

City of Opa-locka

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



Virtual Regular Commission Meeting Agenda

Wednesday, June 24, 2020

7:00 PM

City Commission

Mayor Matthew A. Pigatt

Vice Mayor Chris Davis

Commissioner Sherelean Bass

Commissioner Alvin Burke

Commissioner Joseph L. Kelley

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

VIRTUAL COMMISSION MEETING PROCEDURES

Pursuant to Governor Ron DeSantis Executive Order Number 20-69, the following rules will ensure that the City Commission Meetings and any other necessary city public meetings, governed by Florida's public meeting laws will provide for necessary public notice, allow for public participation and are conducted in the Sunshine. The following rules shall govern all City of Opa-locka public virtual meetings during the duration of Executive Order Number 20-69.

Virtual public meetings will be aired through Livestream, accessible at: <https://www.youtube.com/user/CityofOpaLocka>

All residents will be able to view the meeting by tuning in to the link mentioned above. If you have comments you must submit those using the email address provided under the Public Comment section below.

Platform

All City of Opa-locka public meetings shall be conducted via Zoom or other similar platform. *Please note that Governor DeSantis' Executive Order 20-69, suspended the requirement of a quorum to be present in person or requires a local government to meet at a specific public place.*

Meeting Notice

The City of Opa-locka will send notice of virtual meetings in the same manner as all other commission meetings. Additionally, the notice will include an email address and telephone number with instructions on providing comments ahead of the meeting.

Public Comments

The public may comment by submitting their comment ahead of the meeting via email to PublicComments@opalockafl.gov. Please be sure to state your full name and address in your email for your comment.

Comments submitted by members of the public by email will be read into the record during the meeting as long as they provide the comments by the deadline, 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.

The public may also submit a pre-recorded message for public comment by calling (786) 618-2636. Please be sure to clearly state your full name and address in your message for your comment. Messages submitted cannot exceed three (3) minutes.

All pre-recorded messages submitted by members of the public via telephone will be played during the meeting as long as the messages are received by the deadline, 2 hours prior to the scheduled meeting time.

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
VIRTUAL REGULAR COMMISSION MEETING
June 24, 2020
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 Special Commission Meeting Minutes – June 4, 2020
Virtual Regular Commission Meeting Minutes – June 10, 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, APPROVING THE ATTACHED MEMORANDUM OF UNDERSTANDING, BETWEEN THE OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**
Sponsored by City Manager

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING A CODE ENFORCEMENT LIEN AMNESTY PROGRAM FOR ALL CODE ENFORCEMENT LIENS TO ALLOW PROPERTY OWNERS WITH OUTSTANDING CODE ENFORCEMENT VIOLATIONS TO PAY A REDUCED AMOUNT AFTER MEETING CERTAIN ELIGIBILITY REQUIREMENTS, REGARDLESS OF WHEN IMPOSED, FROM THE EFFECTIVE DATE OF THIS RESOLUTION THROUGH JANUARY 30, 2021; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA REQUIRING THAT ALL FINES, FEES AND CODE ENFORCEMENT LIENS ARE PAID FOR PROPERTIES BROUGHT BEFORE THE CITY COMMISSION FROM THE CITY'S PLANNING ZONING AND APPEALS BOARD OR THE CITY'S DEPARTMENT OF COMMUNITY DEVELOPMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Burke*

4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, URGING MIAMI-DADE COUNTY MAYOR CARLOS A. GIMENEZ AND THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA TO TRANSFER CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT DIRECT FEDERAL FUNDS RECEIVED BY MIAMI-DADE COUNTY TO THE CITY OF OPA-LOCKA AND TO OTHER UNITS OF LOCAL GOVERNMENT WITHIN THE COUNTY BASED ON POPULATION AND RATES OF COVID-19 CASES; FURTHER DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS NAMED HEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Vice Mayor Davis and Commissioner Kelley*

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE

PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LEJEUNE ROAD IDENTIFIED BY FOLIO 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LEJEUNE ROAD IDENTIFIED BY FOLIO 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

6. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

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

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 AMENDEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on May 27, 2020).
*Sponsored by City Manager***

**2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 8, ARTICLE I, TO CREATE NEW SECTION 8.6 ENTITLED “FACE MASKS OR FACE COVERINGS DURING PANDEMIC RELATED PUBLIC HEALTH EMERGENCY THAT THREATENS LIFE, HEALTH AND SAFETY OF RESIDENTS”; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on May 13, 2020). *Sponsored by Mayor Pigatt, Vice Mayor Davis and Commissioner Bass*
Deferred from the June 4, 2020 Virtual Special Commission Meeting**

C. RESOLUTIONS:

17. CITY MANAGER’S REPORT:

18. OFFICIAL BOARD REPORTS:

19. MAYOR/COMMISSION REPORTS:

20. OFFICIAL BOARD APPOINTMENTS:

**Historic Environmental Preservation Board
5 At-Large Appointments**

**Fair Housing and Nuisance Abatement Board
1 Individual appointment (Mayor Pigatt)**

**Community Relations, Recreation and Activities Board
1 Individual appointment (Vice Mayor Davis)**

**Planning & Zoning Board
1 At-Large Appointment**

21. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

- A. Feeding South Florida Drive-Thru Food Distribution, Tuesday, **June 23, 2020** at 9:00 a.m. – 11:00 a.m., Sherbondy Park Pavilion, 215 Perviz Avenue, Opa-locka, Florida.
- B. Health in the Hood Filling Fridges Drive-Thru Pantry, every **Tuesday** and **Thursday** at 11:00 a.m., Opa-locka Community Development Corporation, 675 Ali-baba Avenue, Opa-locka, Florida. For more information, please text (305) 714-2264 – www.healthinthehood.org
- C. City of Opa-locka Opa-locka Community Redevelopment Agency Virtual Workshop, Wednesday, **June 24, 2020** at 4:00 p.m. This meeting will be streamed live at <http://www.youtube.com/user/CityofOpalocka>
- D. City of Opa-locka Virtual Workshop, Thursday, **June 25, 2020** at 5:30 p.m. This meeting will be streamed live at <http://www.youtube.com/user/CityofOpalocka>

APPROVAL OF MINUTES

CITY OF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES VIRTUAL SPECIAL COMMISSION MEETING

Thursday, June 04, 2020

6:30 P.M.

Sherbondy Village Auditorium

215 Perviz Avenue

Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Matthew Pigatt called the virtual Regular Commission Meeting to order at 6:30 p.m. on Thursday, June 04, 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 Special 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 Manager John E. Pate, City Attorney Burnadette Norris-Weeks, and City Clerk Joanna Flores.

3. INVOCATION:

The invocation was delivered by Commissioner Sherelean Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC HEARINGS:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA FLORIDA, AMENDING CHAPTER 23 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "EMPLOYEE PROTECTION WHISTLE BLOWER ACT" TO ALLOW FOR AN IMPARTIAL ADMINISTRATIVE REVIEW PROCESS WITHIN THE CITY FOR WHISTLEBLOWER COMPLAINTS; PROVIDING FOR SEVERABILITY; CONFLICT AND REPEALER; INCLUSION IN THE CODE; AND 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 Bass, seconded by Commissioner Kelley for discussion.

City Attorney Norris-Weeks said the item is being brought forth so necessary changes can be made to the laws and be in compliance with the Ethics Commission and Miami-Dade County.

Commissioner Kelley said he will address his concerns with the attorney before second reading of the item.

Mayor Pigatt asked the attorney what happens if there is a whistle blower complaint against the manager.

City Attorney Norris Weeks said they will have the option to report their complaint to the commission.

Mayor Pigatt asked how many whistleblower complaints were open currently.

City Attorney Norris-Weeks said that information is confidential and she cannot confirm any numbers.

Vice Mayor Davis asked the attorney if the item was one of the "99 Findings" from the Auditor General.

City Attorney Norris-Weeks said she is not sure and will look into the matter for the vice mayor.

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

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

b) SECOND READING:

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 8, ARTICLE I, TO CREATE NEW SECTION 8.6 ENTITLED “FACE MASKS OR FACE COVERINGS DURING PANDEMIC RELATED PUBLIC HEALTH EMERGENCY THAT THREATENS LIFE, HEALTH AND SAFETY OF RESIDENTS”; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on May 13, 2020). Sponsored by Mayor Pigatt, Vice Mayor Davis and Commissioner Bass

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 Bass, seconded by Vice Mayor Davis for discussion.

Mayor Pigatt said they have been reviewing the guidelines for dealing with the pandemic and they want to ensure that the public is practicing mask wearing and know not to go in anyone's face to prevent the spread of the disease.

Commissioner Burke said there were a lot of things left out of the ordinance and he thinks that is something that needs to be looked into.

Mayor Pigatt asked the commissioner what his concern was since this item is on second reading.

City Manager Pate said he provided the commission with a report from staff regarding what needs to be placed in the mask ordinance and that is how they came to the policies in the ordinance.

Budget Administrator Robert Anathan said he noticed that some things were not outlined in the ordinance and he was concerned that it might be too stringent in terms of being enforceable; for example, someone not wearing a mask while jogging.

City Attorney Norris-Weeks stated that after speaking with the manager, she has determined that the item is not ready for approval tonight.

Mayor Pigatt said that the item has been dealt with over the last couple of weeks in meetings and should have been finalized as this is second reading. The amendments should have been presented before now so the City can move forward with keeping the community safe and slowing the spread of the virus.

Commissioner Kelley said he will reserve his concerns until after he hears the amendments and agreed that this should have been done before tonight. He said he is unsure where the brake down came about with two out of three of the appointed officials.

A motion was made to amend the ordinance under (b) to change from persons over the age of “two (2) years” to “five (5) years”.

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

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

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

Mayor Pigatt asked the end date for the county to have the public remove the masks.

City Attorney Norris-Weeks said there is no end date for the pandemic so that language cannot be placed in the ordinance. It can reflect when Miami-Dade County or the state announces an ending to the Coronavirus.

A motion was made to amend the ordinance to reflect the language in which the masks are no longer needed in the form of a declaration from Miami-Dade County or the state and setting a time and date.

Mayor Pigatt asked that the amendment be deferred and revisited at a later date.

A motion was made to amend the ordinance in Section 5 to reflect that it shall be referred to the Special Master or be available for immediate payment.

City Manager Pate said the mayor is correct in that the matter is handled through Code Enforcement, however, the only thing available for immediate payment are the red light camera tickets and there is a certain vendor that collects the payments.

Mayor Pigatt asked that the ordinance be deferred and revisited at a later date to ensure the amendments are included.

Commissioners Bass and Vice Mayor Davis agreed with deferring the item.

Following further brief discussion, the ordinance was deferred to the virtual Regular Commission Meeting of June 24, 2020 at 7:00 p.m.

Mayor Pigatt said he wants all of the amendments included and a detailed memo created so the City will be ready to enforce the ordinance once it is approved. He asked the manager for a timeline for completing this process.

City Manager Pate said the implementation date needs to be changed to immediate and then the date will be in July.

Mayor Pigatt proposed that the details be finalized at the Regular Commission meeting of June 24, 2020.

6. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Kelley, seconded by Vice Mayor Davis to adjourn the virtual meeting at 6:59 p.m.

MAYOR

ATTEST:

CITY CLERK

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
VIRTUAL REGULAR COMMISSION MEETING
Wednesday, June 10, 2020
7:00 P.M.

1. CALL TO ORDER:

Mayor Matthew Pigatt called the virtual Regular Commission Meeting to order at 7:00 p.m. on Wednesday, June 10, 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 in attendance were: City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, and City Clerk Joanna Flores.

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/ACKNOWLEDGEMENTS:

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

A request was made to amend the agenda as follows:

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING BID PROPOSALS FOR CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES PURSUANT TO RFQ NO. 20-0324200; FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO MULTIPLE AGREEMENTS FOR ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES AS PROVIDED HEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by City Manager

The above resolution was read by City Clerk Flores.

Mayor Pigatt asked the manager for the reason the item is being added to the agenda.

City Manager Pate said the item is being brought forth because it affects the life, health, property, and financial stability of the City which affects the residents of the residents of the City of Opa-locka.

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

There being no further discussion, the motion to add Item 14-1 passed by a 5-0 vote.

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

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AN AGREEMENT FOR THE SALE OF VACANT LAND BETWEEN THE CITY OF OPA-LOCKA AND TNJ REALTY, LLC. FOR DECLARED SURPLUS ALLEYWAYS BETWEEN THE PARCELS IDENTIFIED BY FOLIOS: 08-2121-007-2680, 08-2121-007-2630, 08-2121-007-2650, 08-2121-007-2660, 08-2121-007-2670, 08-2121-013-2010 AND 08-2121-013-2020, IN THE B-2 ZONING DISTRICT, IN THE AMOUNT OF \$57,000; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR THE SALE AND PURCHASE OF VACANT LAND IN "AS IS" CONDITION; AND TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR

INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by City Manager

The above resolution was read by City Clerk Flores.

Mayor Pigatt asked the manager for the reason the item is being added to the agenda.

City Manager Pate said the item is being brought forth because it affects the life, health, property, and financial stability of the City which affects the residents of the City of Opa-locka.

It was moved by Commissioner Burke, seconded by Commissioner Bass to amend the agenda to include item 14-2.

There being no further discussion, the motion to add Item 14-2 passed by a 5-0 vote.

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

7. APPROVAL OF AGENDA:

It was moved by Commissioner Bass, seconded by Commissioner Burke to approve the agenda, consent agenda, and pull list.

There being no 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

8. APPROVAL OF MINUTES:

Virtual Regular Commission Meeting Minutes – May 27, 2020

It was moved by Commissioner Kelley, seconded by Commissioner Bass to approve the minutes from the Virtual Regular Commission Meeting of May 27, 2020.

There being no 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

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

10. PUBLIC PRESENTATIONS:

1. City of Opa-locka Parks & Recreation/Teen Upward Bound

Ref: Summer Camp 2020 Post COVID-19 Reopening Plan

City Manager Pate said they will not go through the full presentation again since the major of concerns were addressed at the last workshop. He said the commission would have to rescind the shutdown ordinance for parks. He reminded them that the confirmed cases for COVID-19 have increased recently.

Commissioner Burke said it is nothing personal to either organization, but with everything that is going on, he doesn't think it is a good idea at this time.

Commissioner Bass said with other cities preparing to reopen, the residents can come and go as they please, so it really does not make a difference to keep the parks closed for trying to slow the spread of the virus.

Vice Mayor Davis said from what at what other cities are doing, he sees that they are hesitant. While he wants the youth to have something to do over the summer, it is premature to approve this at this time.

Mayor Pigatt said he is in agreeance with his colleagues and asked if they have any plans in place in terms of virtual learning and summer meal schedules.

City Manager Pate said Parks and Rec does not currently have virtual learning in place, but the Teen Upward Bound program does.

Teen Upward Bound confirmed this and also stated that they have made provisions for in person contact in the form of PPE's, contactless sign in/out for parents, and additional equipment.

Commissioner Kelley said if the ordinance is rescinded, then that will leave all of the parks and programs to open up; this will allow potential for the virus to spread.

City Manager Pate said that is his concern also and that is why he does not think the parks should reopen at this time. He said they are extending virtual commission meetings to continue the practice of social distancing, so why subject the youth to potential infection and spread of the virus and may be a liability to the City.

Commissioner Burke said the manager stated that he is not comfortable with reopening at this time for various reasons and he does not see the need for further discussion.

11. CITIZENS' INPUT:

City Clerk Flores read the following comments from the public into the record:

Ms. Mitchell, 14255 NW 22nd Place, Opa-locka, FL, said she wanted to raise a questions regarding rental and utility assistance for seniors. She asked that the City look to the county or other agencies for funding to aide with this matter.

Eric Redmon, 2766 Villa Francine, Opa-locka, FL, asked the manager to provide a response to the grievance that was filed with the Ethics Commission regarding several of his employees.

Vice Mayor Davis said he asked Community Development to put a report together regarding the first concern so if there are funds out there, they can be made available to the residents.

Commissioner Bass said she will provide the information for the Opa-locka Neighborhood Center by the end of the meeting so residents can use that resource if funds are available.

Mayor Pigatt informed the residents that the City is under oversight with the finances and are operating on a week by week basis. He said he has not heard that there was no funding available so he will await a response from the manager to see if there is assistance for residents.

Commissioner Bass said the former Opa-locka neighborhood Center is now known as the Miami Gardens Neighborhood Services, 16405 NW 25th Avenue, Suite 105, Miami Gardens, FL, and the telephone number is 305-623-6500.

12. ACTION ITEMS:

13. ADMINISTRATION:

CONSENT AGENDA:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER FOR RJ SPENCER CONSTRUCTION, LLC, TO INCLUDE WINDOW REMOVAL AND REPLACEMENT FOR THE PROPERTY LOCATED AT 2105 ALI-BABA AVENUE, IN AN AMOUNT NOT TO EXCEED THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,500.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by City Manager

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER FOR RJ SPENCER CONSTRUCTION, LLC, TO INCLUDE THE ELECTRICAL UPGRADES FROM 2 X 4 LIGHTING TO HI-HATS; AC WIRE FOR THE PROPERTY LOCATED AT 2105 ALI-BABA AVENUE, IN AN AMOUNT NOT TO EXCEED THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00) PAYABLE FROM ACCOUNT 44-541818; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by City Manager

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK ON THE CITY OF HOLLYWOOD, FLORIDA'S CONTRACT WITH ENVIROWASTE SERVICES GROUP, INC. FOR QUALIFIED PROFESSIONAL SERVICES TO CONDUCT SANITARY SEWER MAIN CLEANING AND CCTV INSPECTION IN COLLECTION BASIN #4, IN THE CITY OF OPA-LOCKA, IN AN AMOUNT NOT TO EXCEED TWENTY SEVEN THOUSAND SEVEN HUNDRED FORTY DOLLARS AND SEVENTY CENTS (\$27,740.70), IN A CONTRACT FORM ACCEPTABLE TO THE CITY ATTORNEY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by City Manager

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

The motion passed by a 5-0 vote.

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

14. NEW ITEMS:

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING BID PROPOSALS FOR CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES PURSUANT TO RFQ NO. 20-0324200; FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO MULTIPLE AGREEMENTS FOR ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES AS PROVIDED HEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by City Manager

The above resolution was read by Assistant City Attorney Cobb.

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

Public Works Director Airia Austin said the item will allow the City to proceed with several projects coming down the pipeline including the Cairo Lane project being first, followed by the drainage and flooding problem being resolved. Other architectural needs will be addressed with future budgets.

Vice Mayor Davis asked if there is a way to hold property owners accountable for some of the storm water retention. Mr. Austin said he will make it a part of the evaluation moving forward.

Mayor Pigatt said he applauds staff for coming to this point with the roads and streets projects and he hopes the City will move forward with the Cairo Lane project and the flooding issues citywide as soon as possible.

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

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

14-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AN AGREEMENT FOR THE SALE OF VACANT LAND BETWEEN THE CITY OF OPA-LOCKA AND TNJ REALTY, LLC. FOR DECLARED SURPLUS ALLEYWAYS BETWEEN THE PARCELS IDENTIFIED BY FOLIOS: 08-2121-007-2680, 08-2121-007-2630, 08-2121-007-2650, 08-2121-007-2660, 08-2121-007-2670, 08-2121-013-2010 AND 08-2121-013-2020, IN THE B-2 ZONING DISTRICT, IN THE AMOUNT OF \$57,000; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR THE SALE AND PURCHASE OF VACANT LAND IN “AS IS” CONDITION; AND TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR

INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by City Manager

The above resolution was read by Assistant City Attorney Cobb.

It was moved by Commissioner Burke, seconded by Commissioner Kelley to for discussion.

Community Development Director Gregory Gay said the item comes from the recommendation from months ago when it was brought before the commission and was then deferred.

Commissioner Kelley asked if the City or the developer completed an appraisal.

Mr. Gay said the appraisal came from the company and it was done independently at an amount which totaled \$52,000.00 which is lower than the price they mentioned prior.

Mayor Pigatt asked if the property will be demolished in six months per the agreement or the property will return to the City.

City Attorney Norris-Weeks said she did not think that portion of the agreement was in relation to the alleyways and that it was not triggered with the sale of the property.

Mr. Gay said the sale of the property is what will trigger that part of the agreement and is geared toward the sale of the property itself.

Mayor Pigatt said the City wants to make sure the property is remediated and asked what the consequence is of not following through with the agreement.

City Attorney Norris-Weeks said the transaction only happens to the alleyways and only relates to this agreement; it is very specific to the sale and only happens if this is sold and anything else will have to come back to the commission.

Commissioner Burke said if they sell to a third party, that will prevent the development from being started and leaves the City in a situation.

Mayor Pigatt said he is hesitant to pass the item without language that will include having the current conditions of the sale and development made specific, while ensuring the property does not continue to be an eyesore with no remedy to the City.

Commissioner Burke said the citations also have yet to be paid.

Mr. Gay said it is something that will be taken care of within the acquisition phase and the development phase, but they just need to get past this execution portion of the development agreement with acquiring signatures from all parties and this is when the six (6) month timeline will begin.

Mayor Pigatt said he wants to make sure that the item is approved at the next commission meeting and all of the cleanup issues need to be addressed to correct current issues at the site.

Vice Mayor Kelley said he does not want to agree to the purchase of the property when the agreement has changed. He understands it is time sensitive, but he would want to see what the project is and provide some input.

Mayor Pigatt said if the property is in the same condition that it is currently in, it will not have his full support at the next meeting.

The Attorney representing the developer Mr. Christopher Benjamin said he has no qualms with the item and the only change is with the pricing of the alleyways. Everything else is the same.

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

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

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

B. APPEALS

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

A. FIRST READING ORDINANCES(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. *Sponsored by City Manager*

The above ordinance was read by Assistant City Attorney Cobb.

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 for discussion.

City Manager Pate said this is budget amendment number three (3) and had no changes from last week to this week whatsoever. He asked Budget Administrator Robert Anathan to provide clarity to the commission.

Mr. Anathan said the budget will be completed by the eighth of July. They are looking at an increase in funds in terms of revenue and a decrease in funds in terms of expenditure of all items. He went on to address some of the various projects, and items that will affect the budget moving forward.

Mayor Pigatt said he is impressed with the budget amendments since the manager has been appointed. He said he hopes the detailed reports will continue because it is the best he has ever seen and the information will be provided as requested in the same manner in the future.

There being no further discussion, the motion on the ordinance 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):

C. RESOLUTION(S):

17. CITY MANAGER'S REPORT:

City Manager Pate said the City is looking at future auditing firms and looking at future RFP's in terms of bringing it to the current. The COVID-19 cases have been steady at one hundred thirty eight cases today and one hundred thirteen cases yesterday; he will be providing a report when the conversation takes place.

Mayor Pigatt asked for an update on the plan to distribute the audits for December and the flooding at the Glorietta Apartments.

City Manager Pate said the goals for getting the audits complete is projected for a December timeframe. He said laws have changed so the commission will no longer be on the committee, coming in July, they have to establish an auditing committee to aide in moving the city forward. The Glorietta Gardens have been assessed and remedies have included the City taking over the retention pond and handling any flooding issues.

18. OFFICIAL BOARD REPORTS:

19. MAYOR /COMMISSION REPORT:

1. Mayor Matthew A. Pigatt

Ref: Police Reform

Commissioner Bass informed the graduating class of 2020 that they are important and will go on to do great things in spite of the current conditions that is going on regarding the Coronavirus Disease (COVID-19) Pandemic. She said she has reached out to City of Miami Gardens Councilman Erhabor Ighodaro and he agreed to spread the word with their public relations person regarding getting the word out about the free testing site in Opa-locka.

Commissioner Burke said he was not trying to be insensitive about the rental assistance for the residents; he was trying to be a realist. He knows all of his colleagues would like to do as they can for the residents, but the budget director has briefed the commission on the finances of the City and he does not want to give them false hope by telling them the City will look into the matter when the funds are not there to provide assistance.

Commissioner Kelley asked all 2020 seniors to submit their information so they may be recognized accordingly. He asked his colleagues to consider legislation regarding the unfortunate demise of George Floyd and anything the City can do to do its part in preventing these situations from happening again. This came about from citizens concerns during the virtual Meet Me Monday Meeting. He hopes something in the form of a walk will take place leading to city hall in solidarity to what is going on. The manager stated that August is a better time to have a Parks and Rec town hall and he hopes this will still take place. Dr. Gallon will be speaking again once there is a Zoom meeting scheduled for later on in the year.

Vice Mayor Davis said looking at the budget last year, they realized an over one million dollar budget that can benefit the residents in terms of assistance. He proposed that the commission sponsors legislation in hopes that the county will provide funding in terms of assistance to those who need it in the City as well as other communities.

Mayor Pigatt said the county has been significant in providing the COVID-19 testing center for residents at a cost. One of the biggest things that the county is also doing is infrastructure projects and he wants to ensure the City is involved. He would also like for the dialogue to be opened for COVID-19 topics and asked the attorney for what avenues to take to make this happen.

City Attorney Norris-Weeks recommended that a vote be taken to expand the public workshops to address other topics and not just the topics for COVID-19 if it is the will of the commission.

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

Commissioner Kelley said he suggested the COVID-19 workshops, but did not agree to have them for anything to be on the table; that is what commission meetings are for.

Commissioner Burke agreed with Commissioner Kelley and stated that he is not inclined to go any further with extra discussion at this time.

There being no further discussion, the motion passed by a 3-2 vote.

Commissioner Burke	No
Vice Mayor Davis	Yes
Commissioner Kelley	No
Commissioner Bass	Yes
Mayor Pigatt	Yes

Mayor Pigatt said there are things that need to be done regarding the weekly workshops and whether they need to be done once a week. There are many other things that need to be addressed and he wants to make sure the City is clear on issues that need to be addressed. He commended the 2020 seniors on their hard work for the year and agreed with his colleagues that they should be acknowledged. He said the unrest with George Floyd gives ease to make sure there is equality within the police department regarding police brutality. The City has taken this as a priority and has made sure that community policing is taking place. There are several perimeters set in place and an independent evaluation was done and all of the guidelines should be utilized to deter police violence. It was requested that the Chief of Police provide a report. Former President Barack Obama created the “Eight Can’t Wait” which is a series of things that the City can do to reduce police violence. Campaign Zero, which is ten policies that goes into fair police union contracts, the establishment of a civil investigation panel, training, community representation, and oversight goes along with police use of force policies. It should be clear that the City is looking at these things.

20. OFFICIAL BOARD APPOINTMENTS:

21. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Burke, seconded by Commissioner Kelley to adjourn the virtual meeting at 9:38 p.m.

MAYOR

ATTEST:

CITY CLERK

CONSENT AGENDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY (OCRA) APPROVING THE ATTACHED MEMORANDUM OF UNDERSTANDING, EXHIBIT "A", BETWEEN THE OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission of the City of Opa-locka adopted Resolution No. 10-8043 on April 14, 2010, providing a Finding of Necessity declaring that a blighted area, defined in Section 163.340, Florida Statutes, exists within the City's boundaries; and

WHEREAS, pursuant to Resolution No. R-795-13 adopted by the Board of County Commissioners of Miami Dade County, Florida (the "Board") on October 1, 2013, the county has, among other things, approved and adopted the Opa-locka Community Redevelopment Plan (the "Plan") to enable the Agency to undertake redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to Resolution No. R-795-13 enacted by the board on October 1st, 2013, the board has approved the creation of a Community Redevelopment Trust Fund, known as the Opa-locka Community and Revitalization Trust Fund (the "Fund") and has provided for the calculation and appropriation of tax increment funds into such fund; and

WHEREAS, the City of Opa-Locka and the City of Opa-Locka Community Redevelopment Agency (OCRA) are keenly interested in maintaining and revitalizing the areas located within the CRA boundaries as visibly attractive, economically viable, and socially desirable areas of the City of Opa-Locka; and

WHEREAS, City is willing to make available to the CRA, in accordance with the terms and conditions set forth in Attachment "A", certain professional staff and administrative support.

NOW THEREFORE, BE IT RESOLVED BY THE CRA BOARD OF THE CITY OF OPA-LOCKA, FLORIDA

Section 1. Adoption 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. Approving the Authorization. The City of Opa-Locka Community Redevelopment Agency (OCRA) hereby approves the attached Memorandum of Understanding, Exhibit "A", between the City of Opa-Locka Community Redevelopment Agency (OCRA) and the City of Opa-Locka.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 26th day of February 2020.

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 Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (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:	06-24-20	Item Type: (Enter X in box)	Resolution X	Ordinance	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance/Resolution Reading: (Enter X in box)	1st Reading X	
		X		2nd Reading	
			Public Hearing: (Enter X in box)	Yes	No X
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 X	RFP/RFQ/Bid: N/A		
Strategic Plan Related (Enter X in box)	Yes X	No	Strategic Plan Priority Area:		Strategic Plan
			Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐		Obj./Strategy: (list the specific objective/strategy this item will address) Commercial Retail Services
Sponsor Name	City Manager		Department: Planning & Community Development		City Manager

Short Title:

A Resolution Of The City Of Opa-Locka City Commission Approving The Attached Memorandum Of Understanding, Between The Opa-Locka Community Redevelopment Agency And The City Of Opa-Locka; Providing For Incorporation Of Recitals; Providing For An Effective Date.

Staff Summary:

The Opa-locka Community Redevelopment Agency reviewed the Memorandum of Understanding at its February 26, 2020 meeting and considered the mutual promises and conditions contained in the Agreement and the objectives and intentions of the respective parties herein that were generally expressed. The Opa-locka Community

Redevelopment Agency approved the Memorandum of Understanding by a 7-0 vote. The City Commission will also review the Memorandum of Understanding at its June 24, 2020 meeting and will consider the mutual promises, conditions, objectives and intentions of the agreement and the benefits provided to both the City and the Opa-locka CRA.

Background

The Mayor and City Commission of the City of Opa-locka adopted Resolution No. 10-8043 on April 14, 2010, providing a Finding of Necessity declaring that a blighted area, defined in Section 163.340, Florida Statutes, exists within the City's boundaries.

Pursuant to Resolution No. R-795-13 adopted by the Board of County Commissioners of Miami Dade County, Florida (the "Board") on October 1, 2013, the County has, among other things, approved and adopted the Opa-locka Community Redevelopment Plan (the "Plan") to enable the Opa-locka Community Redevelopment Agency to undertake redevelopment of the Redevelopment Area. This Resolution also provides for the creation of a Community Redevelopment Trust Fund and provides for the calculation and appropriation of tax increment funds into such fund.

The City of Opa-locka and the Opa-locka Community Redevelopment Agency are interested in maintaining and revitalizing the areas located within the CRA boundaries and to improve them to become visibly attractive, economically viable, and socially desirable areas of the City of Opa-locka. The City of Opa-locka is willing to make available to the Opa-locka Community Redevelopment Agency certain professional staff and administrative support as set forth in the Memorandum of Understanding, Attachment A.

Financial Impact

Currently the CRA budget reflects \$30,347 of payment to the General Fund (Staff Compensation = \$25,988, IT Services = \$1,260 and Risk Management Services = \$3,089). Administrative expense within the CRA is limited to 20% of the annual TIF revenue (\$734,292 x 20% = \$146,858). Currently there is \$47,600 of other budgeted expense classified as administrative which is not attributable to the General Fund. If this MOU is implemented, it will increase the CRA reimbursement to the General Fund from \$30,347 to \$99,258 (\$146,858 - \$47,600).

Proposed Action:

Staff has recommended approval of this Request.

Attachment:

DRAFT Resolution Memorandum of Understanding

**Memorandum of Understanding
Between
The City of Opa-locka and
The Opa-locka Community Redevelopment Agency**

This AGREEMENT is entered into by and between the City of Opa-locka, a municipal corporation (hereinafter referred to as “CITY” or “the CITY”) and the Opa-locka Community Redevelopment Agency (hereinafter referred to as “CRA”), a body politic and corporate of the State of Florida and a community redevelopment agency created pursuant to Chapter 163, Part III, Florida Statutes.

WHEREAS, the Mayor and City Commission of the City of Opa-locka adopted Resolution No. 10-8043 on April 14, 2010, providing a Finding of Necessity declaring that a blighted area, defined in Section 163.340, Florida Statutes, exists within the City’s boundaries; and

WHEREAS, the Mayor and City Commission further declared in Resolution No. 10-8043 that the rehabilitation, conservation, redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City of Opa-locka; and

WHEREAS, on June 8, 2011, pursuant to Resolution No. 11-8238 creating a Community Redevelopment Agency – CRA, the Mayor and City Commission further declared the City Commission as the Board of the CRA; and

WHEREAS the City of Opa-locka CRA Board and City Commission approved the Finding of Necessity for the Opa-locka CRA pursuant to Resolution 12-8412 in May 2012. The Board of County Commission for Miami-Dade County approved the Finding of Necessity for the Opa-locka CRA on December 4, 2012 pursuant to Resolution R-996-12, which marks the official beginning of the Opa-locka CRA as on record with the Florida Department of Economic Opportunity [DEO].

WHEREAS, pursuant to Resolution No. R-795-13 adopted by the Board of County Commissioners of Miami Dade County, Florida (the “Board”) on October 1st, 2013, the County has, among other things, approved and adopted the Opa-locka Community Redevelopment Plan (the “Plan”) to enable the Agency to undertake redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to Resolution No. R-795-13 enacted by the Board on October 1st, 2013, the Board has approved the creation of a community redevelopment trust fund, known as the Opa-locka Community and Revitalization Trust Fund (the “Fund”) and has provided for the calculation and appropriation of tax increment funds into such fund; and

WHEREAS, the CITY and CRA are keenly interested in maintaining and revitalizing the areas located within the CRA boundaries as visibly attractive, economically viable, and socially desirable areas of the CITY; and

WHEREAS, the CITY has professional staff employed by CITY and may or has retained third party vendors which possess the appropriate skills, qualifications and experience to assist in implementing the Plan; and

WHEREAS, CITY staff time and expertise in various matters, including administration, personnel, housing and community development, engineering, finance, purchasing, public works, transportation and mobility and planning, can be beneficially utilized in the planning and implementation of the Plan; and

WHEREAS, pursuant to the Interlocal Agreement between the CRA and Miami-Dade County which determined the maximum amount of 20% for administrative services and reimbursable items; and

WHEREAS, CITY is willing to make available to the CRA, in accordance with the terms and conditions set forth in this Agreement, professional staff and administrative support; and

NOW, THEREFORE, in consideration of the mutual promises and conditions contained in the Agreement and other good and valuable consideration, the receipt of which is acknowledged, CITY and CRA agree as follows:

ARTICLE 1
PREAMBLE

In order to establish the background, context and frame 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 Recitals. That each WHEREAS clause set forth above is true and correct and incorporated in this Agreement by this reference.

1.2 CITY Approval. On June ____ 2020, the City Commission, by motion, authorized the proper CITY officials to execute this Agreement.

1.3 CRA Approval. On February 26, 2020, the CRA Board by motion authorized the proper CRA Officials to execute this Agreement.

ARTICLE 2

SERVICES

The CITY agrees to perform the following functions and duties in accordance with established procedures or in the absence of same, as provided for by CITY in the conduct of its own affairs.

2.1 The CITY shall provide financial services which shall include, but not be limited to, management of CRA fiscal accounts, Budgets and Community Investment Plan, payroll, accounting, monthly and annual reporting, accounting for retirement benefits, contributions to retirement benefits, federal income and social security tax reporting, sales tax reporting, if any, and other fiscal needs in accordance with City policies and procedures related thereto. The Finance Director of the CITY or Designee of the Executive Director shall act as the CRA Finance Director and shall perform such duties as set forth in the By-Laws of the CRA.

2.2 The CITY shall provide engineering, communications and planning services as necessary, to advise the CRA and to assist in the implementation of the Plan.

2.3 The CRA will be permitted to utilize the services of the CITY's Procurement Department with respect to purchasing services and goods necessary for the operation of CRA activities.

2.4 The CRA will be permitted to utilize the services of the CITY's Public Works Department with respect to design services and construction services necessary for the operation of CRA activities, including capital projects and implementation of the Plan.

2.5 The CRA shall be permitted to use police services in the designated CRA boundaries to support its community policing initiatives and to use information technology services, parks and recreation and fleet services of the City to assist in implementation of the Plan.

2.6 The CITY may make available public officials liability insurance and other forms of insurance deemed necessary by the CITY. Said insurance is to be determined at the sole discretion of the CITY.

2.7 The City Manager and the Manager of the CRA has the discretion and authority to provide other special services on occasion not initially set forth in this Agreement, subject to the CITY's agreeing to do so.

2.8 At the request of the CRA's Manager, the CITY may manage the third party contracts of vendors or contractors retained to implement, construct, rehabilitate or complete projects under the Plan. Further, the City agrees to provide a list of third party vendors.

2.9 The City Manager, with the advice and consent of the Manager of the CRA, shall designate City employees, with the necessary skills and qualifications, to fill the positions and perform services on behalf of the CRA in accordance with the organizational chart attached hereto as Exhibit "A". The Manager of the CRA has the discretion to amend the organizational chart as necessary to efficiently and effectively manage and operate the CRA and shall advise the CRA board of changes to the organizational chart as necessary.

2.10 The CRA will be permitted to utilize continuing services contracts of the City, but only in connection with implementation of the Plan.

ARTICLE 3

METHOD OF REIMBURSEMENT AND COMPENSATION

3.1 Reimbursement to CITY. In consideration of providing the services described in Article 2 hereof by the CITY, the CRA will compensate the CITY at a maximum of 20% of annual TIF revenues, less any and all third party administration expenses for administrative services and reimbursable items, to the extent funds of the CRA are budgeted and available and eligible for payment in accordance with Section 163.387(6), Florida Statutes, as consideration for services provided to the CRA during fiscal year October 1, 2019 through September 30, 2020, by the CITY or third party vendors, in accordance with the budget adopted by the City and the CRA and attached hereto as Exhibit "B", as amended. The CRA's payment obligations under this Agreement constitutes an obligation to pay indebtedness in accordance with the Act. The CRA shall reimburse City employees and third party vendors only for services related to activities and work performed on behalf of the respective CRA and for no other work. It is hereby understood that tax increment revenue can be used only for activity in furtherance of the Plan.

3.2 Method of Payment. The parties agree that the CRA's obligation to compensate the CITY pursuant to Section 3.1 hereinabove shall be made to CITY in accordance with the approved budget for each area within the CRA. It is recognized

and acknowledged that full compensation to the CITY by the CRA may, during the term of this Agreement be waived, reduced, deferred or a combination thereof. However, any outstanding payment obligation not waived shall be budgeted by the CRA and made available to the CITY prior to the termination of the trust fund as provided in Chapter 163 of the Florida Statutes.

3.3 Annual Statement and Payment. The CITY shall prepare and present to the CRA an annual statement in time for the preparation and submission of the CRA annual budgets. The annual statement shall reflect current year anticipated costs and all unpaid obligations from prior periods. Any amounts contained in the approved CRA budget for payment to the CITY shall be paid by the CRA prior to September 30, 2020, the end of fiscal year 2019-2020.

ARTICLE 4

MISCELLANEOUS

4.1 Continued Cooperation. This Agreement assumes the close coordination and cooperation between the CRA and essential CITY staff and CITY function particularly regarding financial administration, reporting, and auditing; and administration and implementation of the Plan and capital projects.

4.2 Term and Termination.

4.2.1 Term. This Agreement shall take effect retroactively January 1, 2020, and shall continue in effect through September 30, 2020 unless either party seeks to renegotiate or terminate this Agreement prior to said expiration date.

4.2.2 Termination. This Agreement may be terminated by CITY or the CRA upon at least thirty (30) days' advance written notice to the other party. After termination of the Agreement, the CITY shall transfer to the CRA copies of any documents, data, and information requested by the CRA relating to the services accomplished herein. Regardless of the termination of this Agreement, the CRA shall pay to the CITY any outstanding statements or statements for costs incurred but not billed as of the termination date.

4.3 Public Records. Each party shall maintain its own respective records and documents associated with this Agreement in accordance with the records retention requirements applicable to public records. Each party shall be responsible for compliance with any public documents request served upon it pursuant to Chapter 119, Florida Statutes, as same may be amended from time to time and any resultant award of attorney's fees for non-compliance with that law.

The City, CRA and all contractors or subcontractors (the “Contractor”) engaging in services in connection with construction, operation and/or maintenance of activities under the Plan shall:

- (a) Keep and maintain public records that ordinarily and necessarily would be required by either party in order to perform the services rendered.
- (b) Upon request from either party’s custodian of public records, shall provide the other with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes (2019), as may be amended or revised, or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law and as to either party for the duration of this Agreement and as to Contractor’s for the duration of the contract term and following completion of said contract if Contractor does not transfer the records to the appropriate party.
- (d) Upon completion of said construction, operation or maintenance of the activities under the Plan, transfer, at no cost, to the other party all public records in possession of said party or Contractor or keep and maintain public records required by either party to perform the service. If Contractor transfers all public records to the appropriate party upon completion of the construction, operation or maintenance of the activities under the Plan, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of construction, operation or maintenance of the activities under the Plan, the Contractor shall meet all applicable requirements for retaining public records. ALL records stored electronically must be provided to either the CRA or the City, upon request from the other party’s custodian of public records, in a format that is compatible with the information technology systems of the other party.

If either party or any contractor has questions regarding the application of Chapter 119, Florida Statutes, to either party or Contractor’s duty to provide public records relating to its contract, contact the City Clerk by telephone (305) 688-4611 or by email at

jflores@opalockafl.gov or by mail at 780 Fisherman Avenue, Opa-locka, FL 33054. Attention City Clerk

4.4 Sovereign immunity. Nothing in this Agreement shall be deemed to affect the rights, privileges and immunities of the CITY or CRA as set forth in Section 768.28, Florida Statutes.

4.5 Independent Contractor. The CITY is an independent contractor under this Agreement. Personal services provided by the CITY shall be by employees of the CITY, but are deemed officers, employees, or agents of the CRA. Personnel policies, tax responsibilities, social security, health insurance, employee benefits, purchasing policies and other similar administrative procedures applicable to services rendered under this Agreement shall be those of the CITY.

4.6 Assignments and Amendments.

4.6.1 Assignment. This Agreement or any interest herein, shall not be assigned, transferred or otherwise encumbered, under any circumstances, by CRA or CITY, without the prior written consent of the other party.

4.6.2 Amendment. It is further agreed that no modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed by both parties with the same formality as this Agreement.

4.7 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, or by hand-delivery with a written receipt of delivery, addressed to the party for whom it is intended and the remaining party, at the place 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 Article. For the present, the parties designate the following as the respective places for giving of notice:

CITY: City Manager
 City of Opa-locka
 780 Fisherman Street
 Opa-locka, FL 33054

With a copy to:

City Attorney
City of Opa-locka
780 Fisherman Street
Opa-locka, FL 33054

CRA: Opa-locka Community Redevelopment Agency
780 Fisherman Street
Opa-locka, FL 33054
Attention: Executive Director

With a copy to:

Opa-locka Community Redevelopment Agency Board Chair
Opa-locka Community Redevelopment Agency
780 Fisherman Street
Opa-locka, FL 33054

4.8 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.

4.9 Severability. If any provision of this Agreement of the 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 the persons or situations other than those as to which it shall have been held invalid or unenforceable shall not be effected thereby, and shall continue in full force and effect, and be enforced to the fullest extent permitted by law.

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

4.11 Entire Agreement. This Agreement embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein. It is further understood and agreed that this document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicted upon any prior representation or agreements, whether oral or written.

4.12 Attorneys' Fees. In the event of any dispute or litigation between the parties arising under this Agreement, the non-prevailing party shall be responsible for all costs and expenses of the prevailing party, including reasonable attorneys' fees and court costs, at both trial and appellate levels.

4.13 Indemnification. Subject to the conditions and limitations of F.S. Section 768.28, as it may be amended from time to time, the CRA shall indemnify and hold harmless the City, its officials, agents and employees from and against all claims, suits, actions, damages or causes of action arising during the term of this Agreement by reason of the acts or omissions of the CRA, its officials, employees and agents, including costs, attorneys' fees and expenses incurred in or by reason of the defense of any such claim, suit or action, and the investigation thereof. Nothing in this Agreement shall be deemed to affect the rights, privileges and immunities of the City or CRA as set forth in Section 768.28, Florida Statutes. Without limiting the foregoing, any and all such claims, suits, causes of action relating to personal injury, death or damage to property, or decree of any court, is included in the indemnity. The CRA further agrees to investigate, handle, respond to, provide defense for, and defend any such claims at its sole expense and agrees to bear all other costs and expenses related thereto even if the claim is groundless, false or fraudulent and if called upon by the City, CRA shall assume and defend not only itself but also no cost or expense whatsoever to City, provided that City shall retain the right to select counsel of its own choosing, subject to the CRA's approval which shall not be unreasonably withheld, conditioned or delayed.

IN WITNESS WHEREOF, this Agreement has been duly executed by the undersigned Parties.

Executed this ____ day of _____, 2020.

John Pate, on behalf of the City of Opa-Locka

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Sworn to and subscribed before me by _____, this ____ day of _____, 2020.

_____ he is personally known to me, **OR**

_____ has produced as identification.

NOTARY PUBLIC

CITY CLERK STAMP

(NOTARY STAMP) Print Name

Executed this __ day of _____, 2020.

Executed this __ day of _____, 2020.

Gregory Gay, on behalf of the CRA

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Sworn to and subscribed before me by _____, this ____ day of _____, 2020.

_____ he/she is personally known to me, **OR**

_____ has produced as identification.

NOTARY PUBLIC

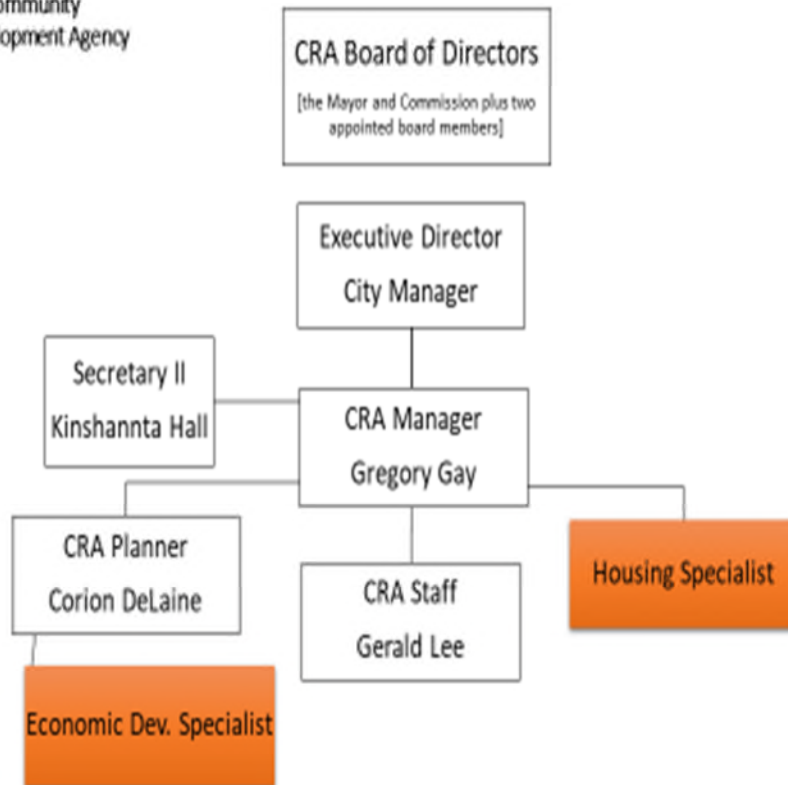
CITY CLERK STAMP

(NOTARY STAMP) Print Name

Executed this __ day of _____, 2020.

Exhibit “A”

Community
Redevelopment Agency



Updated 06-09-2015

Exhibit "B"

EXPENDITURES BY LINE ITEM		AMENDED APPROVED FY 2018-19 Budget	PROPOSED FY 2019-20 Budget	APPROVED FY 2019-20 Budget
FUND 001	GENERAL FUND			
	PLANNING & COMMUNITY DEVELOPMENT			
DEPT 150	COMMUNITY DEVELOPMENT			
DIV 37	DEVELOPMENT			
37-515110	SALARIES - EXECUTIVE	\$ 76,950.00	\$ 76,950.00	\$ 76,950.00
37-515120	SALARIES - REGULAR	\$ 124,551.00	\$ 124,551.00	\$ 124,551.00
37-515130	SALARIES - PART TIME	\$ -	\$ -	\$ -
37-515140	SALARIES - OVERTIME	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
37-515210	FICA	\$ 14,775.00	\$ 15,415.00	\$ 15,415.00
37-515220	RETIREMENT	\$ 13,790.00	\$ 17,067.00	\$ 17,067.00
37-515230	LIFE AND HEALTH	\$ 26,842.00	\$ 41,061.00	\$ 41,061.00
	PERSONNEL EXPENSES	\$ 257,908.00	\$ 276,044.00	\$ 276,044.00
37-515312	OTHER PROFESSIONAL	\$ 12,500.00	\$ 44,843.00	\$ 12,500.00
37-515400	TRAVEL & PER DIEM	\$ -	\$ 1,000.00	\$ 1,000.00
37-515440	RENTALS & LEASES	\$ 3,560.00	\$ 11,000.00	\$ 3,560.00
37-515470	PRINTING & BINDING	\$ 500.00	\$ 1,000.00	\$ 1,000.00
37-515493	GENERAL EXPENSES	\$ -	\$ -	\$ -
37-515510	OFFICE SUPPLIES	\$ 1,000.00	\$ 1,500.00	\$ 1,000.00
37-515520	OPERATING SUPPLIES	\$ -	\$ -	\$ -
37-515528	SOFTWARE LICENSING	\$ -	\$ 13,500.00	\$ -

*

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*

37-515530	ADVERTISEMENT	\$ -	\$ 2,500.00	\$ -	*
37-515540	PUB / SUBS / MEMBERSHIPS	\$ 3,600.00	\$ 3,600.00	\$ 3,600.00	
37-541833	BROWNSFIELD PROJECT EXP	\$ 210,000.00	\$ -	\$ -	
	OPERATING EXPENSE	\$ 231,160.00	\$ 78,943.00	\$ 22,660.00	
37-515441	INFORMATION TECH CHARGES	\$ 8,622.00	\$ 11,341.00	\$ 11,341.00	
37-515442	INSURANCE SVCS - RISK MGMT	\$ 27,798.00	\$ 27,798.00	\$ 27,798.00	
37-515448	RENTAL EXPENSES-TOWNCENERONE	\$ 19,062.00	\$ 18,725.00	\$ 18,725.00	
37-515449	VEHICLE SERVICE CHARGE	\$ 4,531.00	\$ 3,911.00	\$ 3,911.00	
TBD	OPERATING RESERVES	\$ -	\$ -	\$ 56,283.00	*
	OPERATING EXPENSE - INTERCOMPANY	\$ 60,013.00	\$ 61,775.00	\$ 118,058.00	
37-515531	COMMUNITY CHALLENGE GRANT	\$ -	\$ -	\$ -	
37-515640	LIGHT MACHINERY/EQUIP	\$ 9,463.00	\$ -	\$ -	
37-515646	COMPUTER	\$ 7,467.00	\$ 5,000.00	\$ 5,000.00	
	CAPITAL OUTLAY	\$ 16,930.00	\$ 5,000.00	\$ 5,000.00	
COMMUNITY DEVELOPMENT		\$ 566,011.00	\$ 421,762.00	\$ 421,762.00	

RESOLUTION NO. 2020-02

A RESOLUTION OF THE CITY OF OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY (OCRA) APPROVING THE ATTACHED MEMORANDUM OF UNDERSTANDING, EXHIBIT "A", BETWEEN THE OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission of the City of Opa-locka adopted Resolution No. 10-8043 on April 14, 2010, providing a Finding of Necessity declaring that a blighted area, defined in Section 163.340, Florida Statutes, exists within the City's boundaries; and

WHEREAS, pursuant to Resolution No. R-795-13 adopted by the Board of County Commissioners of Miami Dade County, Florida (the "Board") on October 1, 2013, the county has, among other things, approved and adopted the Opa-locka Community Redevelopment Plan (the "Plan") to enable the Agency to undertake redevelopment of the Redevelopment Area; and

WHEREAS, pursuant to Resolution No. R-795-13 enacted by the board on October 1st, 2013, the board has approved the creation of a Community Redevelopment Trust Fund, known as the Opa-locka Community and Revitalization Trust Fund (the "Fund") and has provided for the calculation and appropriation of tax increment funds into such fund; and

WHEREAS, the City of Opa-Locka and the City of Opa-Locka Community Redevelopment Agency (OCRA) are keenly interested in maintaining and revitalizing the areas located within the CRA boundaries as visibly attractive, economically viable, and socially desirable areas of the City of Opa-Locka; and

WHEREAS, City is willing to make available to the CRA, in accordance with the terms and conditions set forth in Attachment "A", certain professional staff and administrative support.

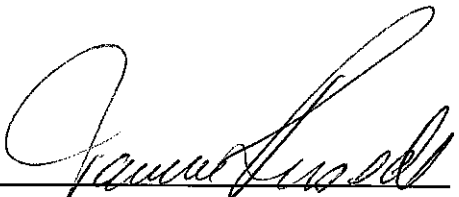
NOW THEREFORE, BE IT RESOLVED BY THE CRA BOARD OF THE CITY OF OPA-LOCKA, FLORIDA

Section 1. Adoption 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. Approving the Authorization. The City of Opa-Locka Community Redevelopment Agency (OCRA) hereby approves the attached Memorandum of Understanding, Exhibit "A", between the City of Opa-Locka Community Redevelopment Agency (OCRA) and the City of Opa-Locka.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 26th day of February 2020.



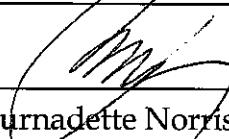
Jannie Russell
OCRA Chair

ATTEST:



Kirshannta Hall, OCRA Clerk

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



Burnadette Norris-Weeks, P.A.
CRA Attorney

Moved by: Board Member Kelley

Seconded by: Board Member Davis

VOTE: 7-0

Board Member Bass	Yes
Board Member Burke	Yes
Board Member Davis	Yes
Board Member Kelley	Yes
Board Member Pigatt	Yes
Board Member Tydus	Yes
Chair Russell	Yes

RESOLUTION NO. 2020-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING A CODE ENFORCEMENT LIEN AMNESTY PROGRAM FOR ALL CODE ENFORCEMENT LIENS TO ALLOW PROPERTY OWNERS WITH OUTSTANDING CODE ENFORCEMENT VIOLATIONS TO PAY A REDUCED AMOUNT AFTER MEETING CERTAIN ELIGIBILITY REQUIREMENTS, REGARDLESS OF WHEN IMPOSED, FROM THE EFFECTIVE DATE OF THIS RESOLUTION THROUGH JANUARY 30, 2021; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-locka (“City”) desires to offer property owners an opportunity to ease financial burdens on their properties; and

WHEREAS, the opportunity to ease financial burdens will be an Amnesty Program, as an incentive for property owners who may have outstanding code enforcement violations, to bring the property into compliance with the City Codes; and

WHEREAS, the Amnesty Program will encourage property development and improvement within the City as well as provide additional revenue to the City, which might otherwise be collected at a much later time, and ultimately improve the City’s tax base; and

WHEREAS, the City authorizes the City Manager to implement an Amnesty Program to assist the property owners that have met the requirements of the program.

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

Section 1. Adoption 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. Establishment of Lien Amnesty Program. The City Commission of the City of Opa-Locka hereby establishes a Code Enforcement Lien Amnesty Program (“the Program”) for the City of Opa-Locka. The Program is applicable to eligible property owners who have an outstanding code enforcement lien, regardless of when assessed. Applications for

the Program shall be accepted through January 30, 2021, and payment of all liens must occur within sixty (60) days of application approval or no later than April 30, 2021 (if application is approved after January 30, 2021).

A. Eligibility Requirements

In order to be eligible for the Program, the property owner must ensure that:

1. All code enforcement violations on the property are in compliance and that there are no other active code enforcement cases with ongoing violations on the subject property, or on any other property owned by the property owner within the City.
2. Property owner must not have active code enforcement violations, or Property Maintenance Liens issued by the City, **on any property owned** in the City.
3. The property must not be the subject of a pending foreclosure action.
4. Property owners who have both code enforcement and nuisance abatement liens on their property must settle the nuisance abatement in full to be eligible.
5. Fines/liens for costs incurred by the City for work performed by contractors are ineligible.
6. Applications and non-refundable deposit must be **received** in the City Manager's Office by 5PM on January 30, 2021.

B. Terms of Amnesty Program

1. Outstanding City liens and fines can be reduced by up to 75% of amount owed; or up to 50% of the amount of the liens and fines, plus up to 100% of the total lien amount in excess of the appraised value of the property, with verified written appraisal dated within six (6) months by a certified appraiser.
2. A **Non-refundable** application fee is due at time of submittal for each property
 - a. residential property owned over 2 years: **\$50.00**
 - b. residential property owned less than 2 years: **\$100.00**
 - c. commercial property: **\$500.00**
3. Settlement payment must be made within sixty (60) days after approval of application. Code enforcement officer must verify compliance prior to approval.
4. The City will release the liens upon full payment of settlement.
5. Once program ends on January 30, 2021, the reduced settlement option will no longer be available and the City of Opa-locka will actively pursue all outstanding fines and liens owed.
6. After verifying that the property owner is eligible for participation in the Program, excluding the cost of lien preparation and recording, the City Manager

or his/her designee is authorized to approve the application and to administratively reduce the amount required to satisfy the eligible lien(s):

- a. up to seventy-five percent (75%) of the amount of the lien(s) and fine(s),
or
- b. up to fifty percent (50%) of the amount of the lien(s) and fine(s), plus up to 100% of the total lien amount in excess of the appraised value of the property, with verified written appraisal dated within six (6) months by a certified appraiser.

If approved, the property owner must pay the City of Opa-locka, by a cashier's check or money order received by the City Clerk on or before January 30, 2021 or no later than April 30, 2021 (if application is approved after January 30, 2021), the total sum of the following: (i) the reduced value of the eligible lien(s) on the property; (ii) the non-refundable deposit; and (iii) the cost of lien preparation and recording for each lien. After the property owner has paid the total sum due prior to January 30, 2021 or no later than April 30, 2021 (if application is approved after January 30, 2021), the City shall execute and record a release of the lien.

7. Failure of the property owner to pay the total sum due by April 30, 2021 shall result in the approved lien reduction(s) being null and void, and the property owner shall be liable for the entire face value of the lien(s) as if no reduction had ever been imposed.

Section 3. Effective Date. This Resolution shall be effective immediately upon its adoption.

PASSED and **ADOPTED** this ____ day of _____ 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

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

Burnadette Norris-Weeks, PA
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Bob Anathan		Department Director Signature:		
City Manager:	John E. Pate		CM Signature:		
Commission Meeting Date:	June 24, 2020	Item Type: <i>(Enter X in box)</i>	Resolution X	Ordinance	Other
Fiscal Impact: <i>(Enter X in box)</i> N/A	Yes X	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading	2nd Reading
			Public Hearing: <i>(Enter X in box)</i>	Yes X	No X
Funding Source: <i>Account# :</i> NA – Provides Revenue	<i>(Enter Fund & Dept)</i> Ex:		Advertising Requirement: <i>(Enter X in box)</i>	Yes	No X
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No X	RFP/RFQ/Bid#:		
Strategic Plan Related <i>(Enter X in box)</i>	Yes X	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>	
Sponsor Name	City Manager		Department:	City Manager	

Short Title:

Code Enforcement Lien Program

Staff Summary:

The City implemented a similar program affording the opportunity for code enforcement liens to be reduced by 75% on September 8, 2010 (Resolution 10-8113) and subsequently extended it through December 31, 2011 (Resolutions 11-8185 and 11-8226).

The program was deemed to have been effective at the time and it is believed implementation of a similar program at this time would be equally effective.

Financial Impact

This program will provide additional revenue which otherwise might be collected at a much later time. No estimate is being made at this time as to the number of property owners who might chose to participate in the program and the revenue that would result. A secondary impact that will occur is that reducing the shadow of large fines will facilitate the sale of properties to individual interested in coming into the community and improving existing properties. Similarly, current property owners will be more motivated to invest in their properties with the reduction of the threat of large fines, further contributing to the improvement of the neighborhoods and ultimately improvement to the City's tax base.

Proposed Action:

Staff recommends that the City Commission adopt the resolution establishing a lien amnesty program.

Attachment:

Sponsored by: Commissioner Burke

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA REQUIRING THAT ALL FINES, FEES AND CODE ENFORCEMENT LIENS ARE PAID FOR PROPERTIES BROUGHT BEFORE THE CITY COMMISSION FROM THE CITY'S PLANNING ZONING AND APPEALS BOARD OR THE CITY'S DEPARTMENT OF COMMUNITY DEVELOPMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka ("City Commission") desires to ensure that there are no existing fines, fees and code enforcement liens associated with properties that are brought before the City Commission for consideration involving the sale, transfer and/or development opportunities within the City of Opa-Locka ("City"); and

WHEREAS, in accordance with Section 2-498 of the City of Opa-Locka Code of Ordinances, the Planning and Zoning and Appeals Board is responsible for, among other things: (a) hearing applications and make recommendations on amendments, extensions and additions to the comprehensive plan; (b) Hearing applications and making recommendations on the platting or subdividing of lands within the city; (c) Reviewing and recommending approval or disapproval of proposed changes to the official zoning map of the city; (d) Maintaining and enforcing zoning district boundaries and their respective district regulations; (e) Hearing applications and making recommendations for approval or disapproval on rezoning requests; (f) Hearing applications and making recommendations to the land development regulations; and

WHEREAS, pursuant to Section 2-421 of the City of Opa-Locka's Code of Ordinances the Department of Community Development is charged with, among other things: Coordinating all city planning activity, including, but not limited to, preparation and assistance in the preparation of the comprehensive plan and amendment; Research, selection, storage and retrieval of data sources, demographics, and general information applicable to the development of the city; Preparation of plans and reports relating to capital improvements, needs and necessities; Assistance of the planning council and such other boards, agencies and committees of the city as may be directed by the city manager; Preparation of formats and recommendations for proposed amendments to elements of the comprehensive plan; Preparation of proposals and recommendations relating to project planning for business development within the city; Preparation of reports and analysis for the planning council and the zoning board of appeals pending

applications; Preparation and supervision of the preparation of graphics and displays; Investigation, analyzation and recommendation to the city manager and city commission of the need and necessity, if any, for disposition or acquisition of city property in connection with any planned project; Review and recommendation of sites within the city for use by the city in connection with any proposed project; Surveying the city's administrative needs and recommending improvements, acquisition, or construction of additional buildings or facilities; Supervision and implementation of methods for the collection of research data; Establishment and maintenance of the city archives and filing system and assistance of the city clerk in maintaining and accessing information contained; Cooperation with and participation if possible in the design and development of permanent and regional development plans by Dade County and the State of Florida; Continual investigation and recommendation of the needs and necessity if any, for intergovernmental agreements; Cooperation with and providing assistance to the departments of public works, building, licensing and code enforcement, and; Carrying out any additional duties requested by city manager or city commission; and

WHEREAS, accordingly, the City Commission desires that no fees, fines and code enforcement liens exist for any properties brought before it by the City's Planning and Zoning Appeals Board or the City's Department of Community Development; and

WHEREAS, the City Commission finds that it is in the best interest of the City and its residents not to consider items that do not comport with the spirit and intent of this resolution.

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

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

Section 2. Approving the Authorization. The City Commission hereby expresses its intent that there be no fines, fees or code enforcement liens existing on any properties brought before it for consideration from the City's Planning Zoning and Appeals Board or the City's Department of Community Development.

Section 3. Effective Date. This Resolution shall be effective immediately upon adoption hereof and approval by the Governor of the State of Florida or Governor's designee.

