dade County Code.
2. The applicant shall comply with all requirements and obtain approvals from the Miami-Dade County Department of Public Works, Platting Division as applicable.
3. Applicant shall be responsible for the relocation of the utilities according to the development requirements.

Section 4. **Authorization.**

Subject to review by the City Attorney, the City Manager, the City Clerk and Planning & Community Development Department Director, the proper officials are authorized to sign the final plat and to execute any other needed documents consistent with the intent of this Ordinance.

Section 5. **Conflict & Repealer.**

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

Section 6. **Severability.**

If any section, sentence, clause or any other provision of this Ordinance shall be held invalid or be found unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining sections, sentences, provisions or clauses of this Ordinance.

Section 8. Effective Date.

This Ordinance shall be effective immediately upon its passage and adoption.

PASSED FIRST READING THIS ____ day of _____, 2020.

PASSED SECOND READING THIS ____ day of _____, 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Commissioner Taylor	_____ (Yes)	_____ (No)
Vice-Mayor Williams	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John E. Pate		CM Signature:		
Commission Meeting Date:	12-09-20	Item Type: (Enter X in box)	Resolution	Ordinance	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance/Resolution Reading: (Enter X in box)	1st Reading	
				X	
	X		Public Hearing: (Enter X in box)	2nd Reading	
				X	
Funding Source:	(Enter Fund & Dept)		Advertising Requirement: (Enter X in box)	Yes	
Account# :	Ex:			X	
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bi#: N/A		
		X			
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communcation ☐		Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address) Commercial Retail Services
	X				
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

An Ordinance Of The City Commission Of The City Of Opa-Locka, Florida, Approving To Close, Vacate And Abandon The Undeveloped Street Located Between The Parcel At 1990 Ali Baba Avenue, Folio 08-2122-003-2210 And The Parcel Identified By Folio 08-2122-003-2200 Pursuant To Ordinance 14-02, For The Development Of A Residential Use On This Parcel In The B-O Zoning District And Within The Corridor Mixed Use Overlay District; Providing For Approval; Providing For Scrivener' s Errors; Providing For An Effective Date

Staff Summary:

The property in question is located in the Magnolia North neighborhood at approximately 2000 Ali Baba Avenue. This property is being proffered as part of a settlement which includes several properties. This is a City owned dead-end undeveloped Right-of-Way which was never developed to be used as a street. The City intends to convert this Right-of-Way to buildable property for a residential use development through this process. A property survey was conducted in July for this site at approximately 2000 Ali Baba Avenue. This is a formal request to the City Commission to grant the vacation of the dead-end street Right-of-Way which will permit the Miami-Dade County Property Appraiser's Office to assign a folio number based on this legislation so that the property at 2000 Ali Baba Avenue can be conveyed as per the Barton/Contreras Settlement Agreement. The development of this property is subject to the zoning district and Overlay Districts permitted uses.

In accordance with the requirements of Ordinance 14-02, the property was posted 30 days prior to this public hearing and the adjacent property owners were notified. Pastor Cooper and Pastor Moore have provided a letter of interest in this property as indicated in their included letter.

Financial Impact – The potential future development of this property will make a small contribution to the City's tax base.

Proposed Action:

Staff has recommended approval of this Request.

Attachment:

Public Notice Post
DRAFT Resolution-
Property Survey & Invoice
Pastor Cooper / Pastor Moore Letter
Barton/Contreras Settlement Agreement



PUBLIC NOTICE CITY OF OPA-LOCKA CITY COMMISSION PUBLIC INFORMATION MEETING

NOTICE IS HEREBY GIVEN that the City of Opa-locka City Commission will hold a Virtual Regular Public Hearing Meeting on Wednesday, November 18, 2020 at 7:00 PM, to consider the following item (s):

REQUEST:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE, FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14- 02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE ON THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER' S ERRORS; PROVIDING FOR AN EFFECTIVE DATE

MAP LOCATION



COPIES OF THE PROPOSED DOCUMENTS SHALL BE AVAILABLE FROM THE COMMUNITY DEVELOPMENT DEPARTMENT AND AT THE PUBLIC HEARING.

Additional Information on the above items may be obtained in the Office of the City Clerk, 780 Fisherman Street, 4th Floor, and Opa-locka, Florida 33054. All interested persons are encouraged to attend these meetings and will be heard with respect to the public hearings.

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) 953-2800 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 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

PURSUANT TO FS 286.0105: Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

MUTUAL SETTLEMENT AGREEMENT AND RELEASE

JOSEPH BARTON, an individual ("BARTON"), JAIDEN CONTRERAS an individual, ("CONTRERAS"), and the CITY OF OPA-LOCKA, FLORIDA agree to enter into this Mutual Settlement Agreement and Release ("Agreement") this 18 day of January, 2020 as follows:

WHEREAS, BARTON and CONTRERAS brought suit against CITY OF OPA-LOCKA in the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 16-11180-CA-01(24) ("the Lawsuit"); and

WHEREAS, on or about November 13, 2019 the parties attended a mediation and agreed to settle certain issues involved with this case for city-owned land rather than for payment of money; and

WHEREAS, the parties further agree that the property located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 shall be re-opened as a package store as a part of matters to be settled; and

WHEREAS, the City of Opa-Locka denies liability regarding the allegations raised in the Lawsuit; and

WHEREAS, the parties now desire to amicably resolve and settle all matters at issue in the Lawsuit and, accordingly, desire to enter into this Agreement in order to avoid the expense of additional litigation.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, intending to be legally bound, hereby agree and covenant as follows:

1. **Incorporation of Recitals:** The above recitals are true and accurate and are incorporated herein by reference.

A handwritten signature in black ink, appearing to be a stylized 'J' or 'K' followed by a flourish.

2. **Settlement:** a) The CITY OF OPA-LOCKA shall allow a permitted package store at the property located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 to operate as a non-conforming use, so long as Plaintiffs BARTON and CONTRERAS, or any corporate entity created, controlled or sold by them agrees to secure, on a yearly basis, a valid business tax receipt and otherwise comply with all necessary provisions of the Opa-Locka Code of Ordinances, Opa-Locka Land Use Regulations and state and federal laws. If the said property site is abandoned for more than six (6) months from the time of this settlement agreement, or if the property site located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 is destroyed by more than 50%, as determined by the City of Opa-Locka, it shall cease as a non-conforming use and shall be subject to all requirements of the City of Opa-Locka Code of Ordinances and Land Use Regulations existing at said time for the zoning district. The Plaintiffs agree to make the conditions of this Agreement known to any persons desiring to purchase the property site located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 by incorporating said requirements as deed restrictions.

b) The CITY OF OPA-LOCKA agrees to transfer the following properties in the areas of the City known as “Magnolia North” as set forth in Attachment “A” which is entitled “Surplus Property For Settlement Transfer [as of 1/13/2020]” to Plaintiffs.

c) The CITY OF OPA-LOCKA agrees to transfer the first three properties on Exhibit “A” (specifically, address 1800 Ali Baba Avenue; address to be assigned, 2000 Ali Baba Avenue and address 1801 Ali Baba Avenue, all within the City of Opa-Locka) to CONTRERAS.

d) The CITY OF OPA-LOCKA agrees to transfer the remaining eight properties (beginning with the property stating address to be assigned as 1800 Washington Avenue) on Exhibit “A” to BARTON.

A handwritten signature in black ink, appearing to be a stylized 'K' or similar character, located in the bottom right corner of the page.

e) All properties shall be transferred in “as is” condition with BARTON and CONTRERAS being fully responsible for the properties subsequent to transfer.

3. **Dismissal of Lawsuit:** Upon execution of this Agreement, Plaintiffs shall voluntarily dismiss the Lawsuit, with prejudice, within (30) days, with Plaintiffs and Defendant to bear their own costs and attorney’s fees.

4. **Mutual Release:** As part and parcel of this Agreement, the parties on behalf of partners, corporations, members, shareholders, principals, directors, board members, managing members, chairmen, executive committee members, employees, agents, representatives, family members, attorneys, heirs, executors and administrators, assignors, successors and survivors, hereby release, acquit, satisfy, and forever discharge each other, and their affiliates, corporations partners, directors, shareholders, principals, directors, board members, managing members, chairmen, executive committee members, subsidiaries, officers, directors, family members, representatives, attorneys, heirs, executors and administrators, assignors, successors and survivors, from any and all actions and causes of actions, damages, judgments, claims, counterclaims and demands whatsoever, liquidated or un-liquidated, contingent or fixed, known or unknown, determined or undetermined at law or in equity which they now have or may have from the beginning of time to the date of these presents and/or that otherwise could have been brought against each other in the Lawsuit.

5. **Enforcement of Agreement:** the parties agree that any dispute regarding the terms and conditions herein shall be resolved through mediation followed by arbitration if mediation is unsuccessful.

6. **Representation by Counsel:** the parties acknowledge that they have had a full opportunity to read this Agreement and have had the benefit of counsel in reviewing the Agreement.

7. **Miscellaneous:**

- a. No modification, waiver, amendment, discharge or change of this Agreement shall be valid unless the same is in writing and signed by the party against which the enforcement of such modification, waiver, amendment, discharge or change is sought.
- b. This Agreement contains the entire agreement between the parties hereto and all prior or contemporaneous agreements, understandings, representations and settlements, oral or written, are merged herein.
- c. This Agreement shall be strictly construed in accordance with the laws of the State of Florida.
- d. This Agreement shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns.
- e. The representations, warranties, covenants, agreements and indemnities of the parties hereto made in this Agreement, or any certificate or document delivered pursuant hereto, shall remain operative and survive execution and delivery.
- f. The parties hereto, at any time and from time to time, following the execution hereof, shall execute and deliver all such further instruments or documents and take all such further action as may be reasonably required to carry out the terms, conditions and provisions of this Agreement.



- g. This Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and shall be binding upon all parties, their successors and assigns, and all of which taken together shall constitute one and the same agreement.
- h. All pronouns and any variations thereof shall be deemed to refer to the masculine, feminine, neuter, singular or plural as the identity of the person or persons or entity may require.
- i. All sections, titles or captions contained in this Agreement are for convenience only and shall not be deemed to be a part of this Agreement, and shall not affect the meaning or interpretation of this Agreement.
- j. The parties to this Agreement intend that time shall be of the essence and that the performance of all duties, obligations and activities contemplated hereunder be done in strict compliance with the terms, provisions and procedures contained in this Agreement so long as approved by the State's Oversight process. Whenever any date or time is specified in this Agreement, strict adherence shall be required. However, unforeseen events, such as force majeure, weather, acts of war, and strikes shall excuse a party who makes a good faith effort to comply with the time specified within this Agreement, but cannot timely comply due to one of the aforementioned events, or a similar event. Under such circumstances, the performing party will be required to perform within a reasonable period of time.

Executed this 18th day of January, 2020.

By [Signature]
JAIDEN CONTRERAS

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to and subscribed before me by Jaiden J. Contreras, this
18th day of January, 2020.

X he/she is personally known to me, **OR**
_____ has produced as identification.

NOTARY PUBLIC

(NOTARY STAMP) Print Name

[Signature]
Yoselin marinez



Yoselin Martinez
Commission # GG032261
Expires: October 4, 2020
Bonded thru Aaron Notary

MUTUAL SETTLEMENT AGREEMENT AND RELEASE

JOSEPH BARTON, an individual ("BARTON"), JAIDEN CONTRERAS an individual, ("CONTRERAS"), and the CITY OF OPA-LOCKA, FLORIDA agree to enter into this Mutual Settlement Agreement and Release ("Agreement") this 17 day of January, 2020 as follows:

WHEREAS, BARTON and CONTRERAS brought suit against CITY OF OPA-LOCKA in the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 16-11180-CA-01(24) ("the Lawsuit"); and

WHEREAS, on or about November 13, 2019 the parties attended a mediation and agreed to settle certain issues involved with this case for city-owned land rather than for payment of money; and

WHEREAS, the parties further agree that the property located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 shall be re-opened as a package store as a part of matters to be settled; and

WHEREAS, the City of Opa-Locka denies liability regarding the allegations raised in the Lawsuit; and

WHEREAS, the parties now desire to amicably resolve and settle all matters at issue in the Lawsuit and, accordingly, desire to enter into this Agreement in order to avoid the expense of additional litigation.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, intending to be legally bound, hereby agree and covenant as follows:

1. **Incorporation of Recitals:** The above recitals are true and accurate and are incorporated herein by reference.

2. **Settlement:** a) The CITY OF OPA-LOCKA shall allow a permitted package store at the property located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 to operate as a non-conforming use, so long as Plaintiffs BARTON and CONTRERAS, or any corporate entity created, controlled or sold by them agrees to secure, on a yearly basis, a valid business tax receipt and otherwise comply with all necessary provisions of the Opa-Locka Code of Ordinances, Opa-Locka Land Use Regulations and state and federal laws. If the said property site is abandoned for more than six (6) months from the time of this settlement agreement, or if the property site located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 is destroyed by more than 50%, as determined by the City of Opa-Locka, it shall cease as a non-conforming use and shall be subject to all requirements of the City of Opa-Locka Code of Ordinances and Land Use Regulations existing at said time for the zoning district. The Plaintiffs agree to make the conditions of this Agreement known to any persons desiring to purchase the property site located at 14465-75 NW 22nd Avenue, Opa-Locka, FL 33054 by incorporating said requirements as deed restrictions.

b) The CITY OF OPA-LOCKA agrees to transfer the following properties in the areas of the City known as "Magnolia North" as set forth in Attachment "A" which is entitled "Surplus Property For Settlement Transfer [as of 1/13/2020]" to Plaintiffs.

c) The CITY OF OPA-LOCKA agrees to transfer the first three properties on Exhibit "A" (specifically, address 1800 Ali Baba Avenue; address to be assigned, 2000 Ali Baba Avenue and address 1801 Ali Baba Avenue, all within the City of Opa-Locka) to CONTRERAS.

d) The CITY OF OPA-LOCKA agrees to transfer the remaining eight properties (beginning with the property stating address to be assigned as 1800 Washington Avenue) on Exhibit "A" to BARTON.

e) All properties shall be transferred in “as is” condition with BARTON and CONTRERAS being fully responsible for the properties subsequent to transfer.

3. **Dismissal of Lawsuit:** Upon execution of this Agreement, Plaintiffs shall voluntarily dismiss the Lawsuit, with prejudice, within (30) days, with Plaintiffs and Defendant to bear their own costs and attorney’s fees.

4. **Mutual Release:** As part and parcel of this Agreement, the parties on behalf of partners, corporations, members, shareholders, principals, directors, board members, managing members, chairmen, executive committee members, employees, agents, representatives, family members, attorneys, heirs, executors and administrators, assignors, successors and survivors, hereby release, acquit, satisfy, and forever discharge each other, and their affiliates, corporations partners, directors, shareholders, principals, directors, board members, managing members, chairmen, executive committee members, subsidiaries, officers, directors, family members, representatives, attorneys, heirs, executors and administrators, assignors, successors and survivors, from any and all actions and causes of actions, damages, judgments, claims, counterclaims and demands whatsoever, liquidated or un-liquidated, contingent or fixed, known or unknown, determined or undetermined at law or in equity which they now have or may have from the beginning of time to the date of these presents and/or that otherwise could have been brought against each other in the Lawsuit.