PASSED and ADOPTED this ____ day of June 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

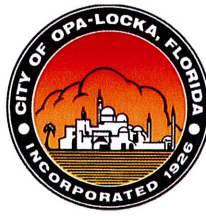
**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

Commissioner Bass	(Yes) _____	(No) _____
Commissioner Burke	Yes) _____	(No) _____
Commissioner Kelley	(Yes) _____	(No) _____
Vice-Mayor Davis	(Yes) _____	(No) _____
Mayor Pigatt	(Yes) _____	(No) _____



City of Opa-Locka Agenda Cover Memo

Office of the City Clerk:	Randy Grice Legislative Aide to City Commission					
Commission Meeting Date:	06/24/2020		Item Type:	Resolution	Ordinance	Other
			(Enter X in box)	X		
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading
		X	Public Hearing: (Enter X in box)	Yes	No	Yes
					X	
Funding Source:			Advertising Requirement: (Enter X in box)	Yes		No
						X
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bi#:			
		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: <i>(list the specific objective/strategy this item will address)</i>		
		X				
Sponsor Name	Commissioner Burke		Department: City Commission			

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA REQUIRING THAT ALL FINES, FEES AND CODE ENFORCEMENT LIENS ARE PAID FOR PROPERTIES BROUGHT BEFORE THE CITY COMMISSION FROM THE CITY'S PLANNING ZONING AND APPEALS BOARD OR THE CITY'S DEPARTMENT OF COMMUNITY DEVELOPMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

This legislation is intended to help the city collect on all outstanding debts in relation to fines, fees and liens owed to the city. Upon passage of this item the city would be able to use the additional funds to support various programs and services needed in the municipality.

Proposed Action:

Adopt the proposed resolution in order to collect on outstanding debts.

Attachment:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, URGING MIAMI-DADE COUNTY MAYOR CARLOS A. GIMENEZ AND THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA TO TRANSFER CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES) ACT DIRECT FEDERAL FUNDS RECEIVED BY MIAMI-DADE COUNTY TO THE CITY OF OPA-LOCKA AND TO OTHER UNITS OF LOCAL GOVERNMENT WITHIN THE COUNTY BASED ON POPULATION AND RATES OF COVID-19 CASES; FURTHER DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS NAMED HEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act was signed into law on March 27, 2020 and appropriated \$150 billion of direct federal funding for state and local governments to address unforeseen financial needs and risks created by the Novel Coronavirus (“COVID-19”) pandemic public health emergency; and

WHEREAS, states and units of local government with more than 500,000 residents received direct federal funding through the Coronavirus Relief Fund; and

WHEREAS, twelve (12) localities in the State of Florida (“State”) received direct federal funds and NO city in Florida (except the combined city/county government of Jacksonville /Duval County) received direct funding; and

WHEREAS, the CARES Act appropriated nearly half a billion dollars (\$474,085,078.50) to Miami-Dade County (“County”), making this the highest amount in direct federal funding to any eligible local government in the State as indicated in the attached and incorporated list of Payments to States and Eligible Units of Local Governments; and

WHEREAS, the City has taken unprecedented steps in response to the impact of the COVID-19 pandemic on our community to include hosting various testing and feeding sites that have served residents from the County; and

WHEREAS, the City has experienced unforeseen financial needs and risks created by the COVID-19 pandemic public health emergency; and

WHEREAS, other units of local government within the County have also experienced unforeseen financial needs and risks created by the COVID-19 pandemic public health emergency; and

WHEREAS, in conversations with the Miami-Dade County League of Cities, the County committed to transferring CARES Act funds to units of local government within the County; and

WHEREAS, the City Commission finds that it is in the best interest of the City and its residents to urge the County Mayor and Board of County Commissioners to transfer Coronavirus Aid, Relief, and Economic Security Act direct federal funds received by Miami-Dade County to the City and other local government units within the County.

NOW THEREFORE, BE IT 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

The City Commission of the City of Opa-Locka urges Miami-Dade County Mayor Carlos A. Gimenez and the Board of County Commissioners to transfer CARES Act funds to the City of Opa-Locka and to other units of local government within the County based on population and rates of COVID-19 cases.

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 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. INSTRUCTIONS TO THE CITY CLERK.

The City Clerk is directed to transmit a copy of this Resolution to Miami-Dade County Mayor Carlos A. Gimenez and the Board of County Commissioners.

Section 5. EFFECTIVE DATE.

This Resolution shall take effect immediately upon adoption, and is subject to the review of the State of Florida Financial Emergency Board for the City of Opa-locka, FL.

PASSED and **ADOPTED** this ____ day of June 2020.

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 Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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

Office of the City Manager	John E. Pate		CM Signature:		
Commission Meeting Date:	06.24.2020		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	2nd Reading
		X	Public Hearing: (Enter X in box)	Yes	No
				X	X
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#: 20-0324200		
	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	VM Davis Comm Kelley		Department:	City Commission	

Short Title:

A resolution of the City Commissions of the City of Opa-locka, Florida urging Miami-Dade County Mayor Carlos A. Gimenez and the Board of County Commissioners of Miami-Dade County to transfer Coronavirus Aid, Relief, and Economic Security Act (CARES) Act direct Federal Funds received by Miami-Dade County to the City of Opa-locka and to other units of local government within the County based on population and rates of COVID-19 cases.

Staff Summary:

The City of Opa-locka has experienced unforeseen financial needs and risks created by the COVID-19 pandemic public health emergency, therefore staff recommends the approval of this legislation which will immediately protect the public health, welfare, and safety of the City's residents.

Proposed Action:

Staff is recommending the legislation and immediately transmit a copy to the Miami-Dade County Board of County Commissioners.

Attachment:

Payments to States and Eligible Units of Local Government

Alabama	Total allocation	\$1,901,262,159.90
	Eligible local governments that certified:	
	Jefferson County	\$114,915,910.00
	Payment to the state	\$1,786,346,249.90
Alaska	Total allocation and payment to the state	\$1,250,000,000.00
Arizona	Total allocation	\$2,822,399,971.50
	Eligible local governments that certified:	
	Maricopa County	\$398,960,913.50
	Mesa city	\$90,389,099.40
	Phoenix city	\$293,320,141.10
	Pima County	\$87,107,597.40
	Tucson city	\$95,634,512.10
	Payment to the state	\$1,856,987,708.00
	Arkansas	Total allocation and payment to the state
California	Total allocation	\$15,321,284,928.40
	Eligible local governments that certified:	
	Alameda County	\$291,634,022.20
	Contra Costa County	\$201,281,391.70
	Fresno County	\$81,579,507.20
	Fresno city	\$92,755,912.80
	Kern County	\$157,078,307.20
	Los Angeles County	\$1,057,341,431.90
	Los Angeles city	\$694,405,323.80
	Orange County	\$554,133,764.90
	Riverside County	\$431,091,225.60
	Sacramento County	\$181,198,725.20
	Sacramento city	\$89,623,427.20
	San Bernardino County	\$380,408,020.90
	San Diego County	\$334,061,822.10
	San Diego city	\$248,451,019.60
	San Francisco city	\$153,823,502.50
	San Joaquin County	\$132,988,948.70
	San Jose city	\$178,295,348.00
	San Mateo County	\$133,761,077.10
	Santa Clara County	\$158,099,959.50
	Stanislaus County	\$96,085,923.60
	Ventura County	\$147,621,523.10
	Payment to the state	\$9,525,564,743.60

Payments to States and Eligible Units of Local Government

Colorado	Total allocation	\$2,233,011,164.20
	<i>Eligible local governments that certified:</i>	
	Adams County	\$90,285,974.40
	Arapahoe County	\$114,569,891.70
	Denver city	\$126,892,711.70
	El Paso County	\$125,704,768.20
	Jefferson County	\$101,708,239.70
	Payment to the state	\$1,673,849,578.50
Connecticut	Total allocation and payment to the state	\$1,382,477,973.40
Delaware	Total allocation	\$1,250,000,000.00
	<i>Eligible local governments that certified:</i>	
	New Castle County	\$322,766,668.80
	Payment to the state	\$927,233,331.20
Florida	Total allocation	\$8,328,221,072.10
	<i>Eligible local governments that certified:</i>	
	Brevard County	\$105,034,237.20
	Broward County	\$340,744,702.30
	Hillsborough County	\$256,847,065.00
	Jacksonville city/Duval County	\$167,120,861.80
	Lee County	\$134,459,744.20
	Miami-Dade County	\$474,085,078.50
	Orange County	\$243,146,628.50
	Palm Beach County	\$261,174,822.80
	Pasco County	\$96,659,479.80
	Pinellas County	\$170,129,283.40
	Polk County	\$126,467,997.40
	Volusia County	\$96,543,791.40
	Payment to the state	\$5,855,807,379.80
Georgia	Total allocation	\$4,117,018,751.10
	<i>Eligible local governments that certified:</i>	
	Atlanta city	\$88,434,611.30
	Cobb County	\$132,638,742.70
	DeKalb County	\$125,341,475.20
	Fulton County	\$104,364,186.80
	Gwinnett County	\$163,368,405.20
	Payment to the state	\$3,502,871,329.90
Hawaii	Total allocation	\$1,250,000,000.00
	<i>Eligible local governments that certified:</i>	
	Honolulu County	\$387,176,021.20

Payments to States and Eligible Units of Local Government

	Payment to the state	\$862,823,978.80
Idaho	Total allocation and payment to the state	\$1,250,000,000.00
Illinois	Total allocation	\$4,913,633,437.00
	<i>Eligible local governments that certified:</i>	
	Chicago city	\$470,078,037.60
	Cook County	\$428,597,905.20
	DuPage County	\$161,042,597.50
	Kane County	\$92,900,217.90
	Lake County	\$121,539,986.20
	Will County	\$120,529,326.90
	Payment to the state	\$3,518,945,365.70
Indiana	Total allocation	\$2,610,489,556.60
	<i>Eligible local governments that certified:</i>	
	Indianapolis city/Marion County	\$168,312,120.70
	Payment to the state	\$2,442,177,435.90
Iowa	Total allocation and payment to the state	\$1,250,000,000.00
Kansas	Total allocation	\$1,250,000,000.00
	<i>Eligible local governments that certified:</i>	
	Johnson County	\$116,311,033.60
	Sedgwick County	\$99,636,916.90
	Payment to the state	\$1,034,052,049.50
Kentucky	Total allocation	\$1,732,387,747.50
	<i>Eligible local governments that certified:</i>	
	Louisville/Jefferson County metro government	\$133,793,183.70
	Payment to the state	\$1,598,594,563.80
Louisiana	Total allocation and payment to the state	\$1,802,619,342.60
Maine	Total allocation and payment to the state	\$1,250,000,000.00
Maryland	Total allocation	\$2,344,276,753.70
	<i>Eligible local governments that certified:</i>	
	Anne Arundel County	\$101,071,866.30
	Baltimore County	\$144,369,684.80
	Baltimore city	\$103,559,428.30
	Montgomery County	\$183,336,953.70
	Prince George's County	\$158,670,549.30
	Payment to the state	\$1,653,268,271.30

Payments to States and Eligible Units of Local Government

Massachusetts	Total allocation	\$2,672,641,383.20
	<i>Eligible local governments that certified:</i>	
	Boston city	\$120,853,359.10
	Plymouth County	\$90,945,729.80
	Payment to the state	\$2,460,842,294.30
Michigan	Total allocation	\$3,872,510,074.60
	<i>Eligible local governments that certified:</i>	
	Detroit city	\$116,915,242.60
	Kent County	\$114,633,581.40
	Macomb County	\$152,501,374.40
	Oakland County	\$219,438,710.20
	Wayne County	\$188,331,621.00
	Payment to the state	\$3,080,689,545.00
Minnesota	Total allocation	\$2,186,827,320.80
	<i>Eligible local governments that certified:</i>	
	Hennepin County	\$220,879,842.00
	Ramsey County	\$96,026,770.70
	Payment to the state	\$1,869,920,708.10
Mississippi	Total allocation and payment to the state	\$1,250,000,000.00
Missouri	Total allocation	\$2,379,853,017.00
	<i>Eligible local governments that certified:</i>	
	Jackson County	\$122,669,998.30
	St. Louis County	\$173,481,105.80
	Payment to the state	\$2,083,701,912.90
Montana	Total allocation and payment to the state	\$1,250,000,000.00
Nebraska	Total allocation	\$1,250,000,000.00
	<i>Eligible local governments that certified:</i>	
	Douglas County	\$166,134,257.90
	Payment to the state	\$1,083,865,742.10
Nevada	Total allocation	\$1,250,000,000.00
	<i>Eligible local governments that certified:</i>	
	Clark County	\$295,004,619.90
	Las Vegas city	\$118,944,279.90
	Payment to the state	\$836,051,100.20
New Hampshire	Total allocation and payment to the state	\$1,250,000,000.00

Payments to States and Eligible Units of Local Government

New Jersey	Total allocation	\$3,444,163,690.30
	<i>Eligible local governments that certified:</i>	
	Bergen County	\$162,662,060.40
	Camden County	\$88,375,283.90
	Essex County	\$139,414,976.30
	Hudson County	\$117,327,044.40
	Middlesex County	\$143,966,956.60
	Monmouth County	\$107,974,955.70
	Ocean County	\$105,949,274.70
	Passaic County	\$87,564,767.20
	Union County	\$97,077,214.30
	Payment to the state	\$2,393,851,156.80
New Mexico	Total allocation	\$1,250,000,000.00
	<i>Eligible local governments that certified:</i>	
	Albuquerque city	\$150,364,461.10
	Bernalillo County	\$31,818,045.20
	Payment to the state	\$1,067,817,493.70
New York	Total allocation	\$7,543,325,288.30
	<i>Eligible local governments that certified:</i>	
	Erie County	\$160,306,414.50
	Hempstead town	\$133,832,095.50
	Monroe County	\$129,433,144.90
	Nassau County	\$102,940,678.70
	New York city	\$1,454,710,277.70
	Suffolk County	\$257,655,487.80
	Westchester County	\$168,822,336.10
	Payment to the state	\$5,135,624,853.10
North Carolina	Total allocation	\$4,066,866,177.50
	<i>Eligible local governments that certified:</i>	
	Charlotte city	\$154,549,215.90
	Guilford County	\$93,732,720.60
	Mecklenburg County	\$39,199,343.60
	Wake County	\$193,993,721.20
	Payment to the state	\$3,585,391,176.20
North Dakota	Total allocation and payment to the state	\$1,250,000,000.00
Ohio	Total allocation	\$4,532,572,911.90
	<i>Eligible local governments that certified:</i>	
	Columbus city	\$156,790,569.40

Payments to States and Eligible Units of Local Government

	Cuyahoga County	\$215,510,539.80
	Franklin County	\$76,336,362.90
	Hamilton County	\$142,642,734.60
	Montgomery County	\$92,775,281.40
	Summit County	\$94,402,596.50
	Payment to the state	\$3,754,114,827.30
Oklahoma	Total allocation	\$1,534,357,612.40
	<i>Eligible local governments that certified:</i>	
	Oklahoma City city	\$114,302,395.10
	Oklahoma County	\$47,291,598.00
	Tulsa County	\$113,690,799.60
	Payment to the state	\$1,259,072,819.70
Oregon	Total allocation	\$1,635,472,403.80
	<i>Eligible local governments that certified:</i>	
	Multnomah County	\$28,057,836.50
	Portland city	\$114,247,255.50
	Washington County	\$104,660,474.70
	Payment to the state	\$1,388,506,837.10
Pennsylvania	Total allocation	\$4,964,107,464.10
	<i>Eligible local governments that certified:</i>	
	Allegheny County	\$212,190,475.10
	Bucks County	\$109,628,270.10
	Chester County	\$91,606,532.10
	Delaware County	\$98,892,981.10
	Lancaster County	\$95,224,629.70
	Montgomery County	\$144,988,260.00
	Philadelphia city	\$276,406,952.60
	Payment to the state	\$3,935,169,363.40
Rhode Island	Total allocation and payment to the state	\$1,250,000,000.00
South Carolina	Total allocation	\$1,996,468,642.30
	<i>Eligible local governments that certified:</i>	
	Greenville County	\$91,354,041.70
	Payment to the state	\$1,905,114,600.60
South Dakota	Total allocation and payment to the state	\$1,250,000,000.00
Tennessee	Total allocation	\$2,648,084,889.60
	<i>Eligible local governments that certified:</i>	
	Memphis city	\$113,607,217.80

Payments to States and Eligible Units of Local Government

	Nashville-Davidson metropolitan government	\$121,122,775.20
	Shelby County	\$49,921,022.30
	Payment to the state	\$2,363,433,874.30
Texas	Total allocation	\$11,243,461,410.70
	<i>Eligible local governments that certified:</i>	
	Austin city	\$170,811,897.20
	Bexar County	\$79,626,415.00
	Collin County	\$171,453,156.40
	Dallas County	\$239,952,372.70
	Dallas city	\$234,443,127.60
	Denton County	\$147,733,721.60
	El Paso County	\$27,484,280.40
	El Paso city	\$118,956,278.90
	Fort Bend County	\$134,262,393.50
	Fort Worth city	\$158,715,568.30
	Harris County	\$425,942,656.10
	Hidalgo County	\$151,582,672.50
	Houston city	\$404,868,873.40
	Montgomery County	\$104,983,285.40
	San Antonio city	\$269,983,717.00
	Tarrant County	\$209,816,856.50
	Travis County	\$61,147,507.20
	Williamson County	\$93,382,340.10
	Payment to the state	\$8,038,314,290.90
Utah	Total allocation	\$1,250,000,000.00
	<i>Eligible local governments that certified:</i>	
	Salt Lake County	\$203,603,981.20
	Utah County	\$111,630,341.90
	Payment to the state	\$934,765,676.90
Vermont	Total allocation and payment to the state	\$1,250,000,000.00
Virginia	Total allocation	\$3,309,738,321.00
	<i>Eligible local governments that certified:</i>	
	Fairfax County	\$200,235,484.90
	Payment to the state	\$3,109,502,836.10
Washington	Total allocation	\$2,952,755,792.90
	<i>Eligible local governments that certified:</i>	
	King County	\$261,582,611.20
	Pierce County	\$157,912,031.30
	Seattle city	\$131,510,475.60

Payments to States and Eligible Units of Local Government

	Snohomish County	\$143,447,144.10
	Spokane County	\$91,224,219.50
	Payment to the state	\$2,167,079,311.20
West Virginia	Total allocation and payment to the state	\$1,250,000,000.00
Wisconsin	Total allocation	\$2,257,710,741.60
	<i>Eligible local governments that certified:</i>	
	Dane County	\$95,394,061.70
	Milwaukee County	\$62,044,048.60
	Milwaukee city	\$102,977,845.50
	Payment to the state	\$1,997,294,785.80
Wyoming	Total allocation and payment to the state	\$1,250,000,000.00

PLANNING & ZONING PUBLIC HEARINGS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPA-LOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant wishes to construct a 7,136 square foot dialysis center at the intersection of Opa-locka Boulevard and Ali Baba Avenue as indicated on the attached Site Plan in Exhibit A, This property would allow for an alternate location for Opa-locka residents to perform their dialysis treatments, as provided by Miami Dade County there are approximately 600-900 dialysis patients within Opa-locka that require regular treatment; and

WHEREAS, the intent of this project is to provide a service that is more comprehensive than other dialysis centers, the key service to understand is transportation, as medical treatments typically cease to operate at 5pm, this facility will have its own fleet and operate after 5pm to provide services to return its patients home; and

WHEREAS, the project proposes to relocate 20 parking spaces that are dedicated to 780 fisherman, also known as Town Center One, from the current parking lot to two separate locations. Firstly, a new 20 car parking lot at the end of Bahman Street within the right-of-way, the second is to re-paint 2 handicap accessible spaces at the parking lot within Pervis Avenue to 4 regular parking spaces, those spaces are located at the west end of the parking lot along Ali Baba Avenue; and

WHEREAS, the City Land Development Regulations, Ordinance 15-31, Section 22-49 G. provides that all recommendations and findings of fact by the Planning & Zoning Board shall be placed on the next available regular City Commission meeting agenda in compliance with notice requirements; and

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

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Site Plan. The City Commission of the City of Opa-locka hereby approves / denies a request for Site Plan Review for Construction and Operation of a dialysis center on the property located at 441 Opa-locka boulevard identified by folios 08-2121-004-0580 and 08-2121-004-0590 in the B-2 Zoning District.

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 may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE.

This Resolution shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED AND ADOPTED 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.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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 Virtual Regular Commission Meeting on Wednesday, June 24, 2020 at 7:00 p.m. to consider the following items:

SECOND READING ORDINANCE/PUBLIC HEARING:

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 May 27, 2020).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121- 007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121- 004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Additional information on the above items may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings. For information on Virtual Commission Meeting procedures please visit www.opalockafl.gov.

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



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

Department Director:	Gregory Gay		Department Director Signature:				
Finance Director:			FD Signature:				
City Manager:	John Pate		CM Signature:				
Commission Meeting Date:	6-24-20		Item Type: (Enter X in box)	Resolution	Ordinance	Other	
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading	
				X			
		X	Public Hearing: (Enter X in box)	Yes	No	Yes	No
				X		X	
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	Yes		No	
				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)			
	X						
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager			

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPA-LOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The project proposes to relocate 20 parking spaces that are dedicated to 780 fisherman, also known as Town Center One, from the current parking lot to two separate locations. Firstly, a new 20 car parking lot at the end of Bahman Street within the right-of-way, the second is to re-paint 2 handicap accessible spaces at the parking lot within Pervis Avenue to 4 regular parking spaces, those spaces are located at the west end of the parking lot along Ali Baba Avenue. Being within the Downtown Mixed Use overlay, there is potential to mitigate the parking requirement pending review.

BACKGROUND

The applicant wishes to construct a 7,136 square foot dialysis center at the intersection of Opa-locka Boulevard and Ali Baba Avenue. This property would allow for an alternate location for Opa-locka residents to perform their dialysis treatments, as provided by Miami Dade County there are approximately 600-900 dialysis patients within Opa-locka that require regular treatment.

FINANCIAL IMPACT

When this project is completed, the City will receive approximately \$19,082 of impact fees. Additionally, it is estimated that the taxable valuation of the property will increase by approximately \$950,000, which at the current year millage rate of 9.8000 mills will provide additional ad valorem revenue of \$8,845. Finally, as a dialysis center, the property will be an extensive user of City water and sewer services as well as paying annual Business Tax Receipts and stormwater fees.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- Opa-locka Dialysis Center – Site Plan
P & Z Board Meeting Minutes 5-5-20

PLANNING COUNCIL

May 5th

2020



OPA-LOCKA DIALYSIS CENTER: Site Plan

APPLICANT'S REQUEST:

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPA-LOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Report



I. Site Background

- According to Miami-Dade County Property Appraiser's website, the subject Property's legal description is as follow:

21 52 41 .19 AC PB 34-76
OPA LOCKA 2ND REV PLAT NO 2
NELY85FT OF TRACT B BLK 55
LOT SIZE 8125 SQUARE FEET
OR 20166-3892 0102 2 (2)

- The subject property is currently own by 441 OPA LOCKA BLVD LLC. according to the Miami-Dade County Property appraiser's website. The subject Property is currently a parking lot and the current land consists of two parcels (Folio #08-2121-004-0580 East Parcel, Folio #08-2121-004-0590 West Parcel), zoning for both parcels is B-2 with the DMU overlay which allows for commercial and mixed use developments.
- Currently the site conditions are as follow: parking lot (*see Existing Condition Section*). The site is located along Ali Baba Avenue at the intersections of Ali Baba Avenue and Bahman Street and Ali Baba Avenue and Opa-locka Boulevard. The site is only accessible via county road at its southern edge providing for ingress and egress, immediately adjacent to Ali Baba Avenue.



← WEST ALI BABA AVENUE EAST →

Figure 1: Google Street View, dated:

II. Project Details

- Applicant's intent**

The applicant wishes to construct a 7,136 square foot dialysis center at the intersection of Opa-locka Boulevard and Ali Baba Avenue. This property would allow for an alternate location for Opa-locka residents to perform their dialysis treatments, as provided by Miami Dade County there are approximately 600-900 dialysis patients within Opa-locka that require regular treatment.

The project proposes to relocate 20 parking spaces that are dedicated to 780 fisherman, also known as Town Center One, from the current parking lot to two separate locations. Firstly, a new 20 car parking lot at the end of Bahman Street within the right-of-way, the second is to re-paint 2 handicap accessible spaces at the parking lot within Pervis Avenue to 4 regular parking spaces, those spaces are located at the west end of the parking lot along Ali Baba Avenue. Being within the Downtown Mixed Use overlay, there is potential to mitigate the parking requirement pending review.

Site Computations & Land Development Regulation / Zoning Code			Table 1
Applicant	441 OPA-LOCKA BLVD LLC		
Folio Number (s)	Opa-locka: 08-2121-004-0580 Opa-locka: 08-2121-004-0590		
Address Location	441 Opa-locka Boulevard		
Building (s) Footprint	Total Site Area – 20,500 SF Office Bldg. – 7,136 SF Parking Lot – 8,071 SF Common Green Area – 5,293 SF		
Floor Area	Total 7,1367 SF		
Zoning	B-2 – Commercial Liberal / DMU – Downtown Mixed Use Overlay		
Zoning Code Consistency	The proposed use for a Dialysis Center is consistent with the B-2 Zoning Code.		
Existing Land Use	Parking Lot / B-2		
Future Land Use	B-2		
Designation			
Comprehensive Plan Consistency	- The proposed use for a Dialysis Center is consistent with the Comprehensive Plan with the requested property being B-2.		
Applicable LDR Sections	Ordinance no. 15-31, Article III Sec; 22-55; Article V Sec. 22-90, 22-112, Ord. no. 14-16		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front (South)	10 Feet	15 Feet	YES
Rear (North)	15 Feet	20 Feet	YES
Side (East)	10 Feet	10 Feet	YES
Side (West)	10 Feet	10 Feet	YES
Corner Lots/ Other	N/A	N/A	N/A

Lot Coverage Lot Density Lot Size Lot Width Building Height Structure Length Other Vehicular Use Area Landscaping Parking Details	N/A	0.43%	YES
	N/A	N/A	N/A
	5,000 SF (0.11 Acres)	20,500 SF (0.47 Acres)	YES
	N/A	N/A	N/A
	4 Stories or 55 Feet whichever less	Office Building: 1 Stories/ Feet	YES
	N/A	N/A	N/A
	1,625 SF	8,071 sq. ft. 5,293 sq. ft.	YES
	Office buildings: pursuant to the Land development Regulation Ordinance 86-8: Article 4, section 22-90. one (1) Parking per 250 square feet of floor area. -32 spaces required * Off. Bldg. = 32 spaces Required	Office Bldg. 7,136 SF Parking Lot: 8,071 SF Total Space Provided: 42 Total Spaces 36 Regular Spaces 6 Handicapped Spaces	YES
	20% minimum required pervious	30% provided	YES
	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Wednesday, February 26th, 2020. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, May 5th, 2020. - City Commission Meeting: TBD		
Landscape/ Pervious Lot Coverage Notification Requirement Local Government Action Required	The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning and Zoning Board and any other applicable board or agency.		

III. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by commercial properties to the north, south and west and residential to the east with ingress and egress to Ali Baba Avenue.
- Sidewalk alongside the south, east and, west edge of the Property
- Proposed parking lot to be added on the ROW of south Bahman, property currently occupied with automotive business.



View of Bahman Street facing south towards proposed additional parking



East View of property



South View of Property



West View of Property



Enlarged View of Bahman Street facing south towards proposed additional parking lot

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Commercial	Commercial	B-2 (Commercial Liberal)
South	Commercial	Commercial	B-2 (Commercial Liberal)
East	ROW	ROW (Bahman Street)	N/A
West	Commercial	Commercial	B-2 (Commercial Liberal)

Surrounding Zoning Designation Map

The Site is Highlighted in image



- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions?

COMPLIES

- **Findings:**

- The propose development use 'Opa-locka Dialysis Center" is in harmony with the general characteristic of the surrounding neighborhood: Commercial Uses

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO.10-03

COMPLIES

- **Findings:**

- The Applicant is proposing to include landscaping at .47ac. *(Please see attached Landscape Plan for Trees detailed information).*

- **Fence:** All fences constructed on property perimeters shall be of a solid masonry construction or a decorative masonry block to prevent the view of any stored article. Fences shall be constructed in a way so as not to obstruct or impair the view of any vehicle driver's ability to see other vehicles or pedestrians within two hundred (200) feet of any intersection within the district.

- **Findings:**
 - The Applicant is not required to have fencing as the property is on a commercial corridor pursuant to the City Land development Regulation/Zoning Code 15-31, B-2 Commercial District (Section 22-90).
- **Future Land Use:** Commercial (Communications, water and sewer facilities, electrical as needed).
 - **Findings:**
 - According to the City of Opa-locka Comprehensive Plan; the proposed project shall be located within the City's Commercial land use designation category location.
- **B-2 (Commercial Liberal) Permitted Uses:** Project Specific: *Dialysis facility*
 - **Findings:**
 - According to the City's Land Development Regulation/ Zoning Code B-2 (Commercial Liberal) allows for a Dialysis facility which is permitted within a B-2.
- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.
 - **Findings:** The Planning and community Development Department has not yet received any signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

COMPLIES

COMPLIES

IV. Project Need Assessment / other Required Approvals

1. Site Plan
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th 2020.
2. Development Agreement
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th 2020.

V. Development Review Committee (DRC): *Meeting Review Comments*

1. **Capital Improvement Project (CIP):**
 - No issues reported for the proposed Site Plan
2. **Building:**
 - N/A
3. **Police:**
 - N/A
4. **Community Redevelopment Agency (CRA):**
 - N/A
5. **City Manager's Office (CMO):**
 - N/A
6. **Code Enforcement:**

- N/A
- 7. **City Attorney's Office:**
 - Development Agreement under review
- 8. **Public works:**
 - Document titled "441 Opa-locka Blvd Utility Connections" laying out comments has been provided to the applicant.
- 9. **Inter-jurisdictional Review:**
 - N/A

VI. **Staff Recommendation:**

- Staff recommend approval of this Site Plan pending the following other approvals:
 - A Development Agreement must be submitted along with this Opa-locka Dialysis Center Site Plan pursuant to the city Land Development Regulation/ Zoning Code Ordinance no. 15-31: Article V Section 22-112 and F.S. Section 163.3220-163.3243;
 - All signage shall comply with the City's Sign Code Ordinance no. 15-31 Article X;
 - All landscaping and parking areas must be provided and maintained as shown in the Opa-locka Dialysis Center Site Plan;
 - Trees to be planted 25' avg. oc.;
 - Adequate landscape buffer around parking area;
 - Compliance with resolution 5058, fare share agreement;
 - Extend employment opportunity to City residents through the City's Human Resource dept. and the Opa-locka workforce;
 - Maintain 100% the use, function, or any recommendation the Planning and Zoning Board deem necessary to this Opa-locka Dialysis Center site plan and or not limited to the provision of satisfying all other city's land development code pertaining to the site, landscape and structures;
 - All trash & garbage containers shall comply with the City dumpster enclosure requirements;
 - The Development Agreement (D.A.) shall specifically address the daily operation, business, behaviors and any other requirements set forth by the City's Land Development Code, Planning and Zoning Board and the City Commissioner for this proposed Opa-locka Dialysis Center site plan;
 - Address all Miami-Dade County's input/recommendations as appropriate

VII. **Attachments:**

- Site Plan
- Development Agreement

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VIII. **Staff Report Updated After the Planning and Zoning Board Meeting on May 5th 2020.** *Reflected Actions:*

I. Planning and Zoning Board Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)

Resolution No. 2020-0505-01, 2020-0505-02

RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: Opa-locka Dialysis Center

FOR: SITE PLAN APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 20,500 SQ. FT. DIALYSIS FACILITY WITH 43 PARKING SPACES.

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐ DATE: 05-05-2020
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / __
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning and Zoning Board Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

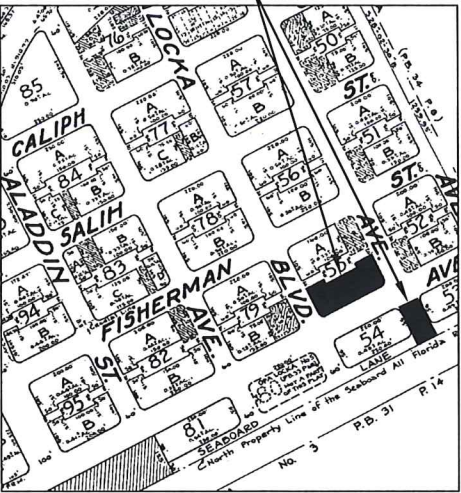
Chairperson or Designee

The Following changes/recommendations are updates based on the Planning and Zoning Board Meeting discussions in regards to the proposed Opa-locka Dialysis Center.

OPA- LOCKA DIALYSIS CENTER
441 OPA- LOCKA BLVD LLC
SECTION 21, TOWNSHIP 52 SOUTH, RANGE 41 EAST
MIAMI-DADE COUNTY, FLORIDA

Sheet	Sheet Title
COVER	COVER SHEET
ARCHITECTURAL PLANS	
A-1	SITE PLAN
A-2	PROPOSED BUILDING FLOOR PLAN
A-3	ELEVATIONS
PAVING, DRAINAGE, GRADING, WATER AND SEWER	
C-301	DIALYSIS CENTER PAVING, GRADING & DRAINAGE PLAN
C-302	PARKING LOT PAVING, GRADING & DRAINAGE PLAN
C-502	WATER AND SEWER PLAN
ELECTRICAL DRAWINGS	
ESP-1	ELECTRICAL SITE PLAN - PHOTOMETRICS
LANDSCAPE	
TD-1	TREE DISPOSITION PLAN
L-1	SITE LANDSCAPE PLAN
L-2	LANDSCAPE DETAIL, SPECIFICATIONS, ETC.

PROJECT



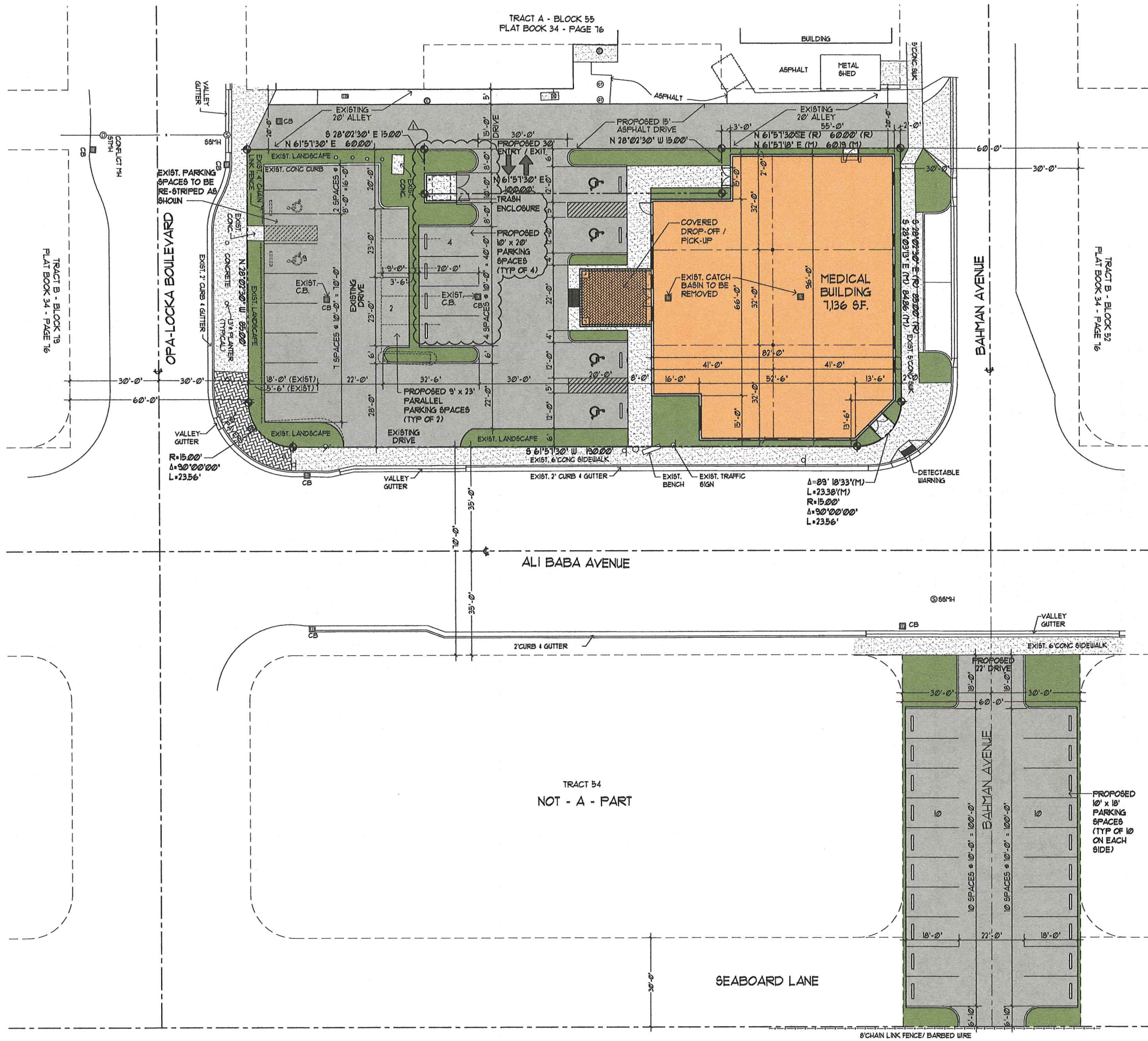
LOCATION MAP
1"=300'

LEGAL DESCRIPTION

TRACT B IN BLOCK 55 OF SECOND REVISED PLAT NO. TWO OPA-LOCKA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, AT PAGE 76 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

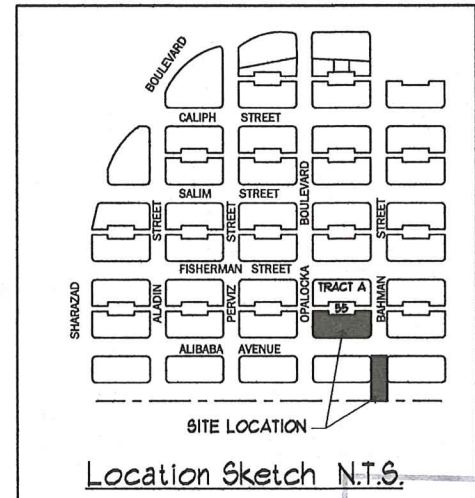


DRAWING NAME: COVER SHEET		DESIGNED: OER		CERTIFICATION:		REVISIONS:		DATE:	
PROJECT: OPA- LOCKA DIALYSIS CENTER		DRAWN: GA		Oscar Robayna, P.E. 73896					
PREPARED FOR: 441 OPA- LOCKA BLVD LLC		CHECKED: OER		STATE OF FLORIDA					
		SCALE: NTS		SEP 25 2019					
		E.B. # 3304		NOT VALID WITHOUT SIGNATURE, DATE AND SEAL					
SHEET: COVER		1 OF 1 SHEETS		DATE: 07/10/2019					
		PROJ. No: 190056							



Site Plan 1/16" NORTH

LEGAL DESCRIPTION:
TRACT 'B' IN BLOCK 55 OF 'SECOND REVISED PLAT NO TWO OPA-LOCKA', ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, AT PAGE 16, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IDENTICAL WITH AND FORMERLY KNOWN AS LOTS 9 THRU 16 INCLUSIVE IN BLOCK 55 OF 'REVISED PLAT NO TWO OPA-LOCKA', ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 34, AT PAGE 61, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



SITE GENERAL INFORMATION	
ZONING	B-2
LAND AREA	20,500 SF
BUILDING AREA	
OFFICES	7,136 SF.
TOTAL BLDG. AREA (GROSS SQUARE FOOTAGE)	7,136 SF.
FAR PROVIDED	(34.8 %) 7,136 SF.
PARKING REQUIREMENTS	
TOTAL PARKING REQUIRED (REFER TO TRAFFIC IMPACT STATEMENT)	16 P.S.
TOTAL PARKING PROVIDED (ON-SITE)	19 P.S.
TOTAL PARKING PROVIDED (OFF-SITE)	20 P.S.
LANDSCAPING REQUIRED (10%)	2,050 SF.
LANDSCAPING PROVIDED	5,233 SF.

Pereira Architects, PA.
8000 NW 7th Street - Suite 103 - Miami, FL 33126
Phone: (305) 592-8045 FAX: (305) 592-5756
WWW.PEREIRA-ARCH.COM

Architecture
Planning &
Urban Design
Space Planning
Interior Design

OFFICE BUILDING FOR:

441 OPA LOCKA BLVD
OPA LOCKA, FLORIDA 33054

REVISIONS
08-14-19

DATE: 07-19-19

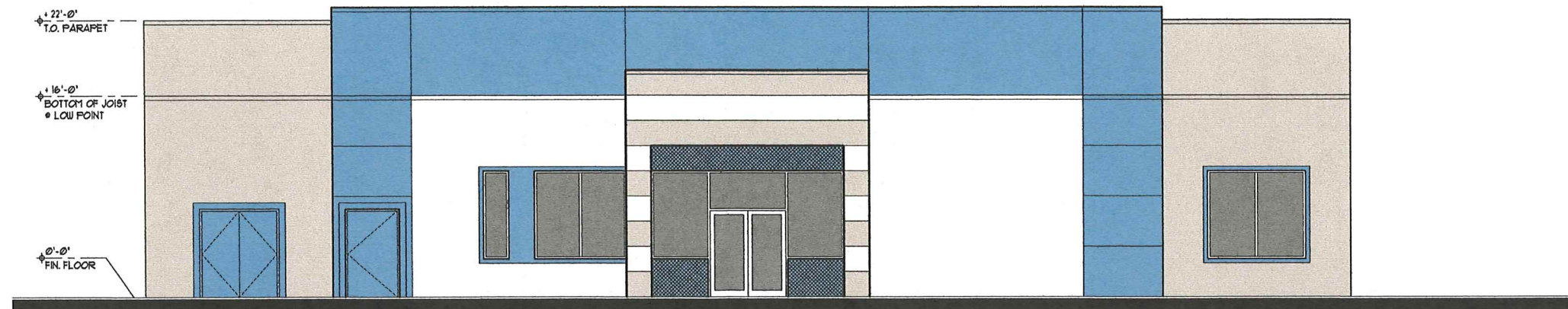
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Drawn: _____

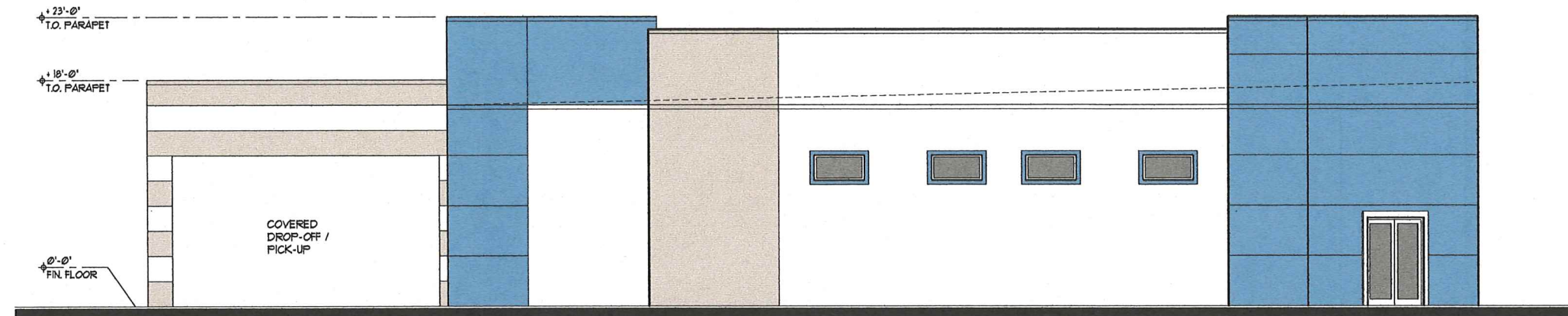
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Sheet: **A-1**

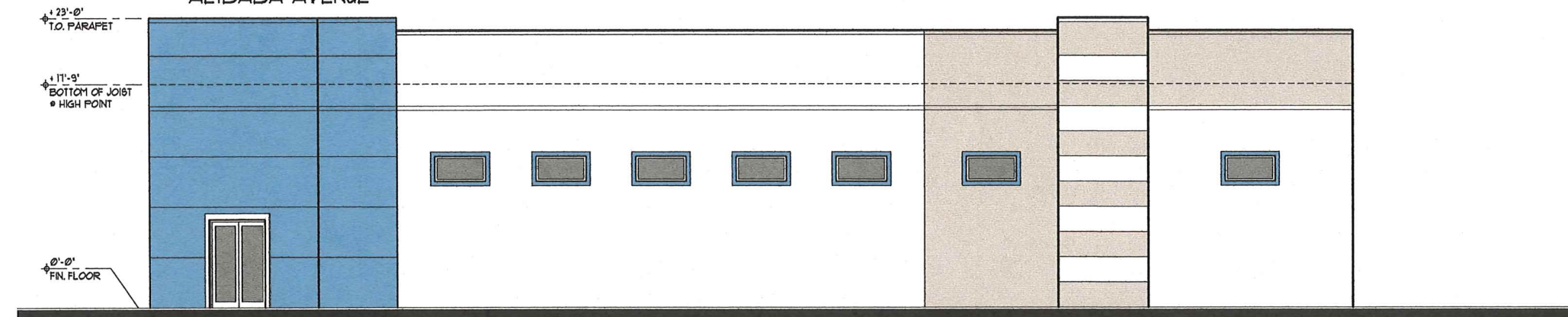
Of _____ Sheets



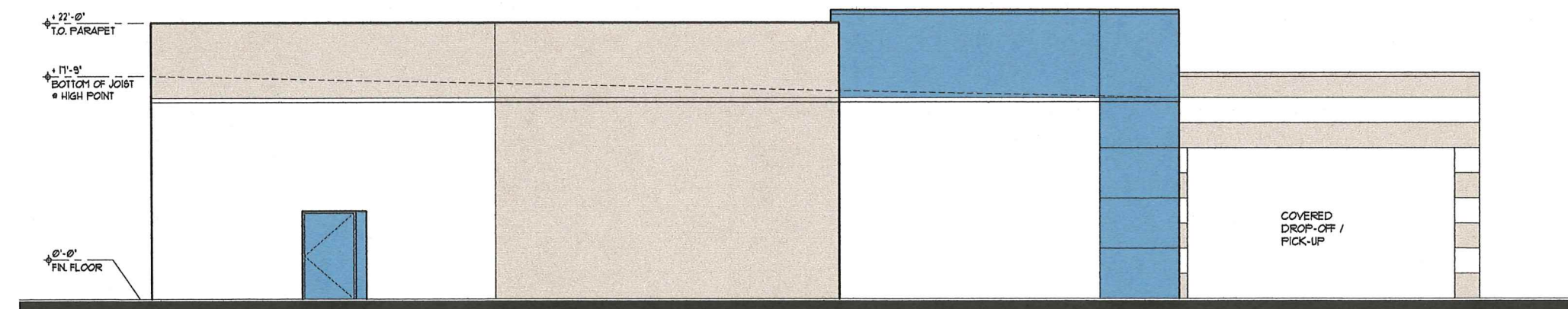
Front Elevation 3/16"



Right Side Elevation 3/16"
ALIBABA AVENUE



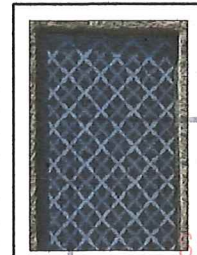
Rear Elevation 3/16"
BAHMAN STREET



Left Side Elevation 3/16"

COLOR KEY LEGEND

- 1- BASE • WHITE
- 2- BASE • BONE WHITE
- 3- TRIM • MAYFLOWER BLUE

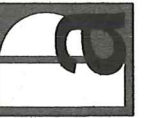


MAIN ENTRY TILE REFERENCE

ELEVATION KEY NOTES

- 1- SMOOTH STUCCO FINISH ON CBS CONSTRUCTION
- 2- IMPACT GLASS STOREFRONT ON CLEAR ANODIZED FRAME FINISH
- 3- RAISED STUCCO BAND W/ ACCENT COLOR ON ALL DOORS & WINDOWS
- 4- PROPOSED THREE COLOR SCHEME

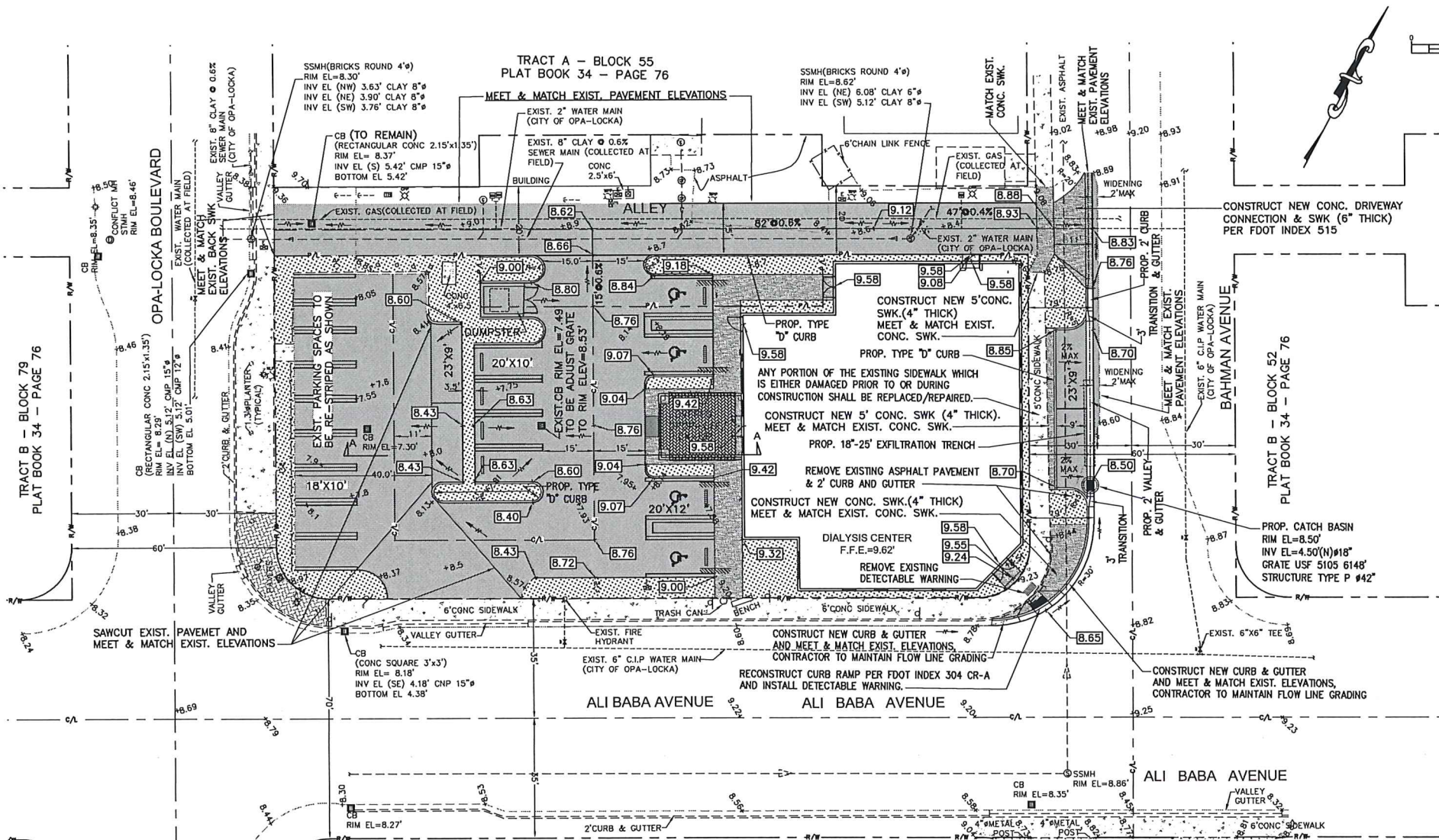
Pereira Architects, PA.
8000 NW 7th Street, Suite 103 - Miami, FL 33126
Phone: (305) 592-5045 FAX: (305) 592-5756
WWW.PEREIRA-ARCH.COM



OFFICE BUILDING FOR
441 OPA LOCKA BLVD
OPA LOCKA, FLORIDA 33054

REVISIONS
08-14-19

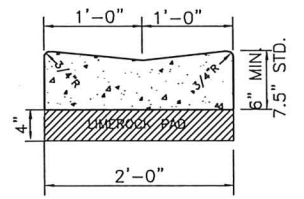
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Job	19-010
Sheet	A-3
Of	Sheets



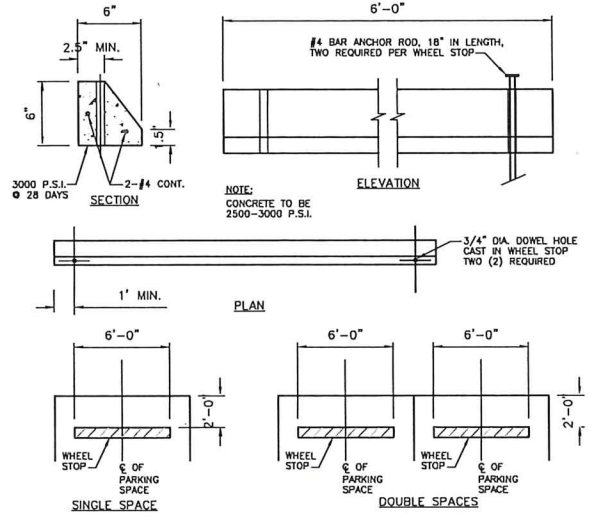
CONSTRUCT NEW CONC. DRIVEWAY CONNECTION & SWK (6" THICK) PER FOOT INDEX 515

TRACT B - BLOCK 52
PLAT BOOK 34 - PAGE 76

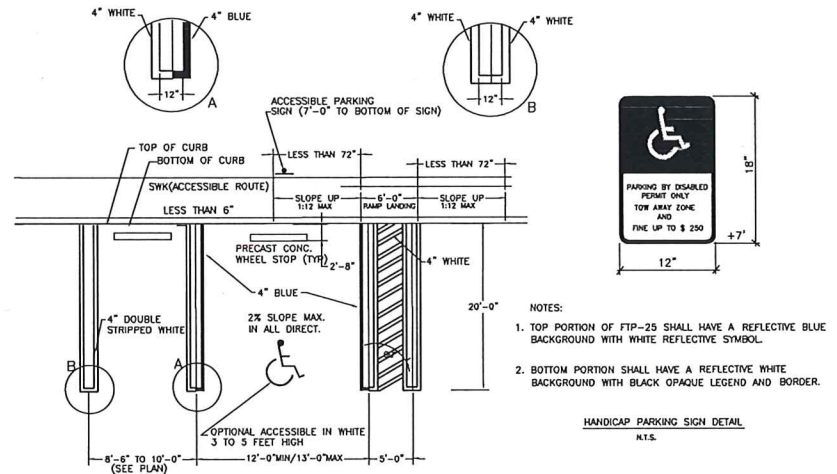
TYPE "D" CURB DETAIL
N.T.S.



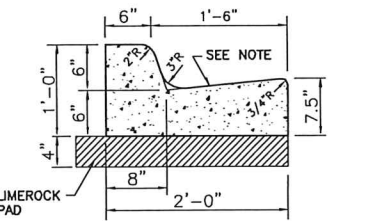
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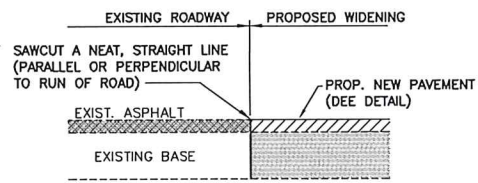
WHEEL STOP DETAIL
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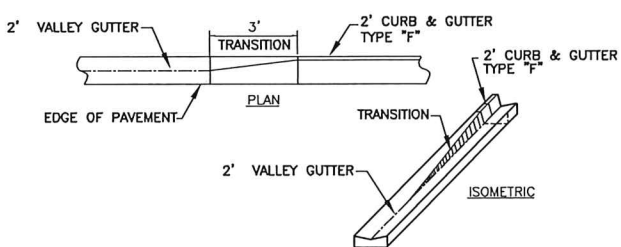
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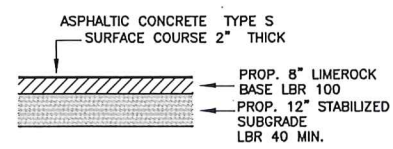
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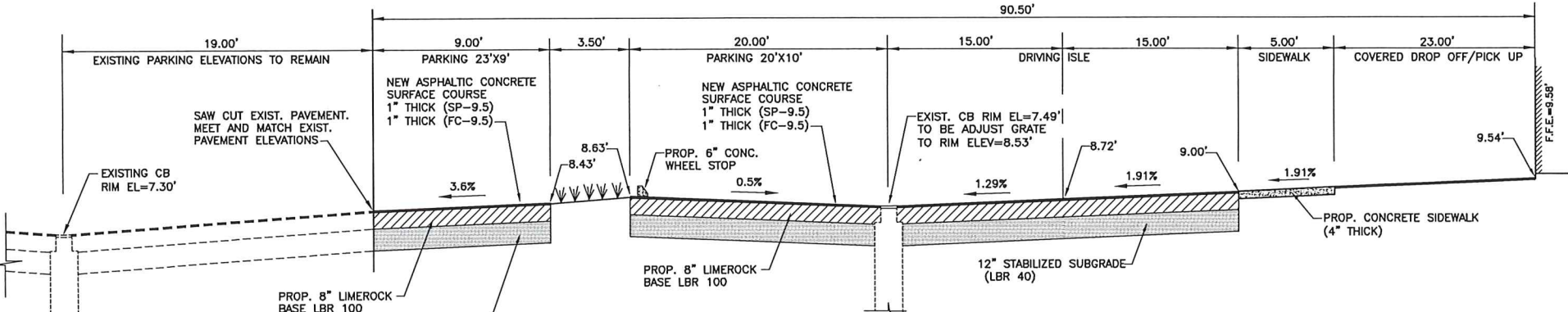
SAWCUT DETAIL
N.T.S.



CURB & GUTTER-VALLEY GUTTER TRANSITION
N.T.S.



FLEXIBLE PAVEMENT DETAIL
N.T.S.

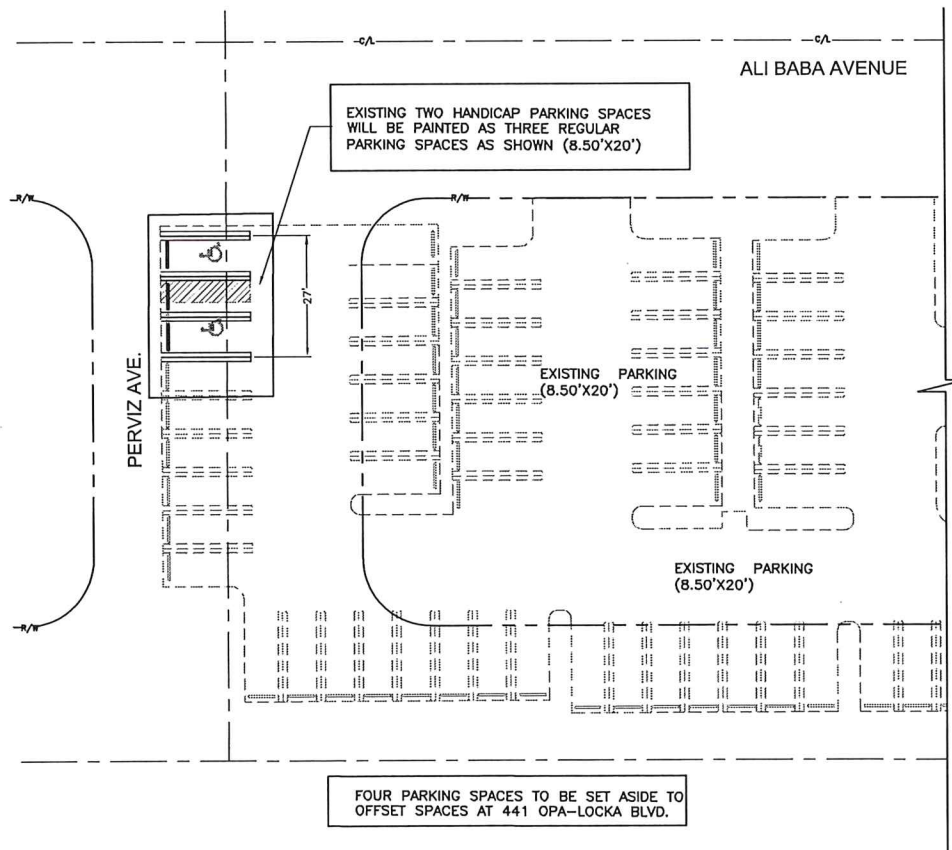
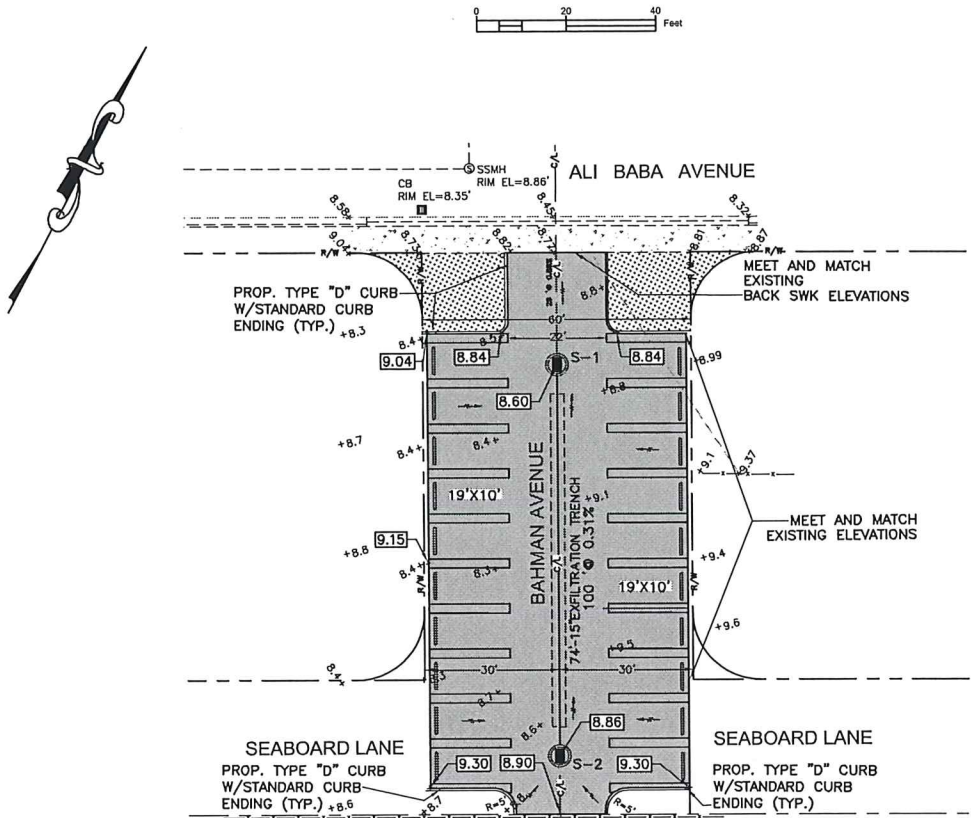


TYPICAL SECTION A-A
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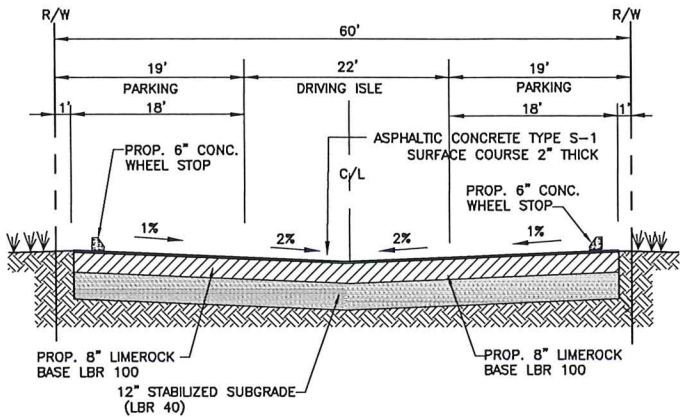
Sunshine
Call 811 or www.sunshine811.com two full business days before digging to have utilities located and marked.
Check positive response codes before you dig!

DATE:	
REVISIONS:	
CERTIFICATION:	
DESIGNED: AC	DRAWN: VET
CHECKED: OER	SCALE: 1"=20'
ROBAYNA AND ASSOCIATES INC. ENGINEERS - PLANNERS - SURVEYORS 5723 NW 158th STREET MARIETTA, GA 30067 PH: (770) 823-9316 E.B. # 3304	
DRAWING NAME: PAVEMENT, GRADING & DRAINAGE	
PROJECT: OPA-LOCKA MEDICAL BLDG PARKING	
PREPARED FOR: 441 OPA-LOCKA BLVD LLC	
SHEET: C-301	
DATE: 7/10/2019	
PROJ. No: 190056	

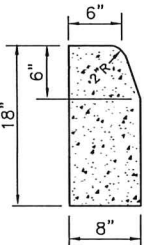
E:\01-ProjectFiles\441 Opa_Locka Blvd LLC\190056- Opa-Locka Medical Building Parking\11-Drawings\01-Engineering\1900561103 C-300-For Meeting.dwg 9/24/2019 3:19 PM



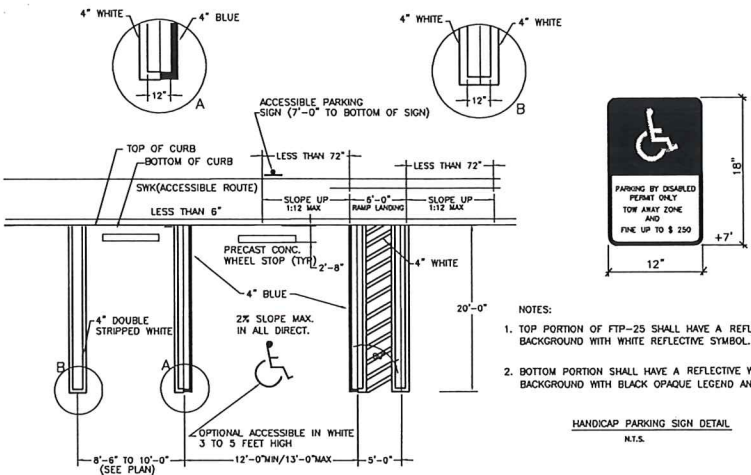
No	STRUCTURE AND GRATE				EXF. TRENCH		
	RIM ELEVATION (ft)	BOTTOM ELE. (ft)	TYPE STRUCTURE AND DIAMETER	TOP OR GRATE TYPE	LENGTH - DIAMETER & LOCATION	INVERT ELEVATION (FT) - LOCATION	BAFFLE LOCATION
S-1	8.60	1.85	TYPE P (42")	USF 5105 6148	74 LF - 15"-S	5.35 - S	S
S-2	8.86	1.85	TYPE P (42")	USF 5105 6148	74 LF - 15"-N	5.35 - N	N



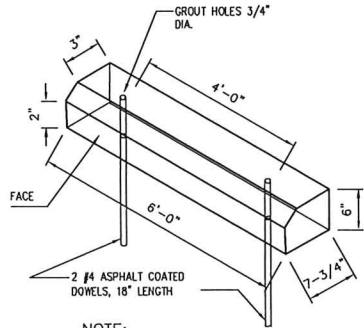
PARKING TYPICAL SECTION
N.T.S.



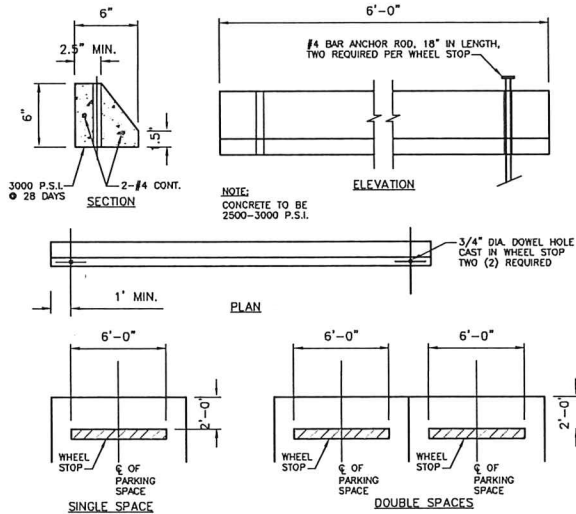
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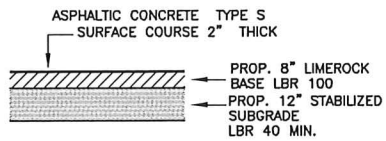
STANDARD AND ACCESSIBLE PARKING DETAIL
N.T.S.



NOTE:
WHEEL STOP SHALL HAVE LONGITUDINAL REINFORCING: 2-#5, GALVANIZED



WHEEL STOP DETAIL
N.T.S.



FLEXIBLE PAVEMENT
DETAIL N.T.S.

Sunshine811
Call 811 or www.sunshine811.com two full business days before digging to have utilities located and marked.
Obey positive response codes before you dig!

DATE: 7/10/2019

REVISIONS:

FOR THE FIRM

ROBAYNA AND ASSOCIATES INC. ENGINEERS - PLANNERS - SURVEYORS

5723 NW 158th STREET MIAMI LAKES, FL 33014 PH: (305) 823-9316 E.B. # 33014

OSCAR ROBAYNA, P.E. 78896 STATE OF FLORIDA SEP 25 2019

DESIGNED: AC

DRAWN: VET

CHECKED: OER

SCALE: 1"=20'

PAVEMENT, GRADING & DRAINAGE

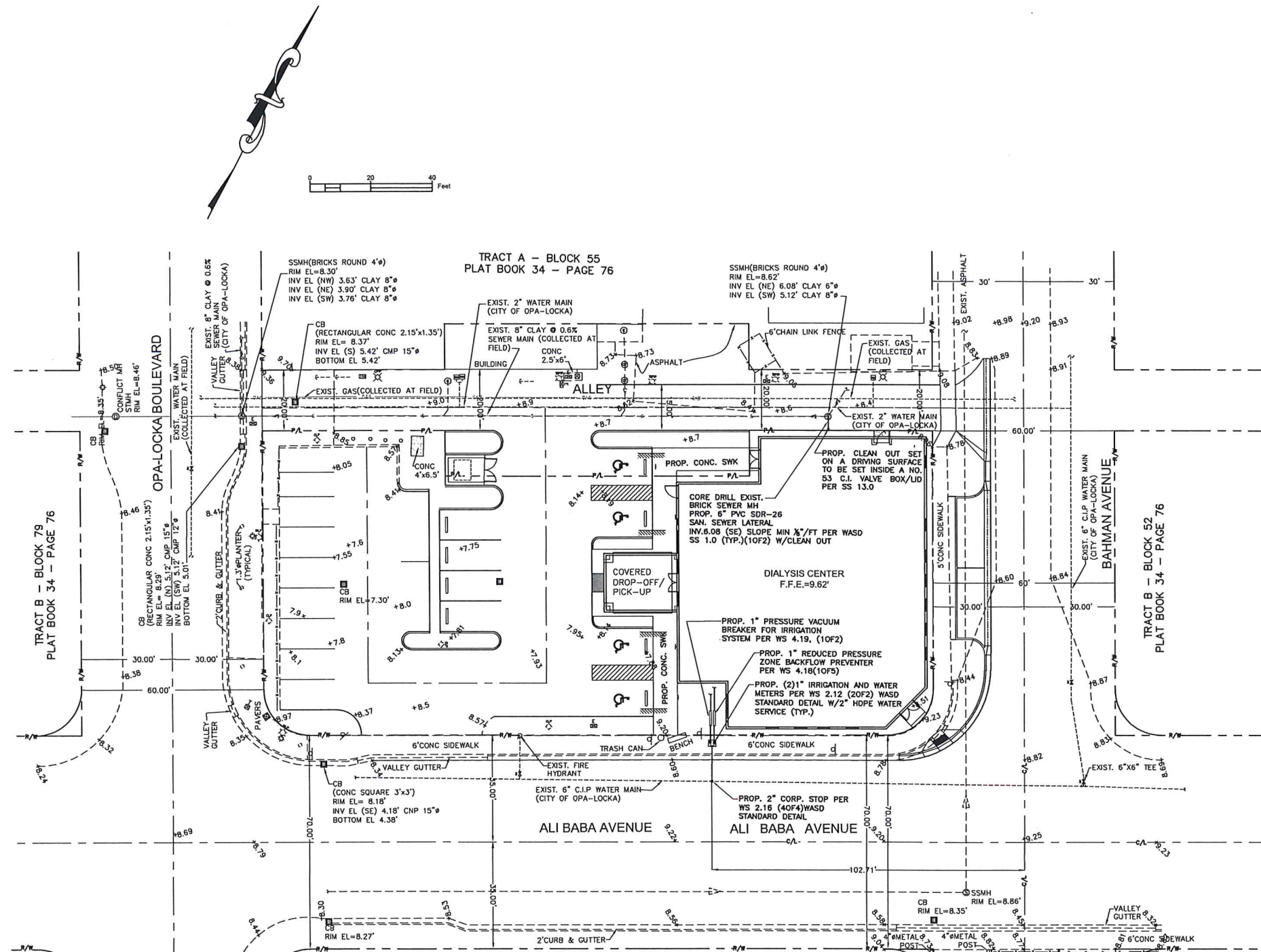
PROJECT: OPA- LOCKA MEDICAL BLDG PARKING

PREPARED FOR: 441 OPA- LOCKA BLVD LLC

SHEET: C-302

DATE: 7/10/2019

PROJ. No: 190056



PROJECT



LOCATION MAP
1"=300'

SUNSHINE ONE-CALL
DESIGN TICKET NO: 184913089



DRAWING NAME: WATER AND SEWER PLAN		PROJECT: OPA - LOCKA MEDICAL BLDG PARKING		PREPARED FOR: 441 OPA - LOCKA BLVD LLL	
SHEET: C-502					
DATE: 07/10/2019		SHEETS OF 1			
PROJ. No: 190056					

ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH.(305) 823-9316 E.B. # 3304

DESIGNED:	OER
DRAWN:	VET
CHECKED:	OER
SCALE:	1"=20'

CERTIFICATION:

OSCAR ROBAYNA, P.E. 73896
STATE OF FLORIDA

SEP 25 2019

SIGNATURE, DATE AND SEAL

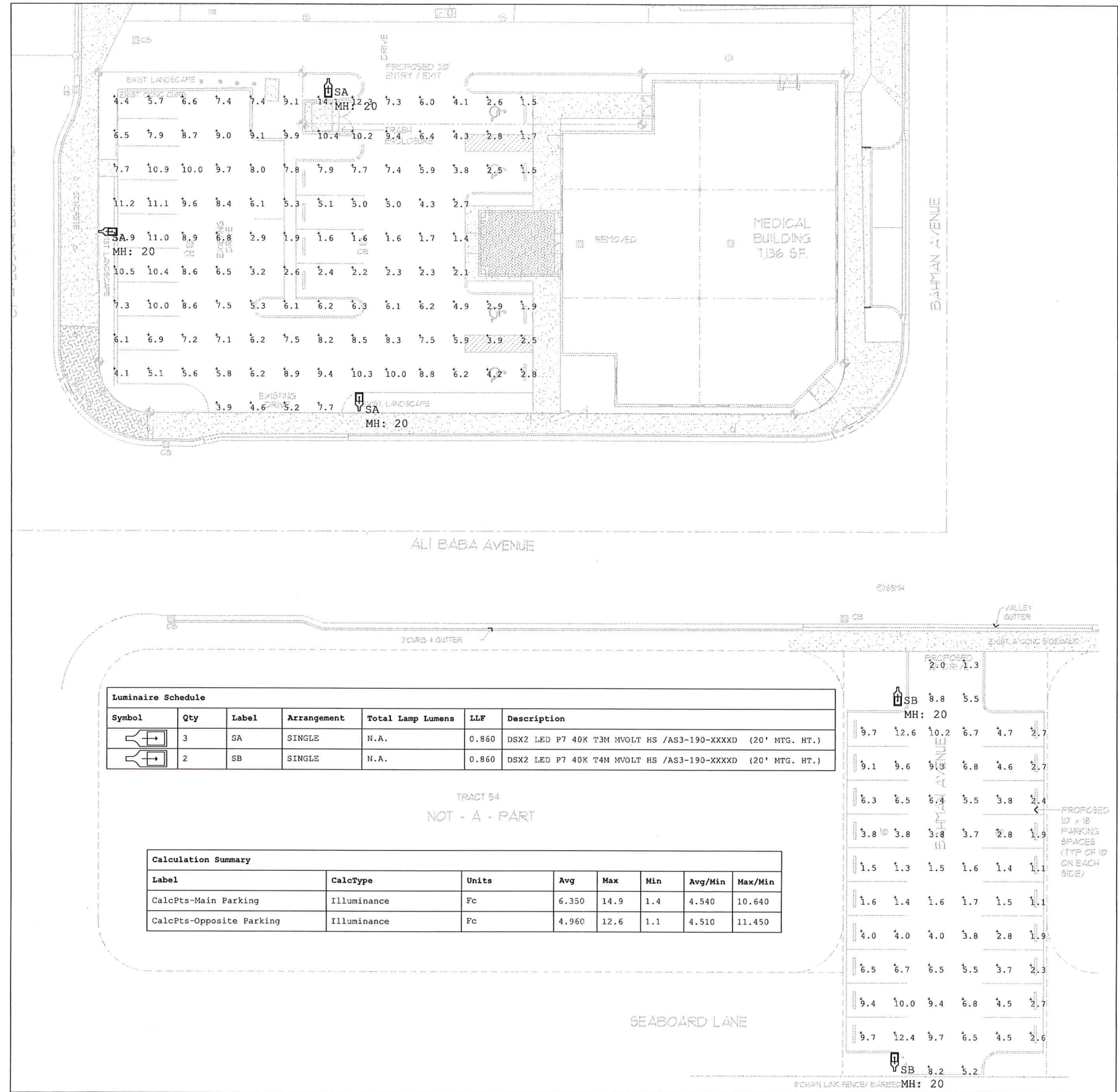
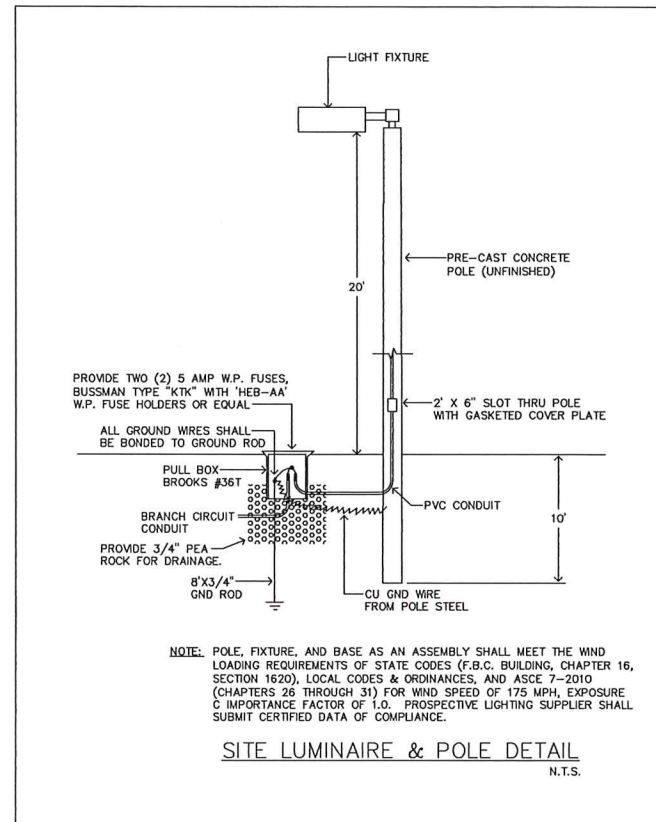
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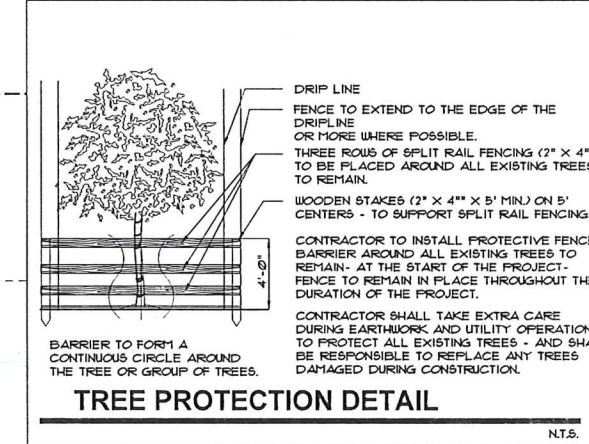
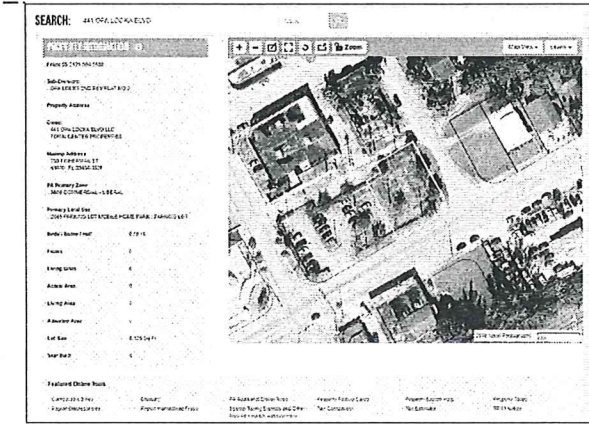
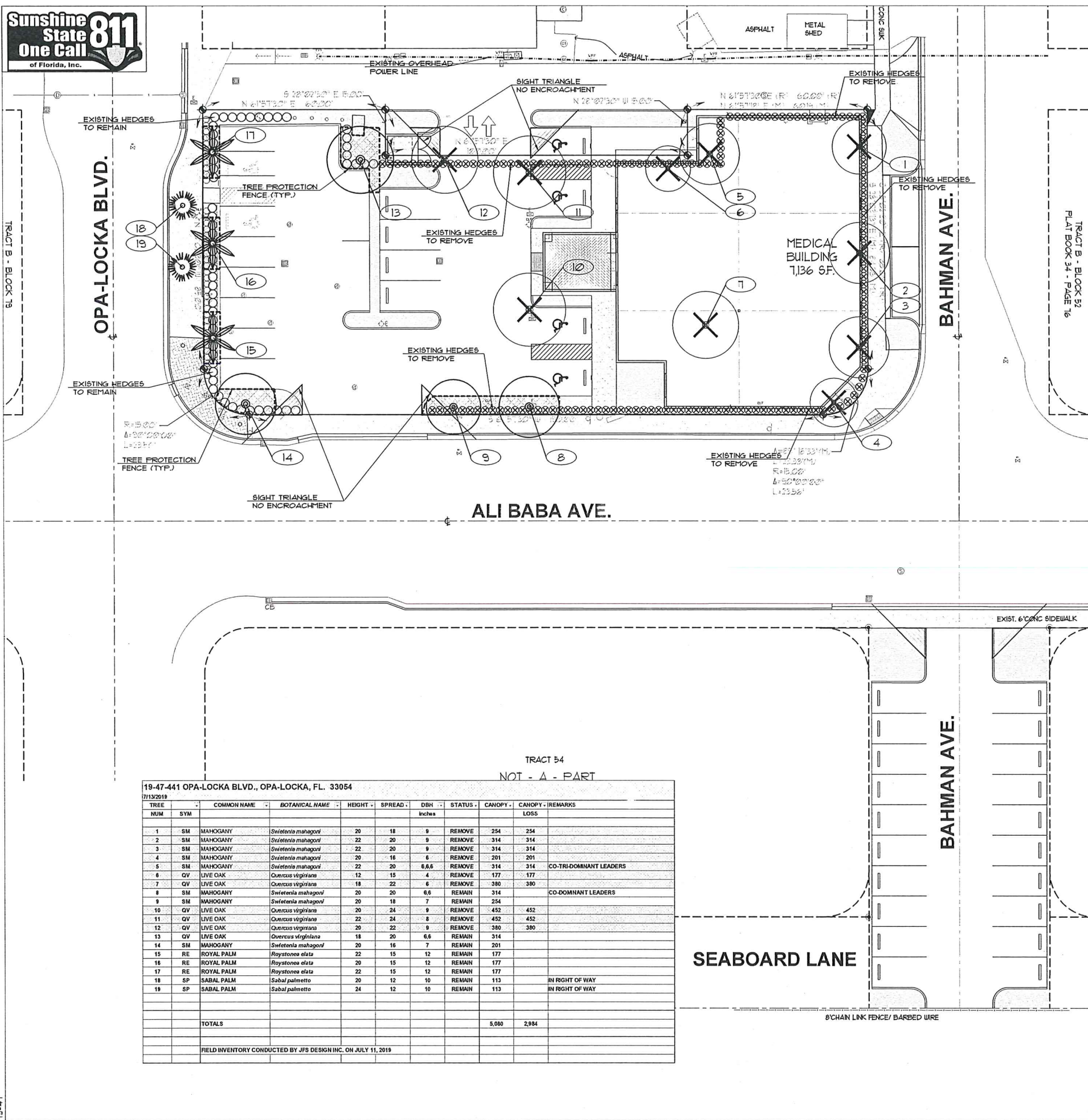
NOT VALID WITHOUT SIGNATURE, DATE AND SEAL

FOR THE FIRM

REVISIONS:	
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DATE:

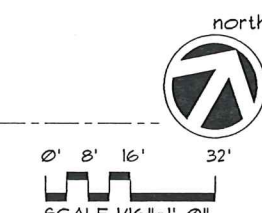




- NOTES:**
- A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM THE LOCAL GOVERNING AGENCY PRIOR TO REMOVAL OF ANY TREES OR PALMS FROM THE SITE.
 - SEE LANDSCAPE PLANS FOR PROPOSED LANDSCAPE PLANTINGS, LANDSCAPE LEGEND, PLANTLIST, SPECIFICATIONS, DETAILS, ETC.
 - THE CONTRACTOR SHALL REMOVE ALL TREES AND HEDGES AS PER PLANS AND AS APPROVED BY THE LOCAL GOVERNING AGENCIES (MIAMI-DADE CO. DRER). TREE, PALM AND HEDGE MATERIAL SHALL INCLUDE ALL TRUNKS, STUMPS AND ROOTS. ALL EXCESS DEBRIS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT AN APPROVED SITE. ALL HOLES AND DEPRESSIONS SHALL BE BACKFILLED WITH CLEAN, APPROVED BACKFILL.
 - LOCATIONS SHOWN FOR THE EXISTING TREES AND PALMS ARE APPROXIMATE. EXACT LOCATIONS ARE TO BE FIELD VERIFIED BY A REGISTERED LAND SURVEYOR (RLS) PRIOR TO ANY PAVING OR ANY OTHER SUCH WORK WHICH WILL BE IMPACTED BY ANY TREES OR PALMS TO REMAIN.
 - ALL INVASIVE EXOTIC VEGETATION AND ANY ANY OTHER PLANTS LISTED AS CATEGORY I, ON THE FLORIDA EXOTIC PEST PLANT COUNCIL'S LIST OF FLORIDA'S MOST INVASIVE SPECIES SHALL BE REMOVED FROM THE SITE AND MAINTENANCE SHALL GUARANTEE CONTROL OF RE-INVASION.

A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM MIAMI-DADE CO. DRER PRIOR TO REMOVAL OF ANY TREE OR PALMS FROM THE SITE.

SEE LANDSCAPE PLANS FOR PROPOSED LANDSCAPE PLANTINGS, LANDSCAPE LEGEND, PLANTLIST, DETAILS, NOTES, SPECIFICATIONS, ETC.



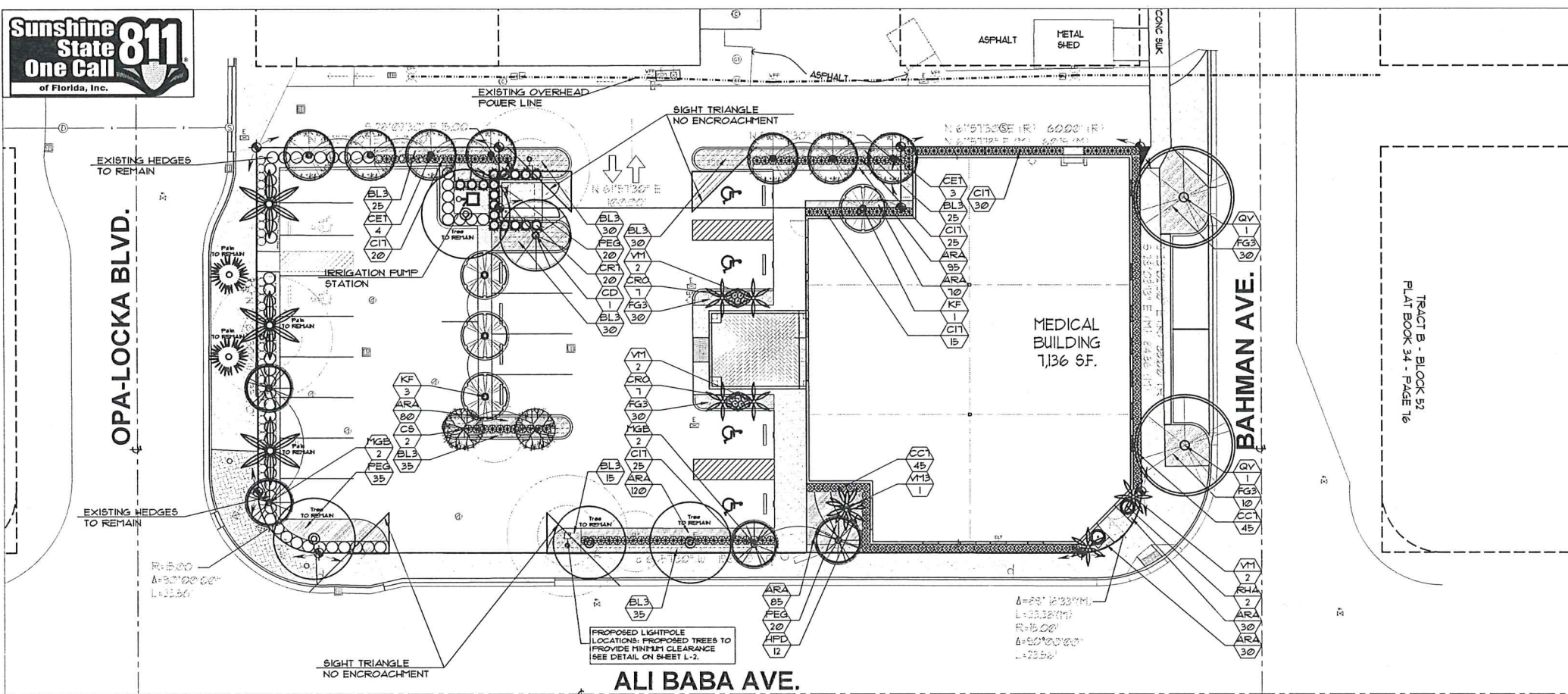
TREE DISPOSITION PLAN



REVISIONS	BY
1.	05-25-15 Per revised site plan from Proj. Architect

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED & SEALED BY THIS FIRM. A
FULL BUILDING DEPARTMENT APPROVAL IS
REQUIRED. SEE DETAIL AND COMMENTS
INCORPORATED INTO THESE DWGS.

Date	04-12-19
Scale	
Drawn	
Job	18-018
Sheet	L-1
Of	Sheets



LANDSCAPE LEGEND - CHAPTER 18A SITE DATA

ZONING DISTRICT:	NET LAND 0.41 ACRES	ORDINANCE 98-13
B-2		20500 SF.
OPEN SPACE	REQUIRED	PROVIDED
A. Square feet of open space required by Chapter 33, as indicated on site plan: Net lot area = 20500 s.f. x 10 %	2050	4,493
B. Square feet of parking lot open space required by Chapter 18A, on site plan: 21 SURFACE SPACES X 10 SF/ SPACE	210	210
C. Total s.f. of open space required by Chapter 33: A + B	2260	5,153
LAWN AREA CALCULATION	2260	5,153
required by Chapter 33		
B. Maximum lawn area (sod) permitted: required by Chapter 18A, on site plan: 2 x 2260 s.f.	452	452
TREES: 22 per Acre		B Prop. + 1 Exst. 16
A. No. trees required per net lot acre space Less existing no. of trees meeting min. required	11	
B. % Palms Allowed: No. of trees provided 30 x 30% =	3	
C. % Natives Required:	4	not including s.t. trees 12
D. Street Trees (maximum average spacing of 25' o.c.) linear feet along street / 35' = No. of trees provided x 30% =	13	11
E. Street Trees located directly beneath power lines, max. ave. spacing of 25' o.c.	n/a	n/a
TOTAL NUMBER OF TREES REQUIRED	24	21
SHRUBS:		
A. No. trees required x 10% No. of shrubs allowed	240	353
B. No. shrubs allowed x 30% = No. of Native shrubs required	12	259 (73%)

STREET TREE TABULATIONS

	REQUIRED	PROVIDED
ALI-BABA AVE. 214 L.F. , 1 TREE/ 35 L.F. = 1 TREES	7	5 3 Exst. + 2 MGB
BAHMAN AVE. 91 L.F. , 1 TREE/ 35 L.F. = 3 TREES	3	3 3 CET
OPA-LOCKA AVE. 91 L.F. , 1 TREE/ 35 L.F. = 3 TREES	3	3 3 Exst. RE
TOTALS	13	11

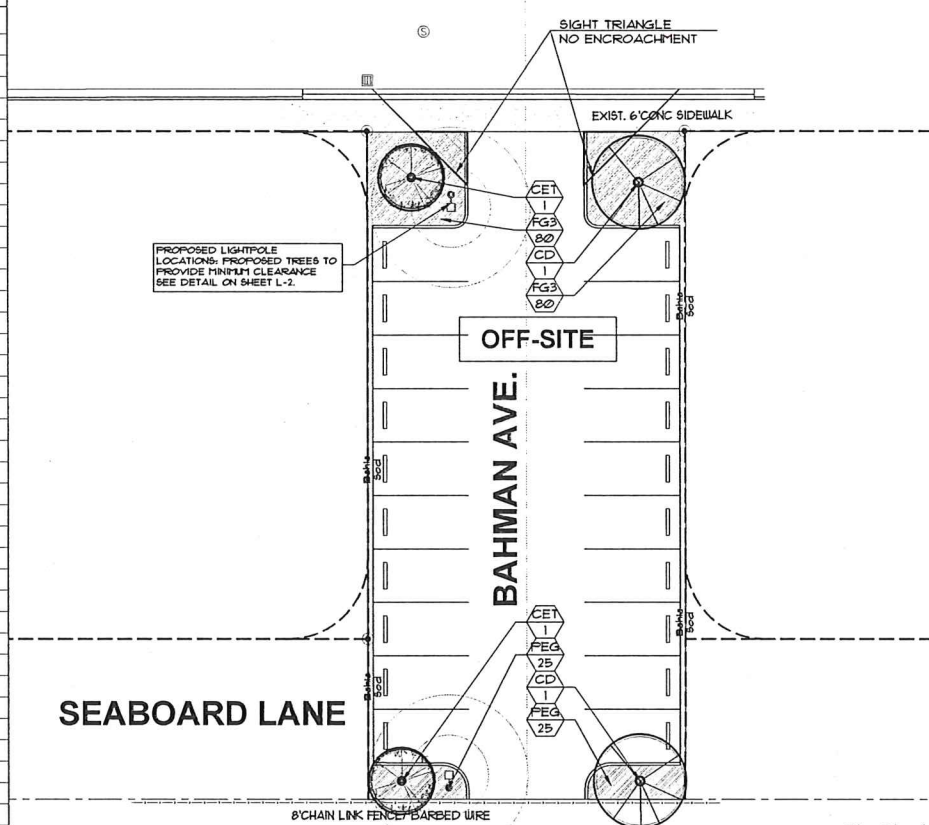
NOTE:
PROPOSED STREET TREE PLANTINGS ARE SHOWN TO BE INSIDE OF THE PROPERTY WHERE EXISTING STREET TREES ALONG ROADWAY CANNOT BE MET IN THE SWALE PLANTINGS.

A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM MIAMI-DADE CO. DRER PRIOR TO REMOVAL OF ANY TREE OR PALMS FROM THE SITE.

SEE LANDSCAPE PLANS FOR PROPOSED LANDSCAPE PLANTINGS, LANDSCAPE LEGEND, PLANTLIST, DETAILS, NOTES, SPECIFICATIONS, ETC.

PLANTLIST

SYM.	NATIVE	NAME	BOTANICAL NAME	SPECIFICATION
EXISTING TREES TO REMAIN				
SEE TREE DISPOSITION PLAN, SHEET TD-1				
PROPOSED TREES				
CD	YES	1 PIGEON PLUM	Coccoloba diversifolia	12' x 6"tr, 2 1/2" cal.
CET	YES	1 SILVER BUTTWOOD	Conocarpus erect. 'sericeus'	10' x 6', max. 5 lvs. # o.a. ht.
CS	YES	2 ORANGE GEIGER	Cordia sebestena	FG, 10' x 5', 2" cal.
KF	YES	4 BLACK IRONWOOD	Krugiodendron ferreus	FG, 10' x 5', 2" cal.
MGB	YES	4 "BLANCHARD" MAGNOLIA	Magnolia grandiflora "Blanchard"	14'-16', x 1", 3" cal.
QV	YES	2 LIVE OAKS	Quercus virginiana	12' x 6"tr, 2 1/2" cal.
PALMS				
VM		6 MONTGOMERY PALMS	Veitchia montgomeryana	5GL, TK, FG, 14' o.a., full hd.
VM3		1 MONTGOMERY PALMS	Veitchia montgomeryana	TPL, TK, FG, 14' o.a., full hd.
SHRUBS				
80 EXISTING SHRUBS TO REMAIN				
CC1	YES	45 JAMAICA CAFER	Capparis cynophallophora	1 gal, 30" x 24", 24" o.c. full
C11	YES	15 COCOPLUM	Chrysobalanus icaco	1 GAL., 30" x 24" full, 24" o.c.
CR1	YES	7 SMALL-LEAVED CLUSIA	Clusia guttifera	1 GAL., 36" ht., 30" Ø.C. FTB.
CRO		14 CROTON "ORANGE"	Codiaeum variegatum	3 gal, 18" x 18", 18" o.c. full
HPD	YES	12 DWARF FIREBUSH	Hamelia nodosa	3 gal, 18" x 18", 24" o.c.
ACCENT PLANTS AND GROUNDCOVERS				
ARA		510 PERENNIAL PEANUT	Arachis glabrata 'EcoTurf'	6 pots, 8" x 8", 18" o.c. full
BL3		225 BLUEBERRY FLAX LILY	Dianella tasmanica	3 gal, 18" x 18", 18" o.c. full
FG3		100 "GREEN ISLAND" FIGUS	Ficus 'Green Island'	3 gal, 18" x 18", 18" o.c. full
PEG	YES	75 GREEN FOUNTAIN GRASS	Pennisetum setaceum	3 gal, 24" x 18", 18" o.c. full
RHA		2 LADY PALMS	Rhapis excelsa	5' o.a. FTG, sun acclimated
OFF-SITE PLANTLIST				
CD	YES	2 PIGEON PLUM	Coccoloba diversifolia	12' x 6"tr, 2 1/2" cal.
CET	YES	2 SILVER BUTTWOOD	Conocarpus erect. 'sericeus'	10' x 6', max. 5 lvs. # o.a. ht.
FG3		160 "GREEN ISLAND" FIGUS	Ficus 'Green Island'	3 gal, 18" x 18", 18" o.c. full
PEG	YES	50 GREEN FOUNTAIN GRASS	Pennisetum setaceum	3 gal, 24" x 18", 18" o.c. full
SOD				
SOD		165 s.f. "FLORATAM" ST. AUGUSTINE	Stenotaphrum secundatum	SOLID SOD, price per s.f.
TOPSOIL:				
TOPSOIL: SAND MIX				
50:50 TOPSOIL: SAND MIX, SPREAD IN PLACE				
20 C.Y. TREES, PALMS, SHRUBS AND GROUNDCOVERS				
2 C.Y. AREA TO BE SODDED WITH A 2" DEPTH OF TOPSOIL SPREAD IN PLACE				
MULCHING:				
25 C.Y. +/- "PINE BARK NUGGET" MULCH				
3" DEPTH, SPREAD IN PLACE, ATLAS FEAT AND SOIL				
PROVIDE SAMPLE FOR APPROVAL PRIOR TO INSTALLATION				
TOPSOIL, SOD AND MULCH QUANTITIES SHOWN ARE APPROXIMATE, CONTRACTOR				
TO PROVIDE A UNIT PRICE PER UNIT AND WILL BE PAID ON THAT UNIT PRICE BASIS				
UPON FINAL INSPECTION AND APPROVAL				
INSTALLATION WATERING:				
CONTRACTOR SHALL THOROUGHLY WATER IN ALL PLANTINGS WHEN PLANTED,				
AND SHALL CONTINUE WATERING UNTIL FINAL INSPECTION AND APPROVAL BY				
THE LOCAL GOVERNING AGENCY AND THE OWNER				



0' 8' 16' 32'
SCALE: 1/16" = 1'-0"

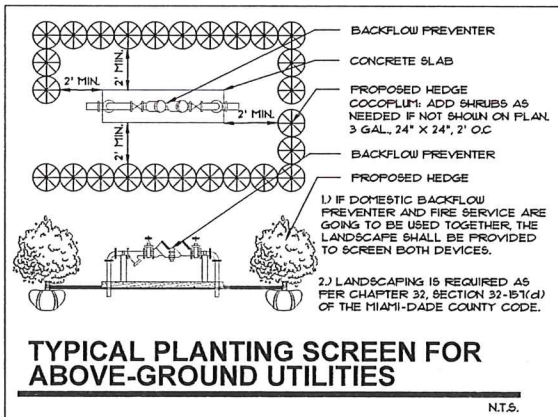
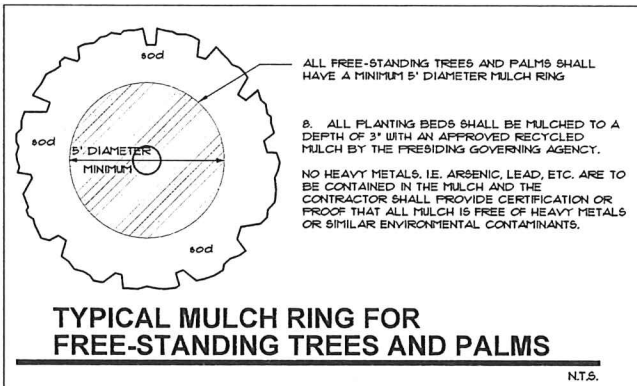
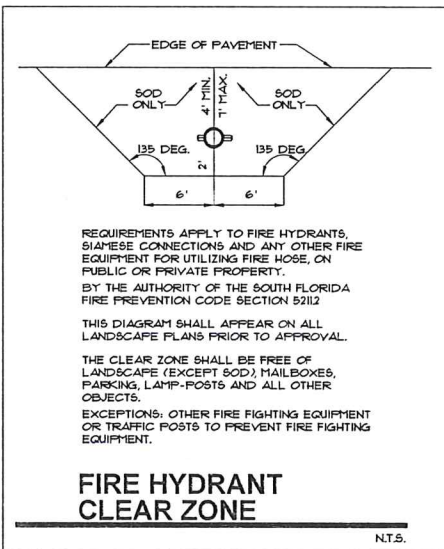


SITE LANDSCAPE PLAN

REVISIONS	BY
1.	6/5-75-76 For revised site plan from Proj. Architect

NOT VALID FOR CONSTRUCTION
UNLESS SIGNED & SEALED IN THIS BOX BY
THE REGISTERED PROFESSIONAL ARCHITECT
INCORPORATED INTO THESE ENGS.

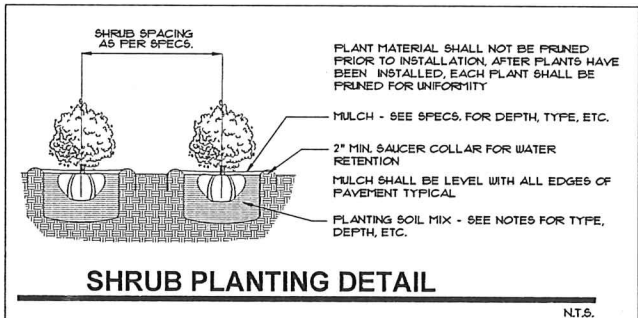
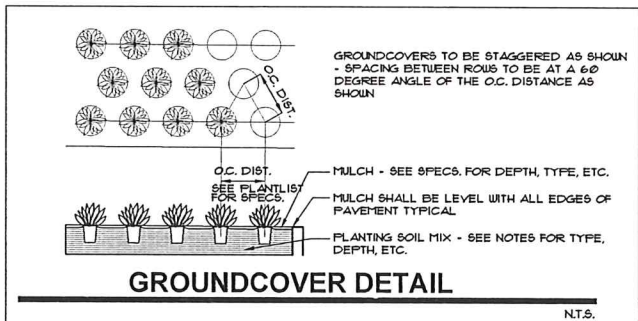
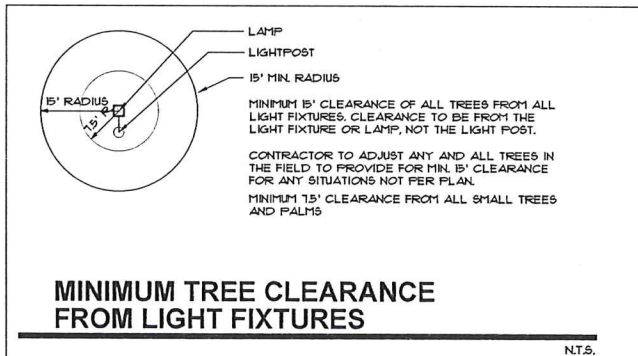
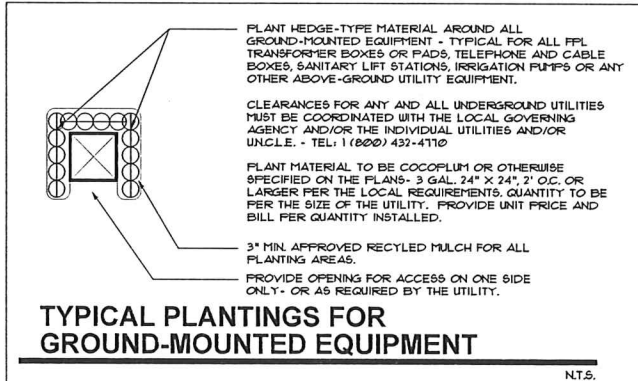
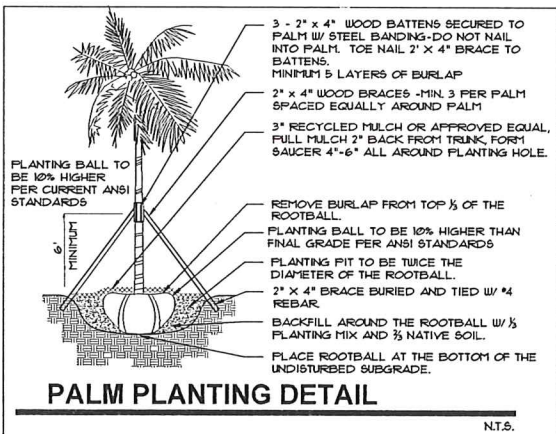
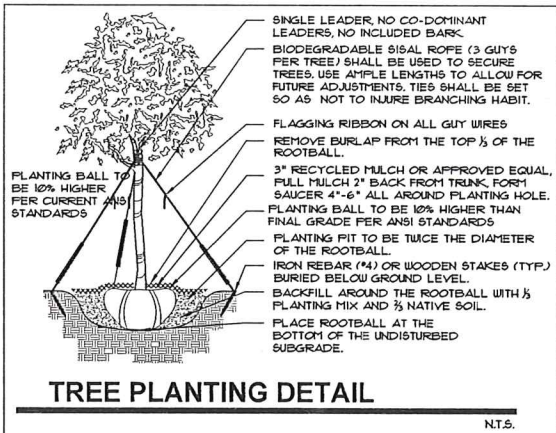
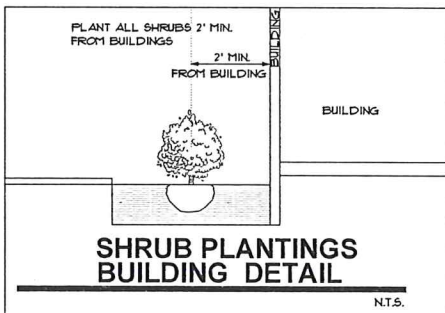
Date	04-12-19
Scale	
Drawn	
Job	18-018
Sheet	L-2
Of	Sheets



FERTILIZATION:

ONE COMPLETE APPLICATION OF GRANULAR FERTILIZER SHALL BE APPLIED PRIOR TO FINAL ACCEPTANCE AND APPROVAL BY THE LANDSCAPE ARCHITECT. AN ADDITIONAL FERTILIZATION PROGRAM SHALL BE SUBMITTED TO THE PROJECT MANAGER FOR AN ANNUAL FERTILIZATION APPLICATION PROGRAM. FERTILIZERS SHALL BE PER ATLANTIC -AFEC FERTILIZER 4 CHEMICAL (AFEC) OR AN APPROVED EQUAL. CONTRACTOR SHALL SUBMIT FERTILIZATION AS A SEPARATE ITEM IN THE BID.

FERTILIZATION SHALL BE AS FOLLOWS: TREES: 12-06-08 (AFEC # 5231) RATE: 15 LBS/ INCH OF DIA. # DBH PALMS: 12-04-12 (AFEC # 1216) RATE: 15 LBS/ INCH OF DIA. # DBH SHRUBS AND GROUNDCOVERS: (12-06-08 AFEC # 5231) RATE: 15 OZ/ FT. OF HEIGHT



LANDSCAPE NOTES

- ALL PLANT MATERIAL SHALL BE FLORIDA NO. 1 GRADE OR BETTER
- CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE LOCATION OF AND AVOID AND PROTECT UTILITY LINES, BURIED CABLES, AND OTHER UTILITIES.
- TREE, PALM, ACCENT AND BED LINES ARE TO BE LOCATED IN THE FIELD AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- ALL PLANTING SOIL SHALL BE 50:50 TOPSOIL:SAND MIX, FREE OF CLAY, STONES, ROCKS, OR OTHER FOREIGN MATTER. THIS SPECIFICATION INCLUDES ALL BACKFILL FOR BERTHS AND OTHER LANDSCAPE AREAS.
SODDED-LAWN AREAS
2" DEPTH PLANTING SOIL SPREAD IN PLACE- THROUGHOUT.
GROUNDCOVER PLANTING BEDS:
6" DEPTH PLANTING SOIL SPREAD IN PLACE- THROUGHOUT.
SHRUB AND HEDGE PLANTING AREAS:
12" DEPTH PLANTING SOIL SPREAD IN PLACE- THROUGHOUT.
TREES, PALMS, SPECIMEN PLANT MATERIAL:
24" DEPTH PLANTING SOIL SPREAD IN PLACE OR TO THE DEPTH OF THE ROOTBALL OR CONTAINER WHICHEVER IS GREATEST.
LANDSCAPE ISLANDS AND BUILDING FOUNDATIONS:
EXCAVATE AND REMOVE ALL LIMBEROCK, ROCKS, DEBRIS, ETC. TO A DEPTH OF 18" AND BACKFILL W/ 50:50 TOPSOIL:SAND MIX.
BUILDING FOUNDATIONS SHALL BE THE SAME DEPTH TO A WIDTH OF 36" FROM THE BUILDING BASE.
- THE SITE CONTRACTOR SHALL BE RESPONSIBLE TO BRING ALL GRADES TO WITHIN 2" OF FINAL GRADES. THIS SHALL INCLUDE A 2" APPLICATION OF 50:50 TOPSOIL:SAND MIX FOR ALL LANDSCAPE AND AREAS TO BE SODDED.
- THE LANDSCAPE CONTRACTOR SHALL CALCULATE AND SUBMIT AN ITEMIZED PRICE FOR THE 2" APPLICATION OF 50:50 MIX FOR ALL SOD AREAS AS A REFERENCE IN THE CASE THAT THERE WOULD BE A DISCREPANCY BETWEEN SITE AND LANDSCAPE CONTRACTORS AND NOTIFY THE SITE CONTRACTOR OR PROJECT SUPERINTENDENT AS TO THIS DISCREPANCY. IT WILL THEN BE DETERMINED WHICH PARTY WILL PROVIDE THIS 2" TOPSOIL:SAND APPLICATION AND SUBSEQUENT PAYMENT.
OTHER PLANTING BEDS SHALL BE TO BE ADDED, IE. FOR TREES, PALMS, SPECIMEN PLANTS, SHRUBS AND GROUNDCOVERS SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR AND BE INCLUSIVE WITH THE LANDSCAPE BID.
- CONTRACTOR SHALL COORDINATE WITH THE IRRIGATION CONTRACTOR AND LEAVE PROVISIONS FOR ALL, INCLUDING UNDERGROUND UTILITY LINE LOCATIONS DIAL #11 "NO CUTS" AS REQUIRED BY LAW.
- ALL PLANTING BEDS SHALL BE MULCHED TO A DEPTH OF 3" WITH AN APPROVED RECYCLED MULCH BY THE PRESIDING GOVERNING AGENCY. NO HEAVY METALS, IE. ARSENIC, LEAD, ETC. ARE TO BE CONTAINED IN THE MULCH AND THE CONTRACTOR SHALL PROVIDE CERTIFICATION OR PROOF THAT ALL MULCH IS FREE OF HEAVY METALS OR SIMILAR ENVIRONMENTAL CONTAMINANTS.
- SOD SHALL BE ARGENTINE "BAHIA" OR ST. AUGUSTINE "FLORATAM" AS SHOWN ON THE PLANS, STRONGLY ROOTED, FREE FROM WEED, FUNGUS, INSECTS AND DISEASE. CONTRACTOR SHALL SOD ALL AREAS AS INDICATED ON THE PLAN OR AS DIRECTED. PAYMENT SHALL BE DETERMINED BY THE TOTAL MEASURED SODDED AREAS X THE UNIT PRICE SUBMITTED AND FIELD VERIFIED.
- SOD SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS AS DEFINED BY FDOT. SOD SHALL CARRY A 5-MONTH WARRANTY.
- ALL TREES, PALMS, SHRUBS AND GROUNDCOVERS SHALL CARRY A ONE-YEAR WARRANTY FROM THE DATE OF FINAL ACCEPTANCE.
- ALL TREES AND PALMS SHALL BE STAKED PER ACCEPTED STANDARDS BY THE FLORIDA NURSERYMEN & GROWERS LANDSCAPE ASSOCIATION (FNLGA). THERE SHALL BE ONE FINAL INSPECTION FOR APPROVAL BY THE PRESIDING GOVERNING AGENCY. CONTRACTOR SHALL INSURE THAT THE PLANS, DETAILS, SPECIFICATIONS AND NOTES HAVE BEEN ADHERED TO AND THAT THE LANDSCAPE AND IRRIGATION INSTALLATION IS COMPLIANT TO ALL ITEMS AS DIRECTED ON THE PLANS PRIOR TO SCHEDULING OF THE FINAL INSPECTION.
- THE PLANT LIST IS INTENDED ONLY AS AN AID TO BIDDING. ANY DISCREPANCIES FOUND BETWEEN THE QUANTITIES ON THE PLAN AND PLANT LIST, THE QUANTITIES ON THE PLAN SHALL BE HELD VALID.
- IRRIGATION SHALL PROVIDE FOR A 100% COVERAGE WITH A 100% OVERLAP, AUTOMATIC SYSTEM W/ RAIN MOISTURE SENSOR ATTACHED TO CONTROLLER. ALL FLORIDA BUILDING CODE APPENDIX "F" IRRIGATION REQUIREMENTS SHALL BE STRICTLY ADHERED TO FOR INSTALLATION AND PREVAILING WATER MANAGEMENT DISTRICT RESTRICTIONS AND REGULATIONS SHALL BE IN COMPLIANCE FOR POST-INSTALLATION WATERING SCHEDULES.
- EXISTING IRRIGATION SYSTEM (IF APPLICABLE) SHALL BE RETROFITTED TO COMPLY WITH THOSE SPECIFICATIONS AS OUTLINED ABOVE.
- CONTRACTOR SHALL PROVIDE A WATER TRUCK DURING PLANTING TO INSURE PROPER WATERING-IN DURING INSTALLATION AND WILL BE RESPONSIBLE FOR CONTINUAL WATERING UNTIL FINAL ACCEPTANCE BY THE OWNER.
- ALL EXISTING TREES, PALMS AND PLANT MATERIAL TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. CONTRACTOR SHALL INSTALL PROTECTIVE BARRIERS SUCH AS "TENAX" PROTECTIVE FENCING OR AS SHOWN ON THE DETAILS TO BE INSTALLED AT THE BEGINNING OF THE PROJECT. BARRIERS SHALL BE LOCATED TO INCLUDE THE OUTLINE OF THE TREES, PALMS AND PLANT MATERIAL WHERE POSSIBLE. THE CONTRACTOR SHALL TAKE EXTRA CAUTION TO PREVENT ANY DAMAGE TO THE TRUNK, BRANCHES, ROOTS, ROOT ZONE AREAS AND ADJACENT GRADES.
- EXISTING TREES AND PALMS TO REMAIN SHALL BE TRIMMED PER ANSI-300 STANDARDS. SUPERVISION OF THE TRIMMING SHALL BE PERFORMED BY AN ISA-CERTIFIED ARBORIST.
- ALL EXISTING TREES AND PALMS SHALL BE "LIFTED AND THINNED" TO PROVIDE FOR AN 8' MINIMUM CLEARANCE FOR SIDEWALKS AND PEDESTRIAN WALKWAYS AND A 14' MINIMUM CLEARANCE FOR ROADWAYS, DRIVEWAYS, AND ALL VEHICULAR USE AREAS.
- REMOVAL OF ANY TREES OR PALMS WILL REQUIRE A WRITTEN "TREE REMOVAL PERMIT" FROM THE LOCAL GOVERNING AGENCY PRIOR TO REMOVAL.
- ALL PLANTINGS IN NON-IRRIGATED AREAS, IE. RIGHTS OF WAYS, SWALES, ETC. SHALL BE WATERED-IN THOROUGHLY AND CONTINUED TO BE WATERED THROUGHOUT UNTIL C.O. ACCEPTANCE. COORDINATE WITH OWNER AND PROJECT MANAGER TO INSURE POST C.O. WATERING TO INSURE PLANT ESTABLISHMENT FOR A MINIMUM OF ONE YEAR AFTER CERTIFICATE OF OCCUPANCY ACCEPTANCE.

A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM MIAMI-DADE CO. DRER PRIOR TO REMOVAL OF ANY TREE OR PALMS FROM THE SITE.

SEE LANDSCAPE PLANS FOR PROPOSED LANDSCAPE PLANTINGS, LANDSCAPE LEGEND, PLANTLIST, DETAILS, NOTES, SPECIFICATIONS, ETC.

LANDSCAPE DETAILS, SPECIFICATIONS, ETC.



Memorandum

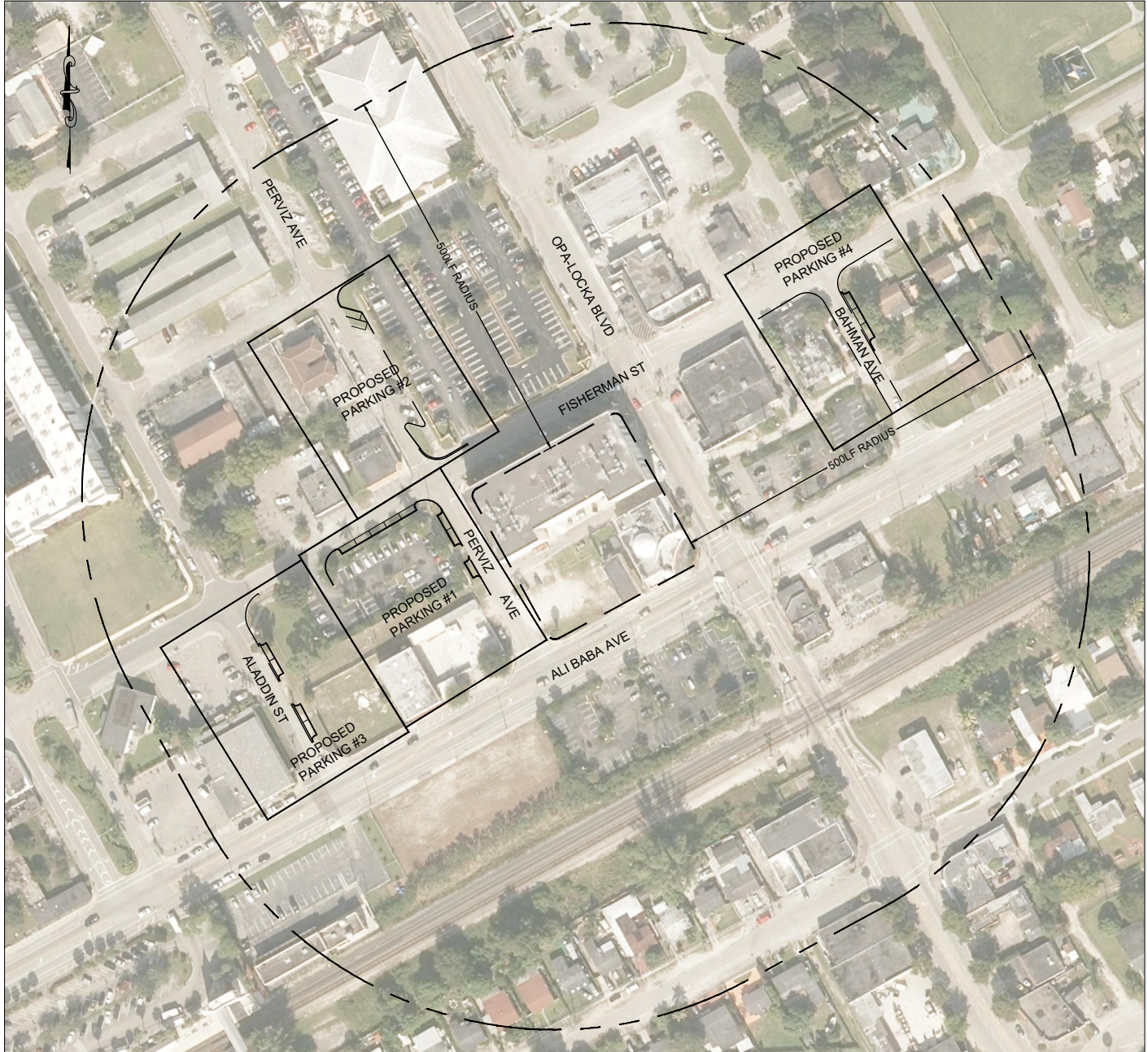
To: Gregory Gay, AIA-AIM, Director | CRA Manager
From: Airia Austin, PW \ CIP Director 
Date: May 7, 2020
Re: 441 Opa-Locka Blvd. - Dialysis Center

Mr. Gay, the CIP department has reviewed and approved the plans for 441 Opa-Locka - Dialysis Center submitted by Robayna and Associates, Inc.

The plans approval was based on the following criteria:

1. Adequate drainage design for the increase in impervious area.
2. Geometric design of the parking spaces meets Miami-Dade County and City design standards.
3. There is no effect to the existing adjacent roadway traffic patterns by any of the proposed parking spaces.

END OF MEMORANDUM



NOTES:

1. Adequate drainage will be provided at the street parking areas proposed.
2. The following is provided as a conceptual design and subject to a topographic survey to verify exact dimensions.
3. If during design it is found that the areas do not have the adequate dimensions, areas within 500' of 780 Fisherman Street will be reviewed and coordinated with Community Development and Public Works Departments.
4. The total amount of spaces to be constructed will be 14. Additional spaces are shown herein in the event that surveyed dimensions are found to be insufficient.



ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH.(305) 823-9316 E.B. # 5004

PREPARED FOR:

CITY OF OPA-LOCKA

PROPOSED PARKING #1

DWG. NO.
2



ROBAYNA
AND ASSOCIATES INC.
 ENGINEERS - PLANNERS - SURVEYORS
 5723 NW 158th STREET
 MIAMI LAKES, FL 33014
 PH.(305) 823-9316 E.B. # 5004

PREPARED FOR:

CITY OF OPA-LOCKA

PROPOSED PARKING #2

DWG. NO.
 3

105





ROBAYNA
AND ASSOCIATES INC.
 ENGINEERS - PLANNERS - SURVEYORS
 5723 NW 158th STREET
 MIAMI LAKES, FL 33014
 PH.(305) 823-9316 E.B. # 5004

PREPARED FOR:

CITY OF OPA-LOCKA

PROPOSED PARKING #4

DWG. NO.
 5

107

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPA-LOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant wishes to construct a 7,136 square foot dialysis center at the intersection of Opa-locka Boulevard and Ali Baba Avenue as indicated on the attached Site Plan in Exhibit A, This property would allow for an alternate location for Opa-locka residents to perform their dialysis treatments, as provided by Miami Dade County there are approximately 600-900 dialysis patients within Opa-locka that require regular treatment; and

WHEREAS, the intent of this project is to provide a service that is more comprehensive than other dialysis centers, the key service to understand is transportation, as medical treatments typically cease to operate at 5pm, this facility will have its own fleet and operate after 5pm to provide services to return its patients home; and

WHEREAS, the project proposes to relocate 20 parking spaces that are dedicated to 780 fisherman, also known as Town Center One, from the current parking lot to two separate locations. Firstly, a new 20 car parking lot at the end of Bahman Street within the right-of-way, the second is to re-paint 2 handicap accessible spaces at the parking lot within Pervis Avenue to 4 regular parking spaces, those spaces are located at the west end of the parking lot along Ali Baba Avenue; and

WHEREAS, the City Land Development Regulations, Ordinance 15-31, Section 22-49 G. provides that all recommendations and findings of fact by the Planning & Zoning Board shall be placed on the next available regular City Commission meeting agenda in compliance with notice requirements; and

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

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Development Agreement. The City Commission of the City of Opa-locka hereby approves / denies a request for Development Agreement for Construction and Operation of a dialysis center on the property located at 441 Opa-locka boulevard identified by folios 08-2121-004-0580 and 08-2121-004-0590 in the B-2 Zoning District.

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 may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE.

This Resolution shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED AND ADOPTED 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.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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 Virtual Regular Commission Meeting on Wednesday, June 24, 2020 at 7:00 p.m. to consider the following items:

SECOND READING ORDINANCE/PUBLIC HEARING:

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 May 27, 2020).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121- 007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121- 004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Additional information on the above items may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings. For information on Virtual Commission Meeting procedures please visit www.opalockafl.gov.

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



City of Opa-Locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John Pate		CM Signature:		
Commission Meeting Date:	6-24-20	Item Type: (Enter X in box)	Resolution	Ordinance X	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading X	2nd Reading
		X	Public Hearing: (Enter X in box)	Yes X	No X
				Yes X	No X
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	Yes X	No
Contract/P.O. Required: (Enter X in box)	Yes	No X	RFP/RFQ/Bi#: N/A		
Strategic Plan Related (Enter X in box)	Yes	No X	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)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPA-LOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The project proposes to relocate 20 parking spaces that are dedicated to 780 fisherman, also known as Town Center One, from the current parking lot to two separate locations. Firstly, a new 20 car parking lot at the end of Bahman Street within the right-of-way, the second is to re-paint 2 handicap accessible spaces at the parking lot within Pervis Avenue to 4 regular parking spaces, those spaces are located at the west

end of the parking lot along Ali Baba Avenue. Being within the Downtown Mixed Use overlay, there is potential to mitigate the parking requirement pending review.

BACKGROUND

The applicant wishes to construct a 7,136 square foot dialysis center at the intersection of Opa-locka Boulevard and Ali Baba Avenue. This property would allow for an alternate location for Opa-locka residents to perform their dialysis treatments, as provided by Miami Dade County there are approximately 600-900 dialysis patients within Opa-locka that require regular treatment.

FINANCIAL IMPACT

When this project is completed, the City will receive approximately \$19,082 of impact fees. Additionally, it is estimated that the taxable valuation of the property will increase by approximately \$950,000, which at the current year millage rate of 9.8000 mills will provide additional ad valorem revenue of \$8,845. Finally, as a dialysis center, the property will be an extensive user of City water and sewer services as well as paying annual Business Tax Receipts and stormwater fees.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- Opa-locka Dialysis Center – Development Agreement
P & Z Board Meeting Minutes 5-5-20

PLANNING COUNCIL

May 5th

2020



OPA-LOCKA DIALYSIS CENTER: Development Agreement

Staff Report

APPLICANT'S REQUEST: A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPA-LOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.