5. **Enforcement of Agreement:** the parties agree that any dispute regarding the terms and conditions herein shall be resolved through mediation followed by arbitration if mediation is unsuccessful.

6. **Representation by Counsel:** the parties acknowledge that they have had a full opportunity to read this Agreement and have had the benefit of counsel in reviewing the Agreement.

7. **Miscellaneous:**

- a. No modification, waiver, amendment, discharge or change of this Agreement shall be valid unless the same is in writing and signed by the party against which the enforcement of such modification, waiver, amendment, discharge or change is sought.
- b. This Agreement contains the entire agreement between the parties hereto and all prior or contemporaneous agreements, understandings, representations and settlements, oral or written, are merged herein.
- c. This Agreement shall be strictly construed in accordance with the laws of the State of Florida.
- d. This Agreement shall be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns.
- e. The representations, warranties, covenants, agreements and indemnities of the parties hereto made in this Agreement, or any certificate or document delivered pursuant hereto, shall remain operative and survive execution and delivery.
- f. The parties hereto, at any time and from time to time, following the execution hereof, shall execute and deliver all such further instruments or documents and take all such further action as may be reasonably required to carry out the terms, conditions and provisions of this Agreement.

- g. This Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and shall be binding upon all parties, their successors and assigns, and all of which taken together shall constitute one and the same agreement.
- h. All pronouns and any variations thereof shall be deemed to refer to the masculine, feminine, neuter, singular or plural as the identity of the person or persons or entity may require.
- i. All sections, titles or captions contained in this Agreement are for convenience only and shall not be deemed to be a part of this Agreement, and shall not affect the meaning or interpretation of this Agreement.
- j. The parties to this Agreement intend that time shall be of the essence and that the performance of all duties, obligations and activities contemplated hereunder be done in strict compliance with the terms, provisions and procedures contained in this Agreement so long as approved by the State's Oversight process. Whenever any date or time is specified in this Agreement, strict adherence shall be required. However, unforeseen events, such as force majeure, weather, acts of war, and strikes shall excuse a party who makes a good faith effort to comply with the time specified within this Agreement, but cannot timely comply due to one of the aforementioned events, or a similar event. Under such circumstances, the performing party will be required to perform within a reasonable period of time.

Executed this 17 day of January, 2020.

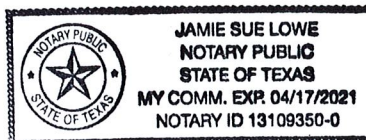
By [Signature]
JOSEPH BARTON

STATE OF ~~FLORIDA~~ TEXAS
COUNTY OF ~~MIAMI-DADE~~ Montgomery

Sworn to and subscribed before me by 17, on behalf of Joseph Barton, this day
of January, 2020.

 he/she is personally known to me, **OR**
X has produced as identification.

[Signature]
NOTARY PUBLIC



(NOTARY STAMP) Print Name Jamie Sue Lowe

IN WITNESS WHEREOF, this Settlement Agreement has been duly executed by the undersigned Parties.

Executed this 31st day of January, 2020.

JOHN E. PATE
John Pate
[Signature]
City Manager

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

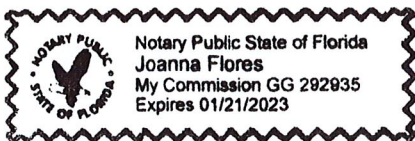
Sworn to and subscribed before me by John E. Pate, this 31st day of January, 2020.

☒ he is personally known to me, **OR**
☐ has produced as identification.

Joanna Flores
NOTARY PUBLIC

CITY CLERK STAMP

(NOTARY STAMP) Print Name
Joanna Flores



Executed this __ day of _____, 2020.

By _____
JAIDEN CONTRERAS

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to and subscribed before me by _____, on behalf of _____, this
____ day of _____, 2020.

____ he/she is personally known to me, **OR**
____ has produced as identification.

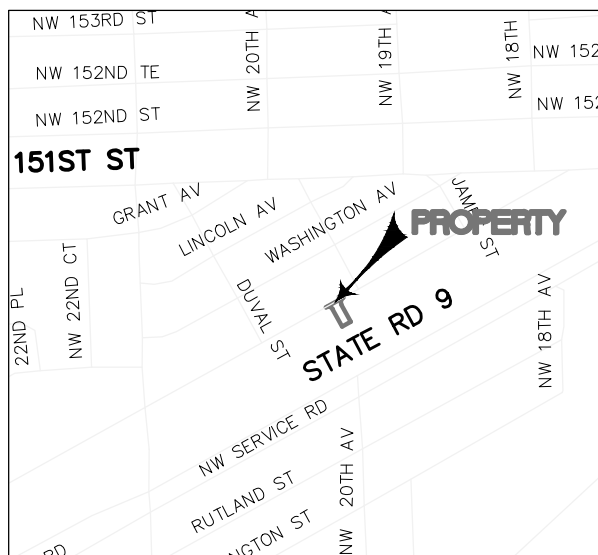
NOTARY PUBLIC

(NOTARY STAMP) Print Name

EXHIBIT "B"

LOCATION MAP

N.T.S.



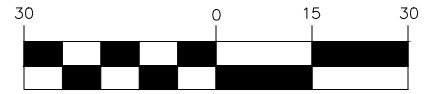
A circular professional seal for Joseph C. Chan, a Professional Surveyor and Mapper in the State of Florida. The seal features a double-lined circular border. Between the lines, the text "PROFESSIONAL SURVEYOR AND MAPPER" is written in a circular path on the left and bottom, while "STATE OF FLORIDA" is written on the right. In the center of the seal, the name "JOSEPH C. CHAN" is at the top, followed by "LICENSE" and "No. 6821".

"NOT VALID WITHOUT THE SIGNATURE, DATE AND THE SEAL OF
FLORIDA LICENSED SURVEYOR AND MAPPER."

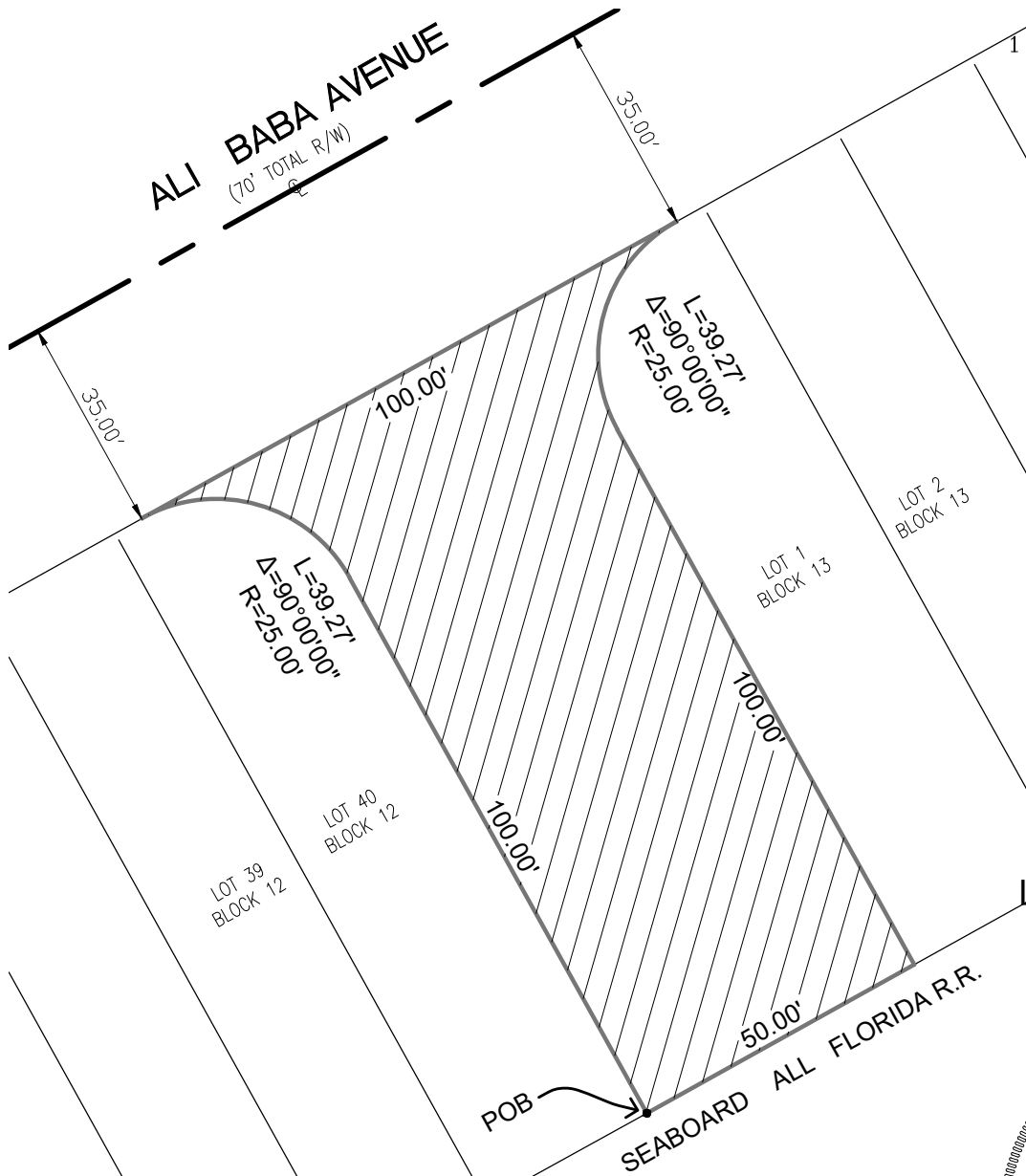
SKETCH AND LEGAL DESCRIPTION RIGHT OF WAY BETWEEN BLOCK 12 AND 13 OF MAGNOLIA SUBDIVISION PLAT BOOK 40 PAGE 80	B, A, & K GROUP, INC. Architects - Engineers - Land Surveyors CERTIFICATE No.L.B. 7887 STATE OF FLORIDA 12000 SW 92 ST, MIAMI, FL 33186-2018 PHONE: 786.488.1000 EMAIL: ENGINEERCONTRACTOR@GMAIL.COM	JOB#:20-072000
		DATE: JUNE/2020
		SCALE: AS SHOWN
		DRAWN: L. MAQUEIRA
		SHEET: 1 OF 2

SKETCH AND
LEGAL DESCRIPTION
EXHIBIT "B"

GRAPHIC SCALE

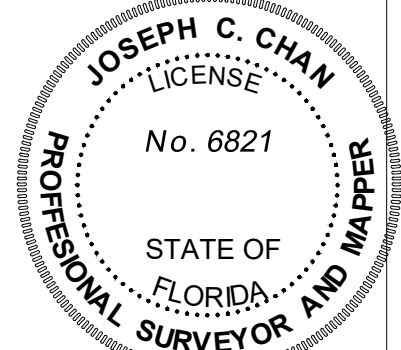


(IN FEET)
1 inch = 30 ft.



LEGEND:

B/C = BLOCK CORNER
PG. = PAGE
P.B. = PLAT BOOK
CL = CENTERLINE



SKETCH AND LEGAL DESCRIPTION

RIGHT OF WAY
BETWEEN BLOCK 12 AND 13 OF
MAGNOLIA SUBDIVISION
PLAT BOOK 40 PAGE 80

B, A, & K GROUP, INC.

Architects - Engineers - Land Surveyors

CERTIFICATE No.L.B. 7887

STATE OF FLORIDA

12000 SW 92 ST, MIAMI, FL 33186-2018

PHONE: 786.488.1000

EMAIL: ENGINEERCONTRACTOR@GMAIL.COM

JOB#:20-072000

DATE: JUNE/2020

SCALE: AS SHOWN

DRAWN: L. MAQUEIRA

SHEET: 2 OF 2



New Missionary Baptist Church

1990 Ali Baba Ave
Opa-locka, FL 33054
(305)305-8107

RECEIVED
CITY OF OPA-LOCKA
OFFICE OF THE CITY CLERK

2020 OCT 19 AM 11:07

Pastor Leonard Cooper
1990 Ali Baba Ave
OPA-LOCKA FL 33054
10/19/2020

Dear Mr. Gregory gay and Mr. Gerald lee:

To Opa-locka CRA Mr. Gregory Gay and planning coordinator Mr. Gerald lee I'm the pastor Leonard Cooper of New Missionary Baptist Church. Located at 1990 ALI-BABA Ave Opa-locka Florida 33054.

I'm writing this letter requesting information on how to obtain the lot on west side of New Missionary Baptist Church. New Missionary Baptist Church and The Church Our Lord Pastor Moore 2010 ALI-BABA AVE OPA-LOCKA Florida 33054 have come to an agreement. That if there is any possible way that the church or churches could obtain this lot for parking.

We understand that the lot is going to be used for residential housing development. We the pastor of New Missionary Baptist Church and The Church of Our lord along with our members would not like the churches to be divided by the housing development. Both congregations have been maintaining that lot for more than 15 years. And are still doing so as of today and we will appreciate if you would consider letting us obtain this lot for parking.

Sincerely,

Pastor Leonard Cooper



New Missionary Baptist Church

1990 Ali Baba Ave
Opa-locka, FL 33054
(305)305-8107

RECEIVED
CITY OF OPA-LOCKA
OFFICE OF THE CITY CLERK
2020 OCT 19 AM 11:07

Portia Reid
Jacqueline Best
Maudine Hunt
Sylvester Bembay
Eck Wier
Denise Burney Muller
Mary Johnson
Evelyn Mason
Joseph James
Ana M. Ambrey
Christina Lopez - Christina Lopez
John Ford
Rev. Raul D. Andrews
Stephanie Burney Church
Betty A. Cooper
Rev. Leonard Cooper
Barbara Wilcox
Frederic P. Reynolds



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, January 13, 2021 at 7:00 p.m.**, Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following ordinances for adoption:

SECOND READING ORDINANCES/PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING AND REPLACING, IN ENTIRETY, ARTICLE IV OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "STORMWATER UTILITY", SPECIFICALLY AMENDING SECTIONS 21-190 THROUGH 21-196; CREATING NEW SECTIONS 21-197 THROUGH 20-203; PROVIDING FOR INTENT; CONSTRUCTION; DEFINITIONS; UTILITY ESTABLISHMENT; CUSTOMER BASE; UTILITY CATEGORIES; FEE SCHEDULE AND PAYMENT; EXEMPTIONS; STORMWATER UTILITY ENTERPRISE FUNDS; REQUEST FOR ADJUSTMENT; PROHIBITIONS; PERMITS, PLAN REVIEWS, INSPECTIONS AND ADMINISTRATIVE FEES; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE IDENTIFIED BY FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14-02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE OF THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES, IN ITS ENTIRETY, CREATING A NEW CHAPTER TO INCLUDE DEFINITION OF TERMS; PROVIDING FOR THE REGULATION OF BURGLAR ALARMS; PENALTIES AND FEES FOR NON-COMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1.5 ENTITLED "CODE OF ETHICS; CONFLICT OF INTEREST" SECTION 2-14 ENTITLED "ORIENTATION OF ELECTED OFFICIALS" TO INCLUDE TRAINING ON THE ROLES AND RESPONSIBILITIES OF APPOINTED OFFICIALS; PARLIAMENTARY PROCEDURE; A REVIEW OF THE CITY'S STRATEGIC PLAN; PREPARATION OF AN ACCOUNTABILITY PLAN FOR CITY MANAGER FOR THE UPCOMING YEAR AND A REVIEW OF MAJOR CHALLENGES FACING THE CITY IN A WORKSHOP SETTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please email publiccomments@opalockafl.gov by 5:00 p.m. on Wednesday, January 13, 2021.