I. Site Background

- According to Miami-Dade County Property Appraiser's website, the subject Property's legal description is as follow:

21 52 41 .19 AC PB 34-76
OPA LOCKA 2ND REV PLAT NO 2
NELY85FT OF TRACT B BLK 55
LOT SIZE 8125 SQUARE FEET
OR 20166-3892 0102 2 (2)

- The subject property is currently own by 441 OPA LOCKA BLVD LLC. according to the Miami-Dade County Property appraiser's website. The subject Property is currently a parking lot and the current land consists of two parcels (Folio #08-2121-004-0580 East Parcel, Folio #08-2121-004-0590 West Parcel), zoning for both parcels is B-2 with the DMU overlay which allows for commercial and mixed use developments.
- Currently the site conditions are as follow: parking lot (*see Existing Condition Section*). The site is located along Ali Baba Avenue at the intersections of Ali Baba Avenue and Bahman Street and Ali Baba Avenue and Opa-locka Boulevard. The site is only accessible via county road at its southern edge providing for ingress and egress, immediately adjacent to Ali Baba Avenue.



← WEST ALI BABA AVENUE EAST →

Figure 1: Google Street View, dated:

II. Project Details

- Applicant's intent**

The applicant wishes to construct a 7,136 square foot dialysis center at the intersection of Opa-locka Boulevard and Ali Baba Avenue. This property would allow for an alternate location for Opa-locka residents to perform their dialysis treatments, as provided by Miami Dade County there are approximately 600-900 dialysis patients within Opa-locka that require regular treatment.

The project proposes to relocate 20 parking spaces that are dedicated to 780 fisherman, also known as Town Center One, from the current parking lot to two separate locations. Firstly, a new 20 car parking lot at the end of Bahman Street within the right-of-way, the second is to re-paint 2 handicap accessible spaces at the parking lot within Pervis Avenue to 4 regular parking spaces, those spaces are located at the west end of the parking lot along Ali Baba Avenue. Being within the Downtown Mixed Use overlay, there is potential to mitigate the parking requirement pending review.

Site Computations & Land Development Regulation / Zoning Code			Table 1
Applicant	441 OPA-LOCKA BLVD LLC		
Folio Number (s)	Opa-locka: 08-2121-004-0580 Opa-locka: 08-2121-004-0590		
Address Location	441 Opa-locka Boulevard		
Building (s) Footprint	Total Site Area – 20,500 SF Office Bldg. – 7,136 SF Parking Lot – 8,071 SF Common Green Area – 5,293 SF		
Floor Area	Total 7,1367 SF		
Zoning	B-2 – Commercial Liberal / DMU Downtown Mixed Use Overlay		
Zoning Code Consistency	The proposed use for a Dialysis Center is consistent with the B-2 Zoning Code.		
Existing Land Use	Parking Lot / B-2		
Future Land Use	B-2		
Designation			
Comprehensive Plan Consistency	- The proposed use for a Dialysis Center is consistent with the Comprehensive Plan with the requested property being B-2.		
Applicable LDR Sections	Ordinance no. 15-31, Article III Sec; 22-55; Article V Sec. 22-90, 22-112, Ord. no. 14-16		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front (South)	10 Feet	15 Feet	YES
Rear (North)	15 Feet	20 Feet	YES
Side (East)	10 Feet	10 Feet	YES
Side (West)	10 Feet	10 Feet	YES
Corner Lots/ Other	N/A	N/A	N/A

Lot Coverage	N/A	0.43%	YES
Lot Density	N/A	N/A	N/A
Lot Size	5,000 SF (0.11 Acres)	20,500 SF (0.47 Acres)	YES
Lot Width	N/A	N/A	N/A
Building Height	4 Stories or 55 Feet whichever less	Office Building: 1 Stories/ Feet	YES
Structure Length	N/A	N/A	N/A
Other Vehicular Use Area	1,625 SF	8,071 sq. ft.	YES
Landscaping		5,293 sq. ft.	
Parking Details	Office buildings: pursuant to the Land development Regulation Ordinance 86-8: Article 4, section 22-90. one (1) Parking per 250 square feet of floor area. <u>-32 spaces required</u> * Off. Bldg. = 32 spaces Required	Office Bldg. 7,136 SF Parking Lot: 8,071 SF Total Space Provided: 42 Total Spaces 36 Regular Spaces 6 Handicapped Spaces	YES
Landscape/ Pervious Lot Coverage	20% minimum required pervious	30% provided	YES
Notification Requirement	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Monday, February 24th, 2020. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, May 5th, 2020. - City Commission Meeting: TBD		
Local Government Action Required	The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning and Zoning Board and any other applicable board or agency.		

III. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by commercial properties to the north, south and west and residential to the east with ingress and egress to Ali Baba Avenue.
- Sidewalk alongside the south, east and, west edge of the Property
- Proposed parking lot to be added on the ROW of south Bahman, property currently occupied with automotive business.



View of Bahman Street facing south towards proposed additional parking



East View of Property



South View of Property



West View of Property



Enlarged View of Bahman Street facing south towards proposed additional parking lot

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Commercial	Commercial	B-2 (Commercial Liberal)
South	Commercial	Commercial	B-2 (Commercial Liberal)
East	ROW	ROW Bahman Street	N/A
West	Commercial	Commercial	B-2

Surrounding Zoning Designation Map

The Site is Highlighted in image



- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions?

COMPLIES

- **Findings:**

- The proposed development use 'Opa-locka Dialysis Center' is in harmony with the general characteristic of the surrounding neighborhood: Commercial Uses

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO.10-03

COMPLIES

- **Findings:**

- The Applicant is proposing to include landscaping at .47ac. (*Please see attached Landscape Plan for Trees detailed information*).

- **Fence:** All fences constructed on property perimeters shall be of a solid masonry construction or a decorative masonry block to prevent the view of any stored article. Fences shall be constructed in a way so as not to obstruct or impair the view of any vehicle driver's ability to see other vehicles or pedestrians within two hundred (200) feet of any intersection within the district.

- **Findings:**

- The Applicant is not required to have fencing as the property is on a commercial corridor pursuant to the City Land development Regulation/Zoning Code 15-31, B-2 Commercial District (Section 22-90).
- **Future Land Use:** Commercial (Communications, water and sewer facilities, electrical as needed).
 - **Findings:**
 - According to the City of Opa-locka Comprehensive Plan; the proposed project shall be located within the City's Commercial land use designation category location.
- **B-2 (Commercial Liberal) Permitted Uses:** Project Specific: *Dialysis facility*
 - **Findings:**
 - According to the City's Land Development Regulation/ Zoning Code B-2 (Commercial Liberal) allows for a Dialysis facility which is permitted within a B-2.
- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.
 - **Findings:** The Planning and community Development Department has not yet received any signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

COMPLIES

COMPLIES

IV. Project Need Assessment / other Required Approvals

1. Site Plan
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th 2020.
2. Development Agreement
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th 2020.

V. Development Review Committee (DRC): *Meeting Review Comments*

1. **Capital Improvement Project (CIP):**
 - No issues reported for the proposed Site Plan
2. **Building:**
 - N/A
3. **Police:**
 - N/A
4. **Community Redevelopment Agency (CRA):**
 - N/A
5. **City Manager's Office (CMO):**
 - N/A
6. **Code Enforcement:**
 - N/A

7. **City Attorney's Office:**
 - Development Agreement under review
8. **Public works:**
 - N/A
9. **Inter-jurisdictional Review:**
 - N/A

VI. **Staff Recommendation:**

- Staff recommend approval of this Site Plan pending the following other approvals:
 - A Development Agreement must be submitted along with this Opa-locka Dialysis Center Site Plan pursuant to the city Land Development Regulation/ Zoning Code Ordinance no. 15-31: Article V Section 22-112 and F.S. Section 163.3220-163.3243;
 - All signage shall comply with the City's Sign Code Ordinance no. 15-31 Article X;
 - All landscaping and parking areas must be provided and maintained as shown in the Opa-locka Dialysis Center Site Plan;
 - Trees to be planted 25' avg. oc.;
 - Adequate landscape buffer around parking area;
 - Compliance with resolution 5058, fare share agreement;
 - Extend employment opportunity to City residents through the City's Human Resource dept. and the Opa-locka workforce;
 - Maintain 100% the use, function, or any recommendation the Planning and Zoning Board deem necessary to this Opa-locka Dialysis Center site plan and or not limited to the provision of satisfying all other city's land development code pertaining to the site, landscape and structures;
 - All trash & garbage containers shall comply with the City dumpster enclosure requirements;
 - The Development Agreement (D.A.) shall specifically address the daily operation, business, behaviors and any other requirements set forth by the City's Land Development Code, Planning and Zoning Board and the City Commissioner for this proposed Opa-locka Dialysis Center site plan;
 - Address all Miami-Dade County's input/recommendations as appropriate

VII. **Attachments:**

- Site Plan
- Development Agreement

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VIII. **Staff Report Updated After the Planning and Zoning Board Meeting on May 5th 2020.** *Reflected Actions:*

I. **Planning and Zoning Board Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)**

Resolution No. 2020-0505-01, 2020-0505-02

RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: Opa-locka Dialysis Center
FOR: SITE PLAN APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 20,500 SQ. FT. DIALYSIS FACILITY WITH 43 PARKING SPACES.

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐ DATE: 05-05-2020
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / __
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning and Zoning Board Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

Chairperson or Designee

The Following changes/recommendations are updates based on the Planning and Zoning Board Meeting discussions in regards to the proposed Dialysis Facility



Memorandum

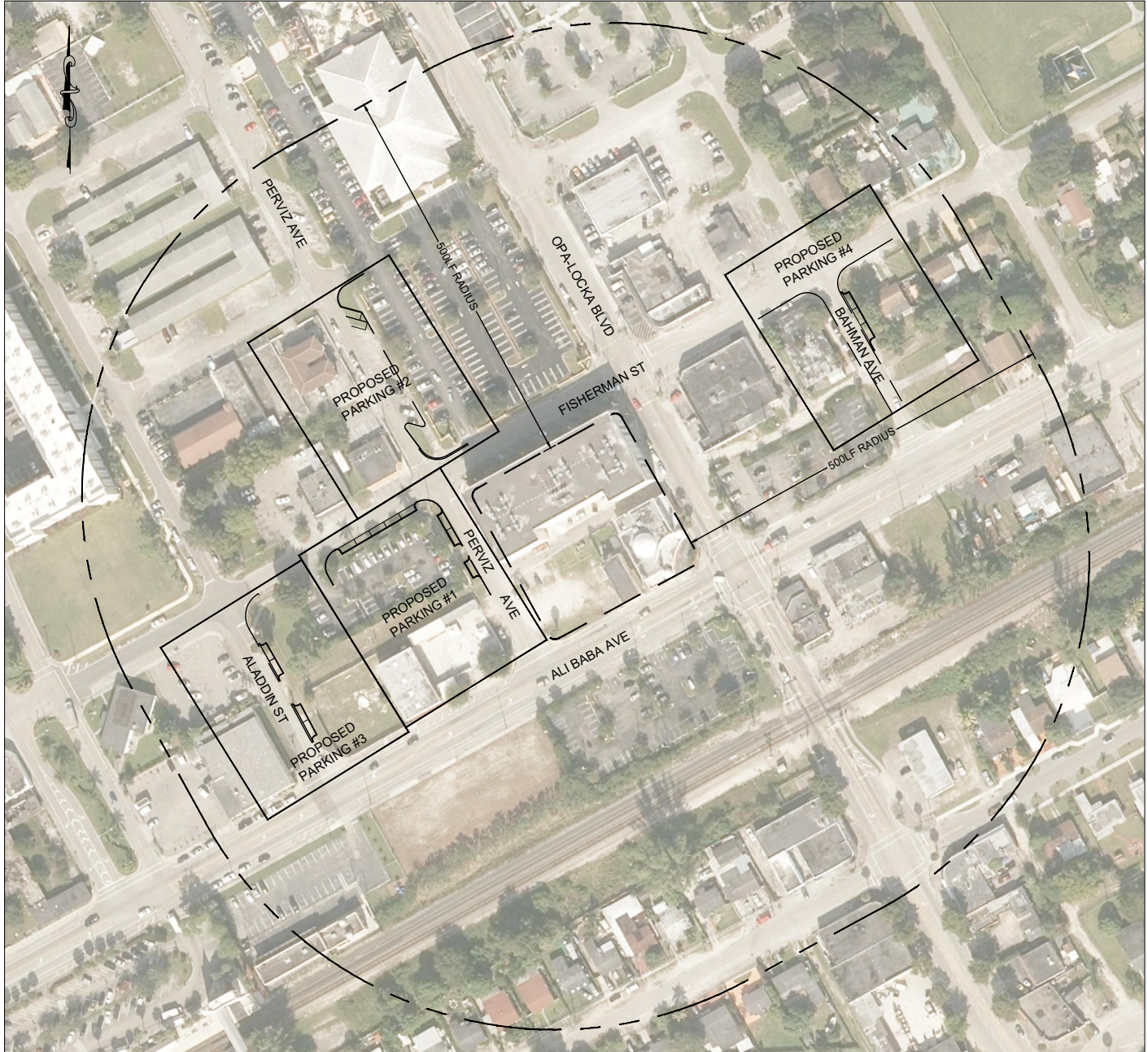
To: Gregory Gay, AIA-AIM, Director | CRA Manager
From: Airia Austin, PW \ CIP Director 
Date: May 7, 2020
Re: 441 Opa-Locka Blvd. - Dialysis Center

Mr. Gay, the CIP department has reviewed and approved the plans for 441 Opa-Locka - Dialysis Center submitted by Robayna and Associates, Inc.

The plans approval was based on the following criteria:

1. Adequate drainage design for the increase in impervious area.
2. Geometric design of the parking spaces meets Miami-Dade County and City design standards.
3. There is no effect to the existing adjacent roadway traffic patterns by any of the proposed parking spaces.

END OF MEMORANDUM



NOTES:

1. Adequate drainage will be provided at the street parking areas proposed.
2. The following is provided as a conceptual design and subject to a topographic survey to verify exact dimensions.
3. If during design it is found that the areas do not have the adequate dimensions, areas within 500' of 780 Fisherman Street will be reviewed and coordinated with Community Development and Public Works Departments.
4. The total amount of spaces to be constructed will be 14. Additional spaces are shown herein in the event that surveyed dimensions are found to be insufficient.

ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH.(305) 823-9316 E.B. # 5004

PREPARED FOR:

CITY OF OPA-LOCKA

CONCEPTUAL ON-STREET PARKING

DWG. NO.
1

125



ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH.(305) 823-9316 E.B. # 5004

PREPARED FOR:
CITY OF OPA-LOCKA

PROPOSED PARKING #1

DWG. NO.
2



ROBAYNA
AND ASSOCIATES INC.
 ENGINEERS - PLANNERS - SURVEYORS
 5723 NW 158th STREET
 MIAMI LAKES, FL 33014
 PH.(305) 823-9316 E.B. # 5004

PREPARED FOR:

CITY OF OPA-LOCKA

PROPOSED PARKING #2

DWG. NO.
 3





ROBAYNA
AND ASSOCIATES INC.
ENGINEERS - PLANNERS - SURVEYORS
5723 NW 158th STREET
MIAMI LAKES, FL 33014
PH.(305) 823-9316 E.B. # 5004

PREPARED FOR:

CITY OF OPA-LOCKA

PROPOSED PARKING #4

DWG. NO.
5

129

Record and Return to: (enclose self-addressed stamped envelope)

Instrument Prepared by:

Offices of Burnadette Norris-Weeks, P.A.
City Attorney
City of Opa-locka
780 Fisherman Street
Ft. Lauderdale, FL 33311

**DEVELOPMENT AGREEMENT BETWEEN THE GREAT CITY OF OPA-LOCKA, FLORIDA;
AND ROBAYNA AND ASSOCIATES, INC.**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ____ day of May, 2020 ("Execution Date") by and between **441 Opa Locka Blvd., LLC**, a Limited Liability Company, 441 Opa-Locka Blvd., Opa-Locka, FL 33054 and the City of Opa-Locka, Florida, a municipal corporation and a political subdivision of the State of Florida ("City"), with a mailing address of 780 Fishermen Street, 4th Floor, Opa-locka Florida 33054.

WITNESSETH:

WHEREAS, the Owner is the fee simple owner of approximately 0.47 acres of land located at 441 Opa-Locka Blvd., Opa-Locka, FL 33054, within the municipal boundaries of the City and identified by Miami-Dade County Tax Folio No. 08-2121-004-0590(the "Property"), the legal description of which is attached hereto and made a part hereof as Exhibit "A"; and 08-2121-004-0580.

WHEREAS, the City's Commission adopted Resolution Number _____ approving a Master Site Plan for the Dialysis Center which includes approximately 7,136 square feet ; and

WHEREAS, according to Sections 163.3220 through 163.3243, F.S., known as the Florida Local Government Development Agreement Act, the Florida Legislature has determined that the lack of certainty in the development process can result in a waste of economic and land development resources, discourage sound capital improvement planning and financing, escalate the cost of housing and development, and discourage commitment to comprehensive planning; and

WHEREAS, the Florida Legislature has declared that assurances to an Owner that it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring there are adequate capital facilities for the development, encourages private participation in comprehensive planning, and reduces the economic costs of development; and

WHEREAS, the Owner and the City desire to establish certain terms and conditions relating to the proposed development of the Property and wish to establish identifiable parameters for future development; and

WHEREAS, the City Commission pursuant to Resolution No. _____ , adopted on _____ , authorizes the City Manager to execute this Agreement upon the terms and conditions

set forth below, and the Manager of Owner have authorized the Owner to execute this Agreement upon the terms and conditions set forth below; and

NOW, THEREFORE, in consideration of the conditions, covenants and mutual promises herein set forth, the Owners/Owners and City agrees to as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are hereby deemed a part hereof.
2. **Consideration.** The Parties hereby agree that the consideration and obligations recited and provided for under this Agreement constitute substantial benefits to both parties and thus adequate consideration for this Agreement.
3. **Definitions.**
 - (a) "Additional Term" means anyone or more additional term(s) approved by mutual consent of the parties pursuant to a public hearing pursuant to Section 163.3225, F.S.
 - (b) "Agreement" means this Chapter 163, F.S., Development Agreement between the City and Owners/Owners.
 - (c) "City" means the City of Opa-Locka, a municipal corporation and a political subdivision of the State of Florida, and all departments, agencies and instrumentalities subject to the jurisdiction thereof.
 - (d) "Comprehensive Plan" means the plan adopted by the City pursuant to Chapter 163, F.S.
 - (e) "Owner" means the persons or entities undertaking the development of the Property, defined in the preamble to this Agreement, Opa Locka Blvd., LLC and/or any of its respective successors, assigns, or heirs thereof.
 - (f) "Development" means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels and such other activities described in Section 163.3221(4), F.S.
 - (g) "Development Permit" includes any building permit, zoning or subdivision approval, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.
 - (h) "Effective Date" is the date this Agreement is recorded with the clerk of the Circuit Court in and for Miami-Dade County,
 - (i) "Entire Term" is the total term of this Agreement, combining the Initial Term (thirty (30) years) and the Additional Term, as defined herein.
 - (j) "Execution Date" is the date that all parties have affixed their signatures to this Agreement.

- (k) "Existing Zoning" means (a) all entitlements associated with the City's approval of the Site Plan, and (b) the provisions of the Charter, Comprehensive Plan and Laws of the City of Opa-Locka, including the City of Opa-Locka's Unified Land Development Regulation Code and the Ordinance, as amended through the Effective Date.
- (l) "441 Opa Locka Blvd., LLC/ Dialysis Center Site Plan" is the Final Site Plan approved by the City Commission via Resolution No. _____ for a 441 Opa Locka Blvd., LLC/ Dialysis Center.
- (m) "Governing Body" means the City of Opa-Locka's City Commission.
- (n) "Initial Term" is thirty (30) years commencing on the Effective Date.
- (o) "Land" means the earth, water, and air, above, below, or on the surface and includes any improvements or structures customarily regarded as land, except as provided herein.
- (p) "Land Development Regulations" means ordinances, rules and policies enacted or customarily implemented by the City for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulation or any other regulations controlling the development of or construction upon land in effect as of the Effective Date.
- (q) "Laws" means all ordinances, resolutions, regulations, comprehensive plans, Land Development Regulations, and rules adopted by the City of Opa-Locka affecting the development of land in effect as of the Effective Date, including Opa-Locka's Unified Land Development Regulation Code, the Ordinance and the Resolution Number _____.
- (r) "Parties" means the City and the Owner/Developer
- (s) "Project" is the 441 Opa Locka Blvd., LLC/ Dialysis Center as described by the 441 Opa Locka Blvd., LLC/ Dialysis Center Site Plan.
- (t) "Property" means the approximately 0.47-acre parcel of land located 441 Opa-Locka Blvd., Opa-Locka, FL. 33054 and identified by Miami-Dade County Tax Folio No. 08-2121-004-0590 and 08-2121-004-0580, the legal description of which is attached hereto and made a part hereof as Exhibit "A."
- (u) "Public Facilities" means major capital improvements, including, but not limited to transportation, transit, sanitary sewer, solid waste, drainage, potable water, educational facilities, parks and recreational, and health systems and facilities for which the City's Comprehensive Plan sets forth required levels of service.
- (v) "Resolution" means the resolution defined in the preamble to this Agreement, City of Opa-Locka Resolution Number _____ approving the Opa Locka Opa Locka Blvd., LLC/ Dialysis Center Site Plan.

4. **Intent.** It is the intent of the Owner and the City that this Agreement shall be construed and implemented as a development agreement among the parties pursuant to the Florida

Local Government Development Agreement Act, Section 163.3220 through 163.3243, F.S., ("Act"), in compliance with section 4.16 of the City of Opa-Locka's Unified Land Development Regulation Code, the Ordinance and the Resolution.

5. **Effective Date.** Immediately upon approval by the City and execution by all parties, the City shall record, with recording fees paid by the Owner, the Agreement with the clerk of the Circuit Court for Miami-Dade County. This Agreement shall become binding on the Effective Date. Notwithstanding the Effective Date provided herein and required by Section 163.3239, P.S., the City and the Owners/Owners shall act in good faith to carry out the intent of the Agreement upon the Execution Date.
6. **Term of Agreement and Binding Effect.** This Agreement shall run with the land, remain in full force and effect, and be binding on all Parties (including the Owner) and all persons claiming under it for an Initial Term of thirty (30) years from the Effective Date, and may be extended for one or more Additional Term(s) thereafter by mutual consent of the parties subject to two public hearings pursuant to Section 163.3225, F.S. Consent to any extension of this Agreement requires approval of both parties to this Agreement. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement. The obligations imposed pursuant to this Agreement upon the parties and upon the Property shall run with and bind the Property as covenants running with the Property, and this Agreement shall be binding upon and enforceable by and against the parties hereto, their personal representatives, heirs, successors, grantees and/or assigns.
7. **Termination.** No notice of termination shall be required by either Party upon the expiration of this agreement and thereafter the Parties hereto shall have no further obligations under this agreement.
8. **Expiration / Termination / Default.** Upon the expiration of the agreement, the city shall have ability and the rights under its police power to adopt Zoning Regulations not inconsistent with the rights granted hereunder. In the event of termination or default, no further rights under this agreement shall exist, whether brought under a claim of vested right, equitable estoppel or otherwise.
9. **Development Conditions.** In accordance with Section 163.3227(c), F.S., the Owner agrees as follows:
 - (a) All impacted Public Facilities shall be adequate to serve the Property at an acceptable level of service prior to the issuance of a Certificate of Occupancy for the Project, and shall be served by water and sanitary sewer main extensions as required by the city in accordance with Miami-Dade County permitting requirements
 - (b) All Public Facility improvements required by the City, by Miami-Dade County, Florida, or voluntarily proposed by the Owner to be installed by Owner shall be constructed in accordance with applicable governmental regulations prior to the issuance of a Certificate of Occupancy of the Project.
 - (c) All signage shall comply with all city sign code ordinance requirements.

- (d) Owner will abide by and not deviate from the terms of its graphic and verbal representation submitted to the City Commission in order to receive approval of the Opa Locka Blvd., LLC/ Dialysis Center Site Plan. Such items include, but are not specifically limited to:
- Design of all physical structures, water bodies, private and public improvements; and
 - The color and dimensional characteristics of all building materials.
 - Owner agrees to construct commercial and retail facilities to compliment automobile facilities proposed on the Property.
 - All landscaping, bay, loading and parking spaces must be provided and maintained as shown on the site plan.
- (e) Owners guarantee to preserve and maintain all building and structures consistent with the Opa Locka Blvd., LLC/ Dialysis Center Plan, free of all liens and encumbrances, for the entire period in which the Owners own the land or control 51% ownership of the Property, or control 5% of any entity to which his agreement has been assigned, sold or otherwise transferred.
- (f) Owner shall submit annual reports and additional documentation to the City as required by the Resolution to verify continuing compliance with the Resolution.
- (g) Owners will not physically alter or substitute the design of structures, materials and colors included in the Opa Locka Blvd., LLC/ Dialysis Center Site Plan except as approved by the City in the City's sole discretion. In the event that building materials or colors are no longer available, the burden shall be on Owners/Owners to prove that said materials or colors are in fact unavailable.
- (h) The Developer, and any Assign, Successors or any other Owner of the property shall not apply to the Value Adjustment Board to obtain a lower assessment on the subject property of this Development Agreement during the thirty (30) years this Development Agreement is in effect.
- (i) Owner agrees that the City may enter onto the Property to confirm compliance with the terms of this Agreement.
- (j) Owner shall mitigate any negative factoes created by the Opa Locka Blvd., LLC/ Dialysis Center on surrounding boundary of the Property.
- (k) Owner shall strive to employ qualified residents from the City of Opa-locka to work at the Property (prior to and after construction). In order to accomplish this task the Owner shall coordinate with the City of Opa-locka and the Career Source of South Florida Office located in the City in accordance with the Memorandum of Understanding between the City of Opa-locka and Career Source.
- (l) Owner shall also encourage all contractors and subcontractors to employ Opa-locka residents through the assistance of the Career Source South Florida office

in coordination with the City of Opa-locka and in accordance with the Memorandum of Understanding between the City of Opa-locka and Career Source.

- (m) All trash and garbage containers shall comply with all city dumpster enclosure requirements.
- (n) Parking: (1) space per 250 square feet
- (o) Owner agrees and shall provide (38) off-site parking spaces as shown and included in the site plan and supplemental parking plan.
- (p) Hours of operations 7:00 AM-7:00 PM
- (q) The Owner/Developer must comply with the following timeline, which applies immediately upon approval of this Development Agreement/Restrictive Covenant: Violation of this timeline may result in; the revocation of any approved Development Permit and/or any actions deemed necessary by the City of Opa-locka:
 - Must apply for building permits within 6 months from the execution of the Development Agreement. The City Manager may grant a single 6 month extension for good cause shown.
 - Start construction: within 18 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause shown.
 - Complete project: within 54 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause.

10. **Development Permits.** In accordance with Section 163.3227(f), F.S., the City need to approve the following additional development permits upon proper submission of all requirements, and City review or inspections, in order for the Owner to develop the Project:

- (a) Site plan approvals;
- (b) Modifications to existing approvals and permits, including the Opa Locka Blvd., LLC/ Dialysis Center Site Plan
- (c) Water, sewer, paving and drainage permits;
- (d) Building permits;
- (e) Sign permits;
- (f) Certificates of use and occupancy; and

- (g) Any other official action of the City and/or Miami-Dade County, Florida or other applicable regulatory agencies having the effect of permitting the development of land or providing permits required for the development of Property.
- (h) Any liens, fees, code violations or unpaid assessments shall be satisfied prior to the execution of this agreement.
- (i) All currently non-compliant physical structures or vehicles shall be removed prior to the execution of this agreement.
- (j) All (38) off-site parking spaces as shown and included in the site plan and supplemental parking plan.

11. **Public Services and Facilities; Concurrence.** In accordance with Section 163.3227(d), F.S., the City and the Owners/Owners anticipate that the Property and the Project will be served by those public services and facilities currently in existence as provided by the State of Florida, Miami-Dade County, the City, and/or as contemplated in Opa Locka Blvd., LLC/ Dialysis Center Site Plan. The Property and the Project will also be served by any and all public facilities provided in the City's Comprehensive Plan, specifically including but not limited to, those public facilities described in the Comprehensive Plan's Capital Improvements Element. For the purposes of concurrency, the City hereby agrees to provide, reserve, and allocate sufficient public facility capacity, including but not limited to water, sanitary sewer, solid waste, drainage, fire and police to serve the development of the Project on the Property. All development orders or permits sought to be issued for the Project pursuant to this Agreement must be able to meet concurrency standards set forth in the Comprehensive Plan (concurrency regulations) and to be consistent with Land Development Regulations, so long as the Owners/Owners constructs the Property in compliance with the City's Laws, Comprehensive Plan and Land Development Regulations in existence as of the Effective Date. Owners/Owners shall be bound by the City impact fees and assessments in existence as of the Effective Date of this Agreement. Nothing in this paragraph shall relieve the Owners/Owners of the requirement to pay impact fees and assessments.
12. **Consistency with Comprehensive Plan.** In accordance with Section 163.3227(g), F.S., the City hereby finds and declares that the Owners development of the Project on the Property complies with the Laws, ordinances, regulations and policies of the City of Opa-Locka, and is consistent with the City's Laws, Comprehensive Plan and Land Development Regulations.
13. **Reservation of Development Rights.** Except as otherwise provided in the Act for the Entire Term of this Agreement, the City hereby agrees that it shall permit the development of the Project in accordance with the Laws of the City of Opa-Locka, including the City's Comprehensive Plan and Land Development Regulations, as of the Effective Date of this Agreement, subject to the conditions of this Agreement. Except as otherwise provided in the Act, the City's Laws and policies governing the development of the Property as of the Effective Date of this Agreement shall govern the development of the Property for the Entire Term of this Agreement unless terminated. Development of the Property as outlined herein shall not be subject to any future changes to the Laws of the City, including the City's Land Development Regulations and Comprehensive Plan designation after the Effective Date and during the Entire Term of this Agreement, except to the extent that Owners consent to such changes and except as otherwise provided in

the Act. The City may apply subsequently adopted laws or policies to the Property only as permitted or required by the Act or as provided above or upon this agreement being terminated or having expired

14. **Zoning and Other Approvals.** The Parties hereto recognize and agree that certain provisions of this Agreement require the City and its boards, departments or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such considerations and actions shall be undertaken in accordance with established requirements of state statutes and municipal ordinances, in the exercise of the City's jurisdiction under the police power. Nothing in this Agreement shall be construed to prohibit the City from duly acting under its police power to approve, approve with conditions, or reject any public hearing application dealing with the Property.
15. **Necessity of Complying, with Local Regulations Relative to Development Permits.** In accordance with Section 163.3227(i), F.S., this Agreement is not and shall not be construed as a development permit or authorization to commence Development. The Owners/Owners and the City agree that the failure of this Agreement to address a particular permit, condition, fee, term or restriction in effect on the Effective Date of this Agreement shall not relieve Owners/Owners of the necessity of complying with any and all regulations governing said permitting requirements, conditions, fees, terms or restrictions as long as compliance with said regulation and requirements do not require the Owners/Owners to develop the Property in a manner that is inconsistent with the Laws of the City of Opa-Locka in existence as of the Effective Date.
16. **Good Faith; Further Assurances.** The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of and to satisfy their obligations under this Agreement in order to secure to themselves the mutual benefits created under this Agreement. In that regard, the parties shall execute such further documents as may be reasonably necessary to effectuate the provisions of this Agreement, provided that the foregoing shall in no way be deemed to inhibit, restrict, or require the exercise of the City's police power or actions of the City when acting in a quasi-judicial capacity.
17. **Notices.** Any notice required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given if delivered by hand, sent by a recognized courier (such as Federal Express) or mailed by certified or registered mail, return receipt requested, in a postage prepaid envelope and addressed as follows:

If to the City
at:

City Manager
City of Opa.-Locka
780 Fishermen Street, 4th Floor
Opa-Locka, Florida 33054

With a copy

Law Offices of Burnadette Norris-Weeks, P.A
City Attorney
City of Opa-Locka
780 Fisherman Street
Opa-Locka, Florida 33054
And

401 North Avenue of the Arts,
Ft. Lauderdale, FL 33311

If to the Owners/Owners
at:

441 Opa-locka Blvd LLC
c/o Gwen Morantz
441 Opa-Locka Blvd. LLC
3674 SW 161st Terrace
Miramar, FL 33027

18. **Governing Laws, Construction and Litigation.** This Agreement shall be governed and construed in accordance with the laws of the State of Florida. The Owners/Owners and the City agree that Miami-Dade County, Florida is the appropriate venue in connection with any litigation between the parties with respect to this Agreement. All of the parties to this Agreement have participated fully in the negotiation and preparation hereof; and accordingly, this Agreement shall not be more strictly construed against any of the parties hereto. In construing this Agreement, captions, and section and paragraph headings shall be disregarded. All of the exhibits referenced in this Agreement are incorporated in, and made a part of, this Agreement. In the event of any litigation between the parties under this Agreement for a breach thereof, the prevailing party shall be entitled to reasonable attorney's fees and court costs at all trial and appellate levels.

Pursuant to Section 163.3241, F.S., if state or federal laws are enacted after the execution of this Agreement which are applicable to and preclude the parties' compliance with the terms of this Agreement, such Agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws

19. **Severability.** In the event that any term or provision of this Agreement is determined by an appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.

20. **Entire Agreement.** This Agreement sets forth the entire Agreement and understanding between the parties hereto relating in any way to the subject matter contained herein and merges all prior discussions between the Owners/Owners and the City. Neither party shall be bound by any agreement, condition, warranty or representation other than as expressly stated in this Agreement and this Agreement may not be amended or modified except by written instrument signed by both parties hereto and in accordance with Section 163.3225, F.S.
21. **Indemnification.** The Owners/Owners shall indemnify and hold harmless the City, its elected and appointed officials, employees, agents and assigns from and against any claims or litigation arising from this Agreement instituted by third parties.
22. **Periodic Review of Agreement.** Pursuant to Section 163.3235, F.S., the City shall review the Property subject to this Agreement at least once every 12 months to determine if there has been demonstrated good faith compliance with the terms of this Agreement. If the City finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of this Agreement, this Agreement may be revoked or modified by the City.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY

CITY OF OPA-LOCKA FLORIDA

ATTEST: _____
City Clerk

By: _____
City Manager

Dated: _____ day of _____, 20____

Approved for form and legal sufficiency:

City Attorney: _____

OWNERS/OWNERS

Owner/Developer: **441 Opa-Locka Blvd., LLC**

WITNESS:

Signature

Print Name

Signature

Print Name

By: _____

Name: Dennis Stackhouse

Title: Manager

STATE OF VERMONT)

:

COUNTY OF WINDSOR)

| The foregoing instrument acknowledges before me this _____ day of _____, 2020 by Owner/Developer, who is personally known to me or has produced _____ as identification, and acknowledged that she/he did execute this instrument freely and voluntarily for the purposes stated herein.

Notary Public, Vermont State

Print Name

My Commission Expires:

EXHIBIT A- PROPERTY LEGAL DESCRIPTION/SURVEY/SITE PLAN

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant seeks to develop the Property with a warehouse/distribution/commercial facility in accordance with the Commercial and Corridor Mixed Use Overlay requirements. The applicant has prepared a site plan to illustrate the proposed warehouse/distribution commercial facility; and

WHEREAS, according to the City of Opa-locka's official Zoning Map, the Property is designated B-3 (Commercial Intensive Business District) and is subject to a Corridor Mixed-Use Overlay, which allows for an industrial/commercial mixed use, including warehouse/distribution facilities; and

WHEREAS, as indicated on the accompanying plans, the proposed development would consist of four buildings containing approximately 454,909 square feet of distribution space and 50,545 of office use. The portion of the easternmost building, fronting Le Jeune Road, is designed to facilitate and encourage commercial development such as tile and flooring users; and

WHEREAS, the Plans also incorporate traditional Moorish architecture to complement the surrounding community and general design goals of the City.

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

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Site Plan. The City Commission of the City of Opa-locka hereby approves / denies a request for Site Plan Review for 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.

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 may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE.

This Resolution shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED AND ADOPTED 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.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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 Virtual Regular Commission Meeting on Wednesday, June 24, 2020 at 7:00 p.m. to consider the following items:

SECOND READING ORDINANCE/PUBLIC HEARING:

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 May 27, 2020).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121- 007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121- 004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Additional information on the above items may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings. For information on Virtual Commission Meeting procedures please visit www.opalockafl.gov.

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



City of Opa-Locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John Pate		CM Signature:		
Commission Meeting Date:	6-24-20	Item Type: <i>(Enter X in box)</i>	Resolution	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		X	
			Public Hearing: <i>(Enter X in box)</i>	Yes	No
				X	
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex: PTP		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/Bi#: N/A		
		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>	
	X				
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The City of Opa-locka's Comprehensive Plan, Future Land Use Plan map provides that the property has a land use designation of "Commercial" with a "Corridor Mixed Use Overlay", which allows for an industrial/commercial mixed-use, including warehouse/distribution facilities. This property would potentially provide a boost to the local economy by promoting job creation and economic development in an area centrally located off a half line section line road and a major highway, State Road 924/Gratigny Parkway.

BACKGROUND

The applicant wishes to construct a 505,454 square foot warehouse distribution center at the southwest corner of NW 42nd Avenue/Le Jeune Road and State Road 924/Gratigny Parkway. This property currently serves as an auto action and is surrounded by commercial uses to the east of the property and industrial uses to the north.

FINANCIAL IMPACT

When this project is completed, the City will receive approximately \$558,931 of impact fees. Additionally, it is estimated that the taxable valuation of the property will increase by approximately \$51 million, which at the current year millage rate of 9.8000 mills will provide additional ad valorem revenue of \$499,800. Finally, the property will be a user of City water and sewer services as well as paying annual Business Tax Receipts and stormwater fees.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- GPT NW 42nd Avenue – Site Plan
P & Z Board Meeting Minutes 5-5-20

PLANNING COUNCIL

May 5th
2020



WAREHOUSE/DISTRIBUTION CENTER: Site Plan APPLICANT'S REQUEST:

Staff Report

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.



I. Site Background

- According to Miami-Dade County Property Appraiser's website, the subject Property's legal description is as follow:

29 52 41 28.316 AC
BEG 35FTS OF NE COR OF SW1/4 CONT
S1232.50FT N 66 DEG W 548.72FT
N 59 DEG W 391.46FT N 56 DEG W
302.53FT N 32 DEG E 126.08FT N 57
DEG W 408.10FT S 32 DEG W 115FT
N 60 DEG W 480.02FT N 57 DEG W
201.73FT E1981.08FT TO POB
LOT SIZE 1233271 SQ FT

- The subject property is currently own by GPT NW 42nd Avenue Owner LLC. according to the Miami-Dade County Property appraiser's website. The subject Property currently serves as an auto auction lot and the current parcel (Folio #08-2129-000-0032) zoning designation is B-3 with the Commercial and Corridor Mixed Use Overlay which allows for commercial and mixed use developments.
- Currently the site conditions are as follow: Auto Auction lot (*see Existing Condition Section*). The site is located in the southwest corner of NW 42nd Avenue/Le Jeune Road and State Road 924/Gratigny Parkway, south of the Miami-Dade County Canal. The site is only accessible via Le Jeune Road.



← SOUTH NW 42nd Ave/Le Jeune Road NORTH →

Figure 1: Google Street View, dated:

II. Project Details

- Applicant's intent**

The applicant wishes to construct a 505,454 square foot warehouse distribution center at the southwest corner of NW 42nd Avenue/Le Jeune Road and State Road 924/Gratigny Parkway. This property currently serves as an auto auction and is surrounded by commercial uses to the east of the property and industrial uses to the north.

The City of Opa-locka's Comprehensive Plan, Future Land Use Plan map provides that the property has a land use designation of "Commercial" with a "Corridor Mixed Use Overlay", which allows for an industrial/commercial mixed-use, including warehouse/distribution facilities. This property would potentially provide a boost to the local economy by promoting job creation and economic development in an area centrally located off a half line section line road and a major highway, State Road 924/Gratigny Parkway.

Site Computations & Land Development Regulation / Zoning Code				Table 1
Applicant	GPT NW 42 nd Avenue Owner LLC.			
Folio Number (s)	Opa-locka: 08-2129-000-0032			
Address Location	12700 NW Le Jeune Road			
Building (s) Footprint	Total Site Area – 1,233,619 SF Office Bldg. – 50,545 SF Warehouse Space – 454,909 SF Parking Lot – 4,450 SF Common Green Area – 246,724 SF			
Floor Area	Total 505,454 SF			
Zoning	B-3 – Commercial Intensive / CMU – Corridor Mixed Use Overlay			
Zoning Code Consistency	The proposed use for a Warehouse Distribution Center is consistent with the B-3 Zoning Code.			
Existing Land Use	Automotive Auction Lot / B-3			
Future Land Use Designation	B-3			
Comprehensive Plan Consistency	- The proposed use for a Warehouse Distribution Center is consistent with the Comprehensive Plan with the requested property being B-3.			
Applicable LDR Sections	Ordinance no. 15-31, Article III Sec; 22-55; Article V Sec. 22-91, 22-112, Ord. no. 14-16			
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE	
Front (East)	15 Feet	83 Feet	YES	
Rear (North)	15 Feet	N/A	YES	
Side	0 Feet	7.68 Feet	YES	
Corner Lots/ Other	N/A	N/A	N/A	
Lot Coverage	N/A	0.41%	YES	
Lot Density	N/A	N/A	N/A	

Lot Size	10,000 SF (0.23 Acres)	1,233,619 SF (28.32 Acres)	YES
Lot Width	N/A	N/A	N/A
Building Height	6 Stories or 65 Feet whichever less	Office Building: 1 Stories/ Feet	YES
Structure Length	N/A	N/A	N/A
Other Vehicular Use Area	4,450 SF	4,450 sq. ft. 246,724 sq. ft.	YES
Landscaping	Office buildings: pursuant to the Land development Regulation Ordinance 86-8: Article 4, section 22-91. one (1) Parking per 250 square feet of floor area. <u>-308 spaces required</u>	Office Bldg. 50,454 SF	YES
Parking Details		Parking Lot: 4,450 SF Total Space Provided: 492 Total Spaces 483 Regular Spaces 9 Handicapped Spaces	
Landscape/ Pervious Lot Coverage	10% minimum required pervious	10% provided	YES
Notification Requirement	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Wednesday, February 26th, 2020. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, May 5th, 2020. - City Commission Meeting: TBD		
Local Government Action Required	The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning and Zoning Board and any other applicable board or agency.		

III. Overall Analysis

Existing Conditions:

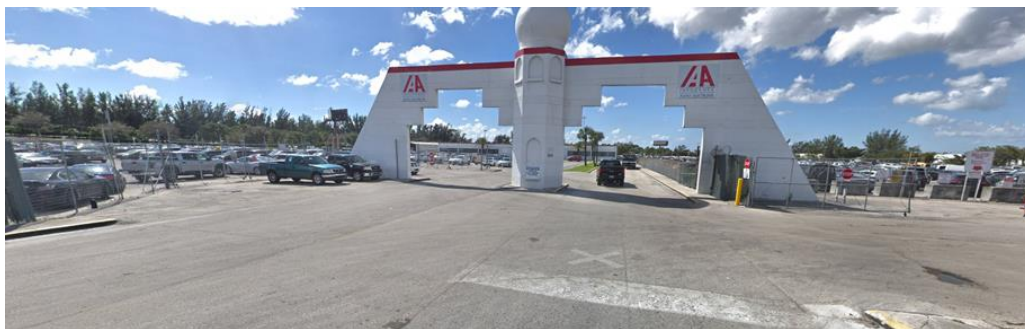
- The Subject Property is generally surrounded by commercial properties to the east and industrial uses to the north with ingress and egress to NW 42nd Avenue/Le Jeune Road.
- Sidewalk alongside the east edge of the Property.
- Across the street from the Opa-locka Hialeah Flea Market to the east.
- Property is currently utilized for storage and sales of vehicles involved with the automotive auction operations.



South View of property (South on Le Jeune Road facing State Road 924/Gratigny Parkway)



North View of Property (North on Le Jeune Road)



View of entrance of property highlighting Moorish Structure currently on site



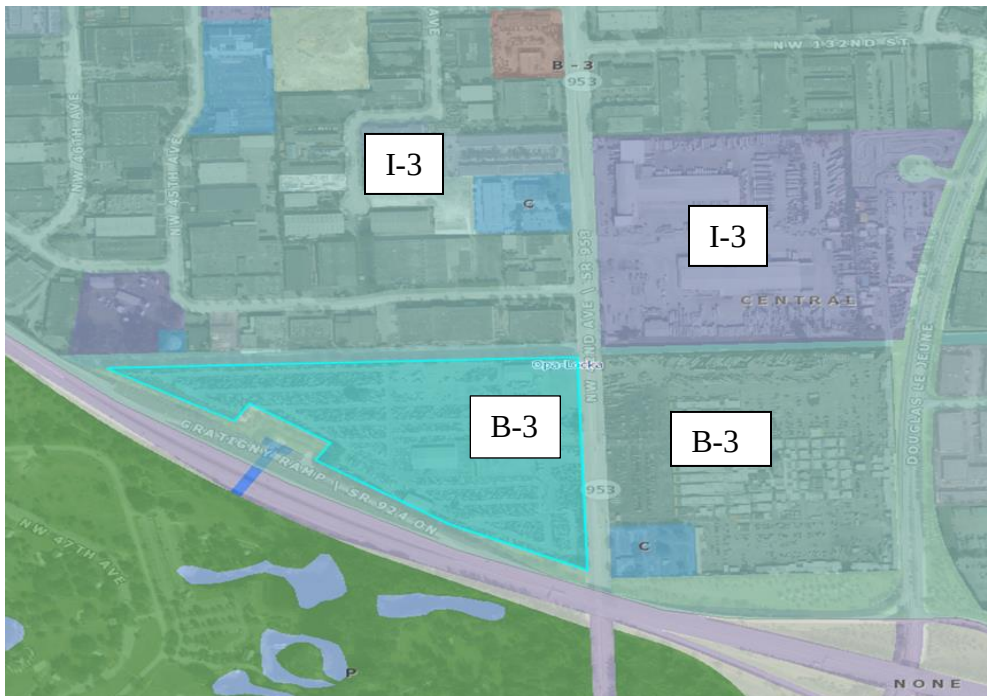
East View of Property (Opa-locka-Hialeah Flea Market)

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Industrial	Industrial	I-3 (Commercial Liberal)
South	ROW	ROW (State Road 924/Gratigny Parkway)	N/A
East	ROW	ROW (42 nd Avenue/Le Jeune Road)	N/A
West	ROW	ROW (State Road 924/Gratigny Parkway)	N/A

Surrounding Zoning Designation Map

The Site is Highlighted in image



- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions?

COMPLIES

- **Findings:**

- The proposed development use 'Warehouse Distribution Center' is in harmony with the general characteristic of the surrounding neighborhood: Commercial/Industrial Uses

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO.10-03

COMPLIES

- **Findings:**

- The Applicant is proposing to include landscaping at 5.7ac. (*Please see attached Landscape Plan for Trees detailed information*).

- **Fence:** All fences constructed on property perimeters shall be of a solid masonry construction or a decorative masonry block to prevent the view of any stored article. Fences shall be constructed in a way so as not to obstruct or impair the view of any vehicle driver's ability to see other vehicles or pedestrians within two hundred (200) feet of any intersection within the district.

- **Findings:**

- The Applicant is not required to have fencing as the property is on a commercial corridor pursuant to the City Land development Regulation/Zoning Code 15-31, B-3 Commercial District (Section 22-91).

- **Future Land Use:** Commercial (Communications, water and sewer facilities, electrical as needed).

- **Findings:**

- According to the City of Opa-locka Comprehensive Plan; the proposed project shall be located within the City's Commercial land use designation category location.

COMPLIES

- **B-3 (Commercial Intensive) Permitted Uses:** Project Specific: *Warehouse Distribution Center*

- **Findings:**

- According to the City's Land Development Regulation/ Zoning Code B-3 (Commercial Industrial) allows for a Warehouse Distribution facility which is permitted within a B-3.

COMPLIES

- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.

- **Findings:** The Planning and community Development Department has received signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

COMPLIES

IV. Project Need Assessment / other Required Approvals

1. Site Plan

- Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th, 2020

2. Development Agreement

- Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th, 2020

V. **Development Review Committee (DRC): *Meeting Review Comments***1. **Capital Improvement Project (CIP):**

- N/A

2. **Building:**

- N/A

3. **Police:**

- N/A

4. **Community Redevelopment Agency (CRA):**

- N/A

5. **City Manager's Office (CMO):**

- N/A

6. **Code Enforcement:**

- N/A

7. **City Attorney's Office:**

- Development Agreement under review

8. **Public works:**

- Potable water supply meeting the requirements of Florida Statue 373, shall be utilized a dual check-valve back flow preventers on the water supply system with section C404.6 of the Florid Building Code. Could you please show in your plan both propose water connection preventers with backflows (RPZ).

9. **Inter-jurisdictional Review:**

- N/A

VI. **Staff Recommendation:**

- Staff recommend approval of this Site Plan pending the following other approvals:
 - A Development Agreement must be submitted along with this Warehouse Distribution Center Site Plan pursuant to the city Land Development Regulation/ Zoning Code Ordinance no. 15-31: Article V Section 22-112 and F.S. Section 163.3220-163.3243;
 - All signage shall comply with the City's Sign Code Ordinance no. 15-31 Article X;
 - All landscaping and parking areas must be provided and maintained as shown in the Opa-locka Warehouse Distribution Center Site Plan;
 - Trees to be planted 25' avg. oc.;
 - Adequate landscape buffer around parking area;
 - Compliance with resolution 5058, fare share agreement;
 - Extend employment and /or job training opportunities to City residents through the City's Human Resource dept. and the Opa-locka workforce;
 - Maintain 100% the use, function, or any recommendation the Planning and Zoning Board deem necessary to this Opa-locka Warehouse Distribution Center site plan and or not limited to the provision of satisfying all other city's land development code pertaining to the site, landscape and structures;
 - All trash & garbage containers shall comply with the City dumpster enclosure requirements;

- The Development Agreement (D.A.) shall specifically address the daily operation, business, behaviors and any other requirements set forth by the City's Land Development Code, Planning and Zoning Board and the City Commissioner for this proposed Opa-locka Warehouse Distribution Center site plan;
- Address all Miami-Dade County's input/recommendations as appropriate

VII. **Attachments:**

- Site Plan
- Development Agreement

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VIII. **Staff Report Updated After the Planning and Zoning Board Meeting on May 5th, 2020. *Reflected Actions:***

I. **Planning and Zoning Board Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)**

Resolution No. 2020-0505-01, 2020-0505-02

RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: Warehouse Distribution Center
FOR: SITE PLAN APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 505,454 SQ. FT. WAREHOUSE DISTRIBUTION FACILIY WITH 492 PARKING SPACES.

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐ DATE: 05-05-2020
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / __
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning and Zoning Board Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

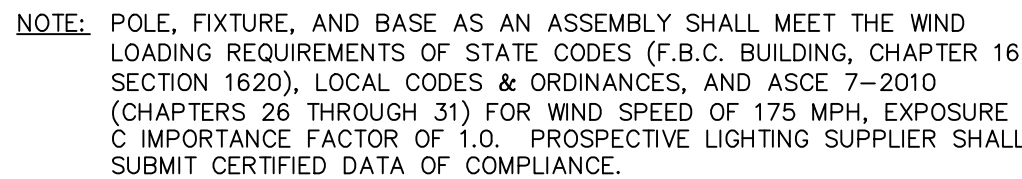
Chairperson or Designee

The Following changes/recommendations are updates based on the Planning and Zoning Board Meeting discussions in regards to the proposed Warehouse Distribution Center



BEGIN AT THE POINT OF INTERSECTION WITH A LINE THAT LIES 35 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 29 AND A LINE THAT LIES 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SW 1/4 OF SAID SECTION 29; THENCE RUN SOUTH 01°53'39" EAST, ALONG A LINE THAT LIES 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SW 1/4 OF SAID SECTION 29 FOR 1232.50 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF GRATIGNY PARKWAY, ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO. 924, SECTION 87008-2504, SHEET 5; THENCE NORTH 66°02'04" WEST, ALONG SAID RIGHT OF WAY LINE FOR 548.72 FEET; THENCE NORTH 59°35'03" WEST, FOR 391.46 FEET; THENCE NORTH 56°47'32" WEST, FOR 302.53 FEET; THENCE NORTH 32°00'20" EAST, FOR 126.08 FEET; THENCE NORTH 57°59'40" WEST, FOR 408.10 FEET; THENCE SOUTH 32°00'20" WEST, FOR 115.00 FEET; THENCE NORTH 60°24'28" WEST, FOR 480.02 FEET; THENCE NORTH 57°47'06" WEST, FOR 201.73 FEET TO A POINT THAT LIES 35.00 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 29; THENCE NORTH 87°50'11" EAST, ALONG A LINE THAT LIES 35.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 29, FOR 1,981.07 FEET TO THE POINT OF BEGINNING.

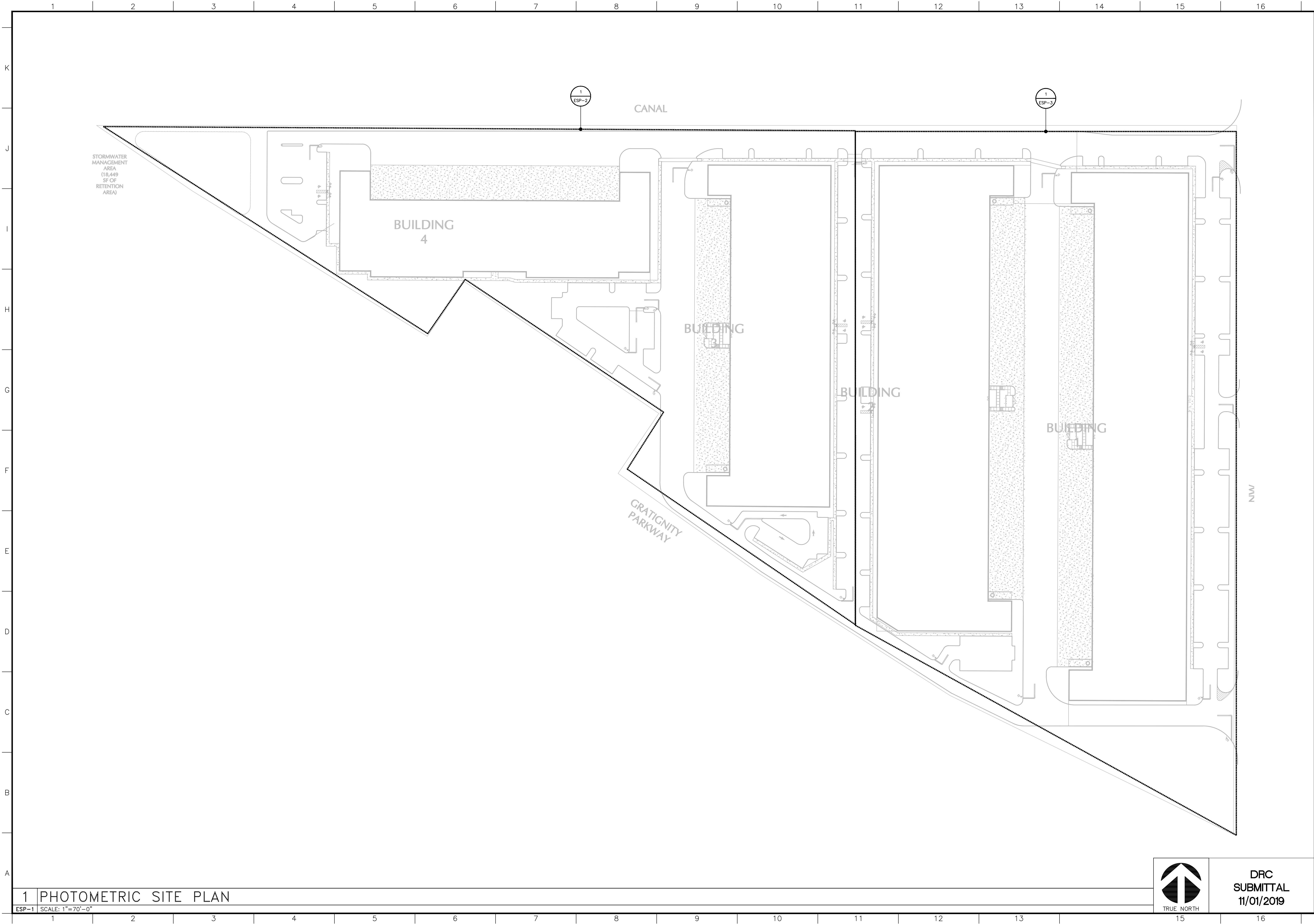
Date	Description	No.
REVISIONS		
SIGNATURE		DATE
MICHAEL CARR		
PROFESSIONAL ENGINEER FL Lic. No. 72424		
LANGAN Langan Engineering and Environmental Services, Inc. 110 East Broward Boulevard, Suite 1500 Fort Lauderdale, FL 33301 T: 954.320.2100 F: 954.320.2101 www.langan.com FL CERTIFICATE OF AUTHORIZATION No. 00006601LBS172LBS198		
Project		
FOUNDRY AUTO AUCTION SITE OPA-LOCKA MIAMI-DADE Drawing Title		
COVER SHEET		
Project No.	Drawing No.	
330059101	C-1.0	
Date		
11/01/2019		
Drawn By		
CU		
Checked By		
MPC		



ESP-3	SCALE: N.T.S.
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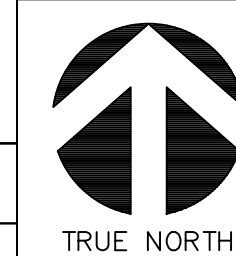






1 PHOTOMETRIC SITE PLAN

ESP-1 SCALE: 1"=70'-0"



DRC
SUBMITTAL
11/01/2019

REVISIONS

Drawing Title
PHOTOMETRIC
SITE PLAN

Scale
Project No. 19116.00
Date 7/17/2019

Principal: BWR
Project Director: CSM
Project Manager: PUGA
Drafted by: PUGA
Checked by: PUGA

Sheet No.

ESP-1

AUTO-AUCTION
WAREHOUSE
OPA-LOCKA, FL

Puga and Associates, Inc.
Engineers/Consultants
F 13 006513
7700 N Kendall Drive, Suite 806
Miami, Florida 33156
(305) 661-7700



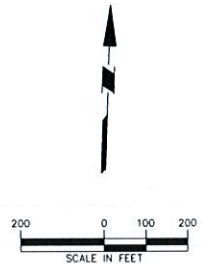
RLC Architects
14 SE 4th Street, Boca Raton, FL 33432
Phone: (561) 995-0007
Web: www.rlcarchitects.com
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STATE OF FLORIDA REGISTERED ARCHITECTS No. A240001060
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OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE
WRITTEN PERMISSION OF RLC ARCHITECTS, P.A.