All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings.

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) 953-2800 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 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

PURSUANT TO FS 286.0105: Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

Joanna Flores, CMC
City Clerk
City of Opa-locka

COVID-19

Miami-Dade County website to help seniors schedule COVID-19 vaccine appointments

BY MICHELLE MARCHANTE
mmarchante@miamiherald.com

Miami-Dade County has created a new website to help seniors, and eventually the rest of the general public, find and schedule COVID-19 vaccination appointments.

The website miamidade.gov/vaccine went live Wednesday and provides information on who is currently allowed to get the COVID-19 vaccine in Florida, where vaccines are available in the county and how people can schedule their vaccination.

Currently, Florida is giving vaccines to health-care workers, long-term care facility residents and staff, and people 65 and older, including snowbirds.

Broward County plans to open a vaccination site Sunday at Tradewinds Park in Coconut Creek and Vista View Park in Davie (by appointment only, www.Broward.FloridaHealth.gov). Vaccination starts by appointment Tuesday at Markham Park, 16001 W State Road 84, Sunrise.

In Miami-Dade, the Florida Department of Health is still finalizing its vaccination plan, which means that for now, the places where people can get COVID-19 vaccines are limited.

WHERE CAN YOU GET A COVID-19 VACCINE IN MIAMI-DADE?

● Mount Sinai Medical



JOSE A IGLESIAS jiglesias@elnuevoherald.com

A nurse prepares to start vaccinations at the Hilton Dadeland Hotel next to Baptist Hospital in Miami-Dade on Wednesday, Dec. 16. Baptist Health began administering the first COVID-19 vaccines for their eligible front-line healthcare workers.

Center in Miami Beach is scheduling appointments for first responders and people 75 and older. The hospital will eventually expand its vaccination target group to people 65 and older.

To make an appointment, call 305-674-2312 Monday through Friday from 8 a.m. to 5 p.m. and Saturday through Sunday from 8 a.m. to 1 p.m. The phone line will be closed on New Year's Day.

● Jackson Health System is expected to open an online platform next week for people 65 and older to request a vaccination appointment and receive a call back with the appointment date and time.

The hospital had initially planned to only offer the vaccine to Miami-Dade County residents but changed course after Jared Moskowitz, director of the state's Division of Emergency Management in

charge of distributing vaccines in Florida, reiterated on Wednesday that hospitals shouldn't be requiring proof of residency or considering it when scheduling appointments.

● Miami-Dade County is also in the process of contacting homebound seniors 65 and older who live in county facilities or receive county services to see if they want to schedule a vaccination appointment. Vaccinations are set to begin Monday.

The county says its website will be updated as more sites become available and will eventually expand to include vaccination locations for other members of the general public.

Miami Herald staff writers Ben Conarck and Douglas Hanks contributed to this report.

Michelle Marchante:
[@TweetMichelleM](https://twitter.com/TweetMichelleM)

1st Reading/Public Hearing:
2nd Reading/Public Hearing:
Adopted:
Effective Date:
Sponsored By: City Manager

ORDINANCE NO. 20-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES, IN ITS ENTIRETY, CREATING A NEW CHAPTER TO INCLUDE DEFINITION OF TERMS; PROVIDING FOR THE REGULATION OF BURGLAR ALARMS; PENALTIES AND FEES FOR NON-COMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka, Florida ("City") desires to update Chapter 18, Article II of the City Code of Ordinances, entitled "Burglar Alarms" regulations to address the growing problem of excessive false alarms which unduly place a burden on the Opa-locka Police Department's law enforcement resources; and

WHEREAS, this ordinance will establish reasonable expectations of alarm users and ensure that alarm users are held responsible for the proper usage of their alarm systems; and

WHEREAS, the City Commission of the City of Opa-Locka finds that it is in the best interest of the City and its residents to repeal and replace Chapter 18, Article II of the City's Code of Ordinances, entitled "Burglar Alarms".

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. Chapter 18, Article II of the Code of Ordinances, titled "Alarm Systems", attached hereto as Exhibit "A", is hereby repealed in its entirety and replaced as follows:

CHAPTER 18 - POLICE

*** * * * ***

ARTICLE II - ALARM SYSTEMS

Sec. 18-33. Definitions

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them, except where the context clearly indicates a different

meaning:

Alarm company means a person subject to the licensing requirements, and/or a company engaged in selling, leasing, installing, servicing or monitoring alarm systems.

Alarm permit means a permit issued by the Opa-locka Police Department allowing the operation of an alarm system within the City.

Alarm signal means a detectable signal, audible or visual, generated by an alarm system, to which law enforcement is requested to respond.

Alarm system means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity requiring immediate attention and to which law enforcement is requested to respond including non-monitored alarms, but does not include motor vehicle or boat alarms, fire alarms, domestic violence alarms, or alarms designed to elicit a medical response.

Alarm user means any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning, leasing, or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

Automatic dial protection device means an automatic dialing device or an automatic telephone dialing alarm system and shall include any system which, upon being activated, automatically initiates to the Opa-locka Police Department a recorded message or code signal indicating a need for law enforcement response.

Cancellation means the process where response is terminated when the alarm company (designated by the alarm user) notifies the Opa-locka Police Department that there is not an existing situation at the alarm site requiring police response after an alarm dispatch request.

City means the City of Opa-locka or its agent.

False alarm means the activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the alarm user, his/her employees or agents, and signals activated to summon law enforcement personnel unless law enforcement response was canceled by the alarm company before law enforcement personnel arrive at the alarm location. An alarm is false within the meaning of this article when, upon inspection by the Opa-locka Police Department, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm shall not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature nor does it include other

extraordinary circumstances not reasonably subject to control by the alarm user.

Permit year means an 12-month period beginning on the day and month on which an alarm permit is issued.

SIA Control Panel Standard CP-OI means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-Old Control Panel Standard as may be updated time to time that details recommended design features for security system control panels and their associated arming and disarming devices to reduce false alarms.

Verify means an attempt by the monitoring company, or its representative to contact the alarm site and/or alarm user by telephone and/or other electronic means, whether or not actual contact with a person is made to attempt to determine whether an alarm signal is valid before requesting law enforcement dispatch, in an attempt to avoid an unnecessary alarm dispatch request.

Sec. 18-34. Alarm Permit

a) Permit required. No person shall use an alarm system monitored or non-monitored, without first obtaining a permit for such alarm system from the Opa-locka Police Department. A fee of \$25.00 is required for the initial registration and annual renewal. Alarm permit fee amounts may be amended from time to time by resolution of the City Commission. Each alarm permit shall be assigned a unique permit number and the user shall provide the permit number to the alarm company to facilitate law enforcement dispatch.

(b) Application. The permit shall be requested on an application form provided by the Opa-locka Police Department. An alarm user has the duty to obtain an application from the Opa-locka Police Department.

Transfer of possession. When the possession of the premises at which an alarm system is maintained is transferred the person (user) obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable.

Reporting updated information. Whenever the information provided on the alarm permit application changes, the alarm user shall provide correct information to the Opa-locka Police Department within ten (10) days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the Opa-locka Police Department a form requesting updated information. The permit holder shall complete and return this form to the Opa-locka Police Department when any of the requested information has changed; failure to comply will constitute a violation and may result in a civil penalty.

Multiple alarm systems. If an alarm user has one or more alarm systems protecting two

or more separate structures having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant.

Sec. 18-35. Duties of the Alarm User

An alarm user must do the following:

Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms.

Provide the alarm company the permit number, (the number must be provided to the communications center by the alarm company to ensure dispatch).

Respond or cause a representative to respond to the alarm system's location within 1 hour when notified by the Opa-locka Police Department.

Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report

Obtain a new permit and pay any associated fees if there is a change in address or ownership of a business or residence.

It is the responsibility of each alarm user to monitor the occurrences of false alarms on its premises.

Sec. 18-36. Duties of the Alarm Company

Any person engaged in the alarm business in the City, shall comply with the following:

(1) Florida State Statute, Chapter 489.

Obtain and maintain the required State, County and/or City license(s).

Be able to provide name, address, and telephone number of the alarm company license holder or a designee, who can be called in an emergency, 24 hours a day; and be able to respond to an alarm call, when notified.

Be able to provide the most current contact information for the alarm user.

Ninety (90) days after enactment of this Ordinance the alarm installation companies shall, on all new and upgraded installations, use only alarm control panel(s) which meet SIA Control Panel Standard CP-01.

Prior to activation of the alarm system, the alarm company must provide instructions explaining the proper operation of the alarm system to the alarm user.

Provide written information of how to obtain service from the alarm company for the

alarm system.

An alarm company performing monitoring services shall:

Attempt to verify, by calling the alarm site and/or alarm user by telephone, to determine whether an alarm signal is valid before requesting dispatch. Telephone verification shall require, as a minimum that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid before requesting law enforcement dispatch, EXCEPT in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.

Provide alarm user registration number to the communications center to facilitate dispatch and/or cancellations.

Communicate any available information about the location of the alarm.

Communicate a cancellation to the law enforcement communications center as soon as possible following a determination that response is unnecessary.

Sec. 18-37. Prohibited Acts

It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm

It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 15 minutes.

It shall be unlawful to install, maintain, or use an automatic dial protection device that reports, or causes to be reported, any recorded message to the Opa-locka Police Department.

Sec. 18-38. Enforcement of Provisions

Excessive false alarms. It is hereby found and determined that three or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful. Civil penalties for false alarms within a permit year shall be assessed against an alarm user as per current fee schedule.

Failure to register. It shall be unlawful to operate a burglar alarm system within the City of Opa-locka without an alarm permit.

Other Civil Penalty(is). Violations will be enforced through the assessment of civil penalty(ies).

Payment of Civil Penalty(ies). Civil penalty(ies) shall be paid within (30) days from the date of the invoice.

Civil Non criminal violation. A violation of any of the provisions of this ordinance shall be a civil violation and shall not constitute a misdemeanor or infraction.

Discontinuance of law enforcement response. Police are not required to respond:
To burglar alarms at locations where six (6) or more false alarms occurred in the user's registration period.

To burglar alarms at locations where a burglar alarms civil penalty(ies) was not paid within thirty (30) days of a civil violation penalty notice.

To locations where the required alarm permit has not been obtained.

Notice of discontinuance of law enforcement response. A notice that Police response will be discontinued, for any of the above reasons, will accompany a civil violation notice, be posted at the affected locations, or be sent to the user by certified mail at least thirty (30) days prior to discontinuing service.

Restoring Police response to terminated locations. To regain Police response to burglar alarms at terminated locations, the alarm user must:
Submit a written report from a licensed burglar alarm company certifying that the system has been inspected, repaired if required, and that it is functioning properly.
Pay all outstanding burglar alarm civil penalties.
Apply for and obtain an alarm permit.

Sec. 18-39. Appeals.

All civil penalties for violations set forth in this section shall be issued and may be appealed, in accordance with, and shall be governed by the procedures set forth in Sections 2-570.25 through 2-570.32 of the Opa-locka Code of Ordinances through the Code Enforcement Special Magistrate Board.

Sec. 18-40. Government Immunity

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm registration, the alarm user acknowledges that the Opa-locka Police Department response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

Sec. 18-41. Severability

If any section, subsection, sentence, clause or provision of this article is held

invalid, the remainder of this article shall not be affected by such invalidity.

Sec. 18-42. Fee Schedule

The table contained herein prescribes the dollar amount of civil penalty for the violation of these sections. The fine amounts may be amended from time to time by resolution of the City Commission:

	<u>Registered Alarm</u>	<u>Non-Registered Alarm</u>
<u>First False Alarm</u>	<u>No Charge</u>	<u>\$50.00</u>
<u>Second False Alarm</u>	<u>\$25.00</u>	<u>\$100.00</u>
<u>Third False Alarm</u>	<u>\$50.00</u>	<u>\$150.00</u>
<u>Fourth False Alarm</u>	<u>\$100.00</u>	<u>\$200.00</u>
<u>Fifth False Alarm</u>	<u>\$150.00</u>	<u>\$250.00</u>
<u>Sixth & Seventh False Alarm</u>	<u>\$200.00</u>	<u>\$300.00</u>
<u>Eight & Ninth False Alarm</u>	<u>\$250.00</u>	<u>\$350.00</u>
<u>Tenth False Alarm and over</u>	<u>\$500.00</u>	<u>\$500.00</u>
<u>Penalty for failure to register</u>	<u>\$100.00</u>	<u>\$100.00</u>

Any violation of the "Burglar Alarms" ordinance that is not specified within this section, shall be assessed a civil penalty of One Hundred Dollars (\$100.00). See section 12-85.

A registration fee of \$25.00 is required for the initial registration and annual renewal

Section 2. In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall

Section 3. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 4. Severability. If any word, clause, phrase, sentence, paragraph or section of this Ordinance is held to be invalid by a court of competent jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph or section of this Ordinance.

Section 5. Codification. The provisions of this Ordinance may become and be made a part of the code of ordinances of the City of Opa-locka, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED FIRST READING THIS ____ day of _____, 2020.

PASSED SECOND READING THIS ____ day of _____, 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Davis	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Taylor	_____ (Yes)	_____ (No)
Vice-Mayor Williams	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



City of Opa-Locka Agenda Cover Memo

Department Director:				Department Director Signature:			
City Manager:	John E. Pate			CM Signature:			
Commission Meeting Date:	12.09.2020		Item Type:	Resolution	Ordinance	Other	
			<i>(Enter X in box)</i>		X		
Fiscal Impact:	Yes	No	Ordinance Reading:	1st Reading		2nd Reading	
<i>(Enter X in box)</i>	X		<i>(Enter X in box)</i>				
			Public Hearing:	Yes	No	Yes	No
			<i>(Enter X in box)</i>		X		X
Funding Source:	<i>(Enter Fund & Dept)</i>		Advertising Requirement:	Yes		No	
<i>Account# :</i>	Ex:		<i>(Enter X in box)</i>			X	
Contract/P.O. Required:	Yes	No	RFP/RFQ/Bid#:				
<i>(Enter X in box)</i>		X					
Strategic Plan Related	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy:			
<i>(Enter X in box)</i>		X	Enhance Organizational ☐	<i>(list the specific objective/strategy this item will address)</i>			
			Bus. & Economic Dev ☐				
			Public Safety ☒				
			Quality of Education ☐				
			Qual. of Life & City Image ☒				
			Communication ☐				
Sponsor Name	City Manager		Department:	Police Department			

Short Title:

An Ordinance of the City Commission repealing Chapter 18, Article II of the Code of Ordinances, in its entirety, creating a new chapter.

Staff Summary:

The City is desirous of updating its "Burglar Alarms" regulations to address the growing problem of excessive false alarms which burdens the Opa-locka Police Department. By updating the City's Code this would allow for the City to hold the alarm users responsible for their use of the alarm systems.

Financial Impact – This will provide General Fund revenue, but at this time it is unknown as to the number of alarm system installed and the frequency of false alarms. There will be some Special Magistrate expense at a later time if alarm users appeal their violations, but this expense will be minimal in comparison to the revenue this program will generate.

Proposed Action:

Staff recommends the approval of this request.

ARTICLE II. - ALARM SYSTEMS

*Footnotes:**--- (2) ---*

Editor's note— *Ord. No. 99-16, adopted Sept. 22, 1999, amended Ch. 18, Art. II to read as herein set out. Prior to said amendment, Art. II pertained to automatic telephone alarm systems and was derived from Code 1955, §§ 18-21—18-24.*

Sec. 18-33. - Definitions.

- (a) *Alarm user* means the person or other entity that owns, possesses, controls, occupies, or manages any premises as defined below.
- (b) *Automatic telephone dialing alarm system* shall include any system which, upon being activated, automatically transmits by telephone or telephone line, a recorded message or any other electronic or emergency or mechanical alarm signal to the city police department or any telephone line leased by the city and installed within any facility operated by the city. However, public coin telephone alarm systems, alarms systems which are utilized by government departments or agencies in Miami-Dade County, Florida; alarm systems which transmit to the police department live voices capable of two-way communication, or alarm systems which are automatically answered by the response of a private security or alarm service agency to the premises, are expressly excluded from the definition of the term "automatic telephone dialing alarm system" as used in this article.
- (c) *Burglar alarm system* means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which the police department may reasonably be expected to respond, but does not include fire alarms or alarms installed in motor vehicles. If a fire alarm system is connected to a burglar alarm system, this section shall not apply to false alarms that the alarm user proves were generated by the fire alarm portion of the system.
- (d) *False burglar alarm* means a signal from a burglar alarm system that elicits a response by the police when no emergency or actual or threatened criminal activity requiring immediately response exists. This definition includes signals activated by negligence, accident, mechanical failure; signals activated intentionally in non-emergency situations; and signals for which the actual cause of activation is unknown. It is a rebuttable presumption that a burglar alarm is false if personnel responding from the police department do not discover any evidence of unauthorized entry, criminal

activity, or other emergency after following normal police procedures in investigating the incident. An alarm is not false if the alarm user proves that (1) an individual activated the alarm based upon a reasonable belief that an emergency or actual or threatened criminal activity requiring immediate response existed; or (2) the alarm system was activated by lightening or an electrical surge that caused physical damage to the system, as evidenced by the testimony of a licensed alarm system contractor who conducted an on-site inspection and personally observed the damage of the system.

- (e) *Premises* means the building or structure or portion of a building or structure upon which is installed or maintained a burglar alarm system.
- (f) *Alarm business* means the business of any individual, partnership, corporation or other entity engaged in selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or in causing any alarm system to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed in or on any building, structure or facility. An alarm business shall be a burglar alarm specialty electrical contractor which shall have, as a qualifying agent, a State of Florida or Miami-Dade County company qualifier, meaning a person licensed as a Miami-Dade County master or journeyman burglar alarm specialty electrical contractor, Miami-Dade County master electrician, State of Florida contractor, or State of Florida electrical contractor. An alarm business shall have an occupational license issued by the city.
- (g) *Alarm permit* means a permit issued by the city allowing the operation of an alarm system within the city.
- (h) *Alarm system* means any assembly of equipment, mechanical or electrical, arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which the police department is expected to respond, but does not include alarms installed in conveyances or fire alarms.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-34. - Alarm permits required; fee; renewal; enforcement provisions.

- (a) It shall be unlawful for any person to operate an alarm system without a valid alarm user permit. Violation of this section shall be a misdemeanor of the second degree, punishable as provided for in chapter 775, Florida Statutes.
- (b)

Applications must be made to the City of Opa-locka Buildings and Licenses Department which will issue permits to alarms users after payment of a seventy-five dollar (\$75.00) application fee.

- (c) All alarm user permits will expire on September 30 of each year and must be renewed not later than October 1 of renewal year. Renewal permits will be issued after completion of an application form and the payment of a seventy-five dollar (\$75.00) renewal fee. The renewal fee is twenty-five dollars (\$25.00) provided that there have been no false alarms and seventy-five dollars (\$75.00) otherwise.
- (d) Whenever the police respond to a location where no alarm permit has ever been issued or the alarm permit has expired for the alarm system generating a false alarm, a copy of this section shall be sent to the alarm user along with written notification as follows:
 - (1) On non-permitted accounts, a seventy-five dollar (\$75.00) renewal fee will be required, plus a two hundred dollar (\$200.00) fine for a total of two hundred seventy-five dollars (\$275.00). There will be no police response to subsequent alarms until the fine and the permit fee are paid.
 - (2) A response to an alarm system where the permit has expired will result in a seventy-five dollar (\$75.00) renewal fee, plus a one hundred fifty dollar (\$150.00) fine for a total of two hundred twenty-five dollars (\$225.00). There will be no police response to subsequent alarms until the fine and the permit are paid.
 - (3) All expired permits will be charged a twenty-five dollar (\$25.00) late fee, plus a seventy-five dollar (\$75.00) renewal fee. All expired permits with no false alarms will require a twenty-five dollar (\$25.00) late fee, plus a twenty-five dollar (\$25.00) renewal fee.
- (e) If a business has one or more alarm systems protecting two or more separate structures having different addresses, a separate permit will be required for each structure.
- (f) To reinstate police service the alarm user must obtain a valid alarm permit pursuant to section 18-34 and pay all outstanding fines.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-35. - Application for alarm permit; emergency notification and reporting service information.

- (a)

Applications. Applications for alarm permits shall be made on forms provided by the police department. The initial application shall be accompanied by a fee of seventy-five dollars (\$75.00). The application shall state the name, address and telephone number of the location where the alarm is installed. If the applicant's alarm is installed and serviced by an alarm company, then the alarm company must provide the city with their company name, address and telephone number and obtain the alarm user permit for the applicant prior to the installation of the alarm system. Non-compliance by the alarm company will incur a two hundred fifty dollar (\$250.00) fine. Each permit shall be valid until September 30 of the renewal year. The permit will be valid for one year.

(b) *Emergency notification.* Each application shall list an emergency telephone number of the user or the user's representative to permit prompt notification of alarm calls and facilities assisting the police in the inspection of the property. Changes in emergency telephone numbers shall be kept current, and failure to provide updated information may constitute grounds for revocation of the permit.

(c) *Reporting service information.* Each holder of an alarm user permit shall immediately notify the police department in writing of any and all changes in the information on file with the city regarding such permit. Failure to do so shall constitute grounds for revocation of the permit.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-36. - Issuance of permit decals.

A decal with the alarm user's permit number, name of business or residence owner's name, and permit address will be issued with the alarm user permit. This decal must be prominently posted on or near the front entrance to the premises so that the information provided on the decal is visible from the outside of the structure.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-37. - Required equipment in a burglar alarm.

A burglar alarm user shall not use a burglar alarm system unless that burglar alarm system is equipped with:

- (a) A backup power supply that will become effective in the event of power failure or outage in the source of electricity from the utility company; and

- (b) A device that automatically silences the alarm within thirty (30) minutes after activation.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-38. - Canceling false burglar alarm calls.

Alarm monitoring companies shall notify the City of Opa-locka Police Department to cancel dispatches to alarm calls the company initiated within ten (10) minutes of being notified that the alarm is false by the alarm user or the user's authorized representative. However, police will not cite the company for failure to meet the ten-minute criterion if notification of a false alarm is received before an officer arrives on the scene.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-39. - Prohibited

It shall be unlawful to sell, offer for sale, install, maintain, lease, own, possess or operate an automatic telephone dialing alarm system connected to any exchange telephone trunk line within the city, which automatic telephone dialing alarm system is regulated to make telephonic connection with any telephone line leased by the city and installed within any facility operated by the city police department.

No burglar alarm user shall cause, allow, or permit the burglar alarm system to give six (6) or more false alarms in any calendar year.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-40. - Removal of unlawful system.

The chief of police, when he has knowledge of the maintenance of an automatic telephone dialing alarm system, installed or operated in violation of this article, shall order the owner, operator or lessee to disconnect and cease operation of the system within seventy-two (72) hours of receipt of the order. It shall be unlawful for any person, natural or corporate, to fail to comply with any of the provisions of this section.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-41. - Notification of false alarms.

It is the responsibility of each alarm user to monitor the occurrences of false alarms on its premises. The City of Opa-locka Police Department shall notify the alarm user of each false alarm. Such notice shall be provided by posting a notice on the premises; or by mailing notice to the alarm user.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-42. - Department not liable for failure to respond.

The police department shall be under no obligation to respond to any message or signal transmitted in violation of this article. The police department and its officers, employees and agents shall not be liable for any failure to respond.

(a) Police are not required to respond:

1. To burglar alarms at locations where six (6) or more false alarms occurred in the calendar year. After sustaining the first police response termination in a calendar year for accruing six (6) false alarms, the alarm user will sustain subsequent response terminations for every three (3) additional false alarms occurring in the same calendar year;
2. To burglar alarms at location where a burglar alarm fine was not paid within sixty (60) days of a civil violation notice; or
3. To locations where required alarm registration information was not filed within sixty (60) days of a civil violation notice for failure to file alarm information.

(b) Nothing herein shall:

1. Preclude the police department from responding to panic or ambush alarm signals, calls describing emergencies or crimes in progress, or routine calls for service;
2. Limit the police department from issuing civil violation notices for alarms in violation of this article; or
3. Be construed to create a duty to respond in any circumstances where such a duty does not exist pursuant to the statutory or common law of Florida.
4. A notice that police response will be discontinued, for any of the above reasons, will accompany a civil violation notice, be posted at the affected location, or be sent to the user by certified mail at least thirty (30) days prior to discontinuing service.

- (c) Police response will continue while an appeal is pending under section 2-570.31 of the Code of the City of Opa-locka, for a civil violation notice issued for violation of this article.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-43. - Restoring police response to terminated locations.

To regain police response to burglar alarms at terminated locations, the alarm user must:

- (a) When police response has been discontinued pursuant to subsection 18-42(a)1., submit a written report from a licensed burglar alarm company certifying that the system has been inspected, repaired if required, and that it is functioning properly. In addition, the alarm user must pay all outstanding burglar alarm ordinance fines;
- (b) When police response has been discontinued pursuant to subsection 18-42(a)2. and 3., submit burglar alarm registration information and pay all outstanding burglar alarm ordinance fines.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-44. - Penalties.

- (a) Each violation of this section shall be punished as follows:
 - (1) For a first violation of section 18-42 by a fine of fifty dollars (\$50.00).
 - (2) For a second and each additional violation of section 18-42 by a fine of one hundred dollars (\$100.00).
 - (3) For the fourth false burglar alarm in one calendar year by a fine of fifty dollars (\$50.00).
 - (4) For the fifth false burglar alarm in one calendar year by a fine of two hundred dollars (\$200.00).
 - (5) For the sixth and each additional false burglar alarm in one calendar year by a fine of one hundred dollars (\$100.00).
 - (6) For each violation of section 18-38 by a fine to the alarm monitoring company of one hundred dollars (\$100.00).
- (b) An alarm user shall not be fined more than two hundred dollars (\$200.00) for false alarms that occur at the same premises in any twenty-four-hour period.
- (c) A hearing officer shall rescind any penalties pursuant to this section if the alarm user

proves during the appeal hearing that:

- (1) At the time of the violation, the alarm user was a religious, charitable, or governmental organization and the property protected by the alarm was being used exclusively for religious, charitable, or governmental purposes; and
- (2) The alarm user has identified the cause of the false alarm. If the cause was mechanical or electrical, then the user must provide a written report from a licensed alarm company certifying that repairs have been made, or that measures were implemented to arrange for required repairs, within thirty (30) days from issuance of the civil violation notice. If the cause was human error, then the user must provide a written report documenting that, within thirty (30) days from issuance of the civil violation notice, the user has implemented an educational program sufficient to prevent such future human errors and that no similar ones have occurred since the implementation of the program.

(Ord. No. 99-16, § 1, 9-22-99)

Sec. 18-45. - Enforcement.

This section shall be enforced by the code enforcement provisions of the Code of the City of Opa-locka.

(Ord. No. 99-16, § 1, 9-22-99)



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, January 13, 2021 at 7:00 p.m.**, Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following ordinances for adoption:

SECOND READING ORDINANCES/PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING AND REPLACING, IN ENTIRETY, ARTICLE IV OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "STORMWATER UTILITY", SPECIFICALLY AMENDING SECTIONS 21-190 THROUGH 21-196; CREATING NEW SECTIONS 21-197 THROUGH 20-203; PROVIDING FOR INTENT; CONSTRUCTION; DEFINITIONS; UTILITY ESTABLISHMENT; CUSTOMER BASE; UTILITY CATEGORIES; FEE SCHEDULE AND PAYMENT; EXEMPTIONS; STORMWATER UTILITY ENTERPRISE FUNDS; REQUEST FOR ADJUSTMENT; PROHIBITIONS; PERMITS, PLAN REVIEWS, INSPECTIONS AND ADMINISTRATIVE FEES; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE IDENTIFIED BY FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14-02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE OF THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES, IN ITS ENTIRETY, CREATING A NEW CHAPTER TO INCLUDE DEFINITION OF TERMS; PROVIDING FOR THE REGULATION OF BURGLAR ALARMS; PENALTIES AND FEES FOR NON-COMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1.5 ENTITLED "CODE OF ETHICS; CONFLICT OF INTEREST" SECTION 2-14 ENTITLED "ORIENTATION OF ELECTED OFFICIALS" TO INCLUDE TRAINING ON THE ROLES AND RESPONSIBILITIES OF APPOINTED OFFICIALS; PARLIAMENTARY PROCEDURE; A REVIEW OF THE CITY'S STRATEGIC PLAN; PREPARATION OF AN ACCOUNTABILITY PLAN FOR CITY MANAGER FOR THE UPCOMING YEAR AND A REVIEW OF MAJOR CHALLENGES FACING THE CITY IN A WORKSHOP SETTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please email publiccomments@opalockafl.gov by 5:00 p.m. on Wednesday, January 13, 2021.