FOUNDRY AUCTION SITE

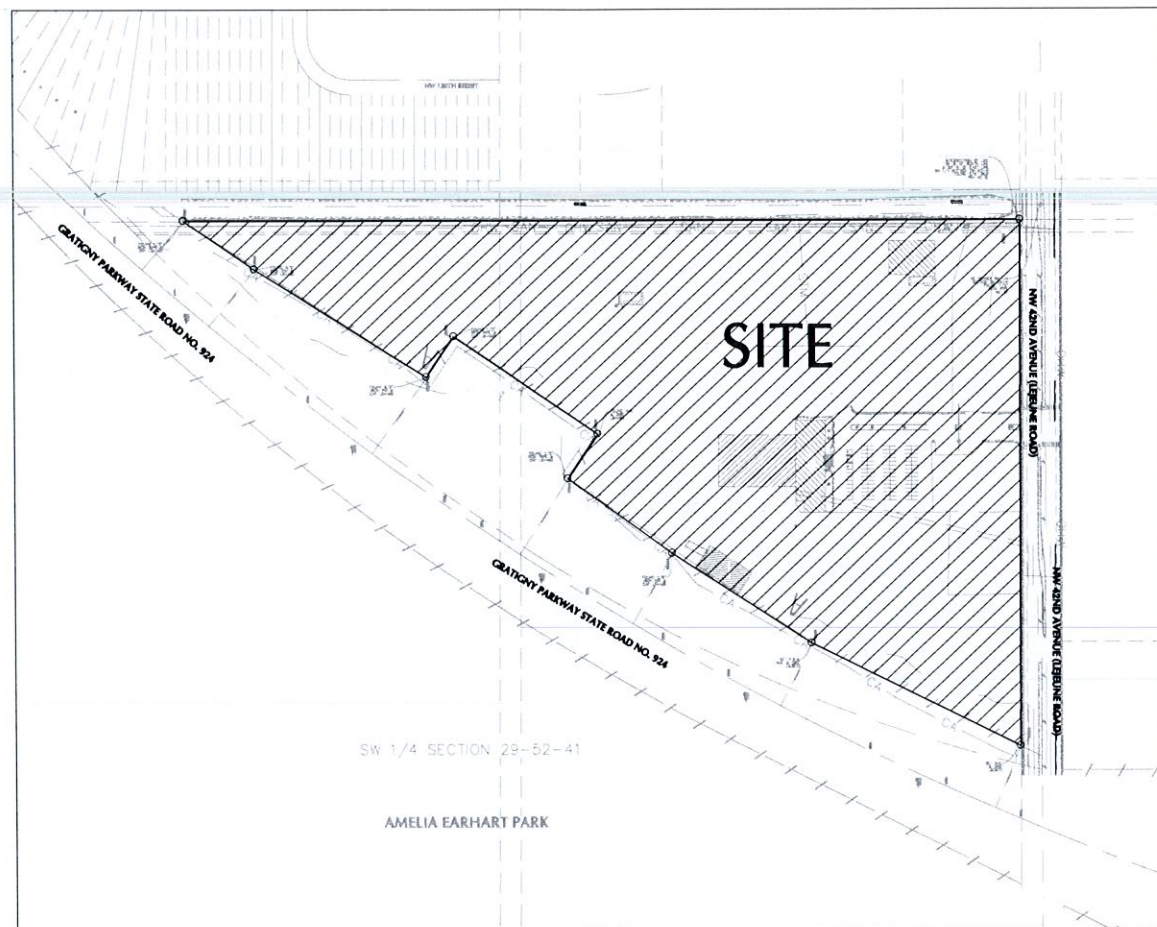
12700 NW LE JEUNE RD

OPA-LOCKA, MIAMI-DADE COUNTY, FLORIDA

A PORTION OF THE SW 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST
CITY OF OPA-LOCKA, MIAMI-DADE COUNTY, FLORIDA



INDEX OF SHEETS	
CIVIL PLANS PREPARED BY: LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES	
SHEET NO.	DESCRIPTION
C-1.0	COVER SHEET
C-2.0	GENERAL NOTES & SPECIFICATIONS
C-3.0	OVERALL SITE PLAN
C-4.0	OVERALL UTILITY PLAN
C-5.0	OVERALL GRADING AND DRAINAGE PLAN
ARCHITECTURAL PLANS PREPARED BY: RLC ARCHITECTS	
SHEET NO.	DESCRIPTION
A-1.00	BUILDING ONE PARTIAL FLOOR PLAN
A-1.01	BUILDING ONE PARTIAL FLOOR PLAN
A-1.10	BUILDING TWO PARTIAL FLOOR PLAN
A-1.11	BUILDING TWO PARTIAL FLOOR PLAN
A-1.20	BUILDING THREE FLOOR PLAN
A-1.30	BUILDING FOUR FLOOR PLAN
A-3.00	BUILDING ONE ELEVATIONS
A-3.01	BUILDING ONE ENLARGED ELEVATIONS
A-3.10	BUILDING TWO ELEVATIONS
A-3.20	BUILDING THREE ELEVATIONS
A-3.30	BUILDING FOUR ELEVATIONS
A-4.00	PRECEDENTS
LANDSCAPE PLANS PREPARED BY: WITHIN HULTS DESIGN GROUP	
SHEET NO.	DESCRIPTION
L-1	LANDSCAPE INDEX
L-2	LANDSCAPE PLAN
L-3	LANDSCAPE PLAN
L-4	LANDSCAPE PLAN
L-5	LANDSCAPE DETAILS
TD-1	TREE DISPOSITION INDEX
TD-2	TREE DISPOSITION PLAN
TD-3	TREE DISPOSITION PLAN
PHOTOMETRIC PLANS PREPARED BY: PUGA AND ASSOCIATES, INC.	
SHEET NO.	DESCRIPTION
ESP-1	PHOTOMETRIC SITE PLAN
ESP-2	PHOTOMETRIC SITE PLAN
ESP-3	PHOTOMETRIC SITE PLAN



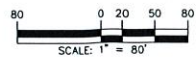
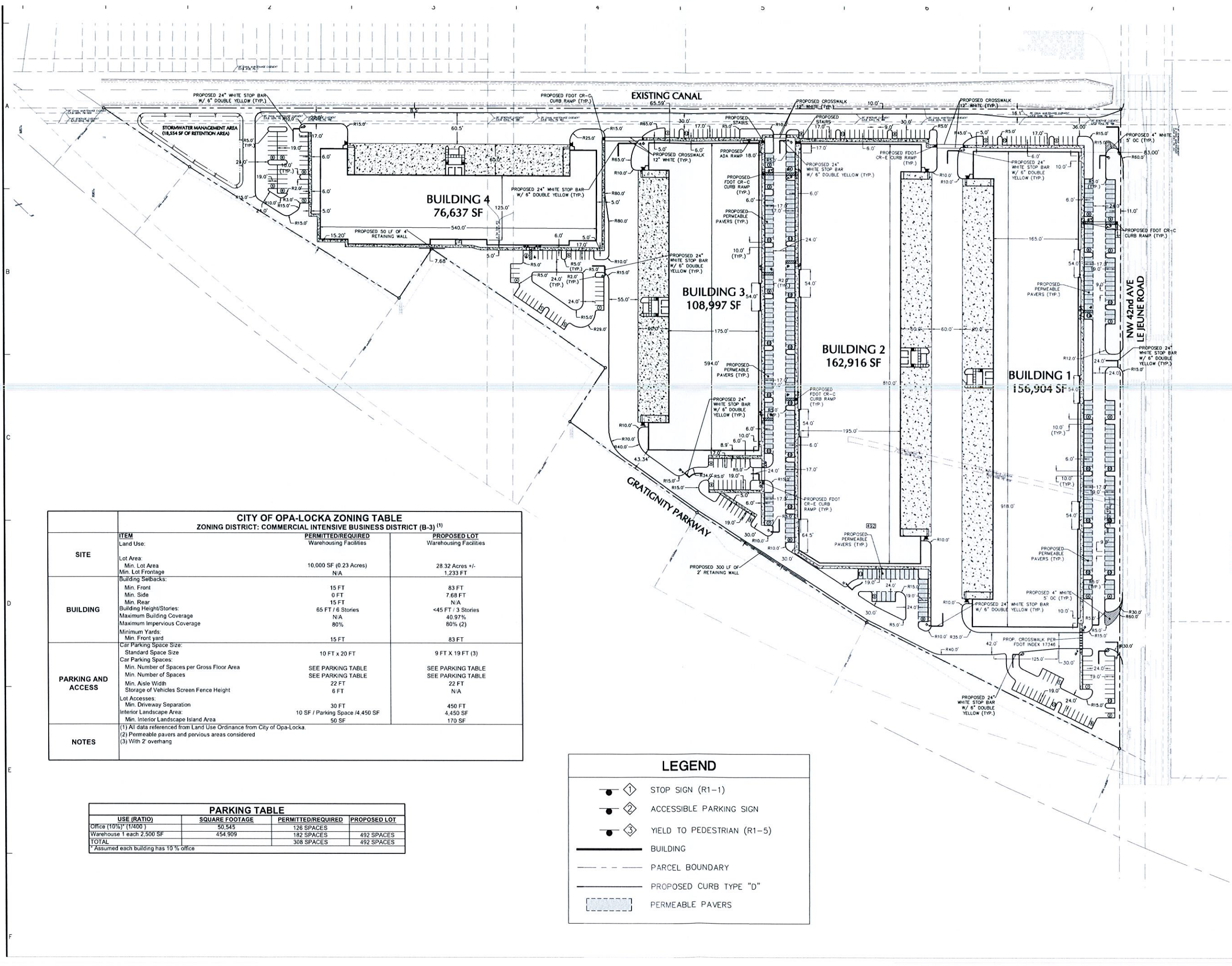
LOCATION SKETCH

LEGAL DESCRIPTION:

A PORTION OF THE SW 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE POINT OF INTERSECTION WITH A LINE THAT LIES 35 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 29 AND A LINE THAT LIES 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SW 1/4 OF SAID SECTION 29; THENCE RUN SOUTH 01°53'39" EAST, ALONG A LINE THAT LIES 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SW 1/4 OF SAID SECTION 29 FOR 1232.50 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF GRATIGNY PARKWAY, ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO. 924, SECTION 87008-2504, SHEET 5; THENCE NORTH 66°02'04" WEST, ALONG SAID RIGHT OF WAY LINE FOR 548.72 FEET; THENCE NORTH 59°35'03" WEST, FOR 391.46 FEET; THENCE NORTH 56°47'32" WEST, FOR 302.53 FEET; THENCE NORTH 32°00'20" EAST, FOR 126.08 FEET; THENCE NORTH 57°59'40" WEST, FOR 408.10 FEET; THENCE SOUTH 32°00'20" WEST, FOR 115.00 FEET; THENCE NORTH 60°24'28" WEST, FOR 480.02 FEET; THENCE NORTH 57°47'06" WEST, FOR 201.73 FEET TO A POINT THAT LIES 35.00 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 29; THENCE NORTH 87°50'11" EAST, ALONG A LINE THAT LIES 35.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 29, FOR 1,981.07 FEET TO THE POINT OF BEGINNING.

MICHAEL PATRICK CARR		No.
Date	Description	No.
REVISIONS		
No. 72424		
STATE OF FLORIDA		
SIGNATURE	MICHAEL CARR	DATE SIGNED
PROFESSIONAL ENGINEER, FL Lic. No. 72424		
LANGAN		
Langan Engineering and Environmental Services, Inc.		
110 East Broward Boulevard, Suite 1500		
Fort Lauderdale, FL 33301		
T: 954.320.2100 F: 954.320.2101 www.langan.com		
FL CERTIFICATE OF AUTHORIZATION No. 3000621138172138196		
Project		
FOUNDRY AUTO AUCTION SITE		
OPA-LOCKA		
MIAMI-DADE		
Drawing Title		
COVER SHEET		
Project No.	Drawing No.	
330059101	C-1.0	
Date	11/01/2019	
Drawn By	CU	
Checked By	MPC	



CITY OF OPA-LOCKA ZONING TABLE			
ZONING DISTRICT: COMMERCIAL INTENSIVE BUSINESS DISTRICT (B-3) (1)			
SITE	ITEM	PERMITTED/REQUIRED	PROPOSED LOT
	Land Use:	Warehousing Facilities	Warehousing Facilities
BUILDING	Lot Area:	10,000 SF (0.23 Acres)	28.32 Acres +/-
	Min. Lot Area	N/A	1,233 FT
	Min. Lot Frontage	N/A	
	Building Setbacks:		
	Min. Front	15 FT	83 FT
	Min. Side	0 FT	7.68 FT
	Min. Rear	15 FT	N/A
	Building Height/Stories:	65 FT / 6 Stories	<45 FT / 3 Stories
	Maximum Building Coverage	N/A	40.97%
	Maximum Impervious Coverage	80%	80% (2)
PARKING AND ACCESS	Minimum Yards:		
	Min. Front yard	15 FT	83 FT
	Car Parking Space Size:		
	Standard Space Size	10 FT x 20 FT	9 FT x 19 FT (3)
	Car Parking Spaces:		
	Min. Number of Spaces per Gross Floor Area	SEE PARKING TABLE	SEE PARKING TABLE
	Min. Number of Spaces	SEE PARKING TABLE	SEE PARKING TABLE
	Min. Aisle Width	22 FT	22 FT
	Storage of Vehicles Screen Fence Height	6 FT	N/A
	Lot Accesses:		
NOTES	Min. Driveway Separation	30 FT	450 FT
	Interior Landscape Area:	10 SF / Parking Space / 4,450 SF	4,450 SF
	Min. Interior Landscape Island Area	50 SF	170 SF

PARKING TABLE			
USE (RATIO)	SQUARE FOOTAGE	PERMITTED/REQUIRED	PROPOSED LOT
Office (10%) (1/400)	50,545	126 SPACES	
Warehouse 1 each 2,500 SF	454,909	182 SPACES	492 SPACES
TOTAL		308 SPACES	492 SPACES

* Assumed each building has 10 % office

LEGEND	
	STOP SIGN (R1-1)
	ACCESSIBLE PARKING SIGN
	YIELD TO PEDESTRIAN (R1-5)
	BUILDING
	PARCEL BOUNDARY
	PROPOSED CURB TYPE "D"
	PERMEABLE PAVERS

REVISIONS

Date	Description	No.
------	-------------	-----

STATE OF FLORIDA

PROFESSIONAL ENGINEER

SIGNATURE: MICHAEL PATRICK CARR

DATE SIGNED: 11/01/2019

PROFESSIONAL ENGINEER FL Lic. No. 72424

LANGAN

Langan Engineering and Environmental Services, Inc.

110 East Broward Boulevard, Suite 1500

Fort Lauderdale, FL 33301

T: 954.320.2100 F: 954.320.2101 www.langan.com

FL CERTIFICATE OF AUTHORIZATION No. 0003867-UB17134796

Project

FOUNDRY AUTO AUCTION SITE

OPA-LOCKA

MIAMI-DADE

Drawing Title

Project No.

330059101

Date

11/01/2019

Drawn By

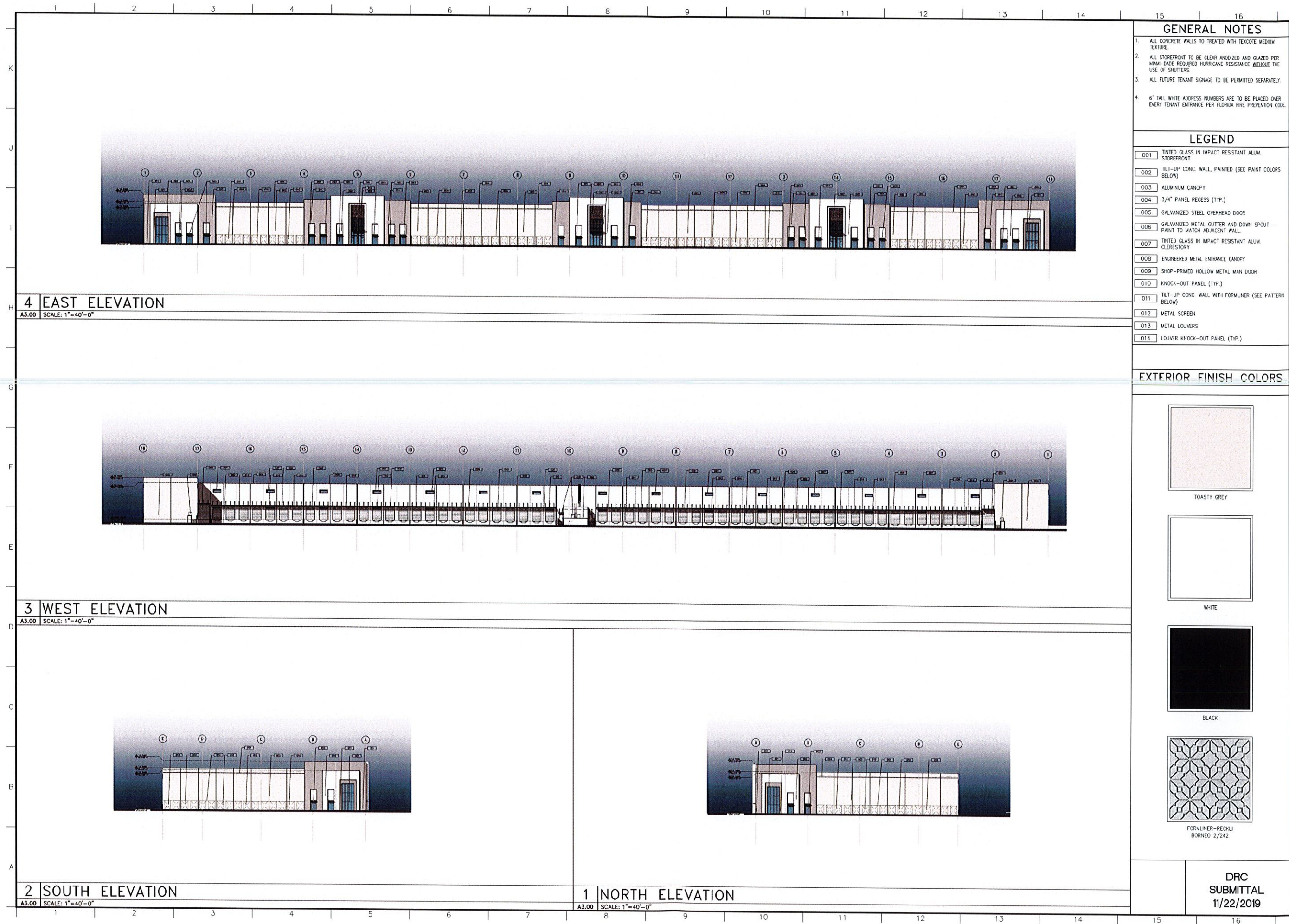
CU

Checked By

MPC

Drawing No.

C-3.0



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14 SE 4th Street, Suite 200, Fort Lauderdale, FL 33432
Tel: 561.383.8555 Fax: 561.395.0007
www.rlcarchitects.com

CONSULTANT INFO/LOGO

AUTO-AUCTION WAREHOUSE
OPA-LOCKA, FL

REVISIONS

Drawing Title
BUILDING ONE ELEVATIONS

Scale
Project No. 19116.00
Plot Date 11/18/2019

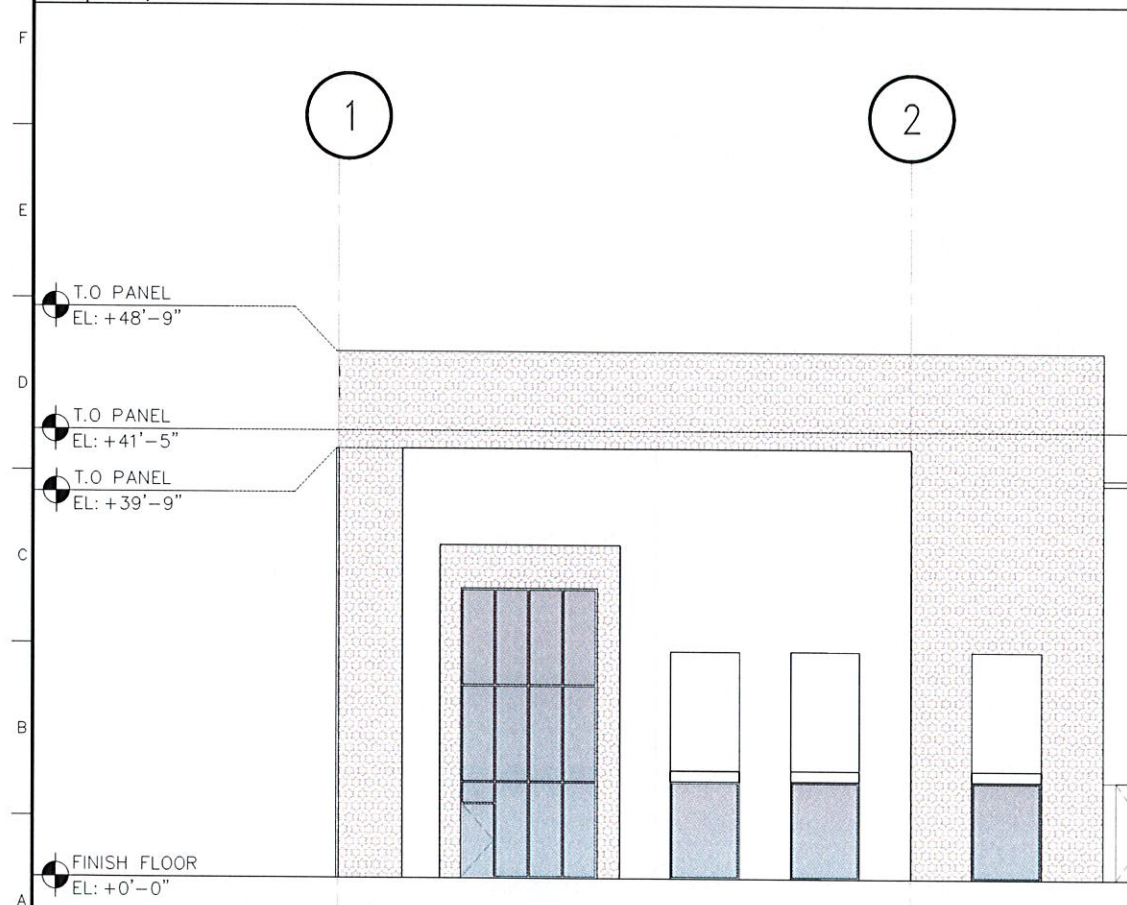
Principal: JC
Project Director:
Project Manager: MGC
Drafted by:
Checked by:

Sheet No.
A3.00



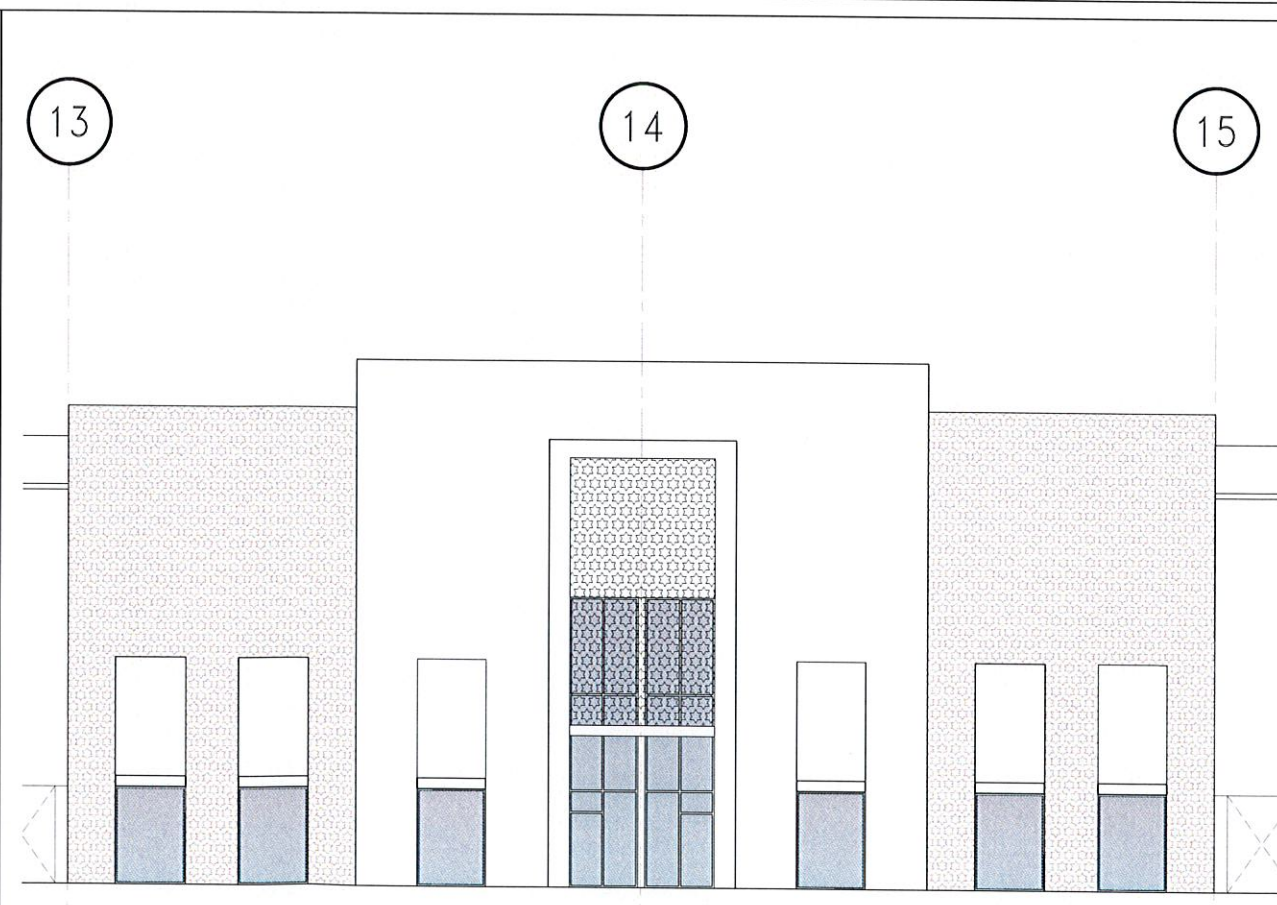
3 ENLARGED CENTRAL ENTRANCE ELEVATION

A3.01 SCALE: 1/8"=1'-0"



2 ENLARGED CORNER ENTRANCE ELEVATION

A3.01 SCALE: 1/8"=1'-0"



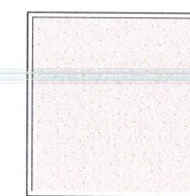
1 ENLARGED SECONDARY ENTRANCE ELEVATION

A3.01 SCALE: 1/8"=1'-0"

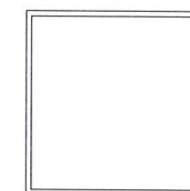
GENERAL NOTES

- ALL CONCRETE WALLS TO BE TREATED WITH TEXCOTE MEDIUM TEXTURE.
- ALL STOREFRONT TO BE CLEAR ANODIZED AND GLAZED PER MIAMI-DADE REQUIRED HURRICANE RESISTANCE WITHOUT THE USE OF SHUTTERS.
- ALL FUTURE TENANT SIGNAGE TO BE PERMITTED SEPARATELY.
- 6" TALL WHITE ADDRESS NUMBERS ARE TO BE PLACED OVER EVERY TENANT ENTRANCE PER FLORIDA FIRE PREVENTION CODE.

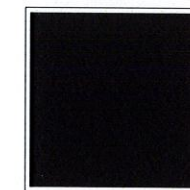
EXTERIOR FINISH COLORS



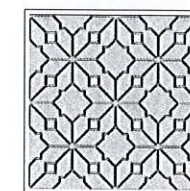
TOASTY GREY



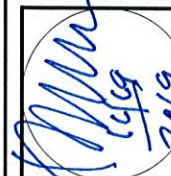
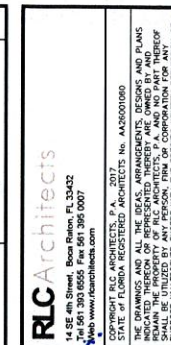
WHITE



BLACK



FORMLINER-RECKLI
BORNEO 2/242



CONSULTANT
INFO/LOGO

AUTO-AUCTION
WAREHOUSE
OPA-LOCKA, FL

REVISIONS

Drawing Title
**BUILDING ONE
ENLARGED
ELEVATIONS**

Scale
Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager:
Drafted by: MGC
Checked by:

Sheet No.

A3.00

DRC
SUBMITTAL
11/22/2019



7 PRECEDENT

A4.00 SCALE: N/A

6 PRECEDENT

A4.00 SCALE: N/A

5 PRECEDENT

A4.00 SCALE: N/A

4 PRECEDENT

A4.00 SCALE: N/A

3 PRECEDENT

A4.00 SCALE: N/A

2 PRECEDENT

A4.00 SCALE: N/A

1 PRECEDENT

A4.00 SCALE: N/A

1405 4th Street, Suite 200, Boca Raton, FL 33432
Tel: 561.363.8555 Fax: 561.363.0007
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AUTO-AUCTION
WAREHOUSE
OPA-LOOKA, FL

REVISIONS

Drawing Title
PRECEDENTS

Scale
Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager:
Drafted by: MGC
Checked by:

Sheet No.
A4.00

DRC
SUBMITTAL
11/22/2019

168



2 RENDERING
A5.00 SCALE: NTS



1 RENDERING
A5.00 SCALE: NTS

RLC Architects
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[Signature]
11/20/2019
BRUCE W. REZSOULI, AIA

CONSULTANT
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**AUTO-AUCTION
WAREHOUSE**
OPA-LOCKA, FL

REVISIONS

Drawing Title
**BUILDING 4
ELEVATIONS**

Scale
Project No. 19116.00
Plot Date 11/21/2019

Principal: JC
Project Director:
Project Manager:
Drafted by: MGC
Checked by:

Sheet No.
A5.00

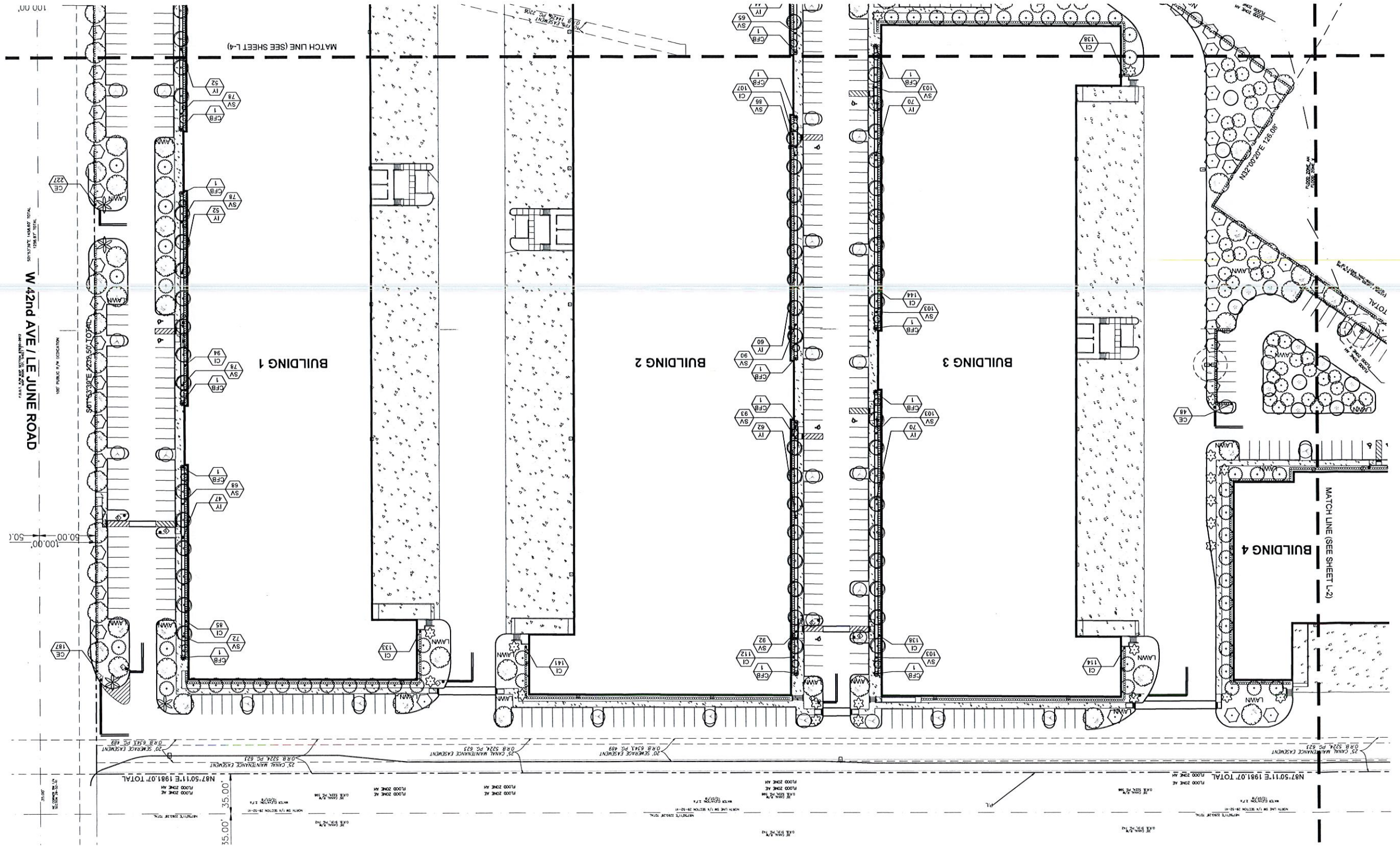
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SUBMITTAL
11/22/2019

LANDSCAPE LISTSEE LANDSCAPE

OPA-LOCKA, FLORIDA
LANDSCAPE PLAN

**WITKIN HULTS
DESIGN GROUP**
307 south 21st avenue hollywood, florida
phone: 954.923.9681 facsimile: 954.923.9
www.witkindesign.com





AMELIA EARHART PARK
1.5 MILE
0.5 MILE
GRATIGNY PARKWAY
1.5 MILE
0.5 MILE



**WITKIN HULTS
DESIGN GROUP**
307 South 21st Avenue Hollywood, Florida
phone: 954.923.9681 facsimile: 954.923.9689

[illegible][illegible]

The technical drawings include:

- Side Elevation:** Shows the stand's profile with labels: "STABLE TREE" (pointing to the support tree), "MINIMUM 2" x 2" x 7'0" x 1" (pointing to the support tree trunk), "WOOD PLATFORM TO DISCREETLY HOLD PERSONS TO GROUND" (pointing to the seat area), "BLACK WELTON TAP" (pointing to the suspension strap), and "DETAIL" (pointing to the seat area).
- Plan View:** Shows the top-down layout with labels: "BLACK WELTON TAP" (pointing to the suspension strap), "WIDE NYLON TAPE" (pointing to the suspension strap), "ROOT BALL" (pointing to the tree base), "TREE PIT" (pointing to the ground opening), "REBAR 2"0" LONG" (pointing to the ground anchor), "2"0" x 2"0" x 1"0" WOOD PLANK OR 4" (pointing to the ground anchor), and "REINFORCED RUBBER HOSE" (pointing to the seat cushion).
- Detail:** A close-up of the seat area showing the "BLACK WELTON TAP" and "WIDE NYLON TAPE" securing the "REINFORCED RUBBER HOSE" seat cushion.

TYPICAL GROUNDCOVER PLANTING DETAIL

The diagram illustrates the cross-section and plan view of a groundcover planting detail. The cross-section shows a paved walk, gravel, and a layer of mulch. The groundcover is planted in a trench, with the top of the mulch layer below the pavement. The plan view shows the triangular spacing of the plants, with a note indicating that the triangular spacing should be maintained in all directions.

Cross-section labels:

- PAVED WALK
- GRAVEL
- EXPOSED
- PAVED PLANTING SOIL
- PLANTING SOIL MIX AS SPECIFIED
- PLANT
- TOP OF MULCH SHALL BE 1" BELOW PAVEMENT
- PAVED WALK

Plan view labels:

- TRIANGULAR SPACING
- PAVED WALK

Notes:

- NOTE: IN MOST CASES, TRIANGULAR SPACING IS MAINTAINED. USE SQUARE SPACING ONLY IN SMALL RECTANGULAR AREAS.

-Sod is to be grade "A" weed free.

-All areas marked "AVN" shall be solid sodded with St. Augustine 'Floratum' solid sod. See limit on plan. All areas marked 'Bahia Grass' shall be solid sodded with Paspalum.

-Provide a 2" deep blanket of planting soil as described in planting notes this sheet. Prior to planting, remove stones, sticks, etc. from the sub soil surface. Excavate existing non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.

-Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes.

-Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" away from trees, measured from center of plant.

-Sod shall be watered immediately after installation to uniformly wet the soil to at least 2" below the bottom of the sod strips.

-Excavate and remove excess soil so top of sod is flush with top of curb or adjacent pavement or adjacent existing sod.

-The Landscape Contractor is to locate and verify all underground and overhead utilities prior to beginning work. Contact proper utility companies and / or General Contract prior to digging for field verification. The Owner and the Landscape Architect shall not be responsible for any damages to utility or irrigation lines (see Roadway Plans for more utility notes).

-Landscape Contractor is to verify all current drawings and check for discrepancies and bring to the attention of the Landscape Architect prior to commencing with the work.

-All unattended and unplanted tree pits are to be properly barricaded and flagged during installation.

-All planting plans are issued as directives for site layout. Any deviations, site changes, etcetera are to be brought to the attention of the Landscape Architect for clarification prior to installation.

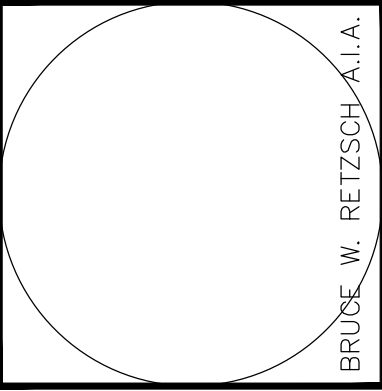


2 RENDERING
A5.00 SCALE: NTS



1 RENDERING
A5.00 SCALE: NTS

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INFO/LOGO

**AUTO-AUCTION
WAREHOUSE**
OPA-LOCKA, FL

REVISIONS

Drawing Title
**BUILDING 4
ELEVATIONS**

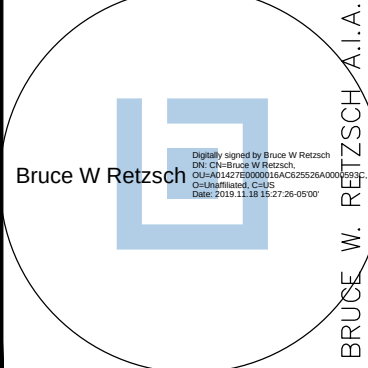
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Project No. 19116.00
Plot Date 11/21/2019

Principal: JC
Project Director:
Project Manager: MGC
Drafted by:
Checked by:

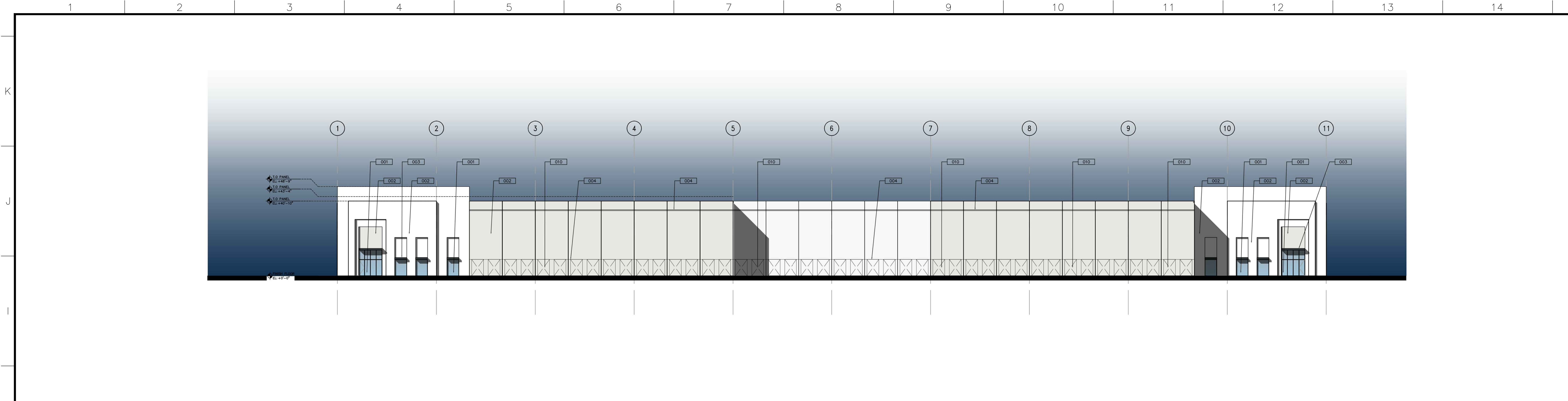
Sheet No.
A5.00

DRC
SUBMITTAL
11/22/2019

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I	A4.00 SCALE: N/A							A4.00 SCALE: N/A									
H																	
G	5 PRECEDENT							4 PRECEDENT									
F	A4.00 SCALE: N/A							A4.00 SCALE: N/A									
E																	
D	3 PRECEDENT							2 PRECEDENT							1 PRECEDENT		
C	A4.00 SCALE: N/A							A4.00 SCALE: N/A							A4.00 SCALE: N/A		
B																	
A																	
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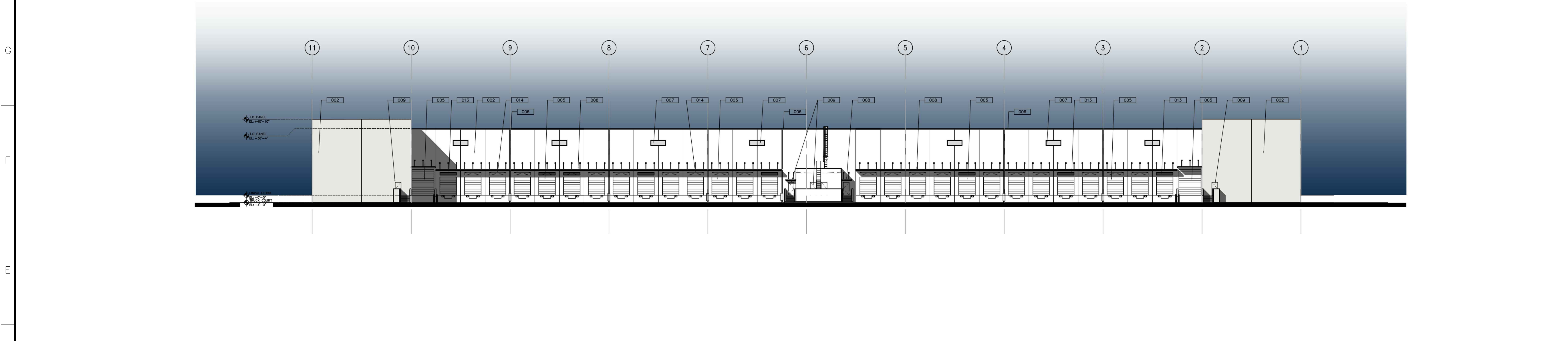
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AUTO-AUCTION WAREHOUSE OPA-LOCKA, FL					
REVISIONS					
Drawing Title PRECEDENTS					
Scale Project No. 19116.00 Plot Date 11/18/2019					
Principal: JC Project Director: Project Manager: Drafted by: MGC Checked by:					
Sheet No. A4.00					

DRC
SUBMITTAL
11/22/2019



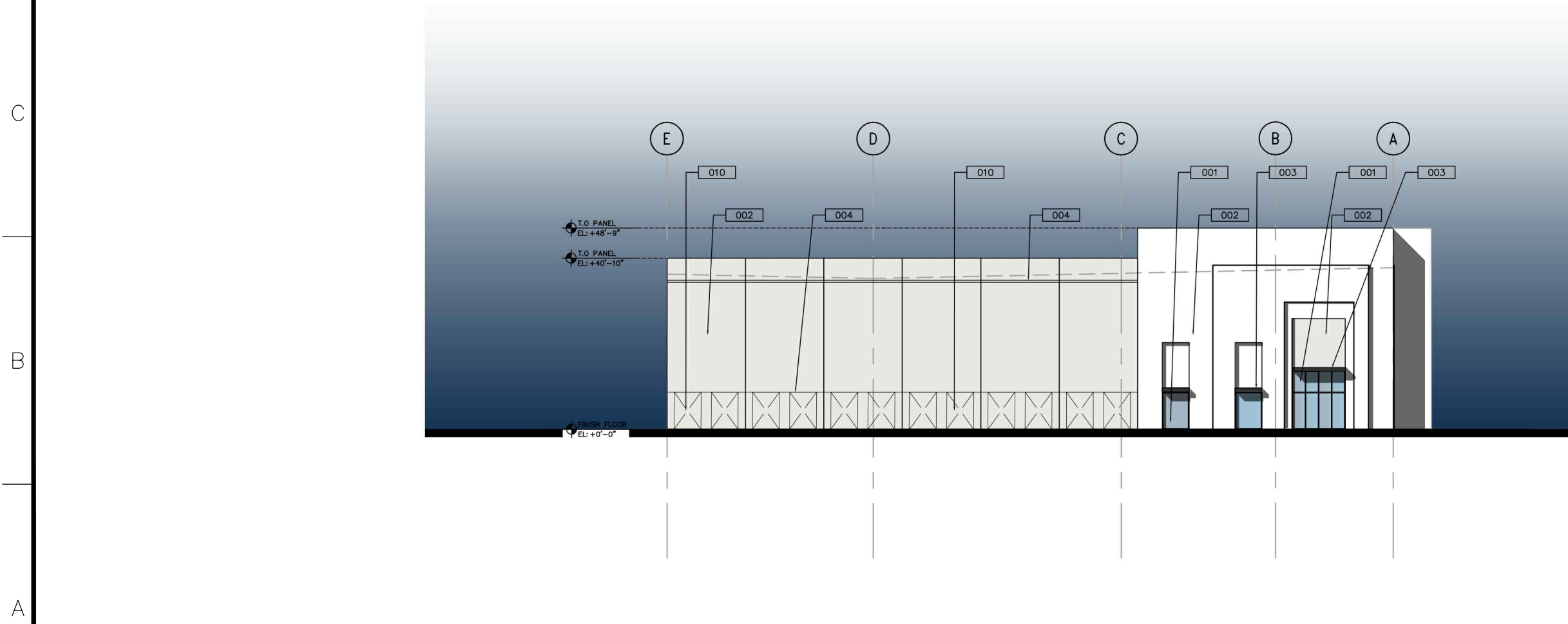
4 SOUTH ELEVATION

A3.30 SCALE: 1"=30'-0"



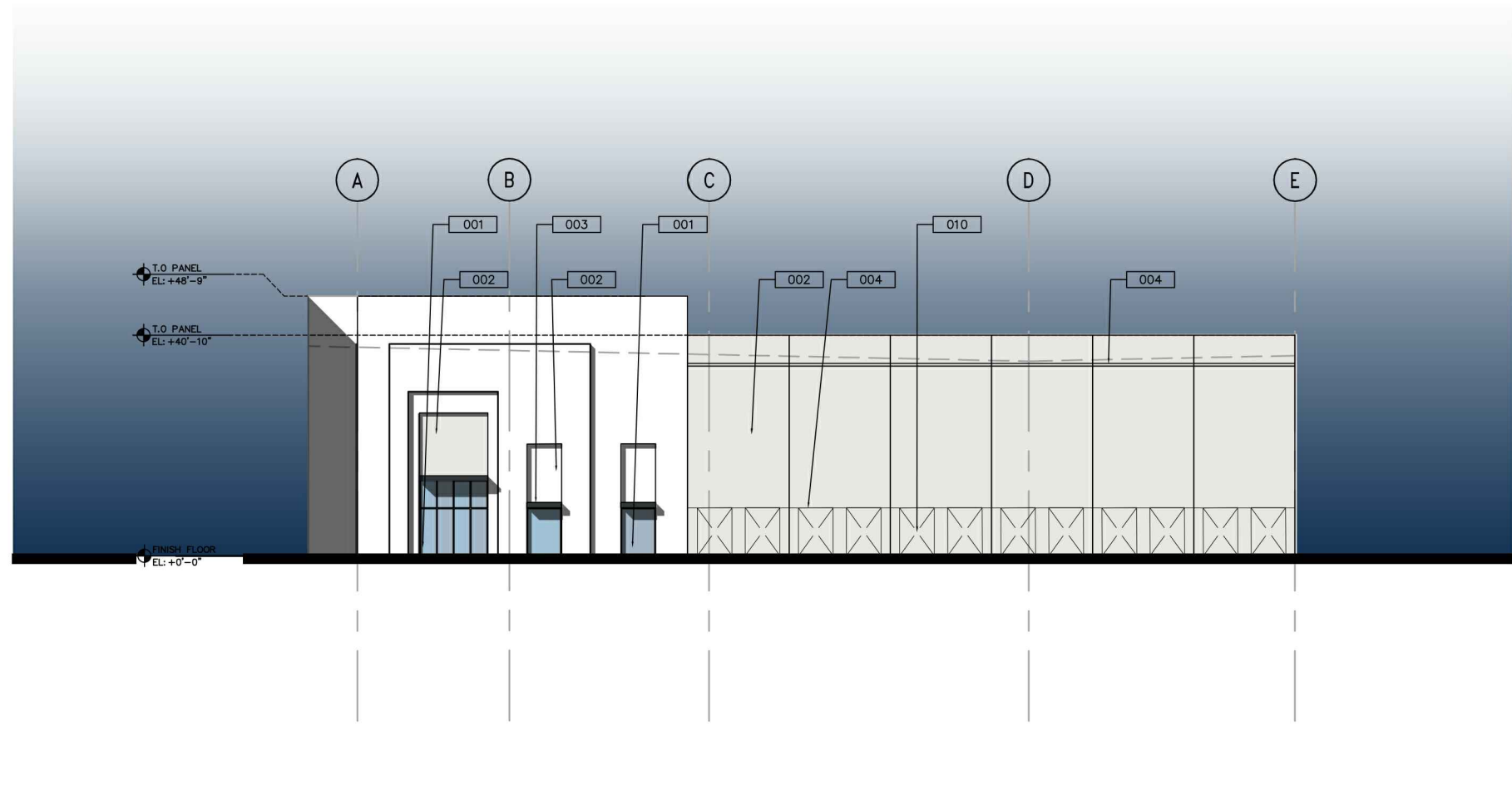
3 NORTH ELEVATION

A3.30 SCALE: 1"=30'-0"



2 WEST ELEVATION

A3.30 SCALE: 1"=30'-0"



1 EAST ELEVATION

A3.30 SCALE: 1"=30'-0"

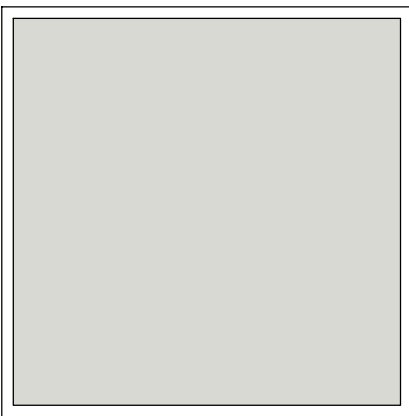
GENERAL NOTES

1. ALL CONCRETE WALLS TO TREATED WITH TEXTCOTE MEDIUM TEXTURE.
2. ALL STOREFRONT TO BE CLEAR ANODIZED AND GLAZED PER MIAMI-DADE REQUIRED HURRICANE RESISTANCE WITHOUT THE USE OF SHUTTERS.
3. ALL FUTURE TENANT SIGNAGE TO BE PERMITTED SEPARATELY.
4. 6" TALL WHITE ADDRESS NUMBERS ARE TO BE PLACED OVER EVERY TENANT ENTRANCE PER FLORIDA FIRE PREVENTION CODE.

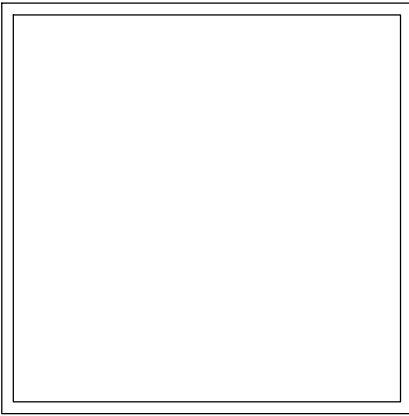
LEGEND

- 001 TINTED GLASS IN IMPACT RESISTANT ALUM. STOREFRONT
- 002 TILT-UP CONC. WALL, PAINTED (SEE PAINT COLORS BELOW)
- 003 ALUMINUM CANOPY
- 004 3/4" PANEL RECESS (TYP.)
- 005 GALVANIZED STEEL OVERHEAD DOOR
- 006 GALVANIZED METAL GUTTER AND DOWN SPOUT - PAINT TO MATCH ADJACENT WALL.
- 007 TINTED GLASS IN IMPACT RESISTANT ALUM. CLERESTORY
- 008 ENGINEERED METAL ENTRANCE CANOPY
- 009 SHOP-PRIMED HOLLOW METAL MAN DOOR
- 010 KNOCK-OUT PANEL (TYP.)
- 011 TILT-UP CONC. WALL WITH FORMLINER (SEE PATTERN BELOW)
- 012 METAL SCREEN
- 013 METAL LOUVERS
- 014 LOUVER KNOCK-OUT PANEL (TYP.)

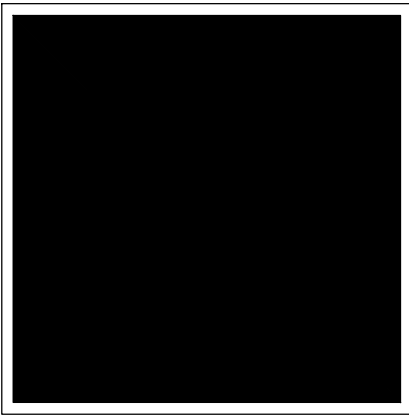
EXTERIOR FINISH COLORS



TOASTY GREY



WHITE



BLACK

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CONSULTANT
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AUTO-AUCTION
WAREHOUSE
OPA-LOCKA, FL

REVISIONS

Drawing Title
**BUILDING 4
ELEVATIONS**

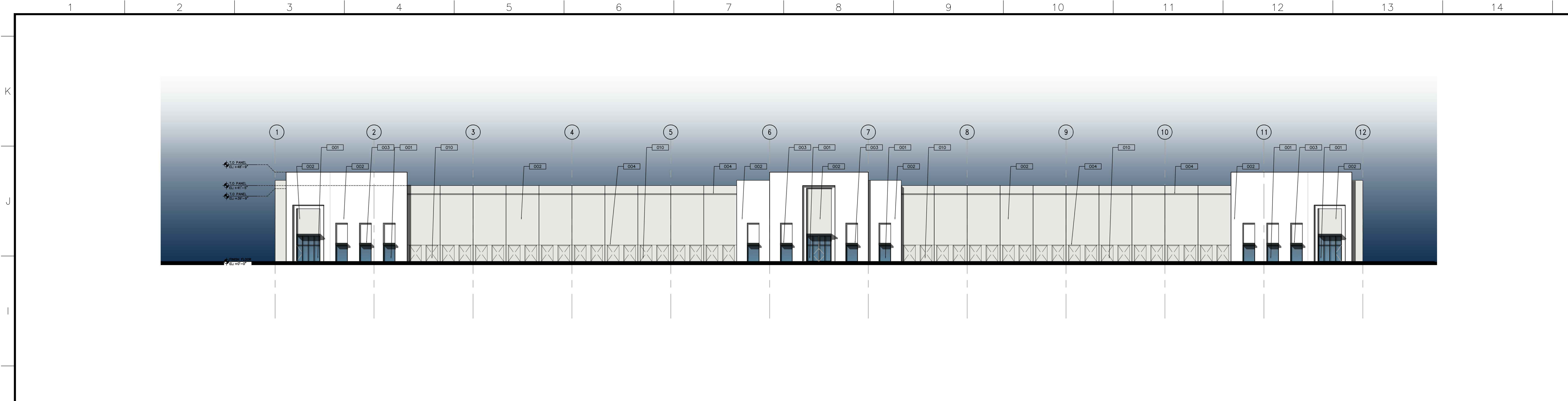
Scale
Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager: MGC
Drafted by:
Checked by:

Sheet No.

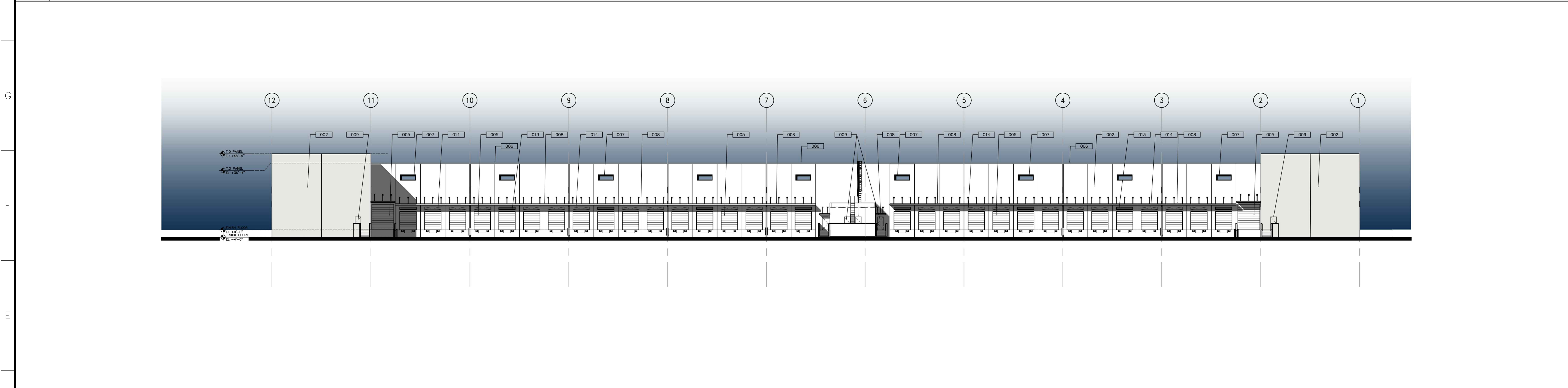
A3.30

DRC
SUBMITTAL
11/22/2019



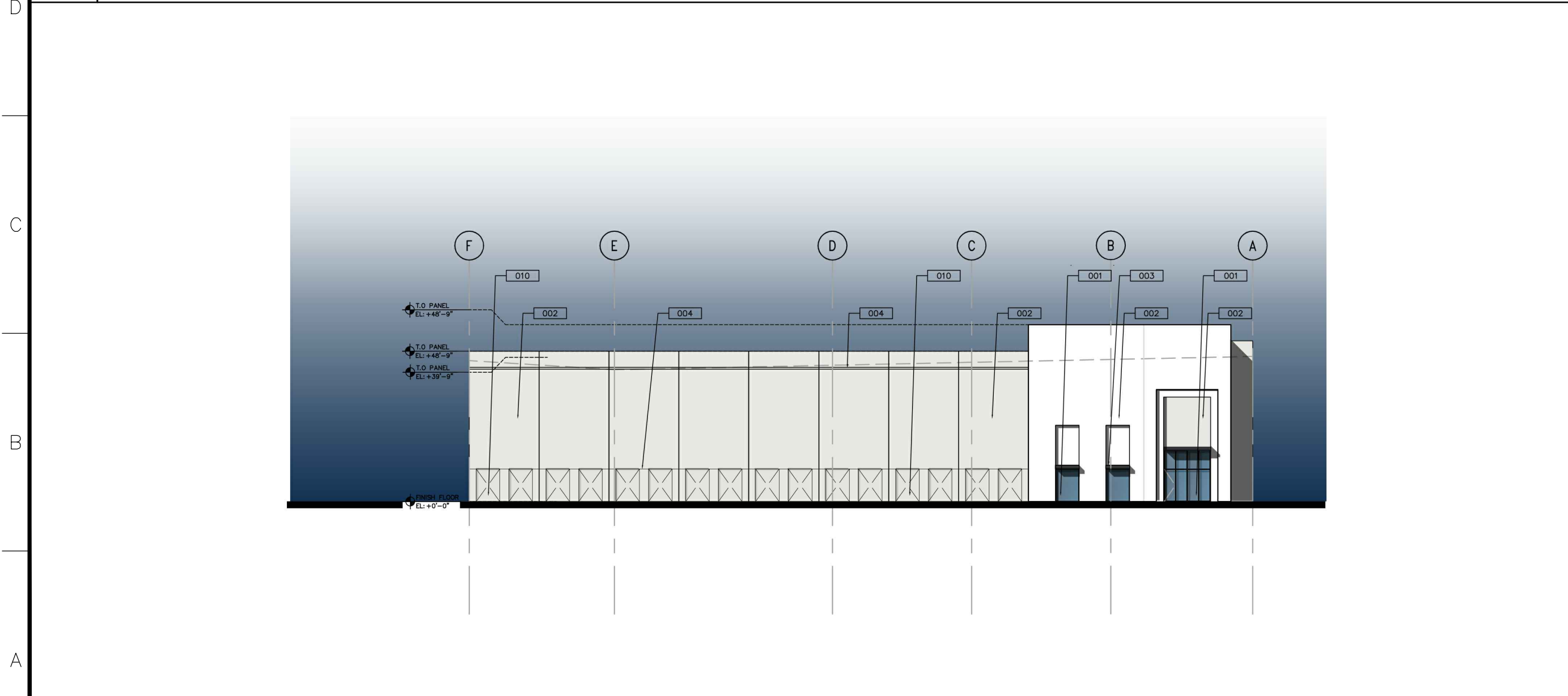
4 EAST ELEVATION

A3.20 SCALE: 1"=30'-0"



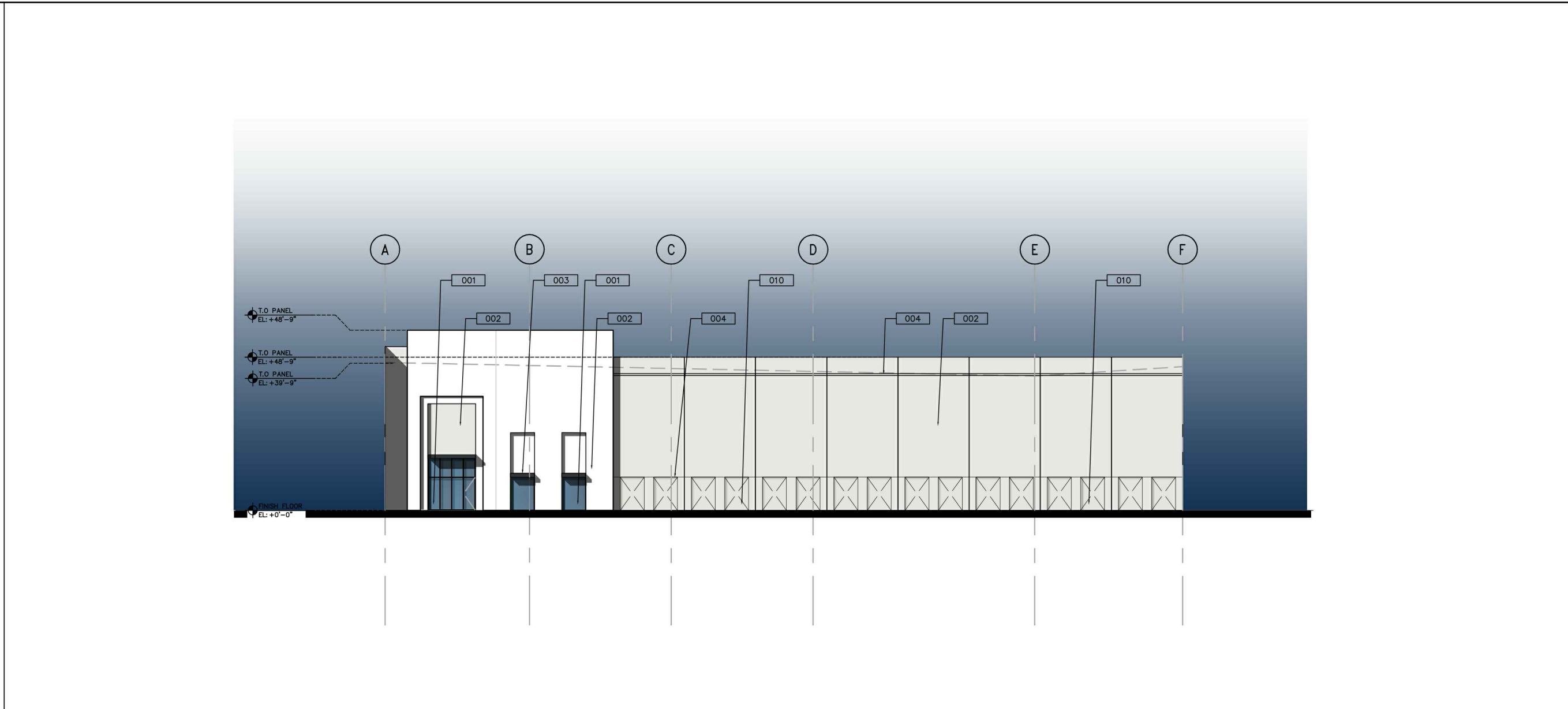
3 WEST ELEVATION

A3.20 SCALE: 1"=30'-0"



2 SOUTH ELEVATION

A3.20 SCALE: 1"=30'-0"



1 NORTH ELEVATION

A3.20 SCALE: 1"=30'-0"

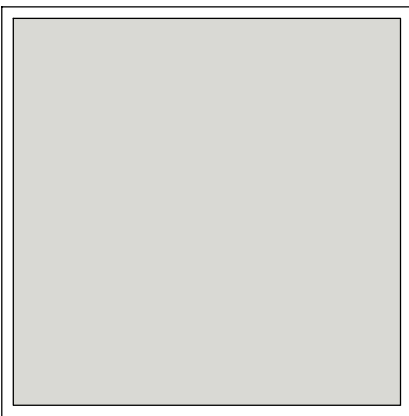
GENERAL NOTES

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- ALL STOREFRONT TO BE CLEAR ANODIZED AND GLAZED PER MIAMI-DADE REQUIRED HURRICANE RESISTANCE WITHOUT THE USE OF SHUTTERS.
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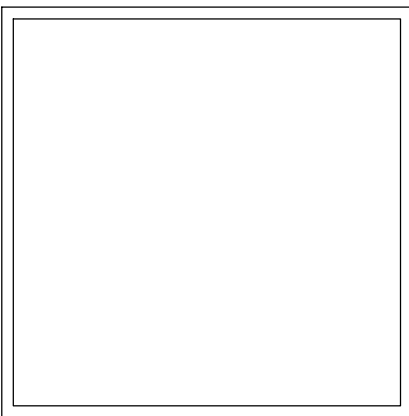
LEGEND

- 001 TINTED GLASS IN IMPACT RESISTANT ALUM. STOREFRONT
- 002 TILT-UP CONC. WALL, PAINTED (SEE PAINT COLORS BELOW)
- 003 ALUMINUM CANOPY
- 004 3/4" PANEL RECESS (TYP.)
- 005 GALVANIZED STEEL OVERHEAD DOOR
- 006 GALVANIZED METAL GUTTER AND DOWN SPOUT - PAINT TO MATCH ADJACENT WALL.
- 007 TINTED GLASS IN IMPACT RESISTANT ALUM. CLERESTORY
- 008 ENGINEERED METAL ENTRANCE CANOPY
- 009 SHOP-PRIMED HOLLOW METAL MAN DOOR
- 010 KNOCK-OUT PANEL (TYP.)
- 011 TILT-UP CONC. WALL WITH FORMLINER (SEE PATTERN BELOW)
- 012 METAL SCREEN
- 013 METAL LOUVERS
- 014 LOUVER KNOCK-OUT PANEL (TYP.)