All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings.

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) 953-2800 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 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877)955-8707 (Creole).

PURSUANT TO FS 286.0105: *Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.*

Joanna Flores, CMC
City Clerk
City of Opa-locka

COVID-19

Miami-Dade County website to help seniors schedule COVID-19 vaccine appointments

BY MICHELLE MARCHANTE
mmarchante@miamiherald.com

Miami-Dade County has created a new website to help seniors, and eventually the rest of the general public, find and schedule COVID-19 vaccination appointments.

The website miamidade.gov/vaccine went live Wednesday and provides information on who is currently allowed to get the COVID-19 vaccine in Florida, where vaccines are available in the county and how people can schedule their vaccination.

Currently, Florida is giving vaccines to health-care workers, long-term care facility residents and staff, and people 65 and older, including snowbirds.

Broward County plans to open a vaccination site Sunday at Tradewinds Park in Coconut Creek and Vista View Park in Davie (by appointment only, www.Broward.FloridaHealth.gov). Vaccination starts by appointment Tuesday at Markham Park, 16001 W State Road 84, Sunrise.

In Miami-Dade, the Florida Department of Health is still finalizing its vaccination plan, which means that for now, the places where people can get COVID-19 vaccines are limited.

WHERE CAN YOU GET A COVID-19 VACCINE IN MIAMI-DADE?

● Mount Sinai Medical



JOSE A IGLESIAS jiglesias@elnuevoherald.com

A nurse prepares to start vaccinations at the Hilton Dadeland Hotel next to Baptist Hospital in Miami-Dade on Wednesday, Dec. 16. Baptist Health began administering the first COVID-19 vaccines for their eligible front-line healthcare workers.

Center in Miami Beach is scheduling appointments for first responders and people 75 and older. The hospital will eventually expand its vaccination target group to people 65 and older.

To make an appointment, call 305-674-2312 Monday through Friday from 8 a.m. to 5 p.m. and Saturday through Sunday from 8 a.m. to 1 p.m. The phone line will be closed on New Year's Day.

● Jackson Health System is expected to open an online platform next week for people 65 and older to request a vaccination appointment and receive a call back with the appointment date and time.

The hospital had initially planned to only offer the vaccine to Miami-Dade County residents but changed course after Jared Moskowitz, director of the state's Division of Emergency Management in

charge of distributing vaccines in Florida, reiterated on Wednesday that hospitals shouldn't be requiring proof of residency or considering it when scheduling appointments.

● Miami-Dade County is also in the process of contacting homebound seniors 65 and older who live in county facilities or receive county services to see if they want to schedule a vaccination appointment. Vaccinations are set to begin Monday.

The county says its website will be updated as more sites become available and will eventually expand to include vaccination locations for other members of the general public.

Miami Herald staff writers Ben Conarck and Douglas Hanks contributed to this report.

Michelle Marchante:
[@TweetMichelleM](https://twitter.com/TweetMichelleM)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1.5 ENTITLED "CODE OF ETHICS; CONFLICT OF INTEREST" SECTION 2-14 ENTITLED "ORIENTATION OF ELECTED OFFICIALS" TO INCLUDE TRAINING ON THE ROLES AND RESPONSIBILITIES OF APPOINTED OFFICIALS; PARLIAMENTARY PROCEDURE; A REVIEW OF THE CITY'S STRATEGIC PLAN; PREPARATION OF AN ACCOUNTABILITY PLAN FOR CITY MANAGER FOR THE UPCOMING YEAR AND A REVIEW OF MAJOR CHALLENGES FACING THE CITY IN A WORKSHOP SETTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka ("City Commission", "Commission") desires to amend Article 1.5 of the City's Code of Ordinances entitled "Code of Ethics; Conflict of Interest" Section 2-14 entitled "Orientation of Elected Officials" to include training on the roles and responsibilities of appointed officials; parliamentary procedure; a review of the City's strategic plan; preparation of an accountability plan for the City Manager for the upcoming year and a review of major challenges facing the City of Opa-Locka ("City") in a workshop setting; and

WHEREAS, a public orientation shall be provided after each election to any newly elected commissioner and to any newly appointed commissioner; and

WHEREAS, unless otherwise duplicated by the Florida League of Cities, Miami-Dade County League of Cities or Miami-Dade County Commission on Ethics and Public Trust, the orientation for newly elected or appointed officials shall include ethics, public records and sunshine law training; and

WHEREAS, orientation training shall also include a review of the City Charter; the powers of the Commission, major initiatives of the City and a year-end review of each department; and

WHEREAS, the orientation may also include a presentation from the City Manager, or designee from all City departments within the City to present their long term and short term goals and objectives; and

WHEREAS, all training shall take place in a workshop setting to be scheduled by the City Clerk.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. The City Commission of the City of Opa-Locka, Florida hereby amends Article 1.5 of the City's Code of Ordinances entitled "Code of Ethics; Conflict of Interest" Section 2-14 entitled "Orientation of Elected Officials" to state:

Sec. 2-14. - Orientation of elected officials.

- (a) Newly elected members of the city commission shall, within twelve (12) months of the administration of the oath of office, attend and successfully complete the Institute for Elected Municipal Officials (EMO), Florida League of Cities Orientation or similar program deemed qualified by the city commission.
- (b) Upon request, newly elected members of the city commission shall receive an in-person structural orientation on city government matters from the City administrator and the City Attorney within ten (10) business days of the administration of the oath of office.
- (c) All public officers of the city and candidates for City elective office, upon appointment, election, or qualifying, are strongly encouraged to submit a signed statement to be provided by the city clerk acknowledging that they have received, read, understand, and agree to be bound by the City of Opa-locka Code of Ethics.
- (d) In a public workshop setting, training shall to include training on the roles and responsibilities of appointed officials; parliamentary procedure; a review of the City's strategic plan; preparation of an accountability plan for the City Manager for the upcoming year and a review of major challenges facing the City in a workshop setting.
- (e) unless otherwise set forth herein, a public orientation shall be provided within twenty (20) business days after the administration of the oath of office of any newly elected commissioner or any newly appointed commissioner.

(f) unless otherwise duplicated by the Florida League of Cities, Miami-Dade County League of Cities or Miami-Dade County Commission on Ethics and Public Trust, the orientation for newly elected or appointed officials shall include the topics of ethics, public records and sunshine law training; and

(g) orientation of elected and appointed officials shall also include a review of the City Charter; the powers of the city commission, major initiatives of the City and a year-end review of each department; and

(h) orientation may also include a presentation from the City Manager, or designee on the progress of all City departments within the city, including a presentation of long term and short term goals and objectives.

(i) all training shall take place in a workshop setting to be scheduled by the City Clerk.

Section 3. To the extent that this Ordinance is in conflict with other Ordinance of the City, this Ordinance shall supersede the others until this Ordinance is amended or repealed.

Section 4. This Ordinance shall become effective upon passage, approval and publication or as otherwise provided by law.

Section 5. Conflict & Repealer.

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

Section 6. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Code or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 7. Inclusion In Code.

It is the intention of the City Commission of the City of Opa-Locka that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

Section 8. Effective Date.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-Locka and upon a filing of a certified copy hereof with the Florida Department of State and is subject to the approval of the Governor or Governor's Designee.

PASSED FIRST READING this ____ day of _____ 2020.

PASSED SECOND READING this ____ day of _____ 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, Esq.

City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke

_____(Yes)

_____(No)

Commissioner Davis

_____(Yes)

_____(No)

Commissioner Taylor

_____(Yes)

_____(No)

Vice-Mayor Williams

_____(Yes)

_____(No)

Mayor Pigatt

_____(Yes)

_____(No)



City of Opa-locka Agenda Cover Memo

Department Director:					Department Director Signature:				
City Manager:	John E. Pate				CM Signature:	<i>John E. Pate</i>			
Commission Meeting Date:	12/09/2020		Item Type: (Enter X in box)	Resolution		Ordinance		Other	
						X			
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading				2nd Reading	
				Public Hearing: (Enter X in box)				Yes	No
Funding Source: Account# :	(Enter Fund & Dept) Ex:		Advertising Requirement: (Enter X in box)	Yes		No			
				X					
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:						
		X							
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☒ Bus. & Economic Dev ☒ Public Safety ☒ Quality of Education ☒ Qual. of Life & City Image ☒ Communcation ☒	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)					
	X								
Sponsor Name	Mayor Pigatt		Department:	City Commission					

Short Title:

An ordinance of the City Commission of the City of Opa-locka directing the City Manager to facilitate a public orientation to be provided after each election in the City to the newly elected officials.

Staff Summary:

The orientation will include strategic planning that will provide an accountability plan for the City Manager in the upcoming year and provide the goals of the City to move forward. In addition, the orientation will include ethics training, public records, review of the City Charter and powers of the Commission, roles and responsibilities of appointed officials, parliamentary procedure, review of the City's Strategic Plan and major initiatives, year-end review of each department. All departments will present their goals, objectives and challenges in a workshop format.

Financial Impact – No expense will be incurred with this program.

Proposed Action:

Approve legislation and make preparations for future orientations.

Attachment:



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, January 13, 2021 at 7:00 p.m.**, Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following ordinances for adoption:

SECOND READING ORDINANCES/PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING AND REPLACING, IN ENTIRETY, ARTICLE IV OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "STORMWATER UTILITY", SPECIFICALLY AMENDING SECTIONS 21-190 THROUGH 21-196; CREATING NEW SECTIONS 21-197 THROUGH 20-203; PROVIDING FOR INTENT; CONSTRUCTION; DEFINITIONS; UTILITY ESTABLISHMENT; CUSTOMER BASE; UTILITY CATEGORIES; FEE SCHEDULE AND PAYMENT; EXEMPTIONS; STORMWATER UTILITY ENTERPRISE FUNDS; REQUEST FOR ADJUSTMENT; PROHIBITIONS; PERMITS, PLAN REVIEWS, INSPECTIONS AND ADMINISTRATIVE FEES; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE IDENTIFIED BY FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14-02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE OF THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES, IN ITS ENTIRETY, CREATING A NEW CHAPTER TO INCLUDE DEFINITION OF TERMS; PROVIDING FOR THE REGULATION OF BURGLAR ALARMS; PENALTIES AND FEES FOR NON-COMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1.5 ENTITLED "CODE OF ETHICS; CONFLICT OF INTEREST" SECTION 2-14 ENTITLED "ORIENTATION OF ELECTED OFFICIALS" TO INCLUDE TRAINING ON THE ROLES AND RESPONSIBILITIES OF APPOINTED OFFICIALS; PARLIAMENTARY PROCEDURE; A REVIEW OF THE CITY'S STRATEGIC PLAN; PREPARATION OF AN ACCOUNTABILITY PLAN FOR CITY MANAGER FOR THE UPCOMING YEAR AND A REVIEW OF MAJOR CHALLENGES FACING THE CITY IN A WORKSHOP SETTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020).

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please email publiccomments@opalockafl.gov by 5:00 p.m. on Wednesday, January 13, 2021.

All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings.

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) 953-2800 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 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877)955-8707 (Creole).

PURSUANT TO FS 286.0105: *Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.*

Joanna Flores, CMC
City Clerk
City of Opa-locka

COVID-19

Miami-Dade County website to help seniors schedule COVID-19 vaccine appointments

BY MICHELLE MARCHANTE
mmarchante@miamiherald.com

Miami-Dade County has created a new website to help seniors, and eventually the rest of the general public, find and schedule COVID-19 vaccination appointments.

The website miamidade.gov/vaccine went live Wednesday and provides information on who is currently allowed to get the COVID-19 vaccine in Florida, where vaccines are available in the county and how people can schedule their vaccination.

Currently, Florida is giving vaccines to health-care workers, long-term care facility residents and staff, and people 65 and older, including snowbirds.

Broward County plans to open a vaccination site Sunday at Tradewinds Park in Coconut Creek and Vista View Park in Davie (by appointment only, www.Broward.FloridaHealth.gov). Vaccination starts by appointment Tuesday at Markham Park, 16001 W State Road 84, Sunrise.

In Miami-Dade, the Florida Department of Health is still finalizing its vaccination plan, which means that for now, the places where people can get COVID-19 vaccines are limited.

WHERE CAN YOU GET A COVID-19 VACCINE IN MIAMI-DADE?

● Mount Sinai Medical



JOSE A IGLESIAS jiglesias@elnuevoherald.com

A nurse prepares to start vaccinations at the Hilton Dadeland Hotel next to Baptist Hospital in Miami-Dade on Wednesday, Dec. 16. Baptist Health began administering the first COVID-19 vaccines for their eligible front-line healthcare workers.

Center in Miami Beach is scheduling appointments for first responders and people 75 and older. The hospital will eventually expand its vaccination target group to people 65 and older.

To make an appointment, call 305-674-2312 Monday through Friday from 8 a.m. to 5 p.m. and Saturday through Sunday from 8 a.m. to 1 p.m. The phone line will be closed on New Year's Day.

● Jackson Health System is expected to open an online platform next week for people 65 and older to request a vaccination appointment and receive a call back with the appointment date and time.

The hospital had initially planned to only offer the vaccine to Miami-Dade County residents but changed course after Jared Moskowitz, director of the state's Division of Emergency Management in

charge of distributing vaccines in Florida, reiterated on Wednesday that hospitals shouldn't be requiring proof of residency or considering it when scheduling appointments.

● Miami-Dade County is also in the process of contacting homebound seniors 65 and older who live in county facilities or receive county services to see if they want to schedule a vaccination appointment. Vaccinations are set to begin Monday.

The county says its website will be updated as more sites become available and will eventually expand to include vaccination locations for other members of the general public.

Miami Herald staff writers Ben Conarck and Douglas Hanks contributed to this report.

Michelle Marchante:
[@TweetMichelleM](https://twitter.com/TweetMichelleM)

RESOLUTION

Sponsored by: City Manager

RESOLUTION NO. 20-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FOR A NEW OPA-LOCKA COMMUNITY BUS ROUTE FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION AWARDED TO THE CITY OF OPA-LOCKA FOR UP TO TWO HUNDRED TWENTY-FIVE THOUSAND, ONE HUNDRED TWENTY-ONE DOLLARS (\$225,121.00), WHICH REQUIRES A FUNDING MATCH BY THE CITY OF OPA-LOCKA FOR THE PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE FLORIDA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Opa-Locka ("City") currently has one community bus route, which is operated by Limousines of South Florida, which covers a route between the Opa-Locka Tri Rail Station on Ali Baba and Walgreens on NW 27th Avenue. This program is funded through a County surtax for transportation programs, administered by the County Citizens' Independent Transportation Trust ("CITT"). This program fully funds the operation of this bus route, approximately Two Hundred, Ten Thousand Dollars (\$210,000) with the City incurring no expense other than staff time in addressing the administrative requirements of the program. This program also provides another Five Hundred Thousand Dollars (\$500,000.00) or more annually to the City for roadway improvements; and

WHEREAS, the City previously had a second southerly route which connected the Tri Rail Station, Miami Dade College North Campus, and other public destinations within the City. This route had also been funded by grants but was terminated several years ago when these grants became no longer available; and

WHEREAS, the City applied for and has received a Florida Department of Transportation ("FDOT") grant for up to Two Hundred Twenty-Five Thousand, One Hundred Twenty-One Dollars (\$225,121.00), to reactivate the dormant southern route (Grant Application and Notice of Award attached hereto as Composite Exhibit "A"). This grant can be used to cover one-half of the cost of operating this route. The City is required to fund the other half of this program. CITT staff has indicated that the City will not receive additional CITT funding if the City chooses to operate a second bus route. Consequently, operation of a second route will require identification of City funding not currently budgeted for this purpose and the City Manager does not recommend this expenditure; and

WHEREAS, the cost of operating a second route is not yet precisely known, but has been estimated to possibly cost up to Five Hundred, Ten Thousand Dollars (\$510,000.00) annually. Using this amount for discussion purposes, the City will have to identify Two Hundred, Fifty-Five Thousand Dollars (\$255,000.00) of City funding to cover this unbudgeted program. This could be accomplished by reprogramming CITT funding currently intended to be used for roadway improvement. No other meaningful source of funding has been identified for the moment. Neither contingency nor fund balance should be used to fund ongoing programs; and

WHEREAS, it is believed that the FDOT grant may be available for up to three years, although this has not been confirmed. Assuming this is correct, over the three-year period, the City would have to reprogram approximately Seven Hundred Sixty-Five Thousand Dollars (\$765,000.00) of funding not identified in the City's five-year plan. If the grant were to continue beyond the three years, the City would have to reprogram another Five Hundred, Ten Thousand Dollars (\$510,000.00) for the remaining two years of the five-year period. If the grant were to be terminated after three years, the second route would either have to be terminated again or the City would have to identify another One Million, Ten Thousand Dollars (\$1,010,000.00) to fund the program for the remaining two years. Since the program would not start until around July 2021, the total impact through the end of the five-year plan as of September, 2025 will be a little less due to less than five full years of service; and

WHEREAS, if the City decides to proceed with this program, it could result in the City having to fund over One Million Dollars (\$1,000,000.00) through the end of Fiscal Year 2025 ("FY25") to fund a program not envisioned in the five-year plan. Reducing operating expense is challenging since it normally costs results and reduction of service levels. Conversely, capital expenditure is typically the first activity to be addressed when reductions to current plans are required. Consequently, acceptance of the FDOT grant and implementation of a second bus route could result in the reduction of over One Million Dollars (\$1,000,000.00) in infrastructure investment. Alternatively, a second strategy such as not reducing the property tax milling rate, as envisioned in the five-year plan, to produce additional revenue to fund this program could be implemented; and

WHEREAS, in the view of the potential unbudgeted cost to the City through FY25, the City Manager recommends that the FDOT grant not be accepted in that implementation of a second community bus route be deferred until such time that the City has made further progress and re-establishing its fiscal well-being; and

WHEREAS, the City Commission finds it to be in the best interests of the City and its residents to accept the terms, conditions and funds of the Florida Department of Transportation's grant for a new Opa-Locka community bus route, for up to Two Hundred Twenty-Five Thousand, One Hundred Twenty-One Dollars (\$225,121.00) to the City and execute the necessary documents for same.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION OF THE CITY OF OPA LOCKA, FLORIDA:

Section 1. Adoptions of Representations. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Authorizing Execution of Interlocal Agreement. The City Commission of the City of Opa-Locka, Florida hereby authorizes the City Manager to accept the terms, conditions and funds of the of the Florida Department of Transportation’s grant for a new Opa-Locka community bus route, for up to Two Hundred Twenty-Five Thousand, One Hundred Twenty-One Dollars (\$225,121.00) to the City and execute the necessary documents for same.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption, and is subject to the approval of the Governor of the State of Florida or his designee.

PASSED AND ADOPTED this 13th day of January, 2021.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Commissioner Taylor	_____ (Yes)	_____ (No)
Vice-Mayor Williams	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Airia Austin		Department Director Signature:				
City Manager:	John E. Pate		CM Signature:				
Commission Meeting Date:	January 13, 2021		Item Type: <i>(Enter X in box)</i>	Resolution X	Ordinance	Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
	X		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
					X		X
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex: To Be Determined		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
						X	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid#:				
	X						
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☒ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
	X						
Sponsor Name	City Manager		Department:	City Manager			

Short Title:

Acceptance of Florida Department of Transportation Grant for New Opa-locka Community Bus Route

Staff Summary:

Issue: The City has received a Florida Department of Transportation (FDOT) grant for up to \$255,121 for one year of a second community bus route within the City which requires the City to match one-half of the annual cost of this program.

Background: The City currently has one community bus route, operated by Limousines of South Florida, which covers a route between the Opa-locka Tri Rail Station on Ali Baba and Walgreens on NW 27th Avenue. This program is funded through a County surtax for transportation programs, administered by the County Citizens' Independent Transportation Trust (CITT). This program fully funds the operation of this bus route, approximately \$210,000, with the City incurring no expense other than staff time in addressing the administrative requirements of the program. This program also provides another \$500,000 or more annually to the City for roadway improvements.

The City previously had a second southerly route which connected the Tri Rail Station, Miami Dade College North Campus, and other public destinations within the City. This route had also been funded by grants but was terminated several years ago when these grants became no longer available.

Current Activity: The City applied for and has received a FDOT grant for up to \$255,121 to reactivate the dormant southern route. This grant can be used to cover one-half of the cost of operating this route. The City is required to fund the other half of this program. CITT staff has indicated that the City won't receive additional CITT funding if the City chooses to operate a second bus route. Consequently, operation of a second route will require identification of City funding not currently budgeted for this purpose.

The cost of operating a second route isn't yet precisely known, but has been estimated to possibly cost up to \$510,000 annually. Using this amount for discussion purposes, the City will have to identify \$255,000 of City funding to cover this unbudgeted program. This could be accomplished by reprogramming CITT funding currently intended to be used for roadway improvement. No other meaningful source of funding has been identified for the moment. Neither contingency nor fund balance should be used to fund ongoing programs.

It is believe the FDOT grant may be available for up to three years, although this hasn't been confirmed. Assuming this is correct, over the three-year period, the City would have to reprogram approximately \$765,000 of funding not identified in the City's five-year plan. If the grant were to continue beyond the three years, the City would have to reprogram another \$510,000 for the remaining two years of the five-year period. If the grant were to be terminated after three years, the second route would either have to be terminated again or the City would have to identify another \$1,010,000 to fund the program for the remaining two years. Since the program would not start until around July, 2021, the total impact through the end of the five-year plan as of September, 2025 will be a little less due to less than five full years of service.

Financial Impact: If the City decides to proceed with this program, it could result in the City having to fund over \$1.0 million through the end of FY 25 to fund a program not envisioned in the five-year plan. Reducing operating expense is always challenging since it normally results in reduction of service levels. Conversely, capital expenditure is typically the first activity to be addressed when reductions to current plans are required. Consequently acceptance of the FDOT grant and implementation of a second bus route could result in the reduction of over \$1.0 million in infrastructure investment. Alternatively, a second strategy such as not reducing the property tax millage rate, as envisioned in the five-year plan, to produce additional revenue to fund this program could be implemented.

Proposed Action:

In view of the potential unbudgeted cost to the City through FY 25, staff recommends that the FDOT grant not be accepted and that implementation of a second community bus route be deferred until such time that the City has made further progress in re-establishing its fiscal well-being.

Attachment:

1. Agenda
2. FDOT Application for South Route.
3. FDOT Notice of Grant Award (NOGA)



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 NW 111th Avenue
Miami, FL 33172-5800

KEVIN J. THIBAUT, P.E.
SECRETARY

December 2, 2020

Ms. Yesly Guillen, CIP Coordinator
City of Opa-locka
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054

SUBJECT: NOTICE OF GRANT AWARD (NOGA) - SFY 2022
PUBLIC TRANSIT SERVICE DEVELOPMENT PROGRAM APPLICATION
FM#: 448644-1-84-01

Dear Ms. Guillen:

The Florida Department of Transportation (FDOT) conducted an evaluation of your submitted proposal per Sections 341.051, 20.23(3)(a) and 334.048(3), Florida Statutes (F.S.), and Rule Chapter 14-73, Florida Administrative Code (F.A.C.), Public Transportation. Based on the established criteria and available funding sources, City of Opa-locka has been awarded Service Development Program funds for the below project:

Award Description	Total Budget	Awarded Funding
City of Opa-locka – South Route Shuttle Bus	\$510,242.00	\$255,121.00

Please be advised that the funding award cited above requires local funds from the City of Opa-locka to match the State funds programmed for this project. Therefore, please provide certification of available local funds in the amount of \$255,121.00 to the District no later than **January 1, 2021**. Funding is subject to the availability of an annual appropriation by the Florida Legislature (the spending authority). Prior to commencement of any work or services, City of Opa-locka must enter into a State Funded Agreement with FDOT.

Should you have any queries or need additional information, please feel free to contact me at (305) 470-5255 or via email at Raymond.freeman@dot.state.fl.us or Rosalyn Carcamo at (305) 470-5496 or via email at Rosalyn.carcamo@dot.state.fl.us.

Regards,

Raymond Freeman
District Six Passenger Operations Manager

Cc: Nilia Cartaya, Florida Department of Transportation
Maria Elisa Colmenares, Miami-Dade Transportation Planning Organization

Improve Safety, Enhance Mobility, Inspire Innovation
www.fdot.gov

4/3/2019



FLORIDA DEPARTMENT OF TRANSPORTATION GRANT PROGRAM APPLICATION

The following information must be completed:

APPLICANT: John E. Pate, City Manager
AGENCY NAME: City of Opa-locka
ADDRESS: 780 Fisherman Street, 4th Floor
CITY, STATE, ZIP: Opa-locka, Florida, 33054

REQUEST INFORMATION:

Request Title: Opa-locka South Route Shuttle Bus
Phase Type: Operation
Program: FDOT – Service Development
Work Mix:
Federal Project?: No
Preferred Encumbrance
Date: 05/19/2020
Request Description: Opa-locka South Route – Scenario A - Original Route plus Amazon Location

FUND REQUEST AMOUNTS:

Fiscal Year: 2020-2021
Federal:
State: \$255,121.00
Local:
Other: \$255,121.00
Type: Operational

PROJECT DESCRIPTION

PROJECT NAME: Opa-locka South Route Shuttle Bus

PROVIDE AN IN-DEPTH PROJECT DESCRIPTION OF GRANT-RELATED PROGRAM BENEFITS, ADDITIONAL INFORMATION MAY BE ATTACHED AS DESCRIBED IN PROJECT JUSTIFICATION LISTED BELOW:

This project is to modify and reinstate the Opa-locka South Route Shuttle bus service, which will operate during weekdays from 5:30 AM to 8:19 PM. This route will connect residents to the Tri-Rail Station, Miami Dade College North Campus, and other public destination within the City. The service will be offered free of charge to all residents and City visitors, and will also allow residents and visitors to get to schools, working areas, and many other places outside the City using the public transportation service

1. BRIEFLY DESCRIBE THE ACTIVITIES, SERVICES, OR PRODUCTS TO BE FUNDED BY THIS REQUEST AS WELL AS WHY ASSISTANCE IS BEING REQUESTED.

This request will allow our City residents and visitors to benefit from the Opa-locka south Route Shuttle Bus service, which without this aid our City would not be able to fund or maintain because of the high cost.

The City will continue working with South Florida Regional Transportation for this service that includes a fleet of two vehicles, management and operation of the same.

2. IS THIS PROJECT CONSISTENT, TO THE MAXIMUM EXTENT POSSIBLE, WITH LOCAL COMPREHENSIVE PLANS AND LRTP? Yes, it is.

IF YES, PROVIDE LIST OF COMPREHENSIVE PLANS WHERE PROJECT IS CITED, DETAILING PAGE NO.

2030 Comprehensive Development Master Plan, sustainable by the City of Opa-locka. Page No. 81 to 85 of the Transportation Element

3. IS THIS PROJECT IN A MASTER PLAN?

WHICH ONE(S):

Yes, the 2030 Comprehensive Development Master Plan.

PROJECT INFORMATION

4. HOW DOES PROJECT FACILITATE THE INTERMODAL OR MULTI-MODAL MOVEMENT OF PEOPLE AND GOODS.

This project will provide a free bus service to our elderly residents through corridors not serviced by other methods of public transportation.

5. DESCRIBE IMPACT OF PROJECT TO OVERALL TRANSPORTATION SYSTEM.

This project will alleviate traffic by offering residents and visitors the option of public transportations

6. DESCRIBE SIGNIFICANCE OF PROJECT TO LOCAL AREA.

Provide low to median income residents a mean of free transportation.

7. DESCRIBE CONDITION OF EXISTING FACILITY (IF APPLICABLE).

Discontinued due to lack of funds.

8. INCLUDE ANY ADDITIONAL JUSTIFICATION

This route was offered in Opa-locka during the period of February 2011 to January 2017, and it was discontinued when the JARC program was repealed by the Federal government.

PUBLIC TRANSIT PROJECT INFORMATION (ONLY)

1. IF THIS IS A PUBLIC TRANSIT PROJECT-IS IT LISTED IN MOST RECENT TDP?

No, it is not.

2. IS THIS PROJECT ROUTE-RELATED?

THIS SERVICE IS: Opa-locka South Route Shuttle Bus

It will compliment to other existing MDT Metrobus routes and will allow Opa-locka residents to connect with these routes to get to other destinations outside the City.

3. WILL THIS PROJECT HAVE BRT ELEMENTS?

Yes, bus and the rapid transit service of the Tri-Rail

TYPES OF BRT ELEMENTS:

Running Ways:	Type:
Stations: No	Type: N/A
Fare Collection: No	Type: N/A
Vehicles: 2	Type: TBD
Route Structure and Schedule: Yes	Type: South Route from 5:30 AM to 8:19 PM
Advanced Technology: TBD	Type: TBD
Signal Priority: TBD	Type: TBD

4. WILL SERVICE BE PROVIDED ON TRANSIT EMPHASIS CORRIDOR:

CORRIDOR NAME:

EXPECTED # OF TRIPS:	EXPECTED HEADWAYS:	EXPECTED PEAK TIMES:
Clockwise: 18	6	2
Counter Clockwise: 16		

5. DOES THIS PROJECT HAVE LOCAL SUPPORT?

Yes.