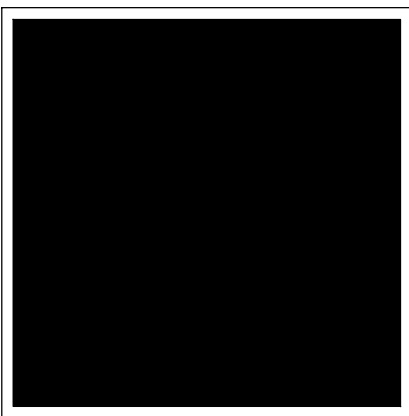
EXTERIOR FINISH COLORS



TOASTY GREY



WHITE



BLACK

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OPA-LOCKA, FL

Drawing Title

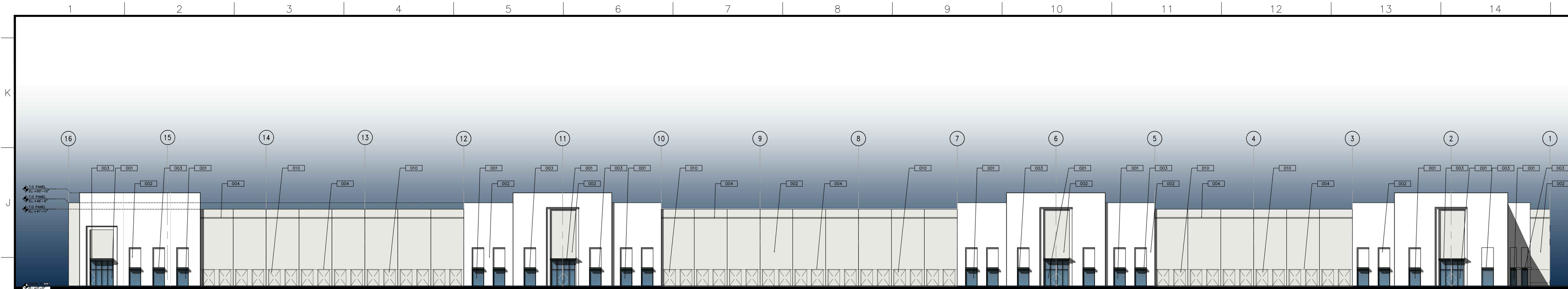
BUILDING 3
ELEVATIONS

Scale
Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager: MGC
Drafted by:
Checked by:

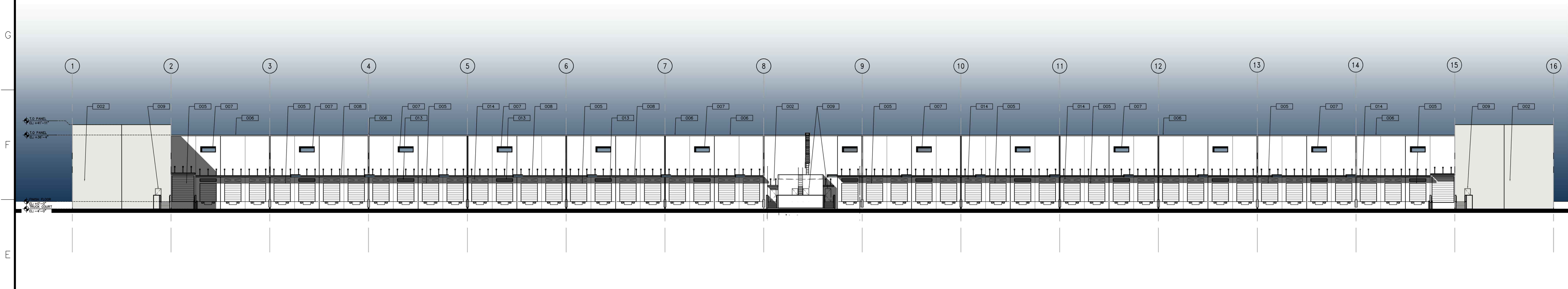
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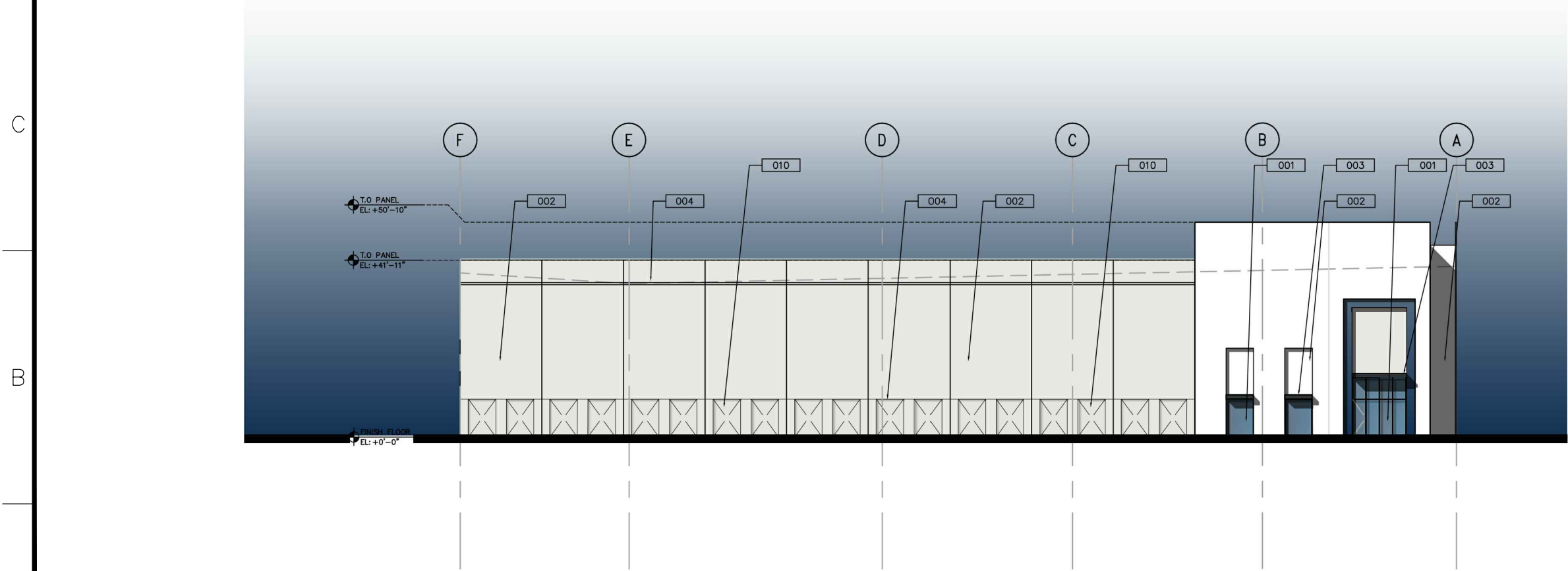
4 WEST ELEVATION

A3.10 SCALE: 1"=30'-0"



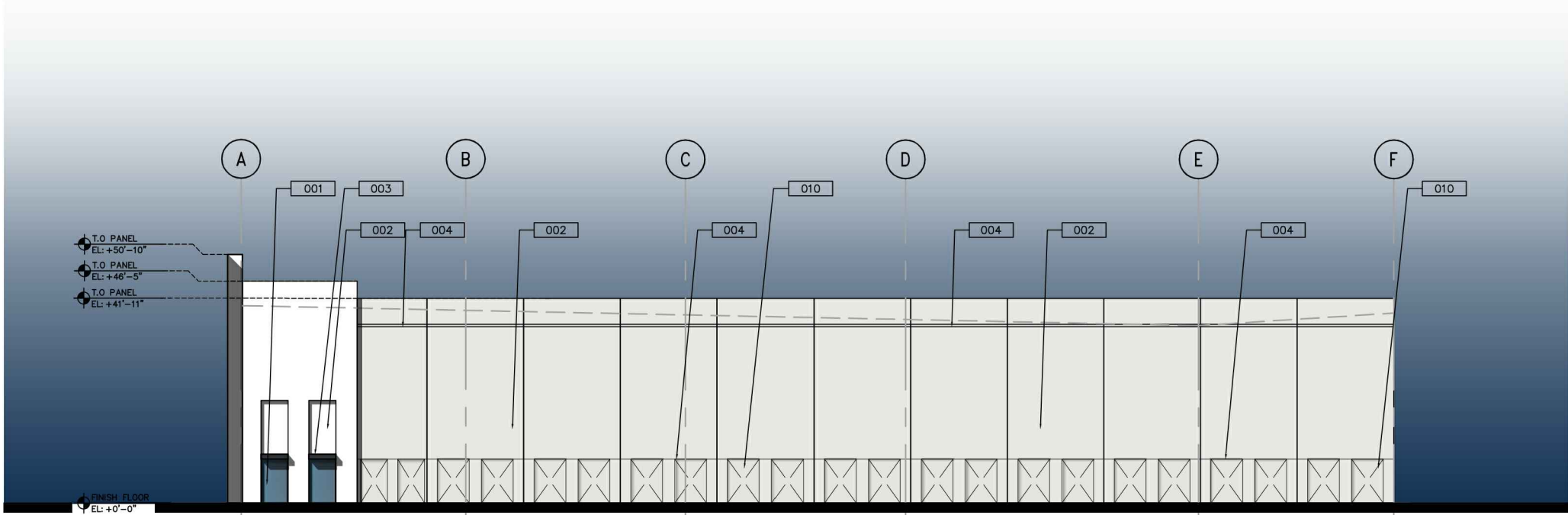
3 EAST ELEVATION

A3.10 SCALE: 1"=30'-0"



2 NORTH ELEVATION

A3.10 SCALE: 1"=30'-0"



1 SOUTH ELEVATION

A3.10 SCALE: 1"=30'-0"

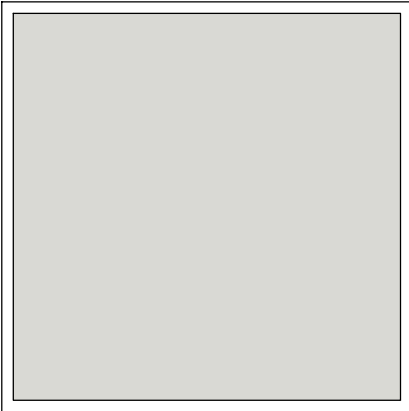
GENERAL NOTES

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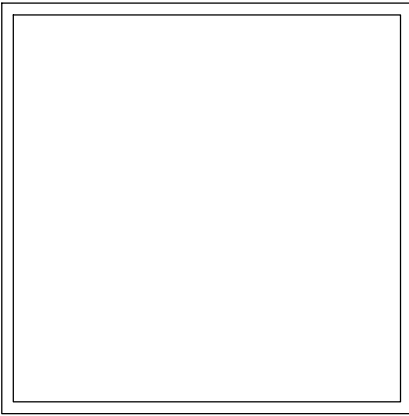
LEGEND

- 001 TINTED GLASS IN IMPACT RESISTANT ALUM. STOREFRONT
- 002 TILT-UP CONC. WALL, PAINTED (SEE PAINT COLORS BELOW)
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- 008 ENGINEERED METAL ENTRANCE CANOPY
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- 012 METAL SCREEN
- 013 METAL LOUVERS
- 014 LOUVER KNOCK-OUT PANEL (TYP.)

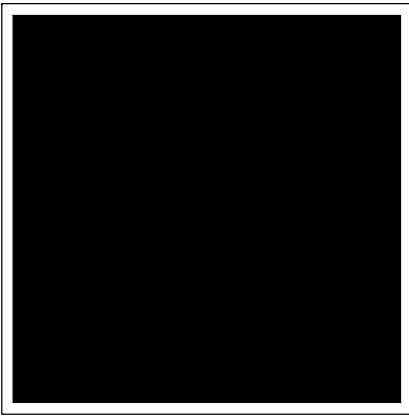
EXTERIOR FINISH COLORS



TOASTY GREY



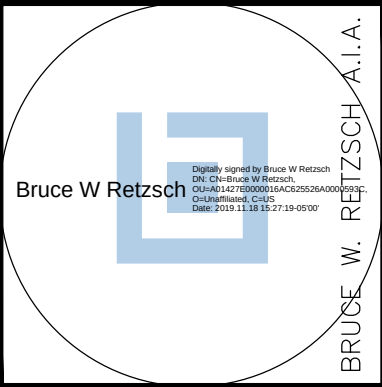
WHITE



BLACK

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OPA-LOCKA, FL

REVISIONS

Drawing Title

BUILDING TWO
ELEVATIONS

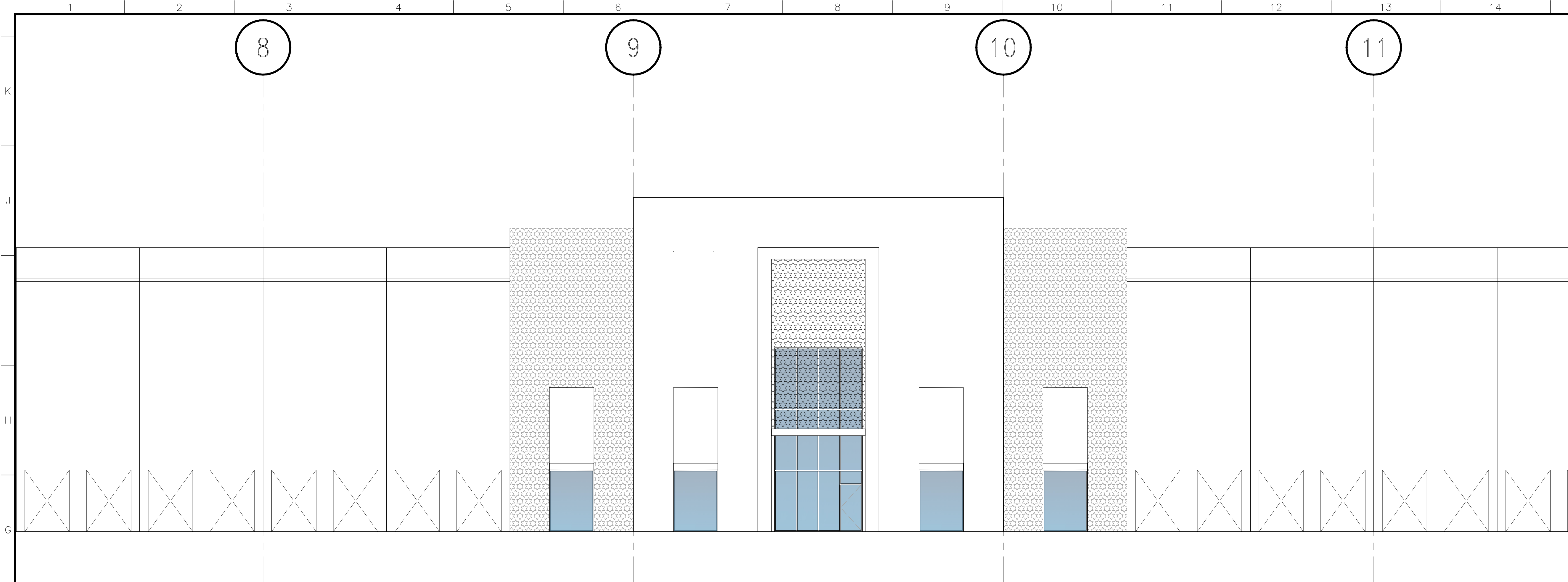
Scale
Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager: MGC
Drafted by:
Checked by:

Sheet No.

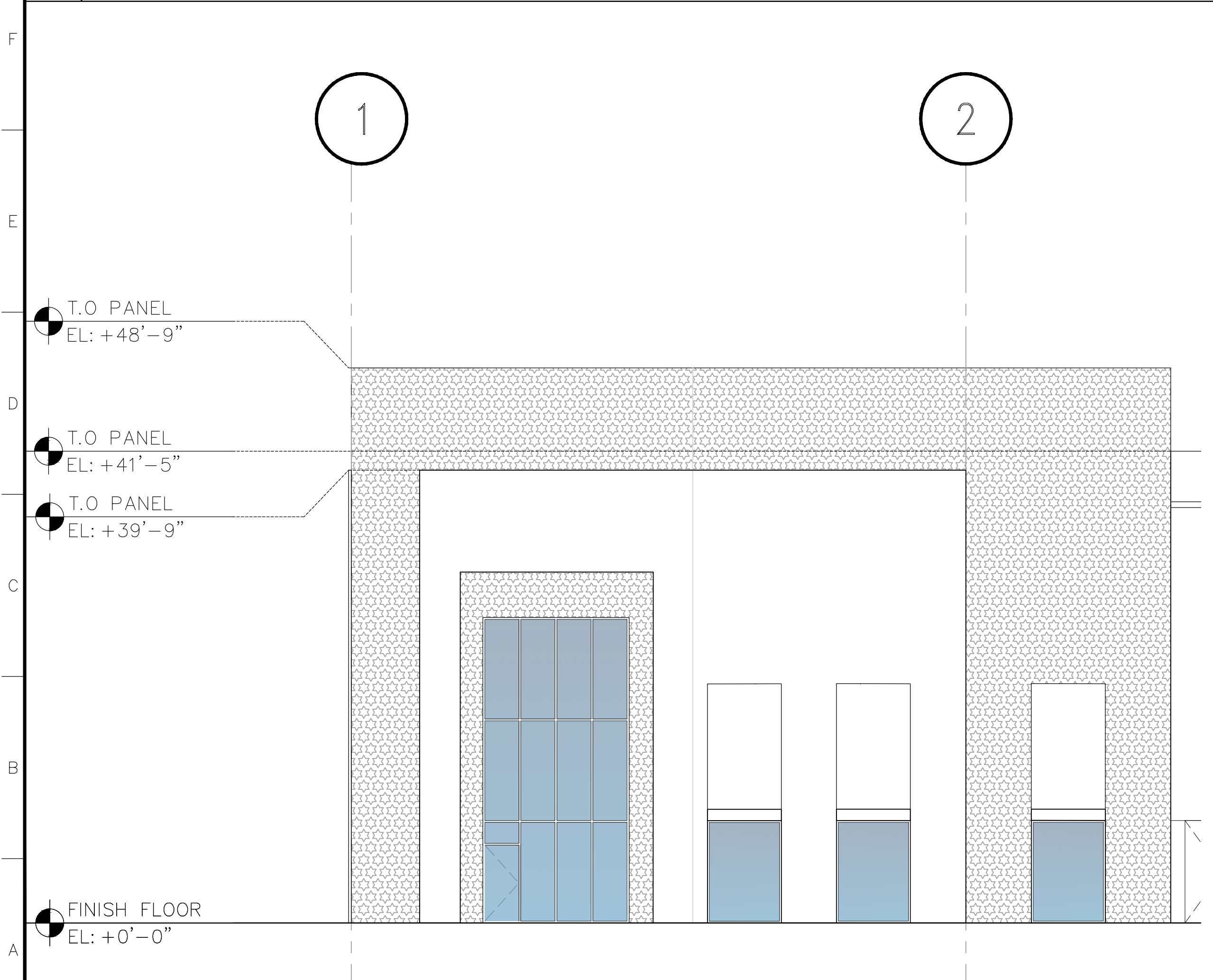
A3.10

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SUBMITTAL
11/22/2019



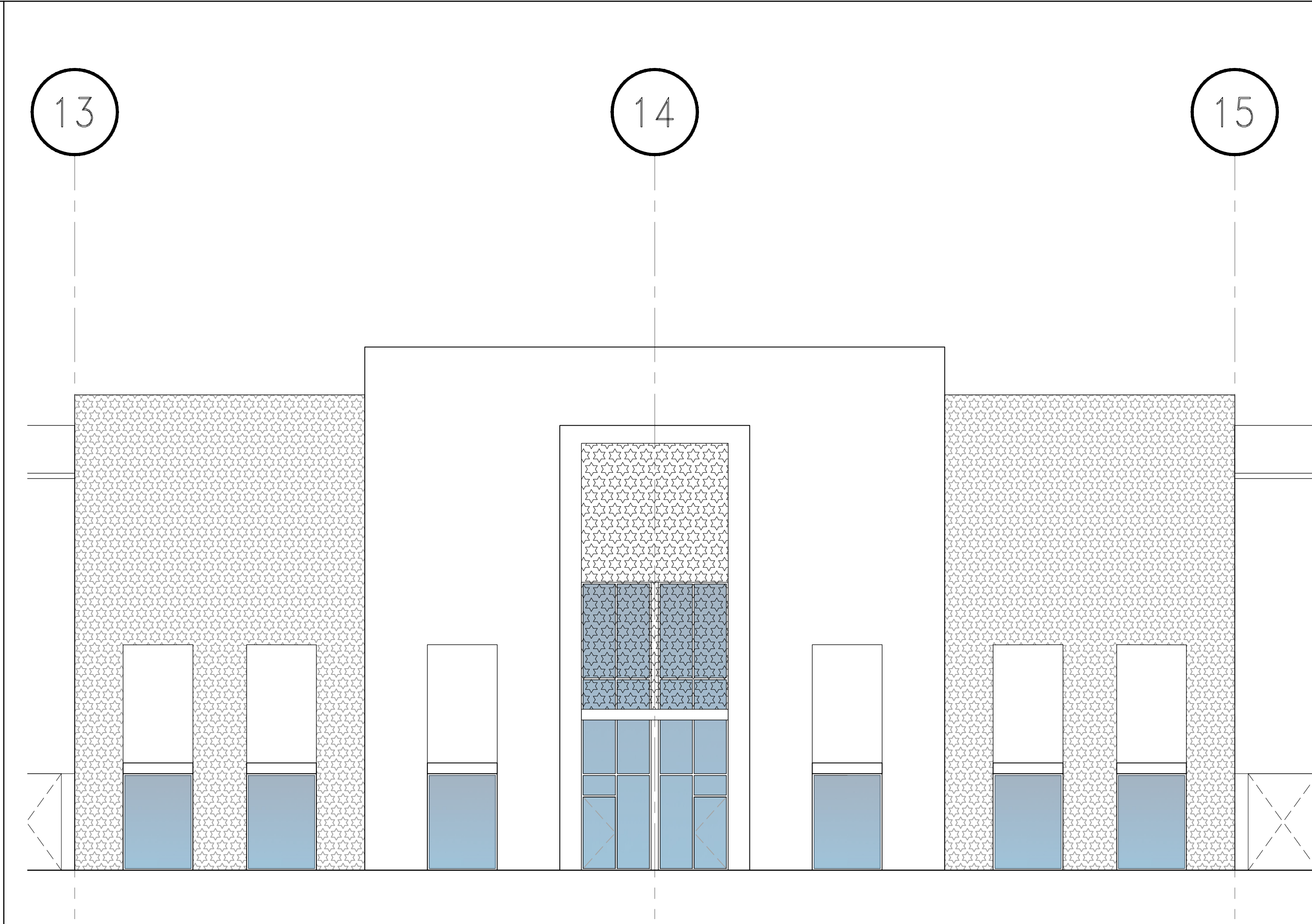
3 ENLARGED CENTRAL ENTRANCE ELEVATION

A3.01 SCALE: 1/8"=1'-0"



2 ENLARGED CORNER ENTRANCE ELEVATION

A3.01 SCALE: 1/8"=1'-0"



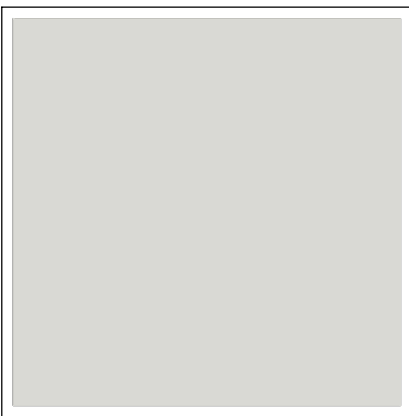
1 ENLARGED SECONDARY ENTRANCE ELEVATION

A3.01 SCALE: 1/8"=1'-0"

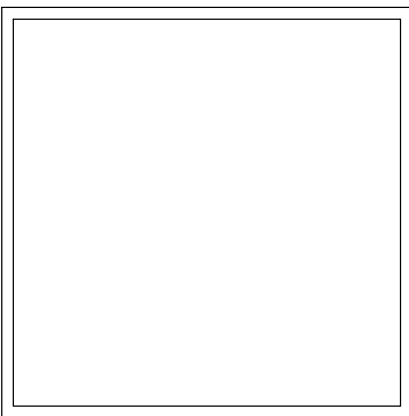
GENERAL NOTES

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2. ALL STOREFRONT TO BE CLEAR ANODIZED AND GLAZED PER MIAMI-DADE REQUIRED HURRICANE RESISTANCE WITHOUT THE USE OF SHUTTERS.
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4. 6" TALL WHITE ADDRESS NUMBERS ARE TO BE PLACED OVER EVERY TENANT ENTRANCE PER FLORIDA FIRE PREVENTION CODE.

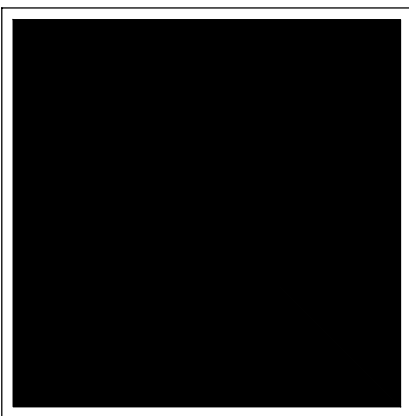
EXTERIOR FINISH COLORS



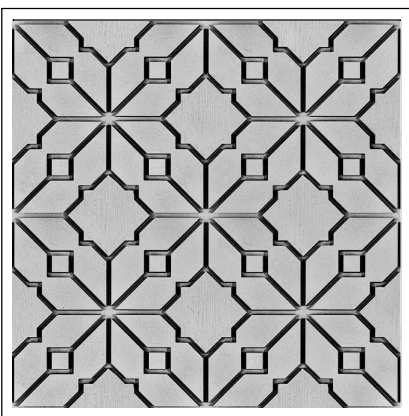
TOASTY GREY



WHITE



BLACK



FORMLINER-RECKLI
BORNEO 2/242

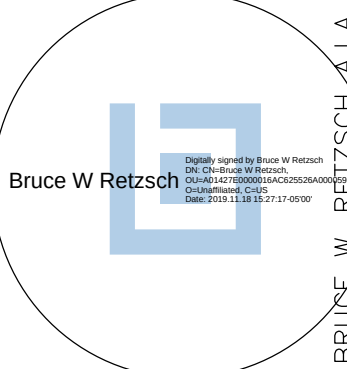
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REVISIONS

Drawing Title

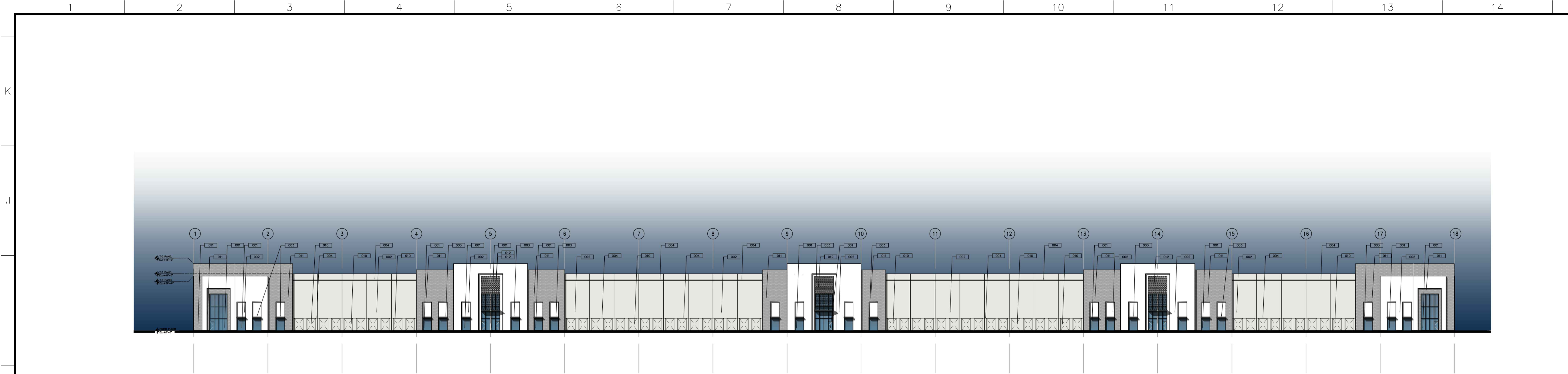
BUILDING ONE
ENLARGED
ELEVATIONS

Scale
Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager:
Drafted by: MGC
Checked by:

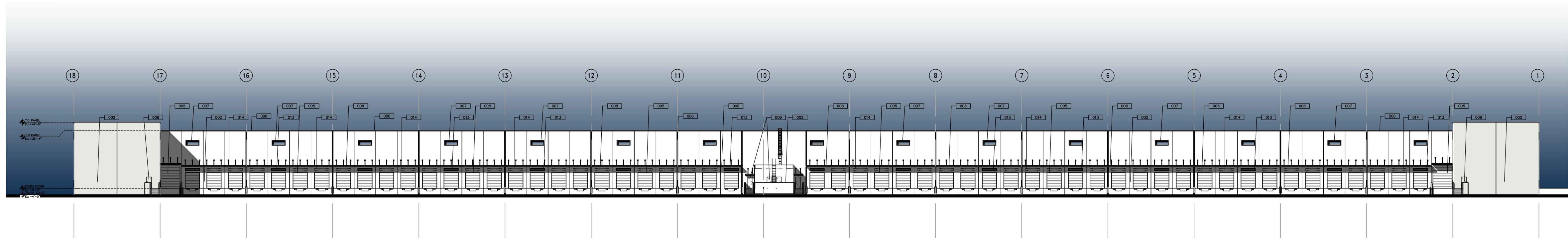
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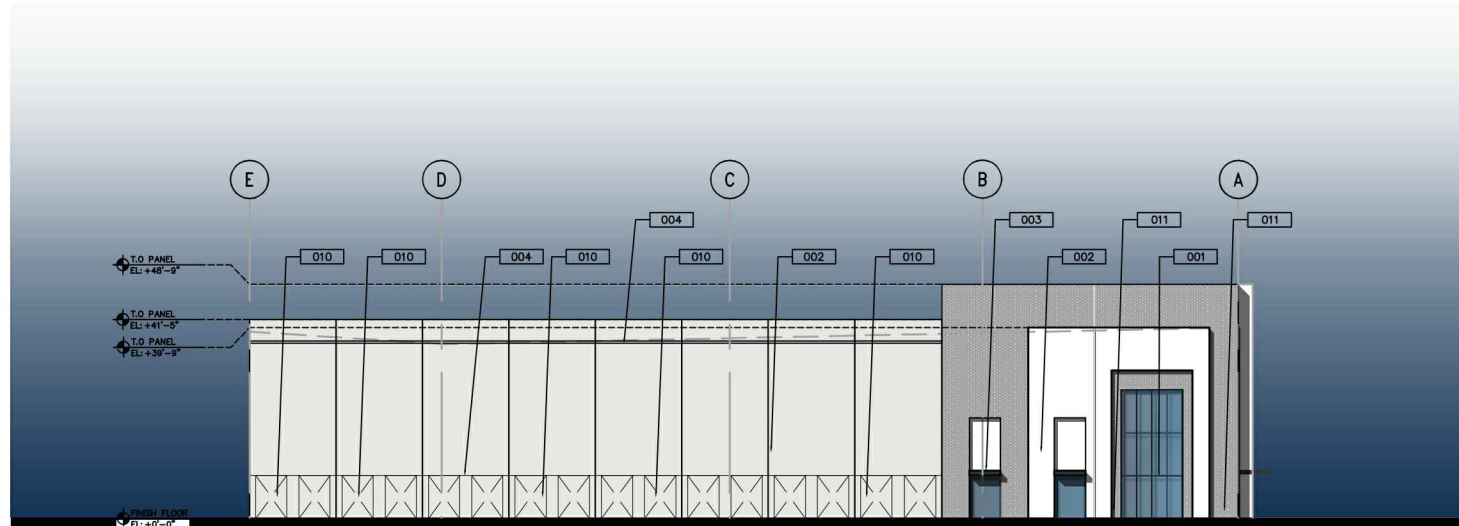
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A3.00 SCALE: 1"=40'-0"



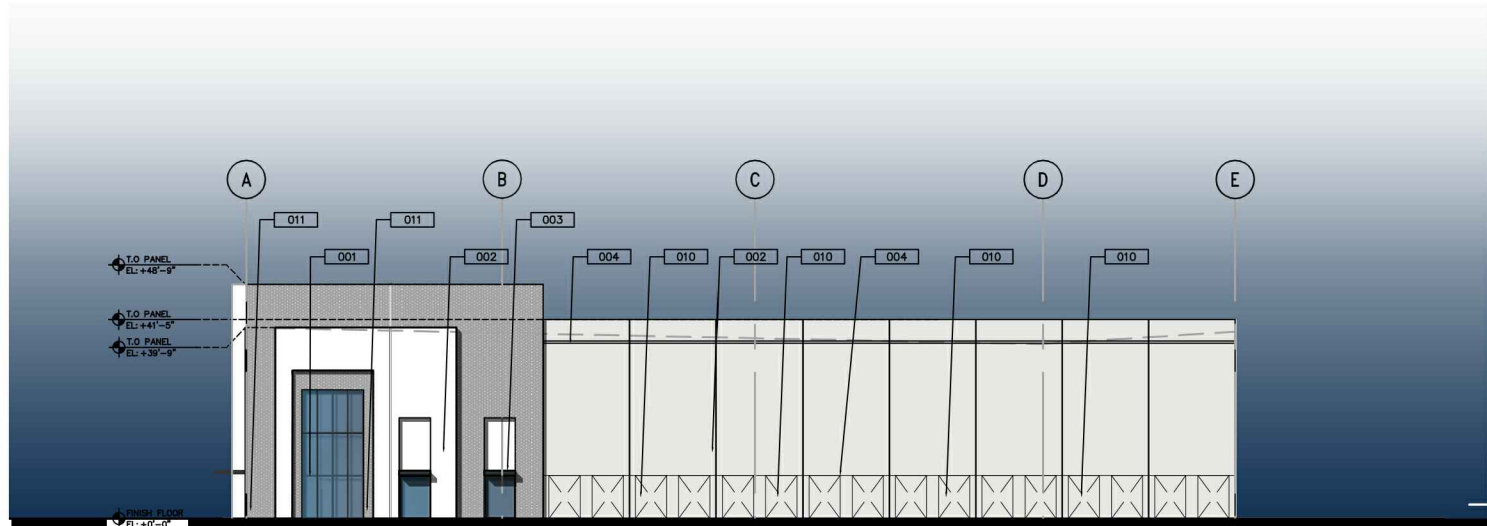
3 WEST ELEVATION

A3.00 SCALE: 1"=40'-0"



2 SOUTH ELEVATION

A3.00 SCALE: 1"=40'-0"



1 NORTH ELEVATION

A3.00 SCALE: 1"=40'-0"

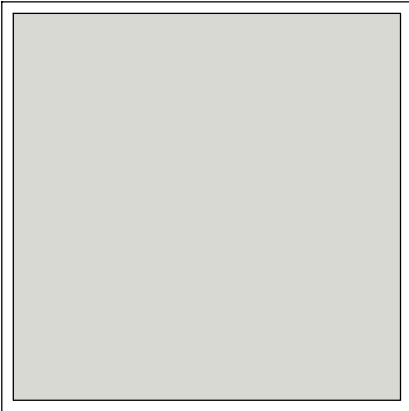
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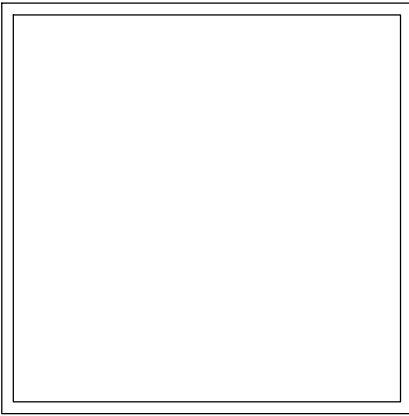
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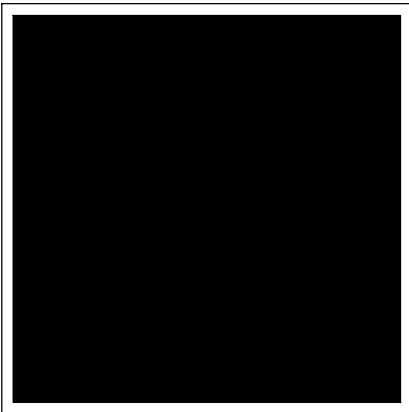
EXTERIOR FINISH COLORS



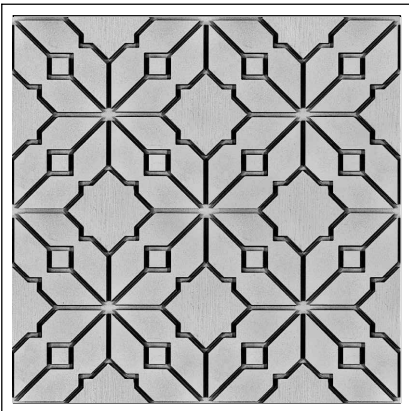
TOASTY GREY



WHITE



BLACK



FORMLINER-RECKLI BORNEO 2/242

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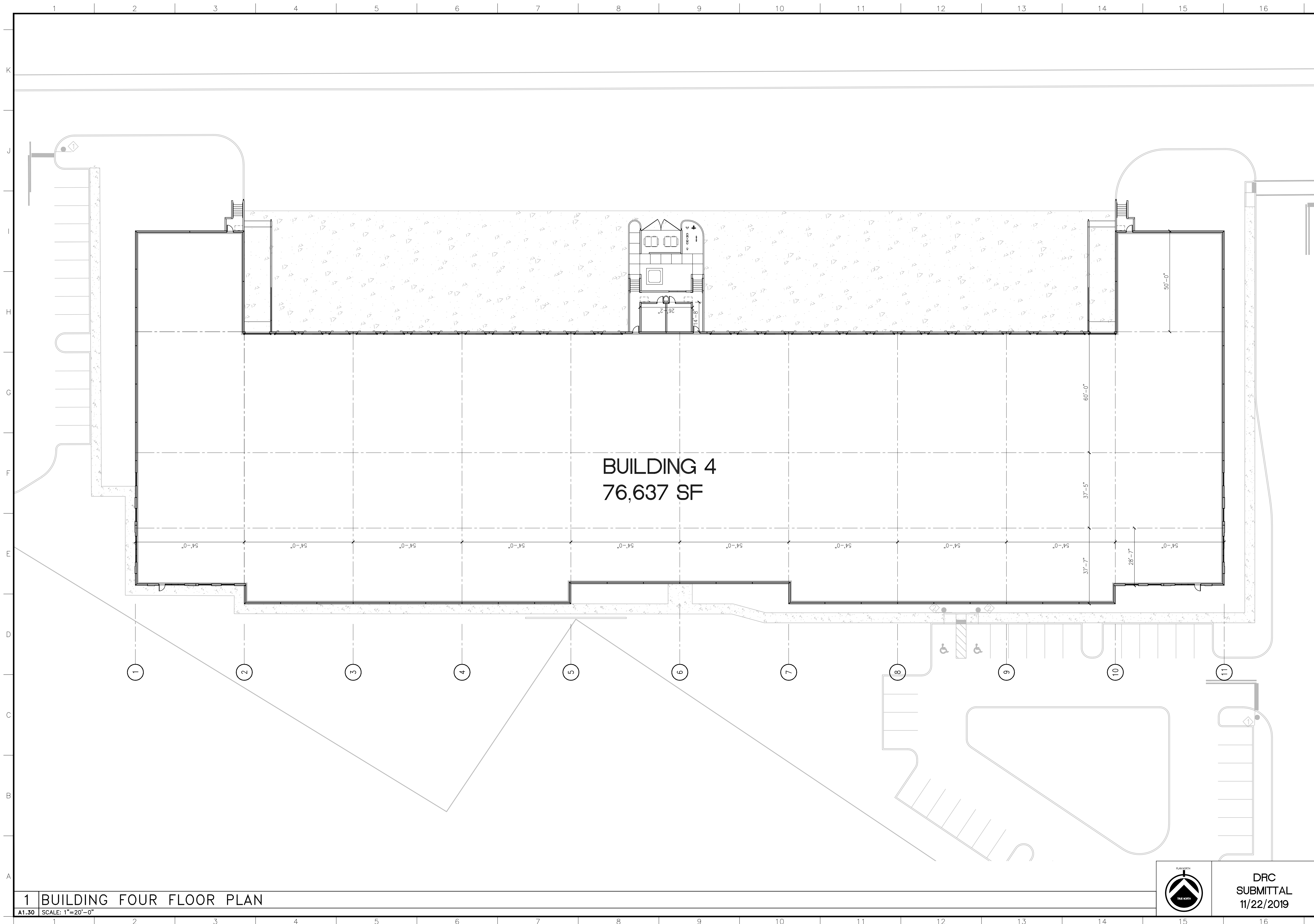
REVISIONS

Drawing Title
**BUILDING ONE
ELEVATIONS**

Scale
Project No. 19116.00
Plot Date 11/18/2019

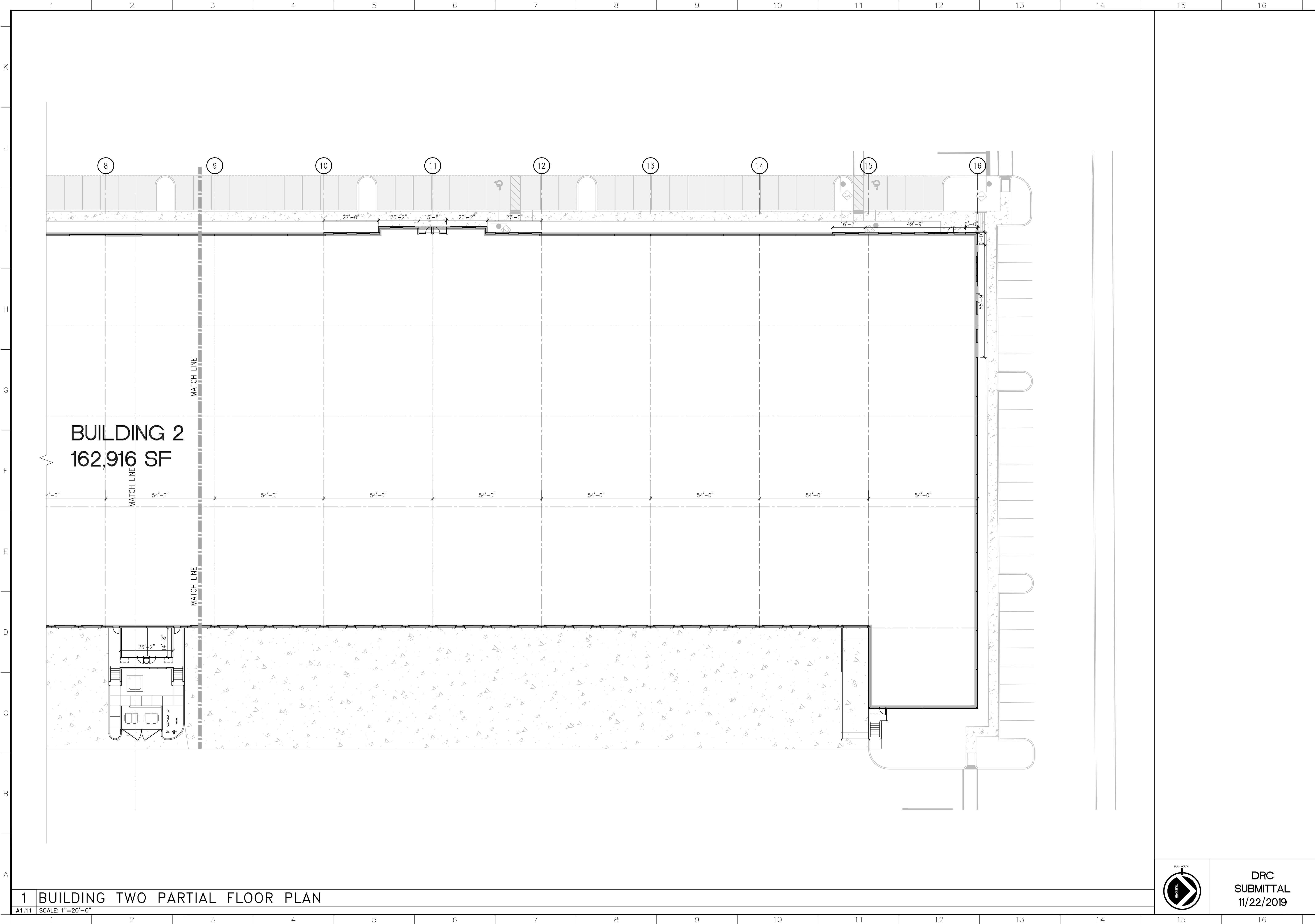
Principal: JC
Project Director:
Project Manager: MGC
Drafted by:
Checked by:

Sheet No.
A3.00

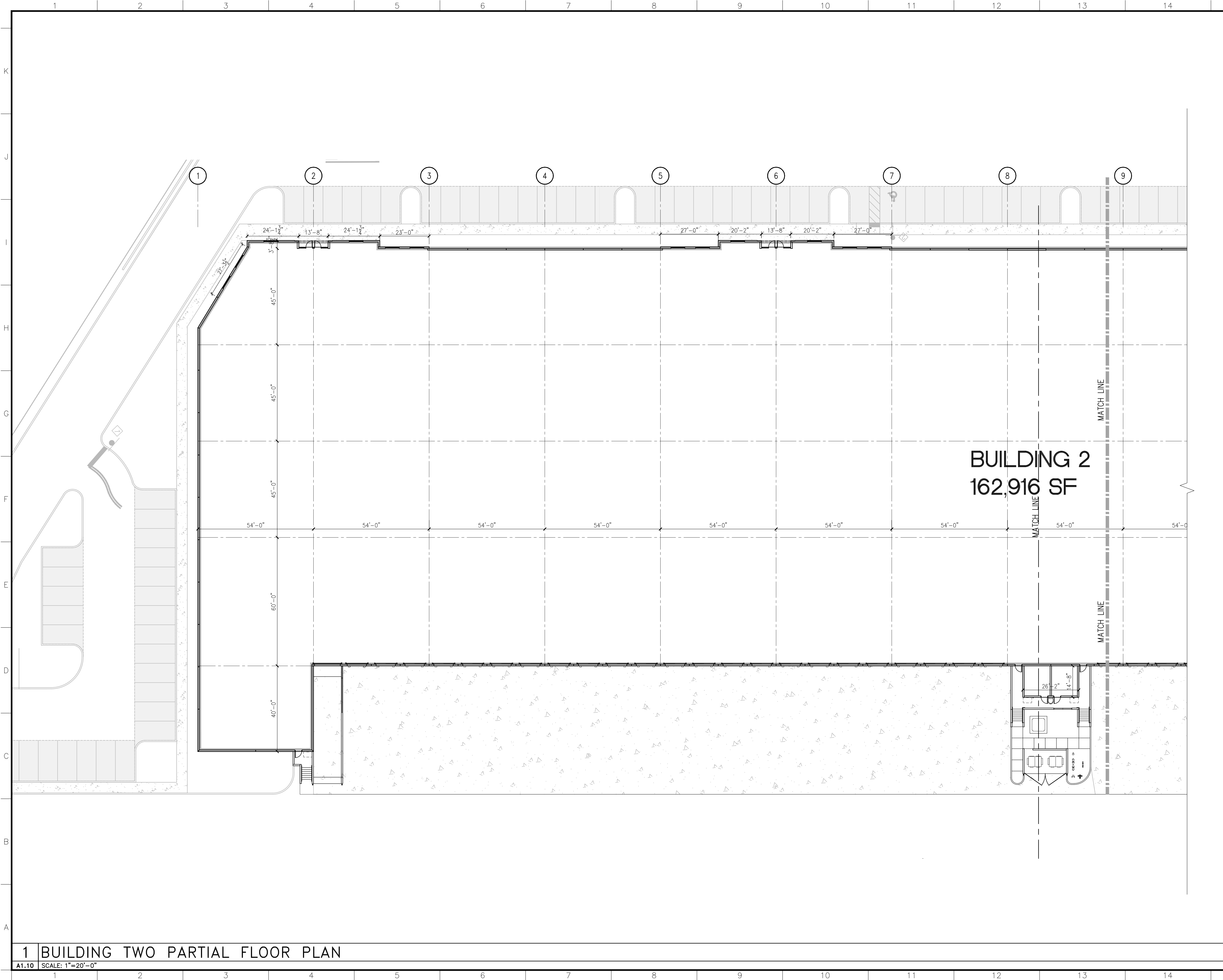


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 Bruce W. Reitzsch Principal Architect 14 SE 4th Street, Boca Raton, FL 33432 Tel 561 393 6556 Fax 561 395 0007 Web www.rlcarchitects.com		BRUCE W. REITZSCH A.I.A.	
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AUTO-AUCTION WAREHOUSE OPA-LOCKA, FL			
REVISIONS			
Drawing Title BUILDING FOUR FLOOR PLAN			
Scale Project No. 19116.00 Plot Date 11/18/2019			
Principal: JC Project Director: Project Manager: Drafted by: MGC Checked by:			
Sheet No. A1.30			





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REVISIONS		
Drawing Title BUILDING TWO PARTIAL FLOOR PLAN		
Scale Project No. 19116.00 Plot Date 11/18/2019		
Principal: JC Project Director: Project Manager: Drafted by: MGC Checked by:		
Sheet No. A1.11		



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Bruce W. Retzsch, AIA

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WAREHOUSE
OPA-LOCKA, FL

REVISIONS

Drawing Title
**BUILDING TWO
PARTIAL FLOOR
PLAN**

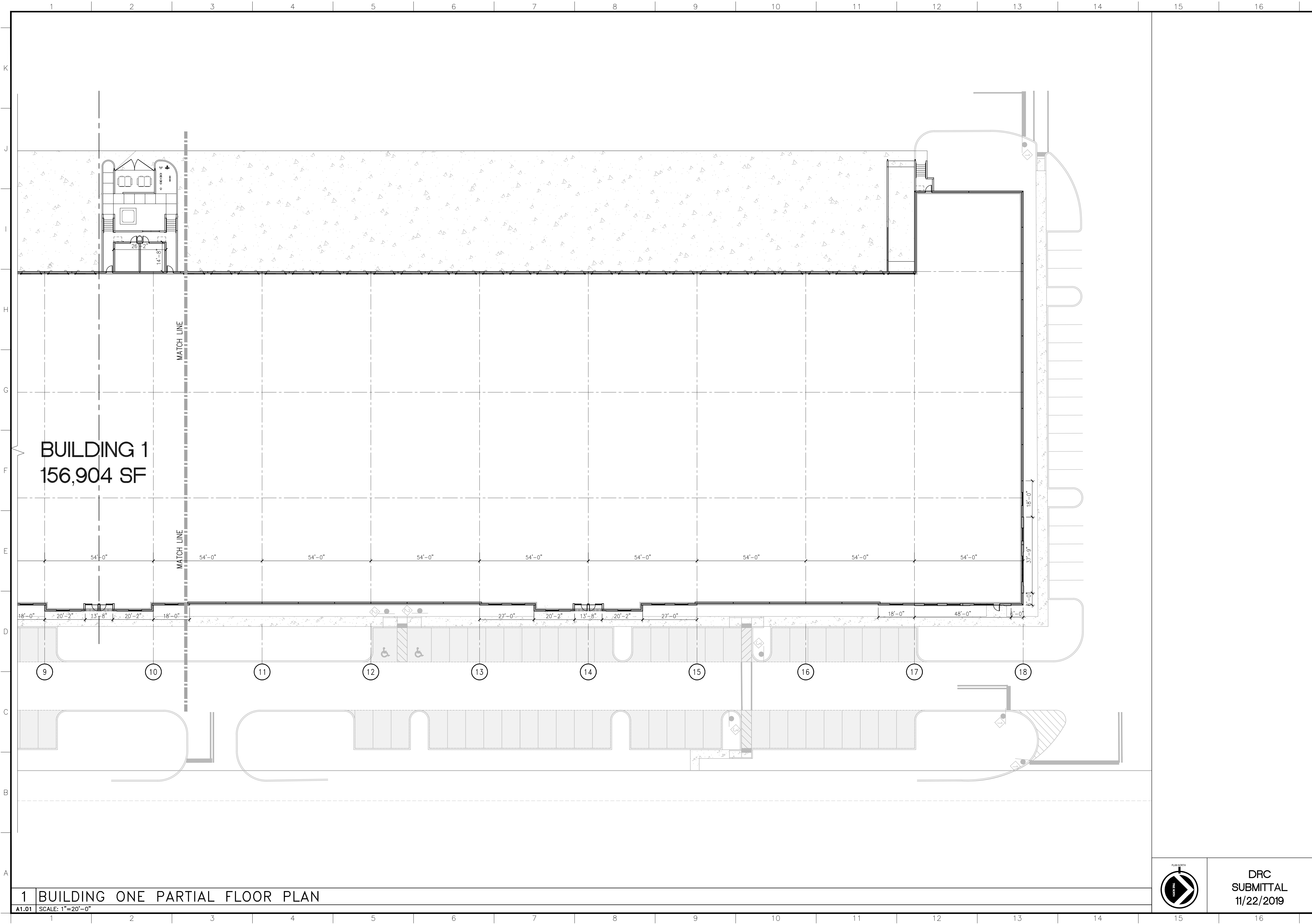
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Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager: MGC
Drafted by:
Checked by:

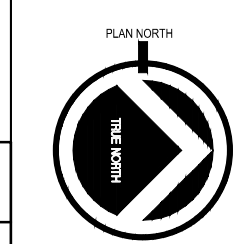
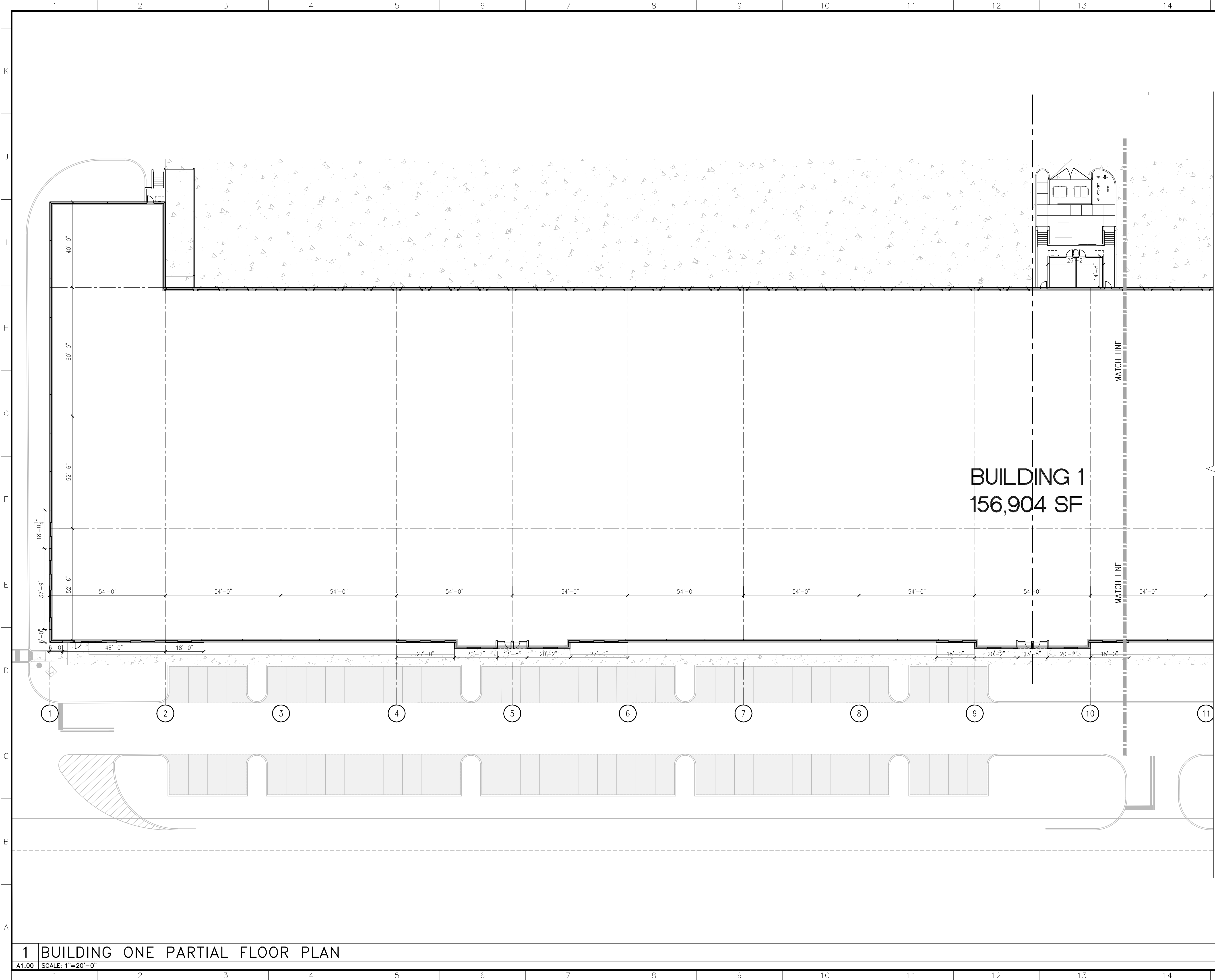
Sheet No.
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PLAY NORTH

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REVISIONS	
Drawing Title BUILDING ONE PARTIAL FLOOR PLAN	
Scale Project No. 19116.00 Plot Date 11/18/2019	
Principal: JC Project Director: Project Manager: Drafted by: MGC Checked by:	
Sheet No. A1.01	



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**AUTO-AUCTION
WAREHOUSE**
OPA-LOCKA, FL

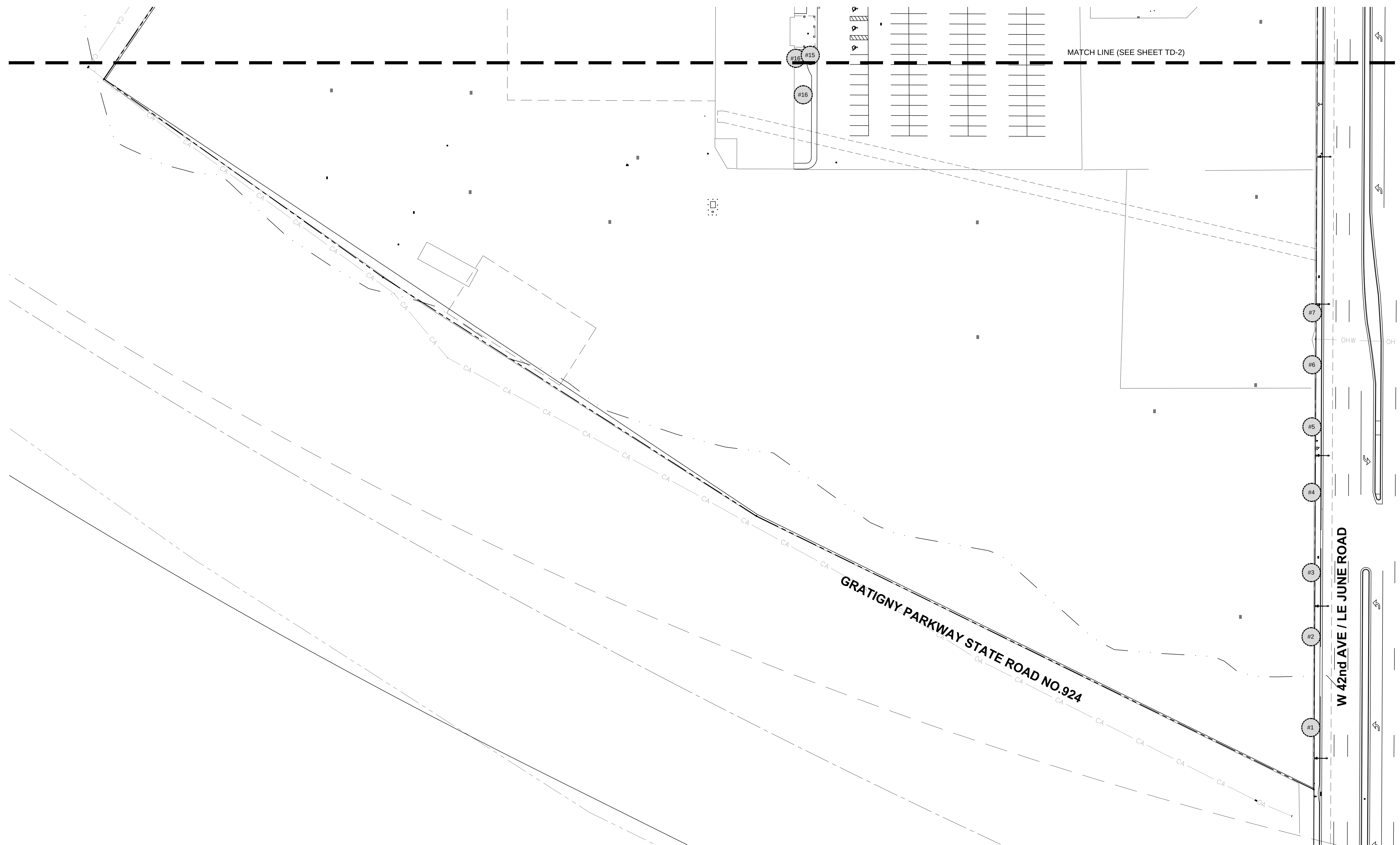
REVISIONS

Drawing Title
**BUILDING ONE
PARTIAL FLOOR
PLAN**

Scale
Project No. 19116.00
Plot Date 11/18/2019

Principal: JC
Project Director:
Project Manager:
Drafted by: MGC
Checked by:

Sheet No.
A1.00



TREE DISPOSITION PLAN

Scale: 1"=40'-0"



SYMBOL LEGEND

- Tree to Relocate
- Tree to Remove
- Tree to Remain

Project.

FOUNDRY AUTO AUCTION

OPA-LOCKA, FLORIDA
TREE DISPOSITION PLAN[illegible]

Seal:

Lic. # LA0000889
Member: A.S.L.A.

Drawing: Tree Disposition Plan

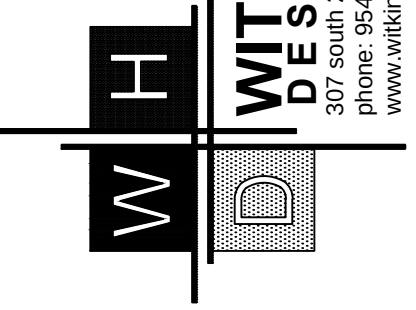
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Drawn by: RA

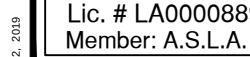
Sheet No.:

TD-3

Cad Id.: 2019-068



**WITKIN HULTS
DESIGN GROUP**
307 south 21st avenue hollywood, florida
phone: 954.923.9681 facsimile: 954.923.9688
www.witkindesign.com



Project:

Seal:

Lic. # LA0000889
Member: A.S.L.A.

TD-1

Cad Id.: 2019-068



NORTH

A circular graphic with a stylized arrow pointing upwards, indicating North.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant seeks to develop the Property with a warehouse/distribution/commercial facility in accordance with the Commercial and Corridor Mixed Use Overlay requirements. The applicant has prepared a site plan to illustrate the proposed warehouse/distribution commercial facility; and

WHEREAS, according to the City of Opa-locka's official Zoning Map, the Property is designated B-3 (Commercial Intensive Business District) and is subject to a Corridor Mixed-Use Overlay, which allows for an industrial/commercial mixed use, including warehouse/distribution facilities; and

WHEREAS, as indicated on the accompanying plans, the proposed development would consist of four buildings containing approximately 454,909 square feet of distribution space and 50,545 of office use. The portion of the easternmost building, fronting Le Jeune Road, is designed to facilitate and encourage commercial development such as tile and flooring users; and

WHEREAS, the Plans also incorporate traditional Moorish architecture to complement the surrounding community and general design goals of the City.

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

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Development Agreement. The City Commission of the City of Opa-locka hereby approves / denies a request for Development Agreement for 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.

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 may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE.

This Resolution shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED AND ADOPTED 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.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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 Virtual Regular Commission Meeting on Wednesday, June 24, 2020 at 7:00 p.m. to consider the following items:

SECOND READING ORDINANCE/PUBLIC HEARING:

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 May 27, 2020).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121- 007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121- 004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Additional information on the above items may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings. For information on Virtual Commission Meeting procedures please visit www.opalockafl.gov.

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



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

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John Pate		CM Signature:		
Commission Meeting Date:	6-24-20	Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance X	Other
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading X	2nd Reading
		X	Public Hearing: <i>(Enter X in box)</i>	Yes X	No X
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex: PTP		Advertising Requirement: <i>(Enter X in box)</i>	Yes X	No
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No X	RFP/RFQ/Bi#: N/A		
Strategic Plan Related <i>(Enter X in box)</i>	Yes X	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>	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The City of Opa-locka's Comprehensive Plan, Future Land Use Plan map provides that the property has a land use designation of "Commercial" with a "Corridor Mixed Use Overlay", which allows for an industrial/commercial mixed-use, including warehouse/distribution facilities. This property would potentially provide a boost to the local economy by promoting job creation and economic development in an area centrally located off a half line section line road and a major highway, State Road 924/Gratigny Parkway.

BACKGROUND

The applicant wishes to construct a 505,454 square foot warehouse distribution center at the southwest corner of NW 42nd Avenue/Le Jeune Road and State Road 924/Gratigny Parkway, This property currently serves as an auto action and is surrounded by commercial uses to the east of the property and industrial uses to the north.

FINANCIAL IMPACT

When this project is completed, the City will receive approximately \$558,931 of impact fees. Additionally, it is estimated that the taxable valuation of the property will increase by approximately \$51 million, which at the current year millage rate of 9.8000 mills will provide additional ad valorem revenue of \$499,800. Finally, the property will be a user of City water and sewer services as well as paying annual Business Tax Receipts and stormwater fees.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- GPT NW 42nd Avenue – Development Agreement
P & Z Board Meeting Minutes 5-5-20

PLANNING COUNCIL

May 5th
2020



WAREHOUSE/DISTRIBUTION CENTER: Developer Agreement

Staff Report

APPLICANT'S REQUEST: A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRUBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.



I. Site Background

- According to Miami-Dade County Property Appraiser's website, the subject Property's legal description is as follow:

29 52 41 28.316 AC
BEG 35FTS OF NE COR OF SW1/4 CONT
S1232.50FT N 66 DEG W 548.72FT
N 59 DEG W 391.46FT N 56 DEG W
302.53FT N 32 DEG E 126.08FT N 57
DEG W 408.10FT S 32 DEG W 115FT
N 60 DEG W 480.02FT N 57 DEG W
201.73FT E1981.08FT TO POB
LOT SIZE 1233271 SQ FT

- The subject property is currently own by GPT NW 42nd Avenue Owner LLC. according to the Miami-Dade County Property appraiser's website. The subject Property currently serves as an auto auction lot and the current parcel (Folio #08-2129-000-0032) zoning designation is B-3 with the Commercial and Corridor Mixed Use Overlay which allows for commercial and mixed use developments.
- Currently the site conditions are as follow: Auto Auction lot (*see Existing Condition Section*). The site is located in the southwest corner of NW 42nd Avenue/Le Jeune Road and State Road 924/Gratigny Parkway, south of the Miami-Dade County Canal. The site is only accessible via Le Jeune Road.



← SOUTH NW 42nd Ave/Le Jeune Road NORTH →

Figure 1: Google Street View, dated:

II. Project Details

- Applicant's intent**

The applicant wishes to construct a 505,454 square foot warehouse distribution center at the southwest corner of NW 42nd Avenue/Le Jeune Road and State Road 924/Gratigny Parkway. This property currently serves as an auto auction and is surrounded by commercial uses to the east of the property and industrial uses to the north.

The City of Opa-locka's Comprehensive Plan, Future Land Use Plan map provides that the property has a land use designation of "Commercial" with a "Corridor Mixed Use Overlay", which allows for an industrial/commercial mixed-use, including warehouse/distribution facilities. This property would potentially provide a boost to the local economy by promoting job creation and economic development in an area centrally located off a half line section line road and a major highway, State Road 924/Gratigny Parkway.

Site Computations & Land Development Regulation / Zoning Code				Table 1
Applicant	GPT NW 42 nd Avenue Owner LLC.			
Folio Number (s)	Opa-locka: 08-2129-000-0032			
Address Location	12700 NW Le Jeune Road			
Building (s) Footprint	Total Site Area – 1,233,619 SF Office Bldg. – 50,545 SF Warehouse Space – 454,909 SF Parking Lot – 4,450 SF Common Green Area – 246,724 SF			
Floor Area	Total 505,454 SF			
Zoning	B-3 – Commercial Intensive / CMU – Corridor Mixed Use Overlay			
Zoning Code Consistency	The proposed use for a Warehouse Distribution Center is consistent with the B-3 Zoning Code.			
Existing Land Use	Automotive Auction Lot / B-3			
Future Land Use Designation	B-3			
Comprehensive Plan Consistency	- The proposed use for a Warehouse Distribution Center is consistent with the Comprehensive Plan with the requested property being B-3.			
Applicable LDR Sections	Ordinance no. 15-31, Article III Sec; 22-55; Article V Sec. 22-91, 22-112, Ord. no. 14-16			
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE	
Front (East)	15 Feet	83 Feet	YES	
Rear (North)	15 Feet	N/A	YES	
Side	0 Feet	7.68 Feet	YES	
Corner Lots/ Other	N/A	N/A	N/A	
Lot Coverage	N/A	0.41%	YES	
Lot Density	N/A	N/A	N/A	

Lot Size	10,000 SF (0.23 Acres)	1,233,619 SF (28.32 Acres)	YES
Lot Width	N/A	N/A	N/A
Building Height	6 Stories or 65 Feet whichever less	Office Building: 1 Stories/ Feet	YES
Structure Length	N/A	N/A	N/A
Other Vehicular Use Area	4,450 SF	4,450 sq. ft.	YES
Landscaping	Office buildings: pursuant to the Land development Regulation Ordinance 86-8: Article 4, section 22-91. one (1) Parking per 250 square feet of floor area. <u>-308 spaces required</u>	Office Bldg. 50,454 SF	YES
Parking Details		Parking Lot: 4,450 SF Total Space Provided: 492 Total Spaces 36 Regular Spaces 6 Handicapped Spaces	
Landscape/ Pervious Lot Coverage	10% minimum required pervious	10% provided	YES
Notification Requirement	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Wednesday, February 26th, 2020. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, May 5th, 2020. - City Commission Meeting: TBD		
Local Government Action Required	The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning and Zoning Board and any other applicable board or agency.		

III. Overall Analysis

Existing Conditions:

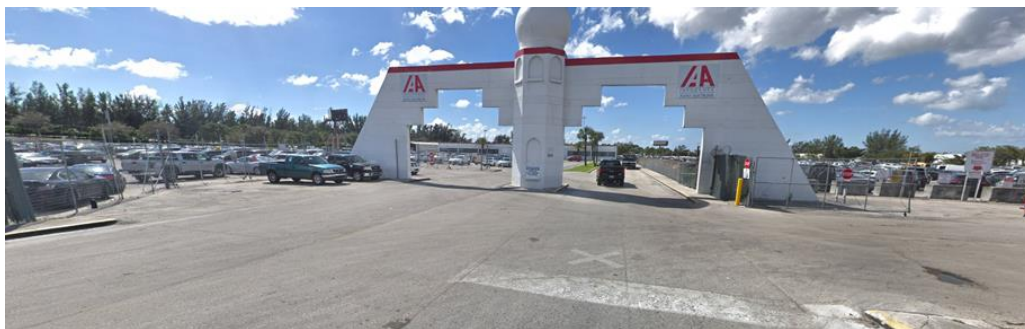
- The Subject Property is generally surrounded by commercial properties to the east and industrial uses to the north with ingress and egress to NW 42nd Avenue/Le Jeune Road.
- Sidewalk alongside the east edge of the Property.
- Across the street from the Opa-locka Hialeah Flea Market to the east.
- Property is currently utilized for storage and sales of vehicles involved with the automotive auction operations.



South View of property (South on Le Jeune Road facing State Road 924/Gratigny Parkway)



North View of Property (North on Le Jeune Road)



View of entrance of property highlighting Moorish Structure currently on site



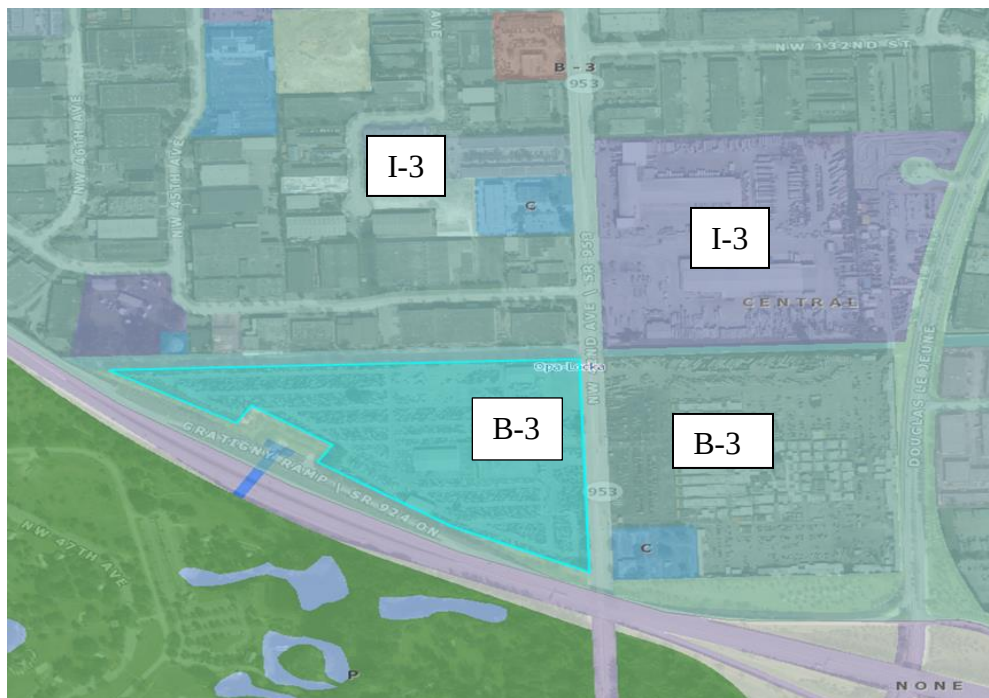
East View of Property (Opa-locka-Hialeah Flea Market)

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Industrial	Industrial	I-3 (Commercial Liberal)
South	ROW	ROW (State Road 924/Gratigny Parkway)	N/A
East	ROW	ROW (42 nd Avenue/Le Jeune Road)	N/A
West	ROW	ROW (State Road 924/Gratigny Parkway)	N/A

Surrounding Zoning Designation Map

The Site is Highlighted in image



- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions?

COMPLIES

- **Findings:**

- The proposed development use 'Warehouse Distribution Center' is in harmony with the general characteristic of the surrounding neighborhood: Commercial/Industrial Uses

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO.10-03

COMPLIES

- **Findings:**

- The Applicant is proposing to include landscaping at 5.7ac. *(Please see attached Landscape Plan for Trees detailed information).*

- **Fence:** All fences constructed on property perimeters shall be of a solid masonry construction or a decorative masonry block to prevent the view of any stored article. Fences shall be constructed in a way so as not to obstruct or impair the view of any vehicle driver's ability to see other vehicles or pedestrians within two hundred (200) feet of any intersection within the district.

- **Findings:**

- The Applicant is not required to have fencing as the property is on a commercial corridor pursuant to the City Land development Regulation/Zoning Code 15-31, B-3 Commercial District (Section 22-91).

- **Future Land Use:** Commercial (Communications, water and sewer facilities, electrical as needed).

- **Findings:**

- According to the City of Opa-locka Comprehensive Plan; the proposed project shall be located within the City's Commercial land use designation category location.

COMPLIES

- **B-3 (Commercial Intensive) Permitted Uses:** Project Specific: *Warehouse Distribution Center*

- **Findings:**

- According to the City's Land Development Regulation/ Zoning Code B-3 (Commercial Industrial) allows for a Warehouse Distribution facility which is permitted within a B-3.

COMPLIES

- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.

- **Findings:** The Planning and community Development Department has received signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

COMPLIES

IV. **Project Need Assessment / other Required Approvals**

1. Site Plan

- Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th, 2020

2. Development Agreement

- Application submitted for Planning Council Meeting (this meeting) Tuesday, May 5th, 2020

V. **Development Review Committee (DRC): *Meeting Review Comments***

1. **Capital Improvement Project (CIP):**
 - No issues reported for the proposed Site Plan
2. **Building:**
 - N/A
3. **Police:**
 - N/A
4. **Community Redevelopment Agency (CRA):**
 - N/A
5. **City Manager's Office (CMO):**
 - N/A
6. **Code Enforcement:**
 - N/A
7. **City Attorney's Office:**
 - Development Agreement under review
8. **Public works:**
 - N/A
9. **Inter-jurisdictional Review:**
 - N/A

VI. **Staff Recommendation:**

- Staff recommend approval of this Site Plan pending the following other approvals:
 - A Development Agreement must be submitted along with this Warehouse Distribution Center Site Plan pursuant to the city Land Development Regulation/ Zoning Code Ordinance no. 15-31: Article V Section 22-112 and F.S. Section 163.3220-163.3243;
 - All signage shall comply with the City's Sign Code Ordinance no. 15-31 Article X;
 - All landscaping and parking areas must be provided and maintained as shown in the Opa-locka Dialysis Center Site Plan;
 - Trees to be planted 25' avg. oc.;
 - Adequate landscape buffer around parking area;
 - Compliance with resolution 5058, fare share agreement;
 - Extend employment opportunity to City residents through the City's Human Resource dept. and the Opa-locka workforce;
 - Maintain 100% the use, function, or any recommendation the Planning and Zoning Board deem necessary to this Opa-locka Dialysis Center site plan and or not limited to the provision of satisfying all other city's land development code pertaining to the site, landscape and structures;
 - All trash & garbage containers shall comply with the City dumpster enclosure requirements;
 - The Development Agreement (D.A.) shall specifically address the daily operation, business, behaviors and any other requirements set forth by the City's Land Development Code, Planning and Zoning Board and the City Commissioner for this proposed Opa-locka Dialysis Center site plan;

- Address all Miami-Dade County's input/recommendations as appropriate

VII.

Attachments:

- Site Plan
- Development Agreement

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Corion J. DeLaine, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VIII.

Staff Report Updated After the Planning and Zoning Board Meeting on May 5th, 2020. *Reflected Actions:*

I. Planning and Zoning Board Decision: (PLEASE SEE MEETING MINUTES FOR DETAIL DISCUSSIONS)

Resolution No. 2020-0505-01, 2020-0505-02

RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: Warehouse Distribution Center

FOR: SITE PLAN APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 505,454 SQ. FT. WAREHOUSE DISTRIBUTION FACILITY WITH 492 PARKING SPACES.

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐ DATE: 05-05-2020
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / __
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning and Zoning Board Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of

Chairperson or Designee

The Following changes/recommendations are updates based on the Planning and Zoning Board Meeting discussions in regards to the proposed Warehouse Distribution Center.

Record and Return to:
(enclose self-addressed stamped envelope)

Joseph G. Goldstein, Esq.
Holland & Knight LLP
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

This Instrument Prepared by:

Law Offices of Burnadette Norris-Weeks, P.A.

City of Opa-Locka
780 Fisherman Street
Opa-Locka, Florida 33054

SPACE ABOVE THIS LINE FOR RECORDING DATA

**DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OPA-LOCKA, FLORIDA AND
GPT NW 42 AVENUE OWNER, LLC**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of this ____ day of November, 2019 ("Execution Date") by and between **GPT NW 42 Avenue Owner, LLC**, (the "Owner"), with the address of 90 Park Avenue, 32 Floor, New York, NY 10016 and the City of Opa-Locka, Florida, a municipal corporation and a political subdivision of the State of Florida ("City"), with a mailing address of 780 Fisherman Street, Opa-Locka, Florida 33054.

WITNESSETH:

WHEREAS, the Owner is the fee simple owner of approximately 28.3 acres of land located at 12700 NW LeJeune Road, within the municipal boundaries of the City and identified by Miami-Dade County Tax Folio No. 08-2129-000-0032 (the "Property"), the legal description of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the City's Commission adopted Resolution Number _____ approving a Master Site Plan lot the Proposed Development type which includes four buildings containing approximately 454,909 square feet of distribution space and 50,545 of office use, as well as approximately 492 surface parking spaces ("Proposed Development"); and

WHEREAS, according to Sections 163.3220 through 163.3243, F.S., known as the Florida Local Government Development Agreement Act, the Florida Legislature has determined that the lack of certainty in the development process can result in a waste of economic and land development resources, discourage sound capital improvement planning and financing, escalate the cost of housing and development, and discourage commitment to comprehensive planning; and

WHEREAS, the Florida Legislature has declared that assurances to an Owner that it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring there are adequate capital facilities for the development, encourages private participation in comprehensive planning, and reduces the economic costs of development; and

WHEREAS, the Owner and the City desire to establish certain terms and conditions relating to the proposed development of the Property and wish to establish identifiable parameters for future development; and

WHEREAS, the City Commission pursuant to Resolution No. _____, adopted on _____, 2020, authorizes the City Manager to execute this Agreement upon the terms and conditions set forth by the City Commission and listed below, and the Owner have authorized the Owner/Manager to execute this Agreement upon the terms and conditions set forth by the City Commission and as listed below; and

NOW, THEREFORE, in consideration of the conditions, covenants and mutual promises herein set forth, the Owner and City agrees to as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are hereby deemed a part hereof.
2. **Consideration.** The Parties hereby agree that the consideration and obligations recited and provided for under this Agreement constitute substantial benefits to both parties and thus adequate consideration for this Agreement.
3. **Definitions.**
 - (a) "Additional Term" means anyone or more additional term(s) approved by mutual consent of the parties pursuant to a public hearing pursuant to Section 163.3225, F.S.
 - (b) "Agreement" means this Chapter 163, F.S., Development Agreement between the City and Owner.
 - (c) "City" means the City of Opa-Locka, a municipal corporation and a political subdivision of the State of Florida, and all departments, agencies and instrumentalities subject to the jurisdiction thereof.
 - (d) "Comprehensive Plan" means the plan adopted by the City pursuant to Chapter 163, F.S.
 - (e) "Owner" means the persons or entities undertaking the development of the Property, defined in the preamble to this Agreement, 12700 NW LeJeune Road Project, with the address of 90 Park Avenue, 32 Floor, New York, NY 10016 and/or any of its respective successors, assigns, or heirs thereof.
 - (f) "Development" means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels and such other activities described in Section 163.3221(4), F.S.
 - (g) "Development Permit" includes any building permit, zoning or subdivision approval, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.

- (h) "Effective Date" is the date this Agreement is recorded with the clerk of the Circuit Court in and for Miami-Dade County,
- (i) "Entire Term" is the total term of this Agreement, combining the Initial Term (thirty (30) years) and the Additional Term, as defined herein.
- (j) "Execution Date" is the date that all parties have affixed their signatures to this Agreement.
- (k) "Existing Zoning" means (a) all entitlements associated with the City's approval of the 12700 NW LeJeune Road Project Site Plan, and (b) the provisions of the Charter, Comprehensive Plan and Laws of the City of Opa-Locka, including the City of Opa-Locka's Unified Land Development Regulation Code and the Ordinance, as amended through the Effective Date.
- (l) "Final Site Plan" means the "12700 NW LeJeune Road Project" Site Plan approved by the City Commission via Resolution No. _____ for warehouse/distribution and commercial development.
- (m) "Governing Body" means the City of Opa-Locka's City Commission.
- (n) "Initial Term" is ~~ten~~fifteen (10~~15~~) years commencing on the Effective Date.
- (o) "Land" means the earth, water, and air, above, below, or on the surface and Includes any improvements or structures customarily regarded as land, except as provided herein.
- (p) "Land Development Regulations" means ordinances, rules and policies enacted or customarily implemented by the City for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulation or any other regulations controlling the development of or construction upon land in effect as of the Effective Date.
- (q) "Laws" means all ordinances, resolutions, regulations, comprehensive plans, Land Development Regulations, and rules adopted by the City of Opa-Locka affecting the development of land in effect as of the Effective Date, including Opa-Locka's Land Development Regulation Code, the Ordinance Number 15-31.
- (r) "Parties" means the City and the Owner.
- (s) "Project" is the 12700 NW LeJeune Road Project at 12700 NW LeJeune Road as described in the plans prepared by Langan Engineering and Environmental Services, Inc. RLC Architects, and Witkin Hults Design Group and dated November 1, 2019, which proposes the development of four buildings containing approximately 454,909 square feet of distribution space and 50,545 of office use, as well as approximately 492 surface parking spaces with related employee and guest parking.
- (t) "Property" means the approximately 28.3 acres of land located on 12700 NW LeJeune Road, within the municipal boundaries of the City and identified by

Miami-Dade County Tax Folio No. 08-2129-000-0032 the legal description of which is attached hereto and made a part hereof as Exhibit "A."

- (u) "Public Facilities" means major capital improvements, including, but not limited to transportation, transit, sanitary sewer, solid waste, drainage, potable water, educational facilities, parks and recreational, and health systems and facilities for which the City's Comprehensive Plan sets forth required levels of service.
- (v) "Resolution" means the resolution defined in the preamble to this Agreement, City of Opa-Locka Resolution Numbers ____-____ and ____-____ approving the Project located at 12700 NW LeJeune Road and the 12700 NW LeJeune Road Project Development Agreement Project.

4. **Intent.** It is the intent of the Owner and the City that this Agreement shall be construed and implemented as a development agreement among the parties pursuant to the Florida Local Government Development Agreement Act, Section 163.3220 through 163.3243, F.S., ("Act"), in compliance with Article V, Section 22-112 of the City of Opa-Locka's Land Development Regulation Code, the Ordinance, and the Resolution.
5. **Effective Date.** Immediately upon approval by the City and execution by all parties, the City shall record, with recording fees paid by the Owner, the Agreement with the clerk of the Circuit Court for Miami-Dade County. This Agreement shall become binding on the Effective Date. Notwithstanding the Effective Date provided herein and required by Section 163.3239, P.S., the City and the Owner shall act in good faith to carry out the intent of the Agreement upon the Execution Date.
6. **Term of Agreement and Binding Effect.** This Agreement shall run with the land, remain in full force and effect, and be binding on all Parties (including the Owner) and all persons claiming under it for an Initial Term of ~~ten~~fifteen (~~10~~15) years from the Effective Date, and may be extended in accordance with Section 252.363, F.S. or for one or more Additional Term(s) thereafter by mutual consent of the parties, subject to two public hearings pursuant to Section 163.3225, F.S. Consent to any extension of this Agreement requires approval of both parties to this Agreement. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement. The obligations imposed pursuant to this Agreement upon the parties and upon the Property shall run with and bind the Property as covenants running with the Property, and this Agreement shall be binding upon and enforceable by and against the parties hereto, their personal representatives, heirs, successors, grantees and/or assigns.
7. **Termination.** No notice of termination shall be required by either Party upon the expiration of this Agreement and thereafter the Parties hereto shall have no further obligations under this agreement.
8. **Expiration / Termination / Default.** Upon the expiration of the Agreement, the City shall have ability and the rights under its police power to adopt Land Development Regulations not inconsistent with the rights granted hereunder. In the event of termination or default, no further rights under this Agreement shall exist, whether brought under a claim of vested right, equitable estoppel or otherwise.

9. **Development Conditions.** In accordance with Section 163.3227(c), F.S., the Owner agrees as follows:

- (a) All impacted Public Facilities shall be adequate to serve the Property at an acceptable level of service prior to the issuance of a Certificate of Occupancy for the Project, and shall be served by water and sanitary sewer main extensions as required by the City in accordance with Miami-Dade County permitting requirements.
- (b) All Public Facility improvements required by the City, by Miami-Dade County, Florida, or voluntarily proposed by the Owner to be installed by Owner shall be constructed in accordance with applicable governmental regulations prior to the issuance of a Certificate of Occupancy of the Project.
- (c) All signage shall comply with all city sign code ordinance requirements.
- (d) Owner will abide by and not deviate from the terms of its graphic and verbal representation submitted to the City Commission in order to receive approval of the Project. Such items include, but are not specifically limited to:
 - 1) Design of all physical structures, water bodies, private and public improvements and
 - 2) The color and dimensional characteristics of all building materials.
 - 3) All landscaping, bay loading and parking spaces must be provided and maintained as shown on the site plan.
- (e) Owner shall preserve and maintain all buildings and structures consistent with the Project Final Site Plan, or to cause any tenant of the Property to do so, for the entire period in which the Owner owns the land or controls at least 51% ownership of the Property, or controls a least 10% of any entity to which this Agreement has been assigned, sold or otherwise transferred. Any new owner must abide by the terms of this Agreement until the expiration of the Term of this Agreement as provided in paragraph 6, above. In the event of a force majeure or in the event of a casualty, the then owner has the option but is not obligated to rebuild, provided that the Property is cleared and maintained in accordance with City Code requirements. It is expressly understood by the Owner that the development of a project that is not substantially in accordance with the Final Site Plan shall require new approvals and be derivative of a Moorish design theme in accordance with City Code requirements.
- (f) Owner shall submit an annual report each year on or about the anniversary of the Effective Date and shall provide additional documentation to the City as required by the Resolution and this Agreement, to verify continuing compliance with the Resolution and this Agreement. A copy of the City's form of annual report is attached as Exhibit "B".
- (g) The Owner will not physically alter or substitute the design of structures, materials and colors included in the Project Final Site Plan except as approved by the City in the City's sole discretion. In the event that building materials or colors are no longer available, the burden shall be on the Owner to prove that said materials or colors are in fact unavailable.

- (h) Owner agrees that the City may enter onto the Property to confirm compliance with the terms of this Agreement.
- (i) Owner agrees to use commercially reasonable efforts to employ Opa-locka residents through the assistance of the Career Source South Florida Office (or other similar organization as determined by City) and to encourage all contractors retained to develop the Project, and all of their subcontractors, to employ Opa-Locka residents through the assistance of the Career Source South Florida office in coordination with the City of Opa-Locka and in accordance with the Memorandum of Understanding between the City of Opa-Locka and Career Source South Florida.

In furtherance of this commitment, Owner agrees to the following:

- 1) Prepare and provide the City with an outreach plan that outlines the Owner's anticipated commercially reasonable efforts to provide construction-related and permanent jobs to Opa-Locka residents, prior to the issuance of the first building permit for vertical construction within the Property ("Outreach Plan"). Said Outreach Plan, at a minimum, shall require that local job fair(s) ("local" shall mean within the municipal boundaries of the City of Opa-Locka; hereinafter "Local Job Fair") be held as described herein and shall outline job training opportunities within the Project.
- 2) Host or require its general contractor(s) to host a Local Job Fair and provide a list of construction job openings to the City to post on the City's website, prior to the issuance of the first building permit for vertical construction. The general contractor shall advise the City of any local new hires following its Local Job Fair(s).
- 3) As a condition of approval of the Resolution and this Agreement that any future tenant of the Project shall host a Local Job Fair prior to the issuance of any final certificate of occupancy for leasable space within the Project. In furtherance of this condition, incorporate in any leases of space within the Project, notification to the tenant that it is required to host a Local Job Fair, in accordance with this Agreement and the Outreach Plan, as a condition of issuance of a final certificate of occupancy within the Project and to provide a list of job openings that may be available to the City to post on the City's website for permanent/building (business) operation jobs. The tenant shall advise the City of any local new hires following its Local Job Fair(s).
- (j) All trash and garbage containers shall comply with all city dumpster enclosure requirements.
- (k) The following timelines shall be complied with by the Owner of the Project. Said entity must work immediately to seek all applicable permits immediately upon approval of this Agreement and shall:
 - 1) Apply for its first building permit for vertical construction within the Property within 18 months from the execution of the Development Agreement. The City Manager may grant a single extension of up to 6 months for good cause.

- 2) Must start construction: within 12 months following issuance of the first building permit for vertical construction. The City Manager may grant a single extension of up to 6 months for good cause.
 - 3) Must complete all phases of the Project within 48 months following issuance of permits. The City Manager may grant a single extension of up to 6 months for good cause.
 - 4) Said time-frames may be further extended in accordance with Section 252.363, Florida Statutes.
10. **Development Permits.** In accordance with Section 163.3227(I), F.S., the City needs to approve the following additional development permits upon proper submission of all requirements, and City review or inspections, in order for the Owner to develop the Project:
 - (a) Site plan approvals;
 - (b) Modifications to existing approvals and permits, including the Project site plan;
 - (c) Water, sewer, paving and drainage permits;
 - (d) Building permits;
 - (e) Sign permits;
 - (f) Certificates of use and occupancy; and
 - (g) Any other official action of the City and/or Miami-Dade County, Florida or other applicable regulatory agencies having the effect of permitting the development of land or providing permits required for the development of Property.
 - (h) Any City liens, fees, code violations or unpaid assessments shall be satisfied prior to the execution of this Agreement for this Property.
 - (i) All currently non-compliant physical structures or vehicles if applicable, shall be removed prior to the execution of this Agreement.
11. **Public Services and Facilities; Concurrency.** In accordance with Section 163.3227(d), F.S., the City and the Owner anticipate that the Property and the Project will be served by those public services and facilities currently in existence as provided by the State of Florida, Miami—Dade County, the City, and/or as contemplated in the Project Final Site Plan. The Property and the Project will also be served by all public facilities provided in the City's Comprehensive Plan, specifically including but not limited to, those public facilities described in the Comprehensive Plan's Capital Improvements Element. For the purposes of concurrency, the City hereby agrees to provide, reserve, and allocate sufficient public facility capacity, including but not limited to water, sanitary sewer, solid waste, drainage, fire and police to serve the development of the Project on the Property for the period of this Agreement. The Owner shall be bound by the City impact fees and assessments in existence as of the Effective Date of this Agreement. Nothing in this paragraph shall relieve the Owner of the requirement to pay impact fees and assessments.

12. **Consistency with Comprehensive Plan.** In accordance with Section 163.3227(g), F.S., the City hereby finds and declares that the Owner's development of the Project on the Property complies with the Laws, ordinances, regulations and policies of the City of Opa-Locka, and is consistent with the City's Laws, Comprehensive Plan and Land Development Regulations.
13. **Reservation of Development Rights.** Except as otherwise provided in the Act for the Entire Term of this Agreement, the City hereby agrees that it shall permit the development of the Project in accordance with the Laws of the City of Opa-Locka, including the City's Comprehensive Plan and Land Development Regulations, as of the Effective Date of this Agreement, subject to the conditions of this Agreement. Except as otherwise provided in the Act, the City's Laws and policies governing the development of the Property as of the Effective Date of this Agreement shall govern the development of the Property for the Entire Term of this Agreement unless terminated. Development of the Property as outlined herein shall not be subject to any future changes to the Laws of the City, including the City's Land Development Regulations and Comprehensive Plan designation alter the Effective Date and during the Entire Term of this Agreement, except to the extent that the Owners consent to such changes and except as otherwise provided in the Act. The City may apply subsequently adopted laws or policies to the Property only as permitted or required by the Act or as provided above or upon this agreement being terminated or having expired
14. **Zoning and Other Approvals.** The Parties hereto recognize and agree that certain provisions of this Agreement require the City and its boards, departments or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such considerations and actions shall be undertaken in accordance with established requirements of state statutes and municipal ordinances, in the exercise of the City's jurisdiction under the police power. Nothing in this Agreement shall be construed to prohibit the City from duly acting under its police power to approve, approve with conditions, or reject any public hearing application dealing with the Property.
15. **Necessity of Complying, with Local Regulations Relative to Development Permits.**
- (a) In accordance with Section 163.3227(i), F.S., this Agreement is not and shall not be construed as a development permit or authorization to commence Development. The Owner and the City agree that the failure of this Agreement to address a particular permit, condition, fee, term or restriction in effect on the Effective Date of this Agreement shall not relieve the Owner of the necessity of complying with any and all regulations governing said permitting requirements, conditions, fees, terms or restrictions as long as compliance with said regulation and requirements do not require the Owner to develop the Property in a manner that is inconsistent with the Laws of the City of Opa-Locka in existence as of the Effective Date.
- (b) In the event that the City asserts that the terms of this Agreement are not being complied with, then, in addition to any other remedies available to the City, the City ~~is hereby authorized with respect to the Property, or a tract or portion thereof, as applicable, to stay~~ may stay the effectiveness of this Agreement, ~~until such time as this Agreement is complied with. It is recognized~~

~~that certain obligations set forth in this Agreement are conditions precedent to the development of all of the Property, and that the failure to comply with such provisions of this Agreement may result in the staying of the effectiveness of this Agreement and the withholding of permits, inspections, or approvals throughout or upon the entire Property. Before~~ as to the portion of the Property associated with the alleged non-compliance. However, before staying the effectiveness of this Agreement as to the Property or a tract or portion thereof, and before withholding permits, inspections, or approvals throughout or upon the entire Property based on a failure to comply with this Agreement, the City shall send written notice containing ~~the following information: (i)~~ the nature of the purported violation; and ~~(ii) provide~~ a reasonable time-frame within which the Owner may correct the violation ~~shall be cured~~. These requirements for notice and an opportunity to cure shall not apply and shall not be construed to limit: (i) the City's ability to take any action to prevent or ameliorate any immediate danger to the public health, safety, or welfare; or (ii) the City's or the County's authority and available remedies to enforce violations of the Code or of other applicable regulations.

16. **Good Faith: Further Assurances.** The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of and to satisfy their obligations under this Agreement in order to secure to themselves the mutual benefits created under this Agreement. In that regard, the parties shall execute such further documents as may be reasonably necessary to effectuate the provisions of this Agreement, provided that the foregoing shall in no way be deemed to inhibit, restrict, or require the exercise of the City's police power or actions of the City when acting in a quasi—judicial capacity.
17. **Notices.** Any notice required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given if delivered by hand, sent by a recognized courier (such as Federal Express) or mailed by certified or registered mail, return receipt requested, in a postage prepaid envelope and addressed as follows:

If to the City at:

City Manager
City of Opa-Locka
780 Fisherman Street
Opa-Locka, Florida 33054

With a copy to:

Law Offices of Burnadette Norris-Weeks, P.A.
City Attorney
City of Opa-Locka
780 Fisherman Street
Opa-Locka, Florida 33054
And
401 North Avenue of the Arts
Ft. Lauderdale, FL 33311

If to the Owner at:

GPT NW 42 Avenue Owner, LLC
90 Park Avenue, 32 Floor
New York, NY 10016

18. **Governing Laws, Construction and Litigation.** This Agreement shall be governed and construed in accordance with the laws of the State of Florida. The Owner and the City agree that Miami-Dade County, Florida is the appropriate venue in connection with any litigation between the parties with respect to this Agreement. All of the parties to this Agreement have participated fully in the negotiation and preparation hereof; and accordingly, this Agreement shall not be more strictly construed against any of the parties hereto. In construing this Agreement, captions, and section and paragraph headings shall be disregarded. All of the exhibits referenced in this Agreement are incorporated in, and made a part of, this Agreement. In the event of any litigation between the parties under this Agreement for a breach thereof, the prevailing party shall be entitled to reasonable attorney's fees and court costs at all trial and appellate levels.
- Pursuant to Section 163.3241, F.S., if state or federal laws are enacted after the execution of this Agreement that are applicable to and preclude the parties' compliance with the terms of this Agreement, such Agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws.
19. **Severability.** In the event that any term or provision of this Agreement is determined by an appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.
20. **Entire Agreement.** This Agreement sets forth the entire Agreement and understanding between the parties hereto relating in any way to the subject matter contained herein and merges all prior discussions between the Owner and the City. Neither party shall be bound by any agreement, condition, warranty or representation other than as expressly stated in this Agreement and this Agreement may not be amended or modified except by written instrument signed by both parties hereto and in accordance with Section 163.3225, F.S.
21. **Indemnification.** The Owner shall indemnify and hold harmless the City, its elected and appointed officials, employees, agents and assigns from and against any claims or litigation arising under this Agreement instituted by third parties to the extent arising as a result of the activities of Owner at the Property or in connection with the construction of the Project.
22. **Periodic Review of Agreement.** Pursuant to Section 163.3235, F.S., the City shall review the Property subject to this Agreement at least once every 12 months to determine if there has been demonstrated good faith compliance with the terms of this Agreement. If the City finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of this Agreement, this Agreement may be revoked or modified by the City, subject to the notice and cure provision contained in paragraph 15(b), above.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY

CITY OF OPA-LOCKA FLORIDA

ATTEST: _____

By: _____
City Manager

Dated: _____ day of _____, 2020

Approved for form and legal sufficiency:

City Attorney: _____

WITNESS:

OWNER:

GPT NW 42 Avenue Owner, LLC,
a Delaware limited liability company

By: _____
Name: Sonya Huffman
Title: Senior Vice President of Operations

Print Name

Signature

Print Name

Print Name

Signature

Print Name

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

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2020, by Sonya Huffman, as Senior Vice President of _____, and for the purposes stated herein on behalf of said corporation, who is personally known to me or who has produced _____ as identification.

[NOTARIAL SEAL]

Print Name: _____
Notary Public, State of Florida
Commission #: _____
My Commission Expires: _____

EXHIBIT A- PROPERTY (LEGAL DESCRIPTION)

Parcel 2:

A PORTION OF THE SW 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE POINT OF INTERSECTION WITH A LINE THAT LIES 35 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 29 AND A LINE THAT LIES 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SW 1/4 OF SAID SECTION 29; THENCE RUN S. 01°53'39" E, ALONG A LINE THAT LIES 50 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SW 1/4 OF SAID SECTION 29 FOR 1232.50 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF GRATIGNY PARKWAY, ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO. 924, SECTION 87008-2504, SHEET 5; THENCE N. 66°02'04" W., ALONG SAID RIGHT OF WAY LINE FOR 548.72 FEET; THENCE N. 59°35'03" W., FOR 391.46 FEET; THENCE N. 56°47'32" W., FOR 302.53 FEET; THENCE N. 32°00'20" E., FOR 126.08 FEET; THENCE N. 57°59'40" W., FOR 408.10 FEET; THENCE S. 32°00'20" W., FOR 115.00 FEET; THENCE N. 60°24'28" W., FOR 480.02 FEET; THENCE N. 57°47'06" W., FOR 201.73 FEET TO A POINT THAT LIES 35.00 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF SAID SECTION 29; THENCE N. 87°50'11" E., ALONG A LINE THAT LIES 35.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 29, FOR 1,981.08 FEET TO THE POINT OF BEGINNING.

Document comparison by Workshare 9.5 on Friday, May 15, 2020 3:44:21 PM

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Format change	
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Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	16
Deletions	11
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	27

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

May 15, 2020

VIA HAND DELIVERY

Mr. Gregory Gay
Director, Planning and Community Development Department
3400 NW 135 Street, Building B
Opa-Locka, Florida 33054

Re: City of Opa-Locka (the “City”) / GPT NW 42 Avenue / Development Agreement Application (“Application”) – Transmittal of Revised Development Agreement

Dear Mr. Gay:

On behalf of GPT NW 42 Avenue (the “Applicant”), we are submitting a copy of a revised draft development agreement (“Agreement”) that address comments received from the Planning & Community Development staff and the City Attorney’s Office.

The revised Agreement responds to the staff’s suggestions, as follows:

1. Term (Paragraphs 3(n) and (6)). The Initial Term and Term provisions have been modified to reflect a 15-Year Term.
2. Moorish Design (Paragraph 9E). In the event that the project is demolished and new approvals are sought, language has been added to the effect that the plans would reflect a Moorish design theme in accordance with City requirements.
3. Job Training (Paragraph 9(i)(1)). Language regarding job training opportunities has been added.
4. Job Reporting (Paragraphs 9(i)(2) and 9(i)(3)). Language regarding reporting local hiring has been added.
5. Notice and Cure (Paragraph 15(b)). Paragraph 15(b) has been modified to clarify the notice and cure provision as one of City’s remedies, in the event of alleged non-compliance with the terms of the Agreement and the City has been added (in addition to the County) to paragraph 15(b)(ii).

6. Owner's Address (Paragraph 17). A typographical error and corrected in relation to the owner's address.

Thank you for your considerate attention to this matter. Please do not hesitate to contact me if you have any further questions or concerns.

Sincerely,

Holland & Knight LLP

/s/ Joseph G. Goldstein

Enclosures

Cc: Burnadette Norris-Weeks, Esq.
Pam Booker, Esq.
Mr. Gerald Lee
Mr. Corion DeLaine
Mr. Clifton Coffey
Mr. Ford Gibson
Mr. David Blount
Mr. Zoey Angulo
Alessandria San Roman, Esq.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the City's Code of Ordinance and the City's Land Development Regulations, Ordinance 15-31, the City Commission has the power to approve, approve with conditions or deny any Development Agreement, and

WHEREAS, the applicant appeared and has presented their formal application request, all evidence, documents, and marked exhibits before the Planning & Zoning Board on May 5th, 2020 pursuant to the City Code of Ordinance and the City Zoning Regulations, and

WHEREAS, the Planning & Zoning Board after reviewing the presentation and having additional discussion motioned and seconded this request for development agreement approval at the May 5th, 2020 meeting by a 5 to 0 vote, and

WHEREAS, the City Land Development Regulations, Ordinance 15-31, Section 22-49 G. provides that all recommendations and findings of fact by the Planning & Zoning Board shall be placed on the next available regular City Commission meeting agenda in compliance with notice requirements.

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

Section 1. Recitals.

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

Section 2. The City Commission of the City of Opa-locka approves / denies this request from TNJ Realty, LLC for final site plan review for the construction a retail center on the eight parcel site bounded by Superior Street, NW 27th Avenue and Opa Locka Boulevard, including the alleyways, on the parcels identified by folios 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-007-2650, 08-2121-007-2660, 08-2121-007-2670, 08-2121-013-2010 and 08-2121-013-2020 in the B-2 zoning district, Opa-locka, FL 33054.

Section 3. Conditions.

1. The Owner agrees to employ Opa-locka residents through the assistance of the Career Source South Florida Office and shall also require all contractors and all their subcontractors to employ Opa-locka residents through the assistance of the Career Source South Florida office in coordination with the City of Opa-Locka and in accordance with the Memorandum of Understanding between the City of Opa-Locka and Career Source.
2. The Owner agreed:
 - (1) To host job fairs before and during the construction phase of this development for construction jobs;
 - (2) To host job fairs after construction for building (business) operation jobs;

Section 4. Effective Date.

This Resolution shall take effect immediately upon adoption by the City Commission of the City of Opa-locka.

PASSED AND ADOPTED 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.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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 Virtual Regular Commission Meeting on Wednesday, June 24, 2020 at 7:00 p.m. to consider the following items:

SECOND READING ORDINANCE/PUBLIC HEARING:

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 May 27, 2020).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121- 007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121- 004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Additional information on the above items may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings. For information on Virtual Commission Meeting procedures please visit www.opalockafl.gov.

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



City of Opa-Locka Agenda Cover Memo

Department Director:	Gregory Gay	Department Director Signature:		
Finance Director:		FD Signature:		
City Manager:	John Pate	CM Signature:		
Commission Meeting Date:	6-24-20	Item Type: (Enter X in box)	Resolution	Ordinance X
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	
			1st Reading X	
		X	2nd Reading	
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	
			Yes	No
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:	
	X		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)	
Sponsor Name	City Manager	Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Currently the site conditions are that there is an active retail convenience store and a liquor store, an active billboard above a building shell and there is an occupied single family home on one of the parcels. All the other parcels are not being used and are without daily activity.

BACKGROUND

According to the site plan this new development would provide a 45, 000 square foot gas station with a 2,200 square foot convenience store, to be located on the northern parcels of the assembles properties inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. According to the site plan, all of the City zoning requirements would be in compliance especially for setbacks, building heights, parking and landscaping.

FINANCIAL IMPACT

When this project is completed, the City will receive approximately \$86,341 of impact fees. Additionally, it is estimated that the taxable valuation of the property will increase by approximately \$600,000, which at the current year millage rate of 9.8000 mills will provide additional ad valorem revenue of \$5,880. Finally, the property will be a user of City water and sewer services as well as paying annual Business Tax Receipts and stormwater fees.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- TNJ REALTY/Murphy Express Gas Station – Site Plan
P & Z Board Meeting Minutes 5-5-20

PLANNING & ZONING BOARD

May 5th

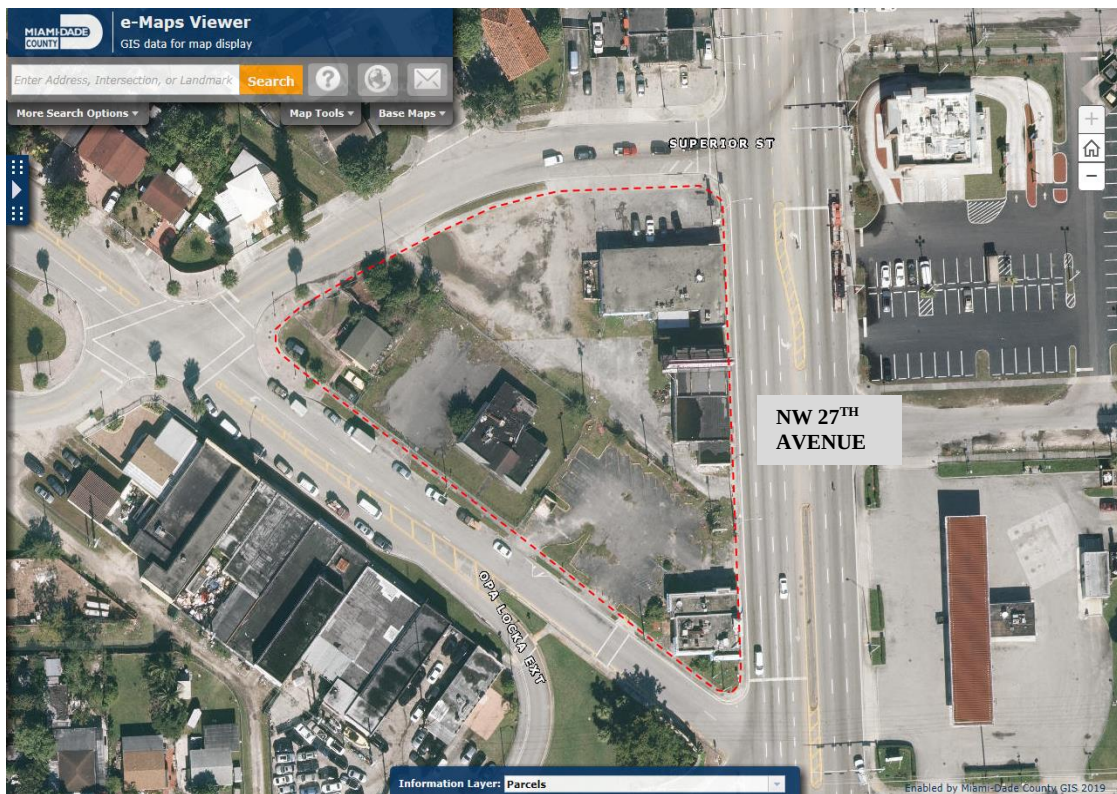
2020



TNJ REALTY/Murphy Express Gas Station: Site Plan APPLICANT'S REQUEST:

Staff Report

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A MURPHY'S EXPRESS GAS STATION ON THE PROPERTIES AND ALLEYS THAT LOCATED ON THE PARCELS BOUNDED BY SUPERIOR STREET, NW 27TH AVENUE AND OPA LOCKA BOULEVARD AS IDENTIFIED ON THE SITE PLAN.



I. Site Background

- According to Miami-Dade County Property Appraiser's website, the legal descriptions for this retail development site are as follows:

08-2121-007-2680

21 52 41 .30 AC OPA LOCKA PLAT NO 3 PB 31-14 TRACT D LESS NWL75 FT & LESS E8FT FOR RD BLK 148 LOT SIZE 9383 SQUARE FEET OR 22688-4884-83 0904 2 (2)

08-2121-007-2690

21 52 41 .17AC OPA LOCKA PLAT NO 3 PB 31-14 NWL75 FT OF TRACT D BLK 148 LOT SIZE IRREGULAR OR 22688-4881 83 0904 2 (2)

08-2121-007-2630

21 52 41 OPA LOCKA PLAT NO 3 PB 31-14 SELY125FT OF TRACT A /AKALOTS 3 THRU 7&LOT 8 BLK 148 LOT SIZE 150.000 X 100 OR 14120-1478 0589 1 COC 21483-0647 07 2003 1

08-2121-013-2010

21 52 41 OPA LOCKA PLAT NO 3 REV PB 70-98 LOT 1 BLK 148 LOT SIZE 6088 SQUARE FEET OR 19233-0521 0500 4 COC 26308-2612 11 2001 6

08-2121-013-2020

21 52 41 OPA LOCKA PLAT NO 3 REV PB 70-98 LOT 2 BLK 148 LOT SIZE IRREGULAR OR 16472-4561 0894 2 (2)

08-2121-007-2650

21 52 41 .23 AC OPA LOCKA PLAT NO 3 PB 31-14 N100 FT OF TR C & LESS E8FT FOR RD BLK 148 LOT SIZE IRREGULAR OR 16472-4561 0894 2 (2)

08-2121-007-2660

21 52 41 PB 31-14 OPA LOCKA PLAT NO 3 S50FT OF N150FT OF TR C LESS E8FTW OF NE CORNER OF TR C W PARR TO N/L 79.37FT ELY79.38FT NO 85FT TO POB BLK 148 LOT SIZE 50.850 X 92 OR 13492-0023 1187 1

08-2121-007-2670

21 52 41 PB 31-14 OPA LOCKA PLAT NO 3 TRACT C LESS N150FT & LESS E8FT FOR RD & LESS BEG 150FTS & 8FTW OF NE COR TR C W PARR TO N/L 79.38FT NO 85FT TO POB BLK 148 LOT SIZE 42.490 X 88 COC 24727-3420 05 2005 1

- This project consists of the collection of 8 parcels from 5 different owners to create a approx. 95,000 sq. ft pad at the corner of NW 27th Avenue and NW 135th Street in the city of Opa-Locka, Florida. (See Attachment) The Developer intends to place several triple net lease users on this location. The Developer has enlisted NAI Miami, a member of the NAI Global network, to assist with the leasing of the spaces.
- The size of this project deems that it will need to be completed in phases. Phase 1 of this project will be the development of the Murphy's Oil Gas Station, a 45, 000 square foot gas station with a 2,200 square foot convenience store, to be located on the northern parcels of the assembles properties inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. Phase 2 would be the development of the southern parcels assembled in this project which will entail the building of a QSR (quick service restaurant) with a drive thru inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. The actual division of the existing parcels will be determined by the final as a built survey.
- The three properties owned by Carlos Fernandez are located at the South and East sections of this site and are identified by folios, 08-2121-007-2680, 08-2121-007-2690 and 0-2121-007-2630. According to the Purchase Agreement TNJ Realty will close on this property at the end of April 2019.

- Two parcels are owned by Shaid Sheikh and Rafia Sheikh are located on the North and North West sections of this site and are identified by folios 08-2121-007-2650 and 08-2121-013-2020. According to the Purchase Agreement TNJ Realty will close on this property at the end of April 2019.
- According to the applicant, one of the properties is a single family home owned by Millicent Howell and identified by folio 08-2121-013-2010 and this site is located at the Southwest corner of this site. TNJ Realty will close on this property at the end of April 2019.
- The last parcels are owned by New Beginnings of South Florida, Inc. This entity filed bankruptcy in 2016. The properties are encumbered by two separate mortgages. One mortgage is held by Gloria Betancourt Revocable Trust and the other is held by 13720 NW 27 Avenue Holdings, Inc. The trustee in the bankruptcy action has been contacted and an offer to satisfy both mortgages has been presented to the trustee.

The development of this site, according to the site plan, will include the demolition of the buildings on six of the eight parcels of the site and the inclusion of the alleys if the City approves the alley vacation. The alleys within this development site is estimated to be approximately 8,940 square feet. This request is being presented to the Planning & Zoning Board as part of the redevelopment of this site along with the site plan, however all the requirements of Ordinance 14-02, which provides a process for vacating streets and alleys, must be completed before this request can be presented at a public hearing before the City Commission. According to Ordinance 14-02 the following is the alley vacation process:

ARTICLE III. SUBDIVISIONS AND PLATTING

Sec. 1. Petition Application for vacating streets and alleys--Generally.

All applications for vacating of public right(s)- of-way (public street, road, alleyway, place or highway dedicated or acquired for travel or any part or portion thereof) shall be submitted to the planning & community development department (P& CD). Standard application forms shall be made available in the P& CD office. Every petition addressed to the city concerning any way place, highway, street, alley or any land acquired for travel or any part or portion thereof to be vacated, closed, discontinued or abandoned, and requesting the city to release any right of the city and the public in and to any land delineated, dedicated or shown on any recorded map or plat as a street, road, alleyway, place or highway within the corporate limits of the city shall be presented to the city commission in the form and following the procedures set forth in this article. The petitioner shall use the petition form available from the P& CD office.

Sec. 2. Same— Form; address.” is hereby created by the following language.

Same-- Form; address.

Vacating petition applications filed pursuant to this article shall be typewritten and shall be sworn to by the petitioner/applicant and shall include the post office address of the petitioner/applicant."

Sec. 3. "Vacating Process" is hereby created by the following language:

Same-- Contents.

- a) Vacating petitions-applications filed under this article shall give an accurate legal description of the public street, road, alleyway, place of highway or any part or portion thereof petitioned applied to be vacated, closed, discontinued and abandoned. If the vacating, closing, discontinuing and abandoning of a part or portion of an alleyway desired by the petitioner applicant to be vacated, closed, discontinued and abandoned would result in the creation of a dead-end alleyway, then the petitioner applicant is required to petition apply to vacate, close, discontinue and abandon the entire alleyway or such part or portion thereof as will preclude the creation of a dead-end alleyway, unless the petitioner applicant provides an adequate turnaround or cul-de-sac.
- b) The petition/applicant shall list the property owners' names, addresses and the property legal description, as reflected in the latest ad valorem tax records, of all property touching or abutting on the public street,

road, alley, alleyway, place or highway or other right-of-way or any part or portion thereof requested to be vacated, closed, discontinued and abandoned. The petitioner/ applicant shall provide proof of ownership by the applicant of the property which abuts the alley to be vacated and closed.

- c) The petitioner/applicant shall state the reason why the petitioner/applicant desires the closing of the street, road, alleyway, place or highway or any part or portion thereof. The petitioner/applicant shall provide a statement as to whether the general public currently uses the alley, including public service vehicles; such as, trash and garbage trucks, police, fire and/ or other emergency vehicles, during the past 12 months.
- d) The petition application shall contain a recital as follows: The petitioner applicant(s) or petitioners herein named hereby waive, renounce, relinquish, absolve and discharge the city from any claim for damages of any nature and kind whatsoever that such petitioner applicant(s) or-petitioners may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing and abandoning of the public street, road, alleyway, place or highway or any part or portion thereof.
- e) The petition application shall have attached thereto a drawing or blueprint of the subdivision in which the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed, discontinued and abandoned is located or, if located in an unplatted area, of the streets, highways, roads, alleys and public places in the immediate area surrounding the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed, discontinued and abandoned."
- f) The petition application shall include the releases from all utility companies for the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed discontinued and abandoned.

Sec. 4. Same—Filing; number of copies required.” is hereby created by the following language:

Sec. 4-. Same--Filing; number of copies required. Four (15) copies of the vacating petition application required by this article shall be filed with the CD& P Department."

Sec. 5. Same— Procedure on receipt.” is hereby created by the following language:

Sec. 5-. Same--Procedure on receipt; distribution to reviewing agencies.

Upon receipt of the vacating petition application, the P& CD Department shall review for completeness. If complete, the P& CD Department shall distribute a to the legal department and all reviewing agencies, including but not limited to all applicable city agencies, other governmental agencies, and private utilities.

Sec. 6. Same— Hearing date; signs.", is hereby created by the following

Sec. 6-. Same-- Hearing date; signs.

- a) The Planning & Community Development Department shall promptly verify the legal description contained in the vacating petition application and forward written notice of such approval to the legal department for preparation of a resolution setting a public hearing regarding the vacating. Once the public hearing date has been set by the Planning Council meeting, the petitioner applicant’s request shall be noticed according to city code requirements.
- b) A sign shall be placed at or near either end of a public street, road, alleyway, place or highway or any part or portion thereof which is to be vacated, closed, discontinued and abandoned. The sign shall be posted a minimum of thirty (30) days prior to the public hearing and shall provide notice of the proposed vacating, including the date and place set for the public hearing. The affidavit shall include a statement by the petitioner applicant that the sign required herein was posted not less than thirty (30) days prior to the date set for the public hearing.
- c) In addition to such published notice, the petitioner-applicant, at his expense, shall immediately, upon the adoption of the resolution fixing the date for a public hearing and not less than thirty (30) days prior to the date set for the public hearing, send a copy of the published notice to the owner of every parcel of land abutting on the public street, road, alleyway, place or highway or any part or portion thereof petitioned proposed to be vacated, closed, discontinued and abandoned. The copy of the published notice shall be mailed to such owners at their usual post office addresses, by registered “certificate of mailing” Twith-return receipt-requested. When the return receipts are delivered to the petitioner, the petitioner. The

applicant shall then prepare an affidavit indicating the abutting parcels of land, the names of the owner(s) of such land, and the date and post office address to which each copy of the published notice was mailed. The petitioner applicant shall attach to the affidavit the return receipts postmarked list of the notices which were mailed, and the names of all officially registered neighborhood associations that were sent notice. The affidavit with return-receipts shall be filed with the City Commission not less than fifteen (15) days prior to the date of the public hearing. Should an error or omission occur in the sending of these notices which requires readvertisement of the notice of public hearing, the petitioner applicant shall pay an additional charge of Seven Hundred dollars (\$ 700.00) to the Planning & Community Development Department to cover the costs and expenses as a result of the error or omission. This payment shall be made at the time the petitioner submits a written request addressed to the Community Development Director and filed with the clerk of the Planning & Community Development Department requesting a new date for a public hearing and setting out the reasons for the request.

d) When all or a majority of the alley rights-of-way within a platted subdivision or within an area of four (4) or more contiguous blocks are included in a single petition application, then the posting of signs, as referred to in subsection (a) above, shall not be required for those alleys within that subdivision or for those alleys within the four(4) or more contiguous blocks referred to above.

e) The petitioner applicant shall also send written notice by " certificate of mailing", entitled " Good Neighbor Notice for Vacating," no less than thirty (30) days prior to the public hearing, to the officially registered neighborhood association, as registered with the City of Opa-locka, in which the subject property is located, and to all other officially registered neighborhood associations that lie within a three hundred (300) feet radius, including roads and streets, in all directions from the subject property, from the boundaries of the subject property right(s)- of-way. If the subject parcel right(s)- of-way does not lie within the boundaries of an officially registered neighborhood association or if no officially registered neighborhood association exists within the distance measurements as required by this subsection, the applicant shall mail the notice required herein to the closest officially registered neighborhood association, as measured in a straight line, on the " neighborhood association map."

Sec. 7. "Application of chapter to City Commission proceedings" is hereby created by the following language:

Sec. 7-. Application of chapter to City Commission proceedings.

Nothing contained in this chapter shall be deemed or construed as applying to any proceedings instituted by the City Commission in their own discretion and on their own motion relating to the vacating, closing, discontinuing and abandoning of any public street, road, alleyway, place or highway or any part or portion thereof.

Sec. 8. "Vacating streets and alleys; payment of costs, expenses.", is hereby amended by the following language:

Sec.8-. Vacating streets and alleys; payment of costs, expenses.

a) The petitioner/ applicant requesting that any public street, road, alleyway, place or highway or any part or portion thereof be vacated, closed, discontinued and abandoned shall pay all costs and expenses to be incurred by the city, as follows:

1) The petitioner/ applicant shall pay an amount that is the average between the assessed value and the market value of the vacated area. The assessed value shall be obtained from the Miami-Dade County Appraisers Office and the market value shall be obtained from private professional property appraiser(s).

2) For the handling and processing of the petition application, including the publishing of notice of the public hearing;

3) For the posting of signs;

4) For the publishing of the vacating ordinance, if the petition application is be granted;

5) For the recording of a certified copy of the ordinance in the office of the clerk of the circuit court of the county;

6) For the review of the petition application.

b) A payment in the amount as established by resolution of the City Commission shall be made by the petitioner applicant to the community development & planning department before/ with the petition is filed with the community development & planning department submittal of the application. A receipt showing the payment to the community development & planning department shall be attached to the petition— application. No portion of this fee shall be refunded to the petitioner. Should an error (by the applicant or his agent in the original petition application occur that requires the filing of an amended petition application and readvertisement of notice of the public hearing, an the additional cost charge and subsequent payment in the amount as established by resolution of the City Commission to defray additional costs and expenses shall be made by the petitioner applicant to the Community Development & Planning Department, before the filing of the amended application will be rescheduled for a public hearing. A receipt showing the payment to the city of this additional fee shall be attached to the amended petition application. No portion of this additional fee shall be refunded to the petitioner.

(A complete copy of Ordinance 14-02 is included for reference.)

II. Project Details

Applicant's intent

- According to the site plan this new development would provide a 45, 000 square foot gas station with a 2,200 square foot convenience store, to be located on the northern parcels of the assembles properties inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. According to the site plan, all of the City zoning requirements would be in compliance especially for setbacks, building heights, parking and landscaping.
- Currently the site conditions are that these is an active retail convenience store and a liquor store, an active billboard above a building shell and there is an occupied single family home on one of the parcels. All the other parcels are not being used and are without daily activity.

Site Computations & Land Development Regulation / Zoning Code		Table 1
Applicant	TNJ Realty / Murphy's Express Gas Station	
Folio Number	08-2121-007-2680; 08-2121-007-2690; 08-2121-007-2630 08-2121-013-2010; 08-2121-013-2020; 08-2121-007-2650; 08-2121-007-2660; 08-2121-007-2670	
Address Location	13620 NW 27 TH AVE.; 1245 OPA LOCKA BLVD.; 1201 OPA LOCKA BLVD.; 1350 SUPERIOR STREET; 1340 SUPERIOR STREET; 13730 NW 27 AVE.; 13720 NW 27 AVE.; and the alleys and a vacant property that has no assigned address.	
NEW Building(s)	Gas Station (Pump area): 45,000 SF	
Footprint	Retail (Convenience Store): 2,200 SF	
Floor Area	Total 47,200 SF	
Zoning	B-2 (Liberal Commercial)	

Zoning Code Consistency	The proposed use for TNJ Realty is consistent with the Zoning Code: For the B-2 (Liberal Commercial) zoning district.		
Existing Land Use	Vacant Property/ Retail Use/ Abandoned Buildings and alleys		
Future Land Use Designation	Downtown Mixed Use and Commercial		
Comprehensive Plan Consistency	- The proposed use for a Murphy Express Gas Station is consistent with the Comprehensive Plan because this is a commercial land use. -		
Applicable LDR Sections	Ordinance no. 15-31		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front	10 Feet	10 Feet	YES
Rear	15 Feet	15 Feet	YES
Side (left)	0 Feet	10 Feet	YES
Side (right)	0 Feet	10 Feet	YES
Corner Lots/ Other	N/A	N/A	N/A
Lot Coverage	80% maximum	80.7%	YES
Lot Density	N/A	N/A	N/A
Lot Size	5,000	46,584 SF (1.04 Acres)	YES
Lot Width	N/A	N/A	N/A
Building Height	4 Stories or 55 Feet whichever less	Retail/Gas Station: 1 Stories/ 22-6 Feet	YES
Structure Length	N/A	N/A	N/A
Other Vehicular Use Area	N/A	N/A.	N/A
Landscaping	Retail buildings: pursuant to the Land development Regulation Ordinance 15-31 one (1) Parking space per 500 square feet of floor area. <u>-6 spaces required</u>	Retail Bldg. 2,200 SF Total Spaces Provided: 10 Spaces (16 spaces under canopy)	YES
Parking Details		5202 SF Total Spaces Provided: 35 Spaces	YES
Landscape/ Pervious Lot Coverage	20% minimum required pervious	20.% provided	YES
Notification Requirement	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Wednesday, April 10th, 2020. To be advertised at least 10 days prior to this Planning & Zoning Board meeting on Tuesday, May 5th, 2020. - City Commission Meeting: TBD		

Local Government Action Required

The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning & Zoning Board and any other applicable board or agency.

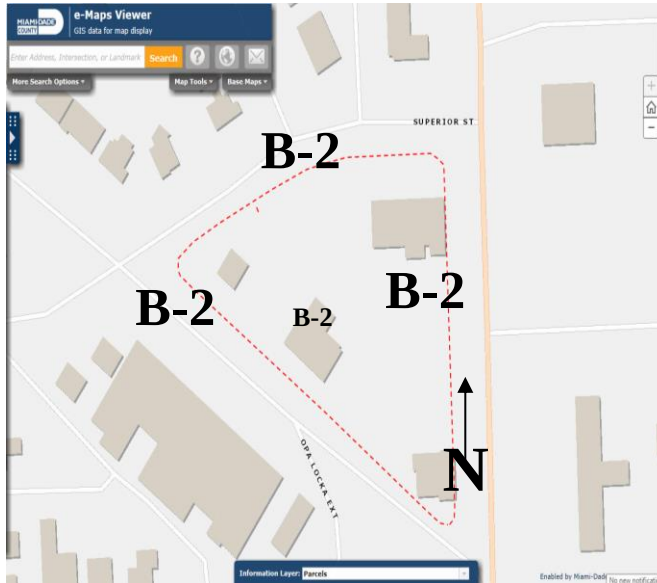
III. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by commercial/retail uses on NW 27th Avenue, commercial and residential uses on Superior Street and Commercial and residential uses on Opa-locka Blvd.
- Many of the structures are abandoned, un-used and underutilized.