6. WILL THE PROJECT PROVIDE REGIONAL OR LOCAL SERVICE?

Yes, by connection with Tri-Rail Station, it will provide local and Regional service to Dade County, Broward County and Palm Beach.

7. LIST EXPECTED PROJECT TARGET GOALS AND HOW THEY WILL BE MONITORED.

This project will allow low income residents and elderly without personal transportation to use free public transportation to get access to multiple destination within and outside the City.

Improving the quality of Life

Reducing traffic congestion.

The effectiveness will be tracked by the ridership reports.

8. LIST POTENTIAL TRIP GENERATORS, ACTIVITY CENTERS TO BE SERVED AND EXPECTED RIDERSHIP.

This route will need one vehicle heading clockwise direction with 18 trips scheduled, and another vehicle heading counter clockwise with 16 trips scheduled. This route will have 6 location stops within the City of Opa-locka that will facilitate the transportation to schools, Tri-Rail Stations, Miami Dade Transit Metrobus locations, stores, medical facilities, pharmacists, libraries, and many other places of interest around and outside the City.

TRIP GENERATORS	MAJOR ACTIVITY CENTERS	EXPECTED RIDERSHIP
Clockwise: 18 Trips Counter clockwise: 16 Trips	Opa-locka Tri-Rail Station, NW 2 nd Avenue & Alibaba Top Value Plaza Miami Dade College Senior Center Flea Market Amazon Distribution Center	1st SIX MONTHS: 536,956 1st YEAR: 1,082,470

9. DESCRIBE MARKETING STRATEGIES FOR PROJECTED SERVICE.

The City will utilize the City's website to advertise the route, informational flyers will be available in all public facilities, and the route map will be advertised on each bus stop so information can be accessible to residents and visitors.

OPA-LOCKA SOUTH ROUTE SHUTTLE BUS PROPOSAL.

SCENARIO-A (Original Route plus Amazon Location)

Operating Costs

FY 2021/2022 - \$510,242

FY 2022/2023 - \$537,654

FY 2023/2024 - \$588,829

Project Scope of Service

The proposed project will reinstate the Opa-locka South Route shuttle bus service and will also modify it by adding one stop to the route. The route will have six location stops along the South area of the City of Opa-locka (City) that will connect to Miami Dade Transit Metrobus service and the Opa-locka Tri-Rail Station, which allows passengers to travel throughout Miami Dade County, Broward County and Palm Beach County. This route will be complimentary to existing MDT Metrobus services.

A 2009 Opa-locka Transit Circulator System Study prepared for the City identified the need for a transit circulator system in the City and identified a need for better public transit service in the City of Opa-locka. The SFRTA's annual Transit Development Plan also identifies a need for improved interconnections between Tri-Rail stations and major South Florida destinations.

The City already had the opportunity to have this route in operation during the period of February 2011 to October 2016. During this period the service was funded by Federal Transit Administration (FTA) Job Access and Reverse Commute (JARC) Grant which contributed with 50% of the funding. The other 50% of the cost was funded between the South Florida Regional Transportation (SFRTA) and City of Opa-locka with an equally contribution of 25% each.

The JARC Grant Program was repealed by the federal government and funding is no longer available to support continued service. Additionally, the Funding Agreement between SFRTA and the City expired on June 30, 2016. The route ceased operations effective November 1, 2016.

A service equity analysis completed prior to the route elimination showed that the discontinuation of the route adversely affected minority populations and disproportionately burdened the low-income populations currently serviced by the SFRTA Commuter Bus system.

Funds Needed

Funds are needed to cover the full operating costs; or at a minimum 50% of the operating cost. The City will seek matching funds from Miami Dade County Citizens' Independent Transportation Trust Program (CITT) to cover the balance.

Start Service

If funds are available is expected to start in July 2021.

Planned Service Route Area

The route will serve the following locations in the City of Opa-locka:

- Tri-Rail Opa-locka Station
- NW 22nd Ave/Alibaba Ave
- Top Value Plaza
- Miami-Dade College Transit Hub
- Senior Center – NW 132nd St / NW 28th Ave
- Flea Market – North Entrance/ Le Jeune Rd.
- Amazon Distribution Center

Proposed Services:

Total Buses on Route: 2

Service Days: Monday – Friday

Service Time: 5:30 AM – 8:19 PM

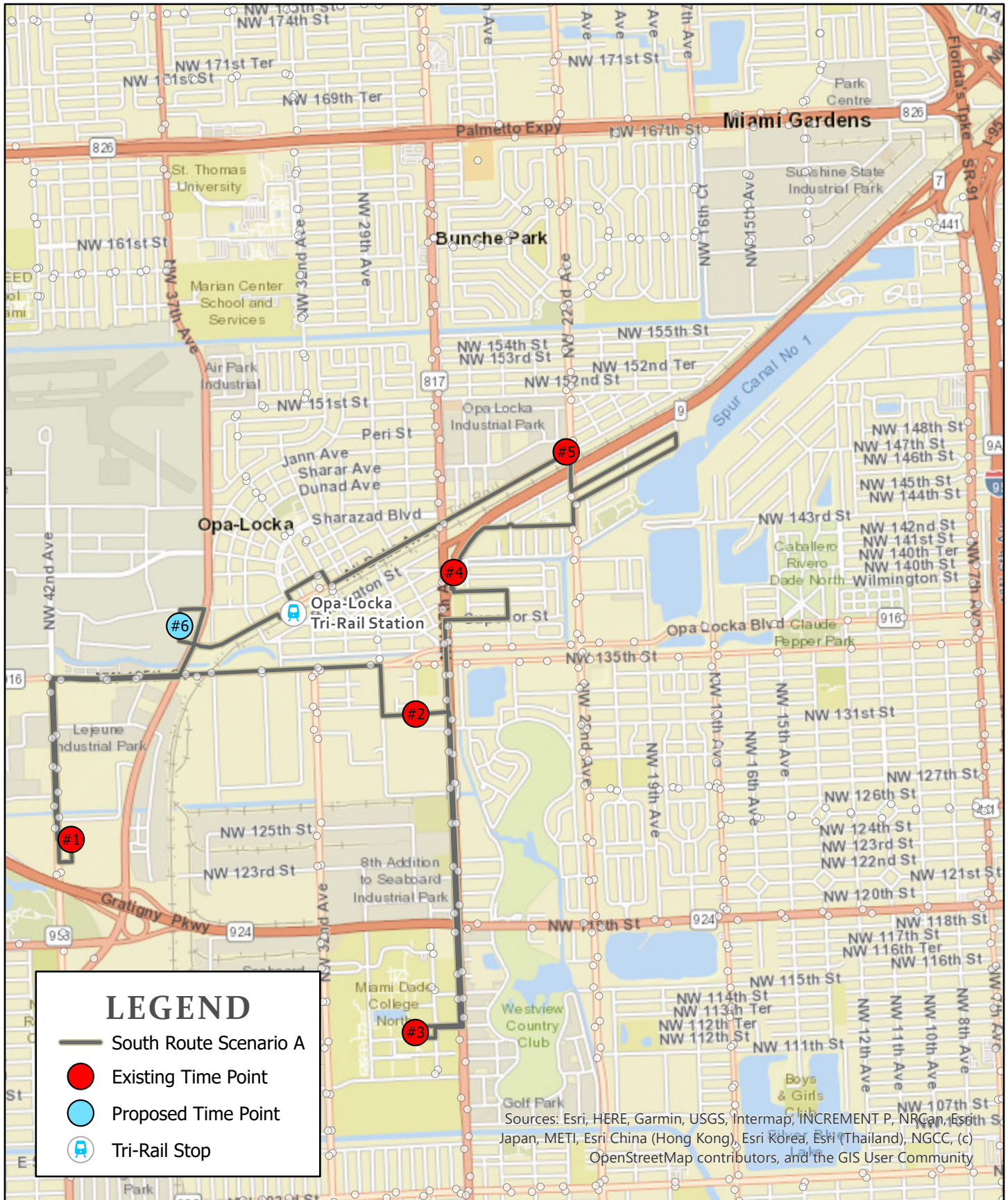
Please see attached proposed route map and schedule for the service.

**OPA-LOCKA SOUTH ROUTE SHUTTLE BUS SERVICE
SCENARIO - A**

BUDGET FY 2020-2021

ESTIMATED REVENUES:	AMOUNT
a. Passenger Fares	\$ -
b. Advertising, concessions, donations, other	\$ -
c. FDOT Fund Requested	\$ 255,121.00
d. Local Match/Other	\$ 255,121.00
TOTAL ESTIMATED REVENUES:	\$ 510,242.00

ESTIMATED EXPENSE:	
a. General and Administration	
1 Wages, Salaries, fringe benefits	\$ -
2 Equipment and Supplies	\$ -
3 Other	\$ -
Sub-total General and Administrations:	\$ -
b. Operation and Maintenance	
1 Wages, salaries, fringe benefits	\$ -
2 Equipment	\$ -
3 Vehicle Maintenance & Repair	\$ -
4 Fuel	\$ -
5 Casualty and Liability Insurance	\$ -
6 Contract Services	\$ 510,242.00
7 Marketing	\$ -
8 Other	\$ -
Sub-total Operations & Maintenance:	\$ 510,242.00
TOTAL ESTIMATED EXPENSE	\$ 510,242.00



Reinstate Opa-locka South Route Assumptions

Operating Plan Assumptions

Weekdays (M-Th)	203
Weekday (F)	52
Annual Days	255

1. Maintain bus and train schedule synchronization as in the base case scenario, which serves five time points.
2. Develop commuter bus schedule such that train meets occur at both Opa-locka and Golden Glades Tri-Rail stations.
3. Commuter bus service anticipated to begin on July 1, 2021.
4. Operating cost per hour are reset every year on March 1st.
5. As shown below, operating cost per hour for Year 2023 are based on an average hourly rate for the five-year period from 2016 to 2020.
6. Operating cost increases at an annual rate of 3% in Year 2024.

Operating Cost Assumptions

Average Operating Cost/Revenue Hour

2016	2017	2018	2019	2020	2021	2022	2023	2024
Year 1	Year 2	Year 3	Year 4	Year 5	Option Year 1	Option Year 2	Future	Future
\$72.28	\$81.46	\$84.29	\$85.46	\$87.75	\$70.42	\$71.50	\$80.87	\$83.30

Source: SFRTA and Keolis Transit Services, LLC, Agreement No. 15-016

	Annual Days	255
	Number of Months	12
	Avg. # Days per Month	21.3
Hourly operating rate resets March 1		
Service Begins	1-Jul-21	Year
Operating Rate Year 1 (months)	8	\$ 563.36 2021
Operating Rate Year 2 (months)	4	\$ 286.00 2022
Weighted Avg. (Year 1)		\$70.78
Operating Rate Year 1 (months)	8	\$ 572.00 2022
Operating Rate Year 2 (months)	4	\$ 323.49 2023
Weighted Avg. (Year 2)		\$74.62
Operating Rate Year 1 (months)	8	\$ 646.98 2023
Operating Rate Year 2 (months)	4	\$ 333.19 2024
Weighted Avg. (Year 3)		\$81.68

Reinstate Opa-locka South Route
Summary
Annual Operating Costs & Service Plan

Scenario	Annual Operating Cost			Annual Revenue Hours	Span of Service	Peak Vehicle Requirement	Service Days	Average Travel Time				Route Length	
	July 2021-June 2022	July 2022-June 2023	July 2023-June 2024					Clockwise Direction (minutes)	Counter Clockwise Direction (minutes)	Clockwise Direction (miles)	Counter Clockwise Direction (miles)		
Operating Cost/Revenue Hour	\$70.78	\$74.62	\$81.68					AM	PM	AM	PM		
Base Case - Opa-Iocka South Route (Original Route)	\$478,296	\$504,273	\$551,961	6,758	5:30 AM - 7:25 PM	2	Monday-Friday	36	53	52	51	11.1	11.1
Scenario A - Opa-Iocka South Route (Original Route + Amazon)	\$510,242	\$537,954	\$588,828	7,209	5:30 AM - 8:19 PM	2	Monday-Friday	39	57	55	54	11.5	11.5
Scenario B - Opa-Iocka South Route (Original Route + Amazon + Golden Glades)	\$889,991	\$938,328	\$1,027,064	12,574	5:30 AM - 7:42 PM	4	Monday-Friday	50	71	66	64	15.1	15

Incremental Change

Scenario Comparison	Annual Operating Cost			Annual Revenue Hours	Peak Vehicle Requirement	Service Days	Clockwise Direction (minutes)	Average Travel Time			Route Length	
	July 2021-June 2022	July 2022-June 2023	July 2023-June 2024					Clockwise Direction (minutes)		Counter Clockwise Direction (minutes)	Clockwise Direction (miles)	Counter Clockwise Direction
Scenario A vs. Base Case (i.e. adding Amazon)	\$31,947	\$33,682	\$36,867	451	No change	No change	3	AM	PM	AM	PM	0.4
Scenario B vs. Scenario A (i.e. adding Amazon and Golden Glades)	\$379,749	\$400,374	\$438,236	5,365	2 additional buses	No change	11	AM	PM	11	10	3.5

Reinstate Opa-locka South Route

Scenario A - Opa-locka South Route (Original + Amazon Distribution Center)

Route Schedule

Year 2021
Clockwise

Block	Trip Number	Opa-locka Tri-Rail Station		Layover	Opa-locka Tri-Rail Station		NW 2nd Ave & Allbaba Ave		Top Value Plaza		MDC Transit Hub		Travel Time		Layover	Amazon Distribution Center		Flea Market		Opa-locka Tri-Bus Arrives		Travel Time		Total Travel Time		Total Layover		% Layover
		North Train Arrives	South Train Arrives		Bus Arrives	Bus Leaves	Plaza	Transit Hub	Time	Transit Hub	Time	Center	Center	Time		Center	Market	Center	Time	Time	Layover	Layover						
B-1	Trip #1																											
B-1	Trip #2	5:25 AM	5:31 AM	0	5:45 AM	5:45 AM	5:50 AM	5:58 AM	5:58 AM	6:06 AM	6:06 AM	5:36 AM	21		0		5:42 AM	5:45 AM	+	5:42 AM	5:45 AM	15		15		0	0%	
B-1	Trip #3	5:55/6:15/6:35	6:16/6:56	37	6:21 AM	6:58 AM	7:02 AM	7:09 AM	7:09 AM	7:18 AM	7:18 AM	6:12 AM	20		0		6:18 AM	6:21 AM	+	6:18 AM	6:21 AM	15		36		0	0%	
B-1	Trip #4	7:15 AM	7:36 AM	6	7:34 AM	7:40 AM	7:45 AM	7:52 AM	7:52 AM	8:01 AM	8:01 AM	7:25 AM	21		0		7:31 AM	7:34 AM	7:25 AM	7:31 AM	7:34 AM	16		36		37	103%	
B-1	Trip #5	7:55 AM	7:56/8:16 AM	5	8:17 AM	8:22 AM	8:27 AM	8:34 AM	8:34 AM	8:43 AM	8:43 AM	8:08 AM	21		0		8:14 AM	8:17 AM	8:08 AM	8:14 AM	8:17 AM	16		37		6	16%	
B-1	Trip #6	8:36 AM	8:36 AM	0	8:59 AM	8:59 AM	9:02 AM	9:09 AM	9:09 AM	9:18 AM	9:18 AM	8:50 AM	19		0		8:56 AM	8:59 AM	8:50 AM	8:56 AM	8:59 AM	16		37		5	14%	
B-1	Trip #7	8:36 AM	9:06 AM	0	9:33 AM	9:33 AM	9:37 AM	9:42 AM	9:42 AM	9:51 AM	9:51 AM	9:20 AM	20		0		9:30 AM	9:33 AM	9:24 AM	9:30 AM	9:33 AM	15		34		0	0%	
B-1	Trip #8	9:36 AM	9:36 AM	0	10:07 AM	10:07 AM	10:11 AM	10:18 AM	10:18 AM	10:27 AM	10:27 AM	9:53 AM	20		0		10:04 AM	10:07 AM	9:53 AM	10:04 AM	10:07 AM	16		36		0	0%	
B-1	Trip #9	10:36 AM	10:41 AM	6	10:42 AM	10:48 AM	10:52 AM	10:59 AM	10:59 AM	11:08 AM	11:08 AM	10:29 AM	20		0		10:39 AM	10:42 AM	10:33 AM	10:39 AM	10:42 AM	15		35		0	0%	
B-1	Trip #10	+	+	6	11:23 AM	11:29 AM	11:37 AM	11:45 AM	11:45 AM	11:55 AM	11:55 AM	11:10 AM	20		0		11:20 AM	11:23 AM	11:14 AM	11:20 AM	11:23 AM	14		34		6	18%	
B-1	Trip #11	11:36 AM	11:41 AM	7	12:23 PM	12:30 PM	12:38 PM	12:46 PM	12:46 PM	12:56 PM	12:56 PM	1:04 PM	26		0		12:17 PM	12:23 PM	12:08 PM	12:17 PM	12:23 PM	28		54		6	11%	
B-1	Trip #12	12:36 PM	12:41 PM	0	1:26 PM	1:26 PM	1:34 PM	1:42 PM	1:42 PM	1:52 PM	1:52 PM	2:00 PM	26		0		1:23 PM	1:26 PM	2:00 PM	1:23 PM	1:26 PM	30		56		7	13%	
B-1	Trip #13	1:36 PM	1:41 PM	0	2:23 PM	2:23 PM	2:31 PM	2:39 PM	2:39 PM	2:49 PM	2:49 PM	2:58 PM	26		0		2:20 PM	2:23 PM	2:12 PM	2:20 PM	2:23 PM	31		57		0	0%	
B-1	Trip #14	2:36 PM	2:41 PM	0	3:17 PM	3:17 PM	3:35 PM	3:43 PM	3:43 PM	3:55 PM	3:55 PM	4:03 PM	30		0		3:14 PM	3:17 PM	3:08 PM	3:14 PM	3:17 PM	28		54		0	0%	
B-1	Trip #15	3:26 PM	3:41 PM	0	4:24 PM	4:24 PM	4:32 PM	4:40 PM	4:40 PM	4:52 PM	4:52 PM	5:00 PM	30		0		4:21 PM	4:24 PM	4:13 PM	4:21 PM	4:24 PM	29		59		0	0%	
B-1	Trip #16	4:15/4:45	4:41 PM	0	5:25 PM	5:25 PM	5:33 PM	5:42 PM	5:42 PM	5:53 PM	5:53 PM	6:01 PM	30		0		5:20 PM	5:25 PM	5:12 PM	5:20 PM	5:25 PM	33		63		0	0%	
B-1	Trip #17	5:05/5:35	5:11/5:41	0	6:27 PM	6:27 PM	6:35 PM	6:43 PM	6:43 PM	6:55 PM	6:55 PM	7:01 PM	28		0		6:22 PM	6:27 PM	6:14 PM	6:22 PM	6:27 PM	34		64		0	0%	
B-1	Trip #18	6:03 PM	6:06 PM	0	7:12 PM	7:12 PM	7:18 PM	7:26 PM	7:26 PM	7:34 PM	7:34 PM	7:42 PM	22		0		7:09 AM	7:12 PM	+	7:09 AM	7:12 PM	17		40		0	0%	

Clockwise Route Statistics

Start	End	Daily Hours
B-1	5:30 AM	7:52 PM
Annual Days	255	14.37

Annual Hrs	3664.35	\$ 259,363	\$ 273,449	\$ 299,309
	July 2021- June 2022	Year 1	Year 2	Year 3
	\$ 70.78	\$ 74.62	\$ 81.68	

Counter Clockwise

Block	Trip Number	Opa-locka Tri-Rail Station		Layover	Opa-locka Tri-Rail Station		Amazon Distribution Center	Flea Market	Senior Center		Travel Time	Layover	Senior Center	MDC Transit Hub	Top Value Plaza & Alibaba Ave		NW 2nd Ave Bus Arrives	Opa-locka Tri-Bus Arrives	Travel Time	Total Travel Time	Total Layover	%
		North Train Arrives	South Train Arrives		Bus Arrives	Bus Leaves			Center	Center					Plaza	+						
B-2	Trip #1																					
B-2	Trip #2	6:35 AM	6:56 AM	0	7:00 AM	7:00 AM	7:03 AM	+	7:11 AM	7:11 AM	11	0	6:25 AM	6:33 AM	6:44 AM	6:52 AM	7:00 AM	7:00 AM	35	35	0	0%
B-2	Trip #3	7:15 AM	7:36 AM	0	7:45 AM	7:45 AM	7:48 AM	7:56 AM	8:04 AM	8:04 AM	19	0	7:11 AM	7:19 AM	7:29 AM	7:37 AM	7:45 AM	7:45 AM	34	45	0	0%
B-2	Trip #4	7:55/8:36 AM	7:56/8:16/8:36	7	8:38 AM	8:45 AM	8:48 AM	8:57 AM	9:05 AM	9:05 AM	20	0	8:04 AM	8:12 AM	8:22 AM	8:30 AM	8:38 AM	8:38 AM	34	53	0	0%
B-2	Trip #5	9:36 AM	9:36 AM	9	9:39 AM	9:47 AM	9:51 AM	10:02 AM	10:10 AM	10:10 AM	23	0	9:05 AM	9:13 AM	9:23 AM	9:31 AM	9:39 AM	9:39 AM	34	54	7	13%
B-2	Trip #6	10:36 AM	+	0	10:48 AM	10:48 AM	10:51 AM	11:00 AM	11:08 AM	11:08 AM	20	0	10:10 AM	10:20 AM	10:32 AM	10:40 AM	10:48 AM	10:48 AM	38	61	9	15%
B-2	Trip #7	+	10:41 AM	0	11:43 AM	11:43 AM	11:46 AM	11:55 AM	12:03 PM	12:03 PM	20	0	11:08 AM	11:16 AM	11:26 AM	11:34 AM	11:43 AM	11:43 AM	35	55	0	0%
B-2	Trip #8	11:36 AM	11:41 AM	0	12:36 PM	12:36 PM	12:41 PM	12:51 PM	12:59 PM	12:59 PM	23	0	12:03 PM	12:11 PM	12:21 PM	12:29 PM	12:36 PM	12:36 PM	33	53	0	0%
B-2	Trip #9	12:36 PM	12:41 PM	0	1:35 PM	1:35 PM	1:39 PM	1:48 PM	1:56 PM	1:56 PM	21	0	12:59 PM	1:07 PM	1:19 PM	1:27 PM	1:35 PM	1:35 PM	36	59	0	0%
B-2	Trip #10	1:36 PM	1:41 PM	0	2:30 PM	2:30 PM	2:34 PM	2:43 PM	2:51 PM	2:51 PM	21	0	1:56 PM	2:04 PM	2:14 PM	2:22 PM	2:30 PM	2:30 PM	34	55	0	0%
B-2	Trip #11	2:36 PM	2:41 PM	0	3:25 PM	3:25 PM	3:28 PM	3:37 PM	3:45 PM	3:45 PM	20	0	2:51 PM	2:59 PM	3:09 PM	3:17 PM	3:25 PM	3:25 PM	34	55	0	0%
B-2	Trip #12	3:26 PM	3:41 PM	0	4:18 PM	4:22 PM	4:31 PM	4:39 PM	4:47 PM	4:47 PM	25	0	3:45 PM	3:52 PM	4:02 PM	4:10 PM	4:18 PM	4:18 PM	33	53	0	0%
B-2	Trip #13	4:15/4:55 PM	4:41 PM	6	5:21 PM	5:27 PM	5:30 PM	5:39 PM	5:47 PM	5:47 PM	20	0	4:47 PM	4:55 PM	5:05 PM	5:13 PM	5:21 PM	5:21 PM	34	59	0	0%
B-2	Trip #14	5:05/5:35	5:11/5:41	6	6:21 PM	6:27 PM	6:30 PM	6:39 PM	6:38 PM	6:38 PM	11	0	5:47 PM	5:55 PM	6:05 PM	6:13 PM	6:21 PM	6:21 PM	34	54	6	11%
B-2	Trip #15	6:03 PM	6:06 PM	0	7:12 PM	7:12 PM	7:15 PM	7:23 PM	7:31 PM	7:31 PM	11	0	6:38 PM	6:46 PM	6:56 PM	7:04 PM	7:12 PM	7:12 PM	34	45	6	13%
B-2	Trip #16	6:35/7:05	6:41/7:06	0	7:58 PM	7:58 PM	8:01 PM	+	8:09 PM	8:09 PM	11	0	7:23 PM	7:31 PM	7:41 PM	7:49 PM	7:58 PM	7:58 PM	35	46	0	0%
B-2								+					8:09 PM	8:14 PM	8:19 PM	+	+	+	11	0	0%	

Clockwise Route Statistics

Start	End	Daily Hours
B-2	6:25 AM	8:19 PM
Annual Days	255	13.90

Annual Hrs	3544.50	\$ 250,880	\$ 264,505	\$ 289,519
	July 2021- June 2022	Year 1	Year 2	Year 3
	\$ 70.78	\$ 74.62	\$ 81.68	

Weekday Train Schedule, Effective April 5, 2020

Train Meets

Scenario A - Opa-locka South Route (Original + Amazon Distribution Center)

Opa-locka Tri-Rail Station

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Scenario B - Opa-locka South Route (Original + Amazon Distribution Center + Golden Glades)

Golden Glades Tri-Rail Station

SB Trips		-	-	5:25 AM	6:10 AM	-	6:50 AM	7:30 AM	7:50 AM	8:10 AM	8:30 AM	9:00 AM	9:30 AM	10:35 AM	11:35 AM	12:35 PM	1:35 PM	2:35 PM	3:35 PM	4:35 PM	5:05 PM	-	5:35 PM	6:00 PM	6:35 PM	7:00 PM	7:45 PM	8:15 PM	9:10 PM	10:10 PM
NB Trips		4:35 AM	5:06 AM	5:31 AM	6:01 AM	6:21 AM	6:41 AM	7:21 AM	8:01 AM	-	8:43 AM	-	9:43 AM	10:43 AM	11:43 AM	12:43 PM	1:43 PM	2:43 PM	3:33 PM	4:21 PM	4:51 PM	5:11 PM	5:41 PM	6:09 PM	6:41 PM	7:11 PM	-	8:11 PM	-	9:55 PM
Gap (min)		0	0	6	9	0	9	9	11	0	13	0	13	8	8	8	8	8	2	14	14	0	6	9	6	11	0	4	0	9
Opa-locka South Route Peak	No Bus	No Bus	No Bus	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	No Bus	No Bus	No Bus	No Bus	No Bus
	No Bus	No Bus	No Bus	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)

Opa-locka Tri-Rail Station

Opa-locka South Route Peak	No Bus	No Bus	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	Bus (C)	No Bus	No Bus	No Bus	No Bus	No Bus	No Bus	No Bus
	No Bus	No Bus	No Bus	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)	Bus (CC)
SB Trips	-	-	5:31 AM	6:16 AM	-	6:56 AM	7:36 AM	7:56 AM	8:16 AM	8:36 AM	9:06 AM	9:36 AM	10:41 AM	11:41 AM	12:41 PM	1:41 PM	2:41 PM	3:41 PM	-	4:41 PM	5:11 PM	5:41 PM	6:06 PM	6:41 PM	7:06 PM	7:51 PM	8:21 PM	9:16 PM	10:16 PM	-	
NB Trips	4:29 AM	5:00 AM	5:25 AM	5:55 AM	6:15 AM	6:35 AM	7:15 AM	7:55 AM	-	8:36 AM	-	9:36 AM	10:36 AM	11:36 AM	12:36 PM	1:36 PM	2:36 PM	3:26 PM	4:15 PM	4:45 PM	5:05 PM	5:35 PM	6:03 PM	6:35 PM	7:05 PM	8:05 PM	-	-	9:55 PM	10:54 PM	
Gap (min)	0	0	6	21	0	21	21	1	0	0	0	0	5	5	5	5	5	15	0	4	6	6	3	6	1	14	0	-	0	21	



**Office of the City Manager
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054**

John E. Pate, MS, CM
City Manager

Telephone: (786) 338-6598
Email: jpate@opalockafl.gov

May 20, 2020

Raymond Freeman
FDOT District Six,
Transit Service Development

**LETTER OF COMMITMENT
FDOT FY 2021 SERVICE DEVELOPMENT APPLICATION**

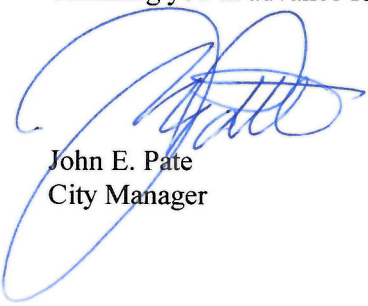
Dear Mr. Freeman:

The City of Opa-locka is currently working to reinstate the South Route Shuttle Bus Service. This route was implemented in the FY 2011, and was successfully in operation until October 2016. Fifty percent (50%) of the Program was funded by the Federal Transit Administration Job Access Reverse Commute Grant Program, twenty-five percent (25%) was funded by South Florida Regional Transportation, and the remaining twenty-five (25%) of it was funded by City match. Unfortunately, this route had to be discontinued when the program was repealed by the federal government and the City itself cannot fund this service alone.

The City hopes to get requested funds from the Florida Department of Transportation (FDOT) to re-start this route that was very convenient to our low-middle income population and the visitors of the area in general.

If the City is awarded the fifty percent (50%) of the service cost from FDOT, the remaining balance will be funded by Citizen's Independent Transportation Program (CITT), and the City might be amenable to contribute with a portion as well.

Thanking you in advance for supporting our City.


John E. Pate
City Manager