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Commercial	DownTown Mixed Use / Commercial	B-2 (Liberal Commercial) / R-1 Residential
South	Commercial	Commercial	B-2 (liberal Commercial)
East	Commercial	Commercial	B-2 (Liberal Commercial)
West	Residential / Commercial	DownTown Mixed Use	B-3 (Liberal Commercial)



Surrounding Zoning Designation Map

The Site is Highlighted in Red

- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions!
 - **Findings:**

- The proposed development is for Gas Station uses which will transform an abandoned and underutilized site into a new gas/retail site with adequate parking and landscaping. The new use would complement and be in harmony with the neighboring uses.

COMPLIES

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO. 15-31

COMPLIES

- **Findings:**

- The Applicant is proposing to remove all of the vegetation on the site and install new trees, shrubs and ground cover as listed in the site plan. *(Please see attached Landscape Plan for Trees detailed information).*

- **Future Land Use:** Commercial/DownTown Mixed Use

- **Findings:**

- According to the City of Opa-locka Comprehensive Plan; the proposed project will be located within the City's Commercial & Downtown Mixed land use designation category location.

COMPLIES

- **B-2 (Liberal Commercial) Zoning allows Certain Commercial Permitted Uses:** Project Specific: Retail uses in a newly developed Gas Station.

- **Findings:**

- According to the City's Land Development Regulation/ Zoning Code B-2 (Liberal Commercial) the gas/retail uses proposed are permitted use in the B-2 (liberal Commercial) Zoning District. The Murphy Express Gas Station is a permitted project use in this B-2 zoning district.

COMPLIES

- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.

- **Findings:** The Planning and community Development Department has not yet received any signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

IV. **Project Need Assessment / other Required Approvals**

1. Comprehensive Plan Amendment (Small Scale): Land Use Change (Map Amendment);
 - N/A
2. Land Development Regulation/Zoning Code Site Plan Review
 - Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, May 5th, 2020
3. Development Agreement
 - Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, May 5th, 2020

V. **Development Review Committee (DRC): Meeting Review Comments**

1. **Capital Improvement Project (CIP):**
 - No issues reported for the proposed Site Plan
2. **Building:**

- N/A
- 3. **Police:**
 - N/A
- 4. **Community Redevelopment Agency (CRA):**
 - N/A
- 5. **City Manager's Office (CMO):**
 - N/A
- 6. **Code Enforcement:**
 - N/A
- 7. **City Attorney's Office:**
 - Development Agreement under review
- 8. **Public works:**
 - N/A
- 9. **Inter-jurisdictional Review:**
 - N/A

VI. **Staff Recommendation:**

- Staff recommend approval of this Final Site plan which also requires approval of the alley vacation, according to the site plan. The process to obtain the alley vacation requires compliance with Ordinance 14-02 before making presentation to the City Commission. (Please see attached Ordinance 14-02)

VII. **Attachments:**

- Site Plan
- Development Agreement

Planning and Community Development Department

	Name and Title	Initials
City Planner	Corion DeLaine, City Planner	
Zoning Official	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VIII. **Staff Report Resolution No. DA-20 (TBD)**

A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A MURPHY'S EXPRESS GAS STATION ON THE PROPERTIES AND ALLEYS THAT LOCATED ON THE PARCELS BOUNDED BY SUPERIOR STREET, NW 27TH AVENUE AND OPA LOCKA BOULEVARD AS IDENTIFIED ON THE SITE PLAN..

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

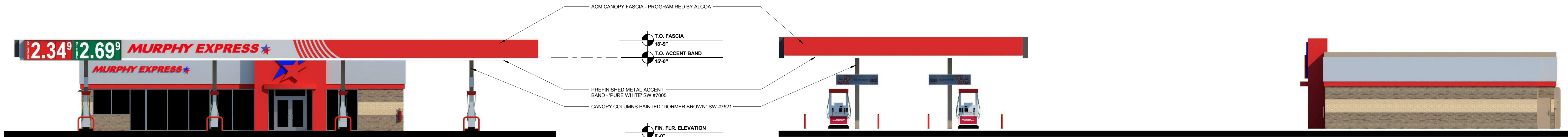
- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐ DATE: 05-05-2019
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / __
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning & Zoning Board Approval of this request was approved by a - vote***

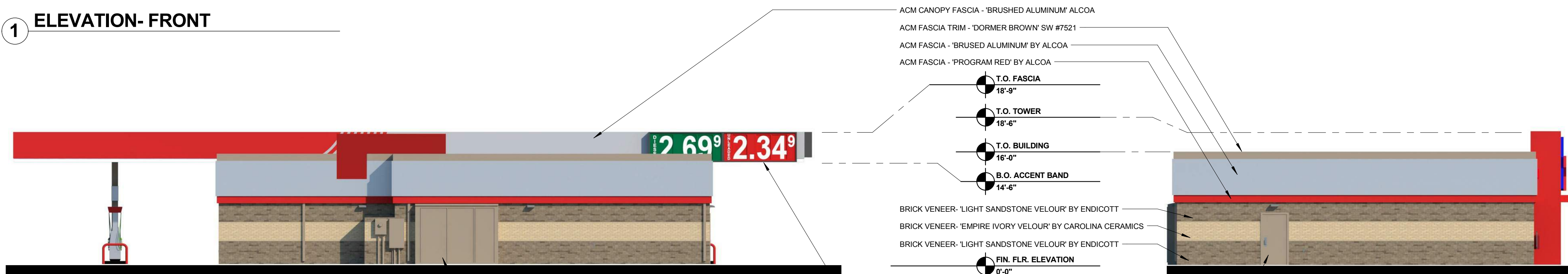
I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of 20____.

Chairperson or Designee

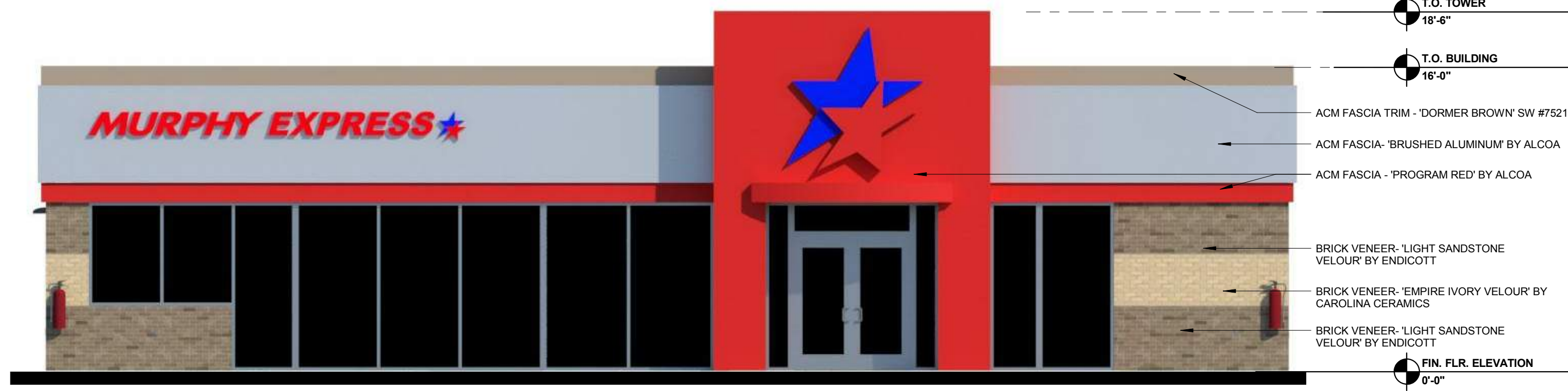
The Following changes/recommendations are updates based on the Planning & Zoning Board Meeting discussions in regards to the proposed Retail Facility



1 ELEVATION- FRONT



3 ELEVATION- REAR



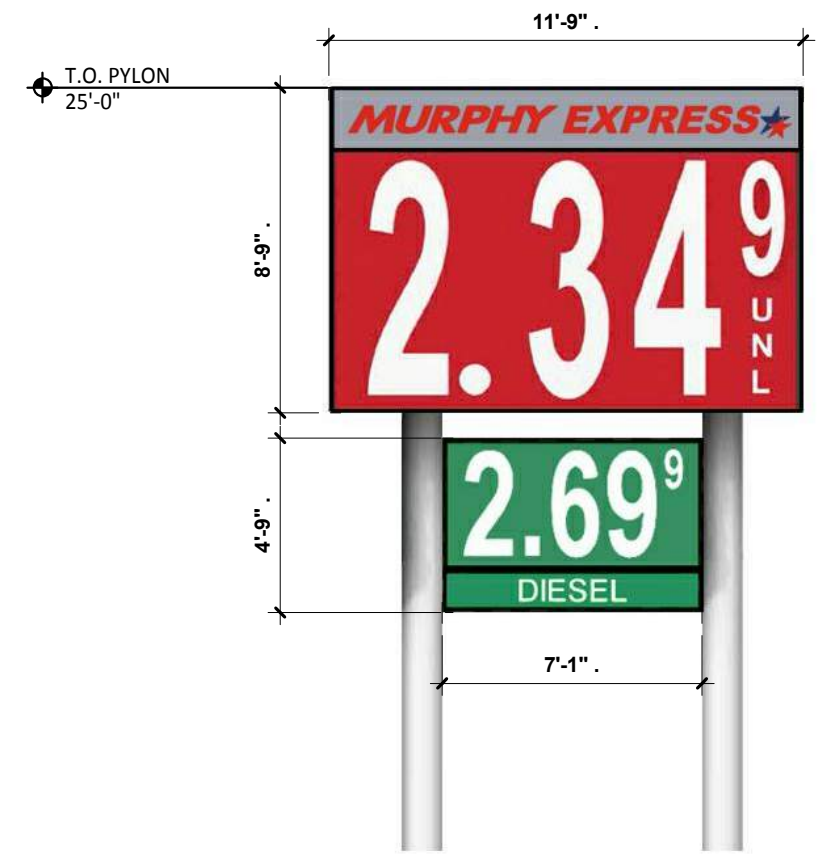
5 ELEVATION- FRONT

2 ELEVATION- RIGHT

4 ELEVATION- LEFT

FIBERTECH COMPOSITE FENCE GATES
PAINTED 'DORMER BROWN' SW #7521
8'-0" TALL CMU WALL PAINTED
'DORMER BROWN' SW #7521

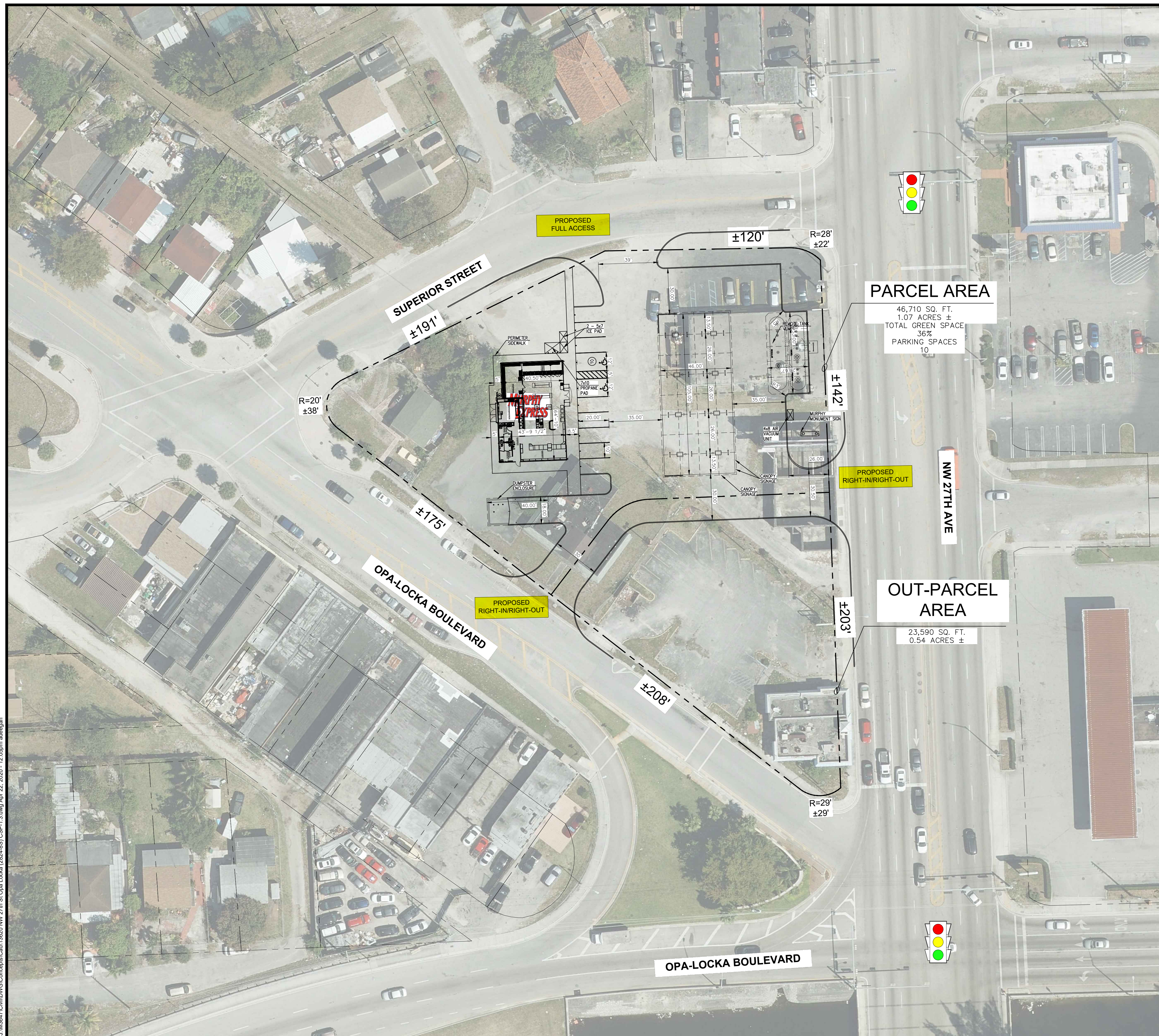
6 TRASH ENCLOSURE



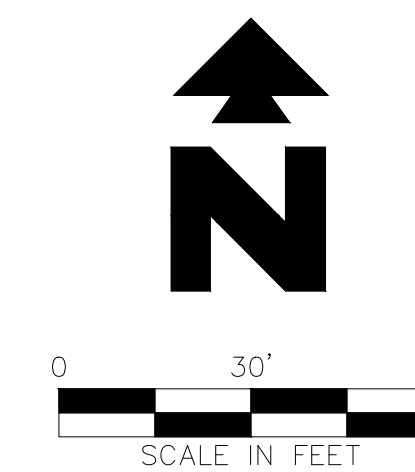
7 PYLON SIGN

SIGN	QTY.	HEIGHT	WIDTH	AREA S.F.	TOTAL S.F.
MURPHY BLDG. 'STAR' LOGO	1		GRAPHIC AREA	53.30	53.30
MURPHY EXPRESS BLDG. LOGO SIGN	1		GRAPHIC AREA	24.00	24.00
MURPHY EXPRESS CANOPY LOGO SIGN	1		GRAPHIC AREA	64.21	64.21
LARGE CANOPY PRICE SIGN	4	51.25"	118.00"	42.00	168.00
MEDIUM CANOPY PRICE SIGN	2	43.13"	97.00"	29.05	58.10
ISLAND SPANNER	4	25.19	97.19	17.00	68.00
				TOTAL:	435.61
PYLON SIGN:					
UNLEADED W/ LOGO	1	105.00"	141.00"	102.81	102.81
DIESEL	1	57.00"	85.00"	33.65	33.65
				TOTAL:	136.46

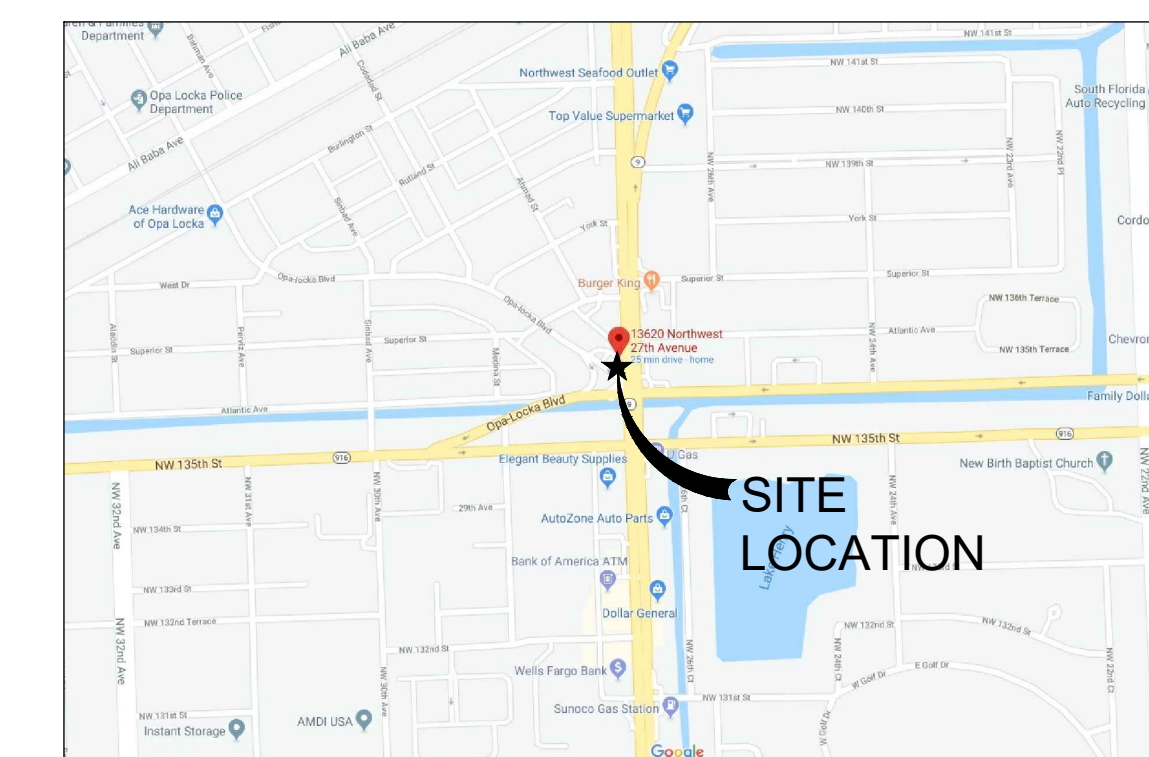




2,824 SF 8 MPD (S)



PARCEL DATA		
S.F.		ACRES
MURPHY PARCEL	46,710	1.07
GREENSPACE PROVIDED	36%	
REQUIRED PARKING	1 PER / 500 S.F. (6 REQ'D.)	
PARKING SPACES PROVIDED	10 (16 UNDER CANOPY)	
ZONING	B-2 (COMMERCIAL/ LIBERAL)	
SETBACKS		
FRONT (ROAD FRONTAGE):	10' MIN.	
SIDE STREET:	10' MIN.	
INTERIOR SIDE:	10' MIN.	
REAR:	10' MIN.	
SIGNAGE	T.B.D.	



NOTES:

1. THIS IS A PRELIMINARY SITE PLAN. AS SUCH, REGULATORY REVIEW AND PERMIT CONSIDERATION IS REQUIRED.
2. PROPOSED ACCESS SHOWN ON PLAN IS SUBJECT TO COUNTY/CITY APPROVAL.
3. A CURRENT SURVEY IN CAD IS REQUIRED TO VERIFY PROPERTY LIMITS.
4. THE SITE IS WITHIN THE JURISDICTION OF OPA-LOCKA
5. FUELING STATIONS ARE PERMITTED BY SPECIAL EXCEPTION. DISCRETIONARY APPROVAL AND PUBLIC HEARING REQUIRED.
6. FDOT ACCESS AND DRAINAGE APPROVAL REQUIRED FOR CONNECTION TO 27TH AVE.
7. LIMITED INFORMATION ON CURRENT DRAINAGE SYSTEM. EXFILTRATION WILL BE REQUIRED FOR NEW DEVELOPMENT.
8. SITE IS COMPRISED OF SEVERAL PARCELS DIVIDED BY R-O-W. VACATION OF EXISTING R-O-W MAY BE REQUIRED.
9. OVERHEAD UTILITY LINES CURRENTLY RUNNING THROUGH SITE WILL NEED TO BE RELOCATED.

SHEET NO.

CS

JOB NO. M3647
Concept 1.3

REV - Z	DATE	PRN	PM	DES	DRW
---------	------	-----	----	-----	-----

CONCEPTUAL SITE PLAN

MURPHY EXPRESS



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Survey L.B. No. 7143
Arch. Lic. No. AA2600926
Lndscp. Lic. No. LC0000298

MURPHY OIL USA, INC.

MURPHY
USA 

200 PEACH STREET
EL DORADO, AR 71731-7000

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the City's Code of Ordinance and the City's Land Development Regulations, Ordinance 15-31, the City Commission has the power to approve, approve with conditions or deny any Development Agreement, and

WHEREAS, the applicant appeared and has presented their formal application request, all evidence, documents, and marked exhibits before the Planning & Zoning Board on May 5th, 2020 pursuant to the City Code of Ordinance and the City Zoning Regulations, and

WHEREAS, the Planning & Zoning Board after reviewing the presentation and having additional discussion motioned and seconded this request for development agreement approval at the May 5th, 2020 meeting by a 5 to 0 vote, and

WHEREAS, the City Land Development Regulations, Ordinance 15-31, Section 22-49 G. provides that all recommendations and findings of fact by the Planning & Zoning Board shall be placed on the next available regular City Commission meeting agenda in compliance with notice requirements.

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

Section 1. Recitals.

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

Section 2. The City Commission of the City of Opa-locka approves / denies this request from TNJ Realty, LLC for development agreement review for the construction a retail center on the eight parcel site bounded by Superior Street, NW 27th Avenue and Opa Locka Boulevard, including the alleyways, on the parcels identified by folios 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-007-2650, 08-2121-007-2660, 08-2121-007-2670, 08-2121-013-2010 and 08-2121-013-2020 in the B-2 zoning district, Opa-locka, FL 33054.

Section 3. Conditions.

1. The Owner agrees to employ Opa-locka residents through the assistance of the Career Source South Florida Office and shall also require all contractors and all their subcontractors to employ Opa-locka residents through the assistance of the Career Source South Florida office in coordination with the City of Opa-Locka and in accordance with the Memorandum of Understanding between the City of Opa-Locka and Career Source.
2. The Owner agreed:
 - (1) To host job fairs before and during the construction phase of this development for construction jobs;
 - (2) To host job fairs after construction for building (business) operation jobs;

Section 4. Effective Date.

This Resolution shall take effect immediately upon adoption by the City Commission of the City of Opa-locka.

PASSED AND ADOPTED 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.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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 Virtual Regular Commission Meeting on Wednesday, June 24, 2020 at 7:00 p.m. to consider the following items:

SECOND READING ORDINANCE/PUBLIC HEARING:

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 May 27, 2020).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121- 007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121- 004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Additional information on the above items may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings. For information on Virtual Commission Meeting procedures please visit www.opalockafl.gov.

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



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

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John Pate		CM Signature:		
Commission Meeting Date:	6-24-20	Item Type: (Enter X in box)	Resolution	Ordinance X	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading X	2nd Reading
		X	Public Hearing: (Enter X in box)	Yes X	No X
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	Yes X	No
Contract/P.O. Required: (Enter X in box)	Yes	No X	RFP/RFQ/Bi#: N/A		
Strategic Plan Related (Enter X in box)	Yes X	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)	
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Currently the site conditions are that these is an active retail convenience store and a liquor store, an active billboard above a building shell and there is an occupied single family home on one of the parcels. All the other parcels are not being used and are without daily activity.

BACKGROUND

According to the site plan this new development would provide a 45, 000 square foot gas station with a 2,200 square foot convenience store, to be located on the northern parcels of the assembles properties inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. According to the site plan, all of the City zoning requirements would be in compliance especially for setbacks, building heights, parking and landscaping.

FINANCIAL IMPACT

When this project is completed, the City will receive approximately \$86,341 of impact fees. Additionally, it is estimated that the taxable valuation of the property will increase by approximately \$600,000, which at the current year millage rate of 9.8000 mills will provide additional ad valorem revenue of \$5,880. Finally, the property will be a user of City water and sewer services as well as paying annual Business Tax Receipts and stormwater fees.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- TNJ REALTY/Murphy Express Gas Station – Development Agreement
P & Z Board Meeting Minutes 5-5-20

PLANNING & ZONING BOARD

May 5th
2020



Staff Report

TNJ REALTY/Murphy Express Gas Station: Development Agreement

APPLICANT'S REQUEST:

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL FOR MODIFICATION OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE PARCELS BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD AND IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.



I. Site Background

- According to Miami-Dade County Property Appraiser's website, the legal descriptions for this retail development site are as follows:

08-2121-007-2680

21 52 41 .30 AC OPA LOCKA PLAT NO 3 PB 31-14 TRACT D LESS NWL75 FT & LESS E8FT FOR RD BLK 148 LOT SIZE 9383 SQUARE FEET OR 22688-4884-83 0904 2 (2)

08-2121-007-2690

21 52 41 .17AC OPA LOCKA PLAT NO 3 PB 31-14 NWL75 FT OF TRACT D BLK 148 LOT SIZE IRREGULAR OR 22688-4881 83 0904 2 (2)

08-2121-007-2630

21 52 41 OPA LOCKA PLAT NO 3 PB 31-14 SELY125FT OF TRACT A /AKALOTS 3 THRU 7&LOT 8 BLK 148 LOT SIZE 150.000 X 100 OR 14120-1478 0589 1 COC 21483-0647 07 2003 1

08-2121-013-2010

21 52 41 OPA LOCKA PLAT NO 3 REV PB 70-98 LOT 1 BLK 148 LOT SIZE 6088 SQUARE FEET OR 19233-0521 0500 4 COC 26308-2612 11 2001 6

08-2121-013-2020

21 52 41 OPA LOCKA PLAT NO 3 REV PB 70-98 LOT 2 BLK 148 LOT SIZE IRREGULAR OR 16472-4561 0894 2 (2)

08-2121-007-2650

21 52 41 .23 AC OPA LOCKA PLAT NO 3 PB 31-14 N100 FT OF TR C & LESS E8FT FOR RD BLK 148 LOT SIZE IRREGULAR OR 16472-4561 0894 2 (2)

08-2121-007-2660

21 52 41 PB 31-14 OPA LOCKA PLAT NO 3 S50FT OF N150FT OF TR C LESS E8FTW OF NE CORNER OF TR C W PARR TO N/L 79.37FT ELY79.38FT NO 85FT TO POB BLK 148 LOT SIZE 50.850 X 92 OR 13492-0023 1187 1

08-2121-007-2670

21 52 41 PB 31-14 OPA LOCKA PLAT NO 3 TRACT C LESS N150FT & LESS E8FT FOR RD & LESS BEG 150FTS & 8FTW OF NE COR TR C W PARR TO N/L 79.38FT NO 85FT TO POB BLK 148 LOT SIZE 42.490 X 88 COC 24727-3420 05 2005 1

- This project consists of the collection of 8 parcels from 5 different owners to create a approx. 95,000 sq. ft pad at the corner of NW 27th Avenue and NW 135th Street in the city of Opa-Locka, Florida. (See Attachment) The Developer intends to place several triple net lease users on this location. The Developer has enlisted NAI Miami, a member of the NAI Global network, to assist with the leasing of the spaces.
- The size of this project deems that it will need to be completed in phases. Phase 1 of this project will be the development of the Murphy's Oil Gas Station, a 45, 000 square foot gas station with a 2,200 square foot convenience store, to be located on the northern parcels of the assembles properties inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. Phase 2 would be the development of the southern parcels assembled in this project which will entail the building of a QSR (quick service restaurant) with a drive thru inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. The actual division of the existing parcels will be determined by the final as a built survey.
- The three properties owned by Carlos Fernandez are located at the South and East sections of this site and are identified by folios, 08-2121-007-2680, 08-2121-007-2690 and 0-2121-007-2630. According to the Purchase Agreement TNJ Realty will close on this property at the end of April 2019.

- Two parcels are owned by Shaid Sheikh and Rafia Sheikh are located on the North and North West sections of this site and are identified by folios 08-2121-007-2650 and 08-2121-013-2020. According to the Purchase Agreement TNJ Realty will close on this property at the end of April 2019.
- According to the applicant, one of the properties is a single family home owned by Millicent Howell and identified by folio 08-2121-013-2010 and this site is located at the Southwest corner of this site. TNJ Realty will close on this property at the end of April 2019.
- The last parcels are owned by New Beginnings of South Florida, Inc. This entity filed bankruptcy in 2016. The properties are encumbered by two separate mortgages. One mortgage is held by Gloria Betancourt Revocable Trust and the other is held by 13720 NW 27 Avenue Holdings, Inc. The trustee in the bankruptcy action has been contacted and an offer to satisfy both mortgages has been presented to the trustee.

The development of this site, according to the site plan, will include the demolition of the buildings on six of the eight parcels of the site and the inclusion of the alleys if the City approves the alley vacation. The alleys within this development site is estimated to be approximately 8,940 square feet. This request is being presented to the Planning & Zoning Board as part of the redevelopment of this site along with the site plan, however all the requirements of Ordinance 14-02, which provides a process for vacating streets and alleys, must be completed before this request can be presented at a public hearing before the City Commission. According to Ordinance 14-02 the following is the alley vacation process:

ARTICLE III. SUBDIVISIONS AND PLATTING

Sec. 1. Petition Application for vacating streets and alleys--Generally.

All applications for vacating of public right(s)- of-way (public street, road, alleyway, place or highway dedicated or acquired for travel or any part or portion thereof) shall be submitted to the planning & community development department (P& CD). Standard application forms shall be made available in the P& CD office. Every petition addressed to the city concerning any way place, highway, street, alley or any land acquired for travel or any part or portion thereof to be vacated, closed, discontinued or abandoned, and requesting the city to release any right of the city and the public in and to any land delineated, dedicated or shown on any recorded map or plat as a street, road, alleyway, place or highway within the corporate limits of the city shall be presented to the city commission in the form and following the procedures set forth in this article. The petitioner shall use the petition form available from the P& CD office.

Sec. 2. Same— Form; address.” is hereby created by the following language.

Same-- Form; address.

Vacating petition applications filed pursuant to this article shall be typewritten and shall be sworn to by the petitioner/applicant and shall include the post office address of the petitioner/applicant."

Sec. 3. "Vacating Process" is hereby created by the following language:

Same-- Contents.

- a) Vacating petitions-applications filed under this article shall give an accurate legal description of the public street, road, alleyway, place of highway or any part or portion thereof petitioned applied to be vacated, closed, discontinued and abandoned. If the vacating, closing, discontinuing and abandoning of a part or portion of an alleyway desired by the petitioner applicant to be vacated, closed, discontinued and abandoned would result in the creation of a dead-end alleyway, then the petitioner applicant is required to petition apply to vacate, close, discontinue and abandon the entire alleyway or such part or portion thereof as will preclude the creation of a dead-end alleyway, unless the petitioner applicant provides an adequate turnaround or cul-de-sac.
- b) The petition/applicant shall list the property owners' names, addresses and the property legal description, as reflected in the latest ad valorem tax records, of all property touching or abutting on the public street,

road, alley, alleyway, place or highway or other right-of-way or any part or portion thereof requested to be vacated, closed, discontinued and abandoned. The petitioner/ applicant shall provide proof of ownership by the applicant of the property which abuts the alley to be vacated and closed.

- c) The petitioner/applicant shall state the reason why the petitioner/applicant desires the closing of the street, road, alleyway, place or highway or any part or portion thereof. The petitioner/applicant shall provide a statement as to whether the general public currently uses the alley, including public service vehicles; such as, trash and garbage trucks, police, fire and/ or other emergency vehicles, during the past 12 months.
- d) The petition application shall contain a recital as follows: The petitioner applicant(s) or petitioners herein named hereby waive, renounce, relinquish, absolve and discharge the city from any claim for damages of any nature and kind whatsoever that such petitioner applicant(s) or-petitioners may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing and abandoning of the public street, road, alleyway, place or highway or any part or portion thereof.
- e) The petition application shall have attached thereto a drawing or blueprint of the subdivision in which the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed, discontinued and abandoned is located or, if located in an unplatted area, of the streets, highways, roads, alleys and public places in the immediate area surrounding the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed, discontinued and abandoned."
- f) The petition application shall include the releases from all utility companies for the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed discontinued and abandoned.

Sec. 4. Same—Filing; number of copies required.” is hereby created by the following language:

Sec. 4-. Same--Filing; number of copies required. Four (15) copies of the vacating petition application required by this article shall be filed with the CD& P Department."

Sec. 5. Same— Procedure on receipt.” is hereby created by the following language:

Sec. 5-. Same--Procedure on receipt; distribution to reviewing agencies.

Upon receipt of the vacating petition application, the P& CD Department shall review for completeness. If complete, the P& CD Department shall distribute a to the legal department and all reviewing agencies, including but not limited to all applicable city agencies, other governmental agencies, and private utilities.

Sec. 6. Same— Hearing date; signs.", is hereby created by the following

Sec. 6-. Same-- Hearing date; signs.

- a) The Planning & Community Development Department shall promptly verify the legal description contained in the vacating petition application and forward written notice of such approval to the legal department for preparation of a resolution setting a public hearing regarding the vacating. Once the public hearing date has been set by the Planning Council meeting, the petitioner applicant’s request shall be noticed according to city code requirements.
- b) A sign shall be placed at or near either end of a public street, road, alleyway, place or highway or any part or portion thereof which is to be vacated, closed, discontinued and abandoned. The sign shall be posted a minimum of thirty (30) days prior to the public hearing and shall provide notice of the proposed vacating, including the date and place set for the public hearing. The affidavit shall include a statement by the petitioner applicant that the sign required herein was posted not less than thirty (30) days prior to the date set for the public hearing.
- c) In addition to such published notice, the petitioner-applicant, at his expense, shall immediately, upon the adoption of the resolution fixing the date for a public hearing and not less than thirty (30) days prior to the date set for the public hearing, send a copy of the published notice to the owner of every parcel of land abutting on the public street, road, alleyway, place or highway or any part or portion thereof petitioned proposed to be vacated, closed, discontinued and abandoned. The copy of the published notice shall be mailed to such owners at their usual post office addresses, by registered “certificate of mailing” Twith-return receipt-requested. When the return receipts are delivered to the petitioner, the petitioner. The

applicant shall then prepare an affidavit indicating the abutting parcels of land, the names of the owner(s) of such land, and the date and post office address to which each copy of the published notice was mailed. The petitioner applicant shall attach to the affidavit the return receipts postmarked list of the notices which were mailed, and the names of all officially registered neighborhood associations that were sent notice. The affidavit with return-receipts shall be filed with the City Commission not less than fifteen (15) days prior to the date of the public hearing. Should an error or omission occur in the sending of these notices which requires readvertisement of the notice of public hearing, the petitioner applicant shall pay an additional charge of Seven Hundred dollars (\$ 700.00) to the Planning & Community Development Department to cover the costs and expenses as a result of the error or omission. This payment shall be made at the time the petitioner submits a written request addressed to the Community Development Director and filed with the clerk of the Planning & Community Development Department requesting a new date for a public hearing and setting out the reasons for the request.

d) When all or a majority of the alley rights-of-way within a platted subdivision or within an area of four (4) or more contiguous blocks are included in a single petition application, then the posting of signs, as referred to in subsection (a) above, shall not be required for those alleys within that subdivision or for those alleys within the four(4) or more contiguous blocks referred to above.

e) The petitioner applicant shall also send written notice by " certificate of mailing", entitled " Good Neighbor Notice for Vacating," no less than thirty (30) days prior to the public hearing, to the officially registered neighborhood association, as registered with the City of Opa-locka, in which the subject property is located, and to all other officially registered neighborhood associations that lie within a three hundred (300) feet radius, including roads and streets, in all directions from the subject property, from the boundaries of the subject property right(s)- of-way. If the subject parcel right(s)- of-way does not lie within the boundaries of an officially registered neighborhood association or if no officially registered neighborhood association exists within the distance measurements as required by this subsection, the applicant shall mail the notice required herein to the closest officially registered neighborhood association, as measured in a straight line, on the " neighborhood association map."

Sec. 7. "Application of chapter to City Commission proceedings" is hereby created by the following language:

Sec. 7-. Application of chapter to City Commission proceedings.

Nothing contained in this chapter shall be deemed or construed as applying to any proceedings instituted by the City Commission in their own discretion and on their own motion relating to the vacating, closing, discontinuing and abandoning of any public street, road, alleyway, place or highway or any part or portion thereof.

Sec. 8. "Vacating streets and alleys; payment of costs, expenses.", is hereby amended by the following language:

Sec.8-. Vacating streets and alleys; payment of costs, expenses.

a) The petitioner/ applicant requesting that any public street, road, alleyway, place or highway or any part or portion thereof be vacated, closed, discontinued and abandoned shall pay all costs and expenses to be incurred by the city, as follows:

1) The petitioner/ applicant shall pay an amount that is the average between the assessed value and the market value of the vacated area. The assessed value shall be obtained from the Miami-Dade County Appraisers Office and the market value shall be obtained from private professional property appraiser(s).

2) For the handling and processing of the petition application, including the publishing of notice of the public hearing;

3) For the posting of signs;

4) For the publishing of the vacating ordinance, if the petition application is be granted;

5) For the recording of a certified copy of the ordinance in the office of the clerk of the circuit court of the county;

6) For the review of the petition application.

b) A payment in the amount as established by resolution of the City Commission shall be made by the petitioner applicant to the community development & planning department before/ with the petition is filed with the community development & planning department submittal of the application. A receipt showing the payment to the community development & planning department shall be attached to the petition— application. No portion of this fee shall be refunded to the petitioner. Should an error (by the applicant or his agent in the original petition application occur that requires the filing of an amended petition application and readvertisement of notice of the public hearing, an the additional cost charge and subsequent payment in the amount as established by resolution of the City Commission to defray additional costs and expenses shall be made by the petitioner applicant to the Community Development & Planning Department, before the filing of the amended application will be rescheduled for a public hearing. A receipt showing the payment to the city of this additional fee shall be attached to the amended petition application. No portion of this additional fee shall be refunded to the petitioner.

(A complete copy of Ordinance 14-02 is included for reference.)

II. Project Details

Applicant's intent

- According to the site plan this new development would provide a 45, 000 square foot gas station with a 2,200 square foot convenience store, to be located on the northern parcels of the assembles properties inclusive of a portion of the vacated alleyway purchased from the City of Opa-Locka. According to the site plan, all of the City zoning requirements would be in compliance especially for setbacks, building heights, parking and landscaping.
- Currently the site conditions are that these is an active retail convenience store and a liquor store, an active billboard above a building shell and there is an occupied single family home on one of the parcels. All the other parcels are not being used and are without daily activity.

Site Computations & Land Development Regulation / Zoning Code		Table 1
Applicant	TNJ Realty / Murphy's Express Gas Station	
Folio Number	08-2121-007-2680; 08-2121-007-2690; 08-2121-007-2630 08-2121-013-2010; 08-2121-013-2020; 08-2121-007-2650; 08-2121-007-2660; 08-2121-007-2670	
Address Location	13620 NW 27 TH AVE.; 1245 OPA LOCKA BLVD.; 1201 OPA LOCKA BLVD.; 1350 SUPERIOR STREET; 1340 SUPERIOR STREET; 13730 NW 27 AVE.; 13720 NW 27 AVE.; and the alleys and a vacant property that has no assigned address.	
NEW Building(s)	Gas Station (Pump area): 45,000 SF	
Footprint	Retail (Convenience Store): 2,200 SF	
Floor Area	Total 47,200 SF	
Zoning	B-2 (Liberal Commercial)	

Zoning Code Consistency	The proposed use for TNJ Realty is consistent with the Zoning Code: For the B-2 (Liberal Commercial) zoning district.		
Existing Land Use	Vacant Property/ Retail Use/ Abandoned Buildings and alleys		
Future Land Use Designation	Downtown Mixed Use and Commercial		
Comprehensive Plan Consistency	- The proposed use for a Murphy Express Gas Station is consistent with the Comprehensive Plan because this is a commercial land use. -		
Applicable LDR Sections	Ordinance no. 15-31		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front	10 Feet	10 Feet	YES
Rear	15 Feet	15 Feet	YES
Side (left)	0 Feet	10 Feet	YES
Side (right)	0 Feet	10 Feet	YES
Corner Lots/ Other	N/A	N/A	N/A
Lot Coverage	80% maximum	80.7%	YES
Lot Density	N/A	N/A	N/A
Lot Size	5,000	46,584 SF (1.04 Acres)	YES
Lot Width	N/A	N/A	N/A
Building Height	4 Stories or 55 Feet whichever less	Retail/Gas Station: 1 Stories/ 22-6 Feet	YES
Structure Length	N/A	N/A	N/A
Other Vehicular Use Area	N/A	N/A.	N/A
Landscaping	Retail buildings: pursuant to the Land development Regulation Ordinance 15-31 one (1) Parking space per 500 square feet of floor area. <u>-6 spaces required</u>	Retail Bldg. 2,200 SF Total Spaces Provided: 10 Spaces (16 spaces under canopy)	YES
Parking Details		5202 SF Total Spaces Provided: 35 Spaces	YES
Landscape/ Pervious Lot Coverage	20% minimum required pervious	20.% provided	YES
Notification Requirement	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Wednesday, April 10th, 2020. To be advertised at least 10 days prior to this Planning & Zoning Board meeting on Tuesday, May 5th, 2020. - City Commission Meeting: TBD		

Local Government Action Required

The City Commission must review this site plan and consider approval/disapproval after it is reviewed by the Planning & Zoning Board and any other applicable board or agency.

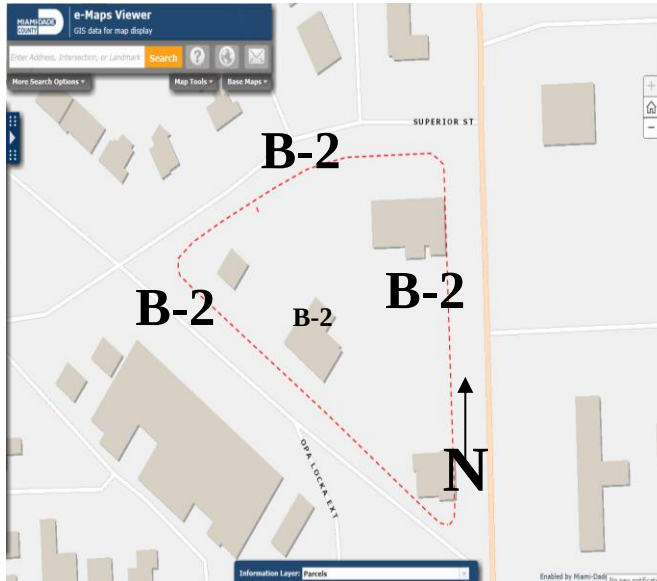
III. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by commercial/retail uses on NW 27th Avenue, commercial and residential uses on Superior Street and Commercial and residential uses on Opa-locka Blvd.
- Many of the structures are abandoned, un-used and underutilized.

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Commercial	DownTown Mixed Use / Commercial	B-2 (Liberal Commercial) / R-1 Residential
South	Commercial	Commercial	B-2 (liberal Commercial)
East	Commercial	Commercial	B-2 (Liberal Commercial)
West	Residential / Commercial	DownTown Mixed Use	B-3 (Liberal Commercial)



Surrounding Zoning Designation Map

The Site is Highlighted in Red

- **General Character / Neighborhood Compatibility:** The proposed development use will be in Harmony with the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions!
 - **Findings:**

- The proposed development is for Gas Station uses which will transform an abandoned and underutilized site into a new gas/retail site with adequate parking and landscaping. The new use would complement and be in harmony with the neighboring uses.

COMPLIES

- **Tree Preservation:** Compliance with Tree Preservation Ordinance required pursuant to City ORDINANCE NO. 15-31

COMPLIES

- **Findings:**

- The Applicant is proposing to remove all of the vegetation on the site and install new trees, shrubs and ground cover as listed in the site plan. *(Please see attached Landscape Plan for Trees detailed information).*

- **Future Land Use:** Commercial/DownTown Mixed Use

- **Findings:**

- According to the City of Opa-locka Comprehensive Plan; the proposed project will be located within the City's Commercial & Downtown Mixed land use designation category location.

COMPLIES

- **B-2 (Liberal Commercial) Zoning allows Certain Commercial Permitted Uses:** Project Specific: Retail uses in a newly developed Gas Station.

- **Findings:**

- According to the City's Land Development Regulation/ Zoning Code B-2 (Liberal Commercial) the gas/retail uses proposed are permitted use in the B-2 (liberal Commercial) Zoning District. The Murphy Express Gas Station is a permitted project use in this B-2 zoning district.

COMPLIES

- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.

- **Findings:** The Planning and community Development Department has not yet received any signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

IV. Project Need Assessment / other Required Approvals

1. Comprehensive Plan Amendment (Small Scale): Land Use Change (Map Amendment);
 - N/A
2. Land Development Regulation/Zoning Code Site Plan Review
 - Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, May 5th, 2020
3. Development Agreement
 - Application submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, May 5th, 2020

V. Development Review Committee (DRC): Meeting Review Comments

1. **Capital Improvement Project (CIP):**
 - No issues reported for the proposed Site Plan
2. **Building:**

- N/A
- 3. **Police:**
 - N/A
- 4. **Community Redevelopment Agency (CRA):**
 - N/A
- 5. **City Manager's Office (CMO):**
 - N/A
- 6. **Code Enforcement:**
 - N/A
- 7. **City Attorney's Office:**
 - Development Agreement under review
- 8. **Public works:**
 - N/A
- 9. **Inter-jurisdictional Review:**
 - N/A

VI. **Staff Recommendation:**

- Staff recommend approval of this Final Site plan which also requires approval of the alley vacation, according to the site plan. The process to obtain the alley vacation requires compliance with Ordinance 14-02 before making presentation to the City Commission. (Please see attached Ordinance 14-02)

VII. **Attachments:**

- Site Plan
- Development Agreement

Planning and Community Development Department

	Name and Title	Initials
City Planner	Corion DeLaine, City Planner	
Zoning Official	Gerald J. Lee, Zoning Official	
Approved by	Gregory D. Gay, Director Planning and Community Development	

VIII. **Staff Report Resolution No. DA-20 (TBD)**

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL FOR MODIFICATION OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE PARCELS BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD AND IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, applicant has appeared before this Board for the request in the application, and all evidence, documents and exhibits have been received and marked pursuant to the Code of Ordinance of the City of Opa-locka.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

- 1) That the request in the application by the applicant be and the same is hereby
 - a. APPROVED ☐ DATE: 05-05-2020
 - b. DENIED ☐
 - c. NOT DETERMINE ☐ until additional consideration at the regular meeting to be held on__ / __ / __
- 2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:
 - a.
 - b.

*** The Planning & Zoning Board Approval of this request was approved by a - vote***

I HEREBY CERTIFY that the resolution containing the determination of this Board is a true and correct copy as is reflected upon the public records of the City of Opa-locka this day of 20____.

Chairperson or Designee

The Following changes/recommendations are updates based on the Planning & Zoning Board Meeting discussions in regards to the proposed Retail Facility

TNJ REALTY

Making Your Neighborhood Better

William J. Green, Jr., J.D

TNJ Realty, LLC
2257 SW 132nd Avenue
Miramar, Florida 33027

Gerald Lee

Zoning Official
780 Fisherman Street
Opa Locka, Florida 33054

Greetings Mr. Lee,

This project consists of the collection of 8 parcels from 5 different owners to create a approx. 95,000 sq. ft pad at the corner of NW 27th Avenue and NW 135th Street in the city of Opa Locka, Florida. (See Attachment) The Developer intends to place several triple net lease users on this location. The Developer has enlisted NAI Miami, a member of the NAI Global network, to assist with the leasing of the spaces.

The size of this project deems that it will need to be completed in phases. Phase 1 of this project will be the development of the Murphy's Oil Gas Station, a 45, 000 square foot gas station with a 2,200 square foot convenience store, to be located on the northern parcels of the assembles properties inclusive of a portion of the vacated alleyway purchased from the City of Opa Locka. Phase 2 would be the development of the southern parcels assembled in this project which will entail the building of a QSR (quick service restaurant) with a drive thru inclusive of a portion of the vacated alleyway purchased from the City of Opa Locka. The actual division of the existing parcels will be determined by the final as a built survey.

Currently the property is zoned B-2 with a mixed-use overlay. The Developer is seeking confirmation from the City of Opa-Locka that the proposed uses are allowed in this zone. Furthermore, the Developer is verifying all necessary steps that need to be adhered to ensure a smooth process as the project moves forward.

If there are any questions or concerns please don't hesitate to contact William Green, My number is 305-632-8601 my email is Wjgreen2@gmail.com. Thanks for all of your assistance,

Sincerely,

William J. Green Jr., J.D

Attachment: Draft Site Plan

Record and Return to: (enclose self-addressed stamped envelope)

This Instrument Prepared by:

Law Offices of Burnadette Norris-Weeks, P.A.
City Attorney
City of Opa-locka
780 Fisherman Street
Ft. Lauderdale, FL 33311

**DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OPA-LOCKA, FLORIDA
AND TNJ REALTY, LLC**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this day of January, 2020("Execution Date") by and between TNJ REALTY LLC, its successors and assigns, a Limited Liability Company ("Developer") with a mailing address of 2257 SW 132nd Avenue, Miramar Florida 33027 and the City of Opa-Locka, Florida, a municipal corporation and a political subdivision of the State of Florida ("City"), with a mailing address of 780 Fishermen Street, Opa-locka Florida 33054.

WITNESSETH:

WHEREAS, the Owner/Developer intends to develop a retail (gas station) on the eight parcel site, approximately 1.8 acres of land, bounded by Superior Street, NW 27th Avenue and Opa Locka Boulevard, Opa-Locka, FL 33054, and

WHEREAS, fee simple Owner/ Developer of the properties that comprise this site which are identified by Miami-Dade County Tax Folio Nos. 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-007-2650, 08-2121-007-2660, 08-2121-007-2670, 08-2121-013-2010 and 08-2121-013-2020 (the "Property"), and are zoned B-2 (Liberal Commercial) and legally described on the attached Exhibit "A"; and

WHEREAS, at its meeting of September 11, 2019 the City Commission by adoption of Ordinance Number 19-08 approved the vacation of the alleyways that are between the eight parcels previously identified to allow the development of the retail center according to the submitted site plan; and

WHEREAS, at its meeting on October 9, 2019 the City Commission approved the Declaration of the alleyways as surplus pursuant to Resolution Number 19-9707 and approved the Sale of the alleyways to this owner/developer pursuant to Resolution Number 19-9708 and approved the site plan for the construction of a retail center on the eight parcel site including the

adjacent alleyways pursuant to Resolution Number 19-9706 and approved the development agreement for this project pursuant to Resolution Number 19-9709; and

WHEREAS, this Agreement shall be recorded in the public records of Miami-Dade County; and

WHEREAS, according to Sections 163.3220 through 163.3243, F.S., known as the Florida Local Government Development Agreement Act, the Florida Legislature has determined that the lack of certainty in the development process can result in a waste of economic and land development resources, discourage sound capital improvement planning and financing, escalate the cost of housing and development, and discourage commitment to comprehensive planning; and

WHEREAS, the Florida Legislature has declared that assurances to an Owner that it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring there are adequate capital facilities for the development, encourages private participation in comprehensive planning, and reduces the economic costs of development; and

WHEREAS, the Owner/Developer and the City desire to establish certain terms and conditions relating to the proposed development of the Property and wish to establish identifiable parameters for future development; and

WHEREAS, the City Commission pursuant to Resolution No. 19-9709, adopted on October 9, 2019 authorizes the City Manager to execute this Agreement upon the terms and conditions set forth below, and the Owner/Manager has authorized the Developer to execute this Agreement upon the terms and conditions set forth below; and

NOW, THEREFORE, in consideration of the conditions, covenants and mutual promises herein set forth, the Owners/Developer and City agrees to as follows:

1. **Recitals**. The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are hereby deemed a part hereof.
2. **Consideration**. The Parties hereby agree that the consideration and obligations recited and provided for under this Agreement constitute substantial benefits to both parties and thus adequate consideration for this Agreement.
3. **Definitions**.
 - (a) "Additional Term" means anyone or more additional term(s) approved by mutual consent of the parties pursuant to a public hearing pursuant to Section 163.3225, F.S.
 - (b) "Agreement" means this Chapter 163, F.S., Development Agreement between the City and Owners/Developer.

- (c) "City" means the City of Opa-Locka, a municipal corporation and a political subdivision of the State of Florida, and all departments, agencies and instrumentalities subject to the jurisdiction thereof.
- (d) "Comprehensive Plan" means the plan adopted by the City pursuant to Chapter 163, F.S.
- (e) "Owner/Developer" means the persons or entities undertaking the development of the Property, defined in the preamble to this Agreement, TNJ REALTY LLC and/or any of its respective successors, assigns, or heirs thereof.
- (f) "Development" means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels and such other activities described in Section 163.3221(4), F.S.
- (g) "Development Permit" includes any building permit, zoning or subdivision approval, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.
- (h) "Effective Date" is the date this Agreement is recorded with the clerk of the Circuit Court in and for Miami-Dade County,
- (i) "Entire Term" is the total term of this Agreement, combining the Initial Term (thirty (30) years) and the Additional Term, as defined herein.
- (j) "Execution Date" is the date that all parties have affixed their signatures to this Agreement.
- (k) "Existing Zoning" means (a) all entitlements associated with the City's approval of the Site Plan, and (b) the provisions of the Charter, Comprehensive Plan and Laws of the City of Opa-Locka, including the City of Opa-Locka's Unified Land Development Regulation Code and the Ordinance, as amended through the Effective Date.
- (l) "TNJ Realty LLC Site Plan" is the Final Site Plan approved by the City Commission via Resolution No. 19-9706 for the construction of a Retail Center on this eight parcel site.
- (m) "Governing Body" means the City of Opa-Locka's City Commission.
- (n) "Initial Term" is thirty (30) years commencing on the Effective Date.
- (o) "Land" means the earth, water, and air, above, below, or on the surface and includes any improvements or structures customarily regarded as land, except as provided herein.

- (p) "Land Development Regulations" means ordinances, rules and policies enacted or customarily implemented by the City for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulation or any other regulations controlling the development of or construction upon land in effect as of the Effective Date.
- (q) "Laws" means all ordinances, resolutions, regulations, comprehensive plans, Land Development Regulations, and rules adopted by the City of Opa-Locka affecting the development of land in effect as of the Effective Date, including Opa-Locka's Unified Land Development Regulation Code, the Ordinance and the Resolution Number 15-31.
- (r) "Parties" means the City and the Owner/Developer
- (s) "Project" is the TNJ Realty LLC development which includes the development of two retail spaces of 3,500 square feet and 4,485 square feet and two restaurants of 2,237 square feet and 2,965 square feet. The retail uses would occupy the perimeter of the site with the parking and circulation being on the interior of the site.
- (t) "Property" means the 8 properties and alleyways that are bounded by Superior Street, NW 27th Avenue and Opa Locka Boulevard, Opa-Locka, FL. 33054 and identified by Miami-Dade County Tax Folio Nos. 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-007-2650, 08-2121-007-2660, 08-2121-007-2670, 08-2121-013-2010 and 08-2121-013-2020 (the "Property"), and are zoned B-2 (Liberal Commercial) and legally described on the attached Exhibit "A".
- (u) "Public Facilities" means major capital improvements, including, but not limited to transportation, transit, sanitary sewer, solid waste, drainage, potable water, educational facilities, parks and recreational, and health systems and facilities for which the City's Comprehensive Plan sets forth required levels of service.
- (v) "Resolution" means the resolution defined in the preamble to this Agreement, City of Opa-Locka Resolution Number 19-9706 approving the TNJ Realty LLC Project Site Plan and Resolution Number 19-9709 approving the Development Agreement.

4. **Intent.** It is the intent of the Owner and the City that this Agreement shall be construed and implemented as a development agreement among the parties pursuant to the Florida Local Government Development Agreement Act, Section 163.3220 through 163,3243, F.S., ("Act"), in compliance with section 4.16 of the City of Opa-Locka's Unified Land Development Regulation Code, the Ordinance and the Resolution.

5. **Effective Date.** Immediately upon approval by the City and execution by all parties, the City shall record, with recording fees paid by the Owner, the Agreement with the clerk of the Circuit Court for Miami-Dade County. This Agreement shall become binding on the Effective Date. Notwithstanding the Effective Date provided herein and required by Section 163.3239, P.S., the City and the Owners/Owners shall act in good faith to carry out the intent of the Agreement upon the Execution Date.
6. **Term of Agreement and Binding Effect.** This Agreement shall run with the land, remain in full force and effect, and be binding on all Parties (including the Owner) and all persons claiming under it for an Initial Term of thirty (30) years from the Effective Date, and may be extended for one or more Additional Term(s) thereafter by mutual consent of the parties subject to two public hearings pursuant to Section 163.3225, F.S. Consent to any extension of this Agreement requires approval of both parties to this Agreement. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement. The obligations imposed pursuant to this Agreement upon the parties and upon the Property shall run with and bind the Property as covenants running with the Property, and this Agreement shall be binding upon and enforceable by and against the parties hereto, their personal representatives, heirs, successors, grantees and/or assigns.
7. **Termination.** No notice of termination shall be required by either Party upon the expiration of this agreement and thereafter the Parties hereto shall have no further obligations under this agreement.
8. **Expiration / Termination / Default.** Upon the expiration of the agreement, the city shall have ability and the rights under its police power to adopt Zoning Regulations not inconsistent with the rights granted hereunder. In the event of termination or default, no further rights under this agreement shall exist, whether brought under a claim of vested right, equitable estoppel or otherwise.
9. **Development Conditions.** In accordance with Section 163.3227(c), F.S., the Owner agrees as follows:
 - (a) All impacted Public Facilities shall be adequate to serve the Property at an acceptable level of service prior to the issuance of a Certificate of Occupancy for the Project, and shall be served by water and sanitary sewer main extensions as required by the city in accordance with Miami-Dade County permitting requirements
 - (b) All Public Facility improvements required by the City, by Miami-Dade County, Florida, or voluntarily proposed by the Owner to be installed by Owner shall be constructed in accordance with applicable governmental regulations prior to the issuance of a Certificate of Occupancy of the Project.

- (c) All signage shall comply with all city sign code ordinance requirements.
- (d) Owner will abide by and not deviate from the terms of its graphic and verbal representation submitted to the City Commission in order to receive approval of the TNJ Realty LLC Retail Center Site Plan. Such items include, but are not specifically limited to:
 - Design of all physical structures, water bodies, private and public improvements; and
 - The color and dimensional characteristics of all building materials.
 - All landscaping, bay, loading and parking spaces must be provided and maintained as shown on the site plan.
- (e) Owners guarantee to preserve and maintain all building and structures consistent with the TNJ Realty LLC Site Plan for the eight parcel site including the vacated alleyways for the properties bounded by Superior Street, NW 27th Avenue and Opa Locka Boulevard to construct a Retail (Gas Station) as displayed on the site plan or to cause any tenant of the Property to do so, for the entire period in which the Owner/Developer owns the land or controls at least 51% ownership of the Property, or control at least 10% of any entity to which his agreement has been assigned, sold or otherwise transferred. Any new owner must abide by the terms of this agreement until October 2050.
- (f) Owner/Developer shall submit annual reports and additional documentation to the City as required by the Resolution to verify continuing compliance with the Resolution.
- (g) The Owners/Developer will not physically alter or substitute the design of structures, materials and colors included in the TNJ Realty LLC Site Plan except as approved by the City in the City's sole discretion. In the event that building materials or colors are no longer available, the burden shall be on Owners/Developer and his assigns to prove that said materials or colors are in fact unavailable.
- (h) The Owners/Developer, and his Assigns, Successors or any other Owner of the property shall not apply to the Value Adjustment Board to obtain a lower assessment on the subject property of this Development Agreement during the thirty (30) years this Development Agreement is in effect.
- (i) Owner agrees that the City may enter onto the Property to confirm compliance with the terms of this Agreement.
- (j) The Owners/Developer agrees to employ Opa-locka residents through the assistance of the Career Source South Florida Office and shall also request all contractors and all their subcontractors to employ Opa-locka residents

through the assistance of the Career Source South Florida Office in coordination with the City of Opa-locka and in accordance with the Memorandum of Understanding between the City of Opa-locka and Career Source. *[Note: City to provide Owner/Developer with a copy of the referenced Memorandum of Understanding and any additional documentation regarding this requirement.]*

- (k) The Owners/Developer agreed:
 - (1) To host job fairs within the City of Opa-locka before and during the demolition and construction phase of this development for construction jobs;
 - (2) To host job fairs within the City of Opa-locka after construction for retail business operation jobs;
- (l) All trash and garbage containers shall comply with all city dumpster enclosure requirements.
- (m) Hours of operations: 24 hours/7 days a week
- (n) The Owner / Developer must comply with the following timeline, which applies immediately upon approval of this Development Agreement/Restrictive Covenant: Violation of this timeline may result in; the revocation of any approved Development Permit and/or any actions deemed necessary by the City of Opa-locka:
 - Apply for building permits for Demolition: within 6 months from the execution of the Development Agreement. The Developer has agreed that the demolition of all existing structures will provide 8 to 10 labor jobs.
The City Manager may grant a single 6 month extension for good cause shown.
 - Start construction: within 18 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause shown.
 - Complete project: within 54 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause.
- (o) Any liens, fees, code violations or unpaid assessments shall be satisfied prior to the execution of this Agreement.

- (p) In the event the retail (gas station) is not developed within fifty-four (54) months from the date of the sale, the property (the alleys) will revert back to the ownership of the City of Opa-locka with no monies being due to Owner/Developer.
 - (q) Owner/Developer shall comply with all terms and conditions set forth in City Commission Resolution No. 19-9709 authorizing the execution of this Development Agreement.
10. **Development Permits.** In accordance with Section 163.3227(f), F.S., the City need to approve the following additional development permits upon proper submission of all requirements, and City review or inspections, in order for the Owner to develop the Project:
- (a) Site plan approvals;
 - (b) Modifications to existing approvals and permits, including the TNJ Realty LLC Site Plan
 - (c) Water, sewer, paving and drainage permits;
 - (d) Building permits;
 - (e) Sign permits;
 - (f) Certificates of use and occupancy; and
 - (g) Any other official action of the City and/or Miami-Dade County, Florida or other applicable regulatory agencies having the effect of permitting the development of land or providing permits required for the development of Property.
 - (h) Any liens, fees, code violations or unpaid assessments shall be satisfied prior to the execution of this agreement for this property or any other property owned by TNJ Realty LLC.
 - (i) All currently non-compliant physical structures or vehicles shall be removed prior to the execution of this agreement.
11. **Public Services and Facilities; Concurrence.** In accordance with Section 163.3227(d), F.S., the City and the Owners/Owners anticipate that the Property and the Project will be served by those public services and facilities currently in existence as provided by the State of Florida, Miami-Dade County, the City, and/or as contemplated in the TNJ Realty LLC Site Plan. The Property and the Project will also be served by any and all public facilities provided in the City's Comprehensive Plan, specifically including but not limited to, those public facilities described in the Comprehensive Plan's Capital Improvements Element.

For the purposes of concurrency, the City hereby agrees to provide, reserve, and allocate sufficient public facility capacity, including but not limited to water, sanitary sewer, solid waste, drainage, fire and police to serve the development of the Project on the Property. All development orders or permits sought to be issued for the Project pursuant to this Agreement must be able to meet concurrency standards set forth in the Comprehensive Plan (concurrency regulations) and to be consistent with Land Development Regulations, so long as the Owners/Owners constructs the Property in compliance with the City's Laws, Comprehensive Plan and Land Development Regulations in existence as of the Effective Date. Owners/Owners shall be bound by the City impact fees and assessments in existence as of the Effective Date of this Agreement. Nothing in this paragraph shall relieve the Owners/Owners of the requirement to pay impact fees and assessments.

12. **Consistency with Comprehensive Plan.** In accordance with Section 163.3227(g), F.S., the City hereby finds and declares that the Owners development of the Project on the Property complies with the Laws, ordinances, regulations and policies of the City of Opa-Locka, and is consistent with the City's Laws, Comprehensive Plan and Land Development Regulations.
13. **Reservation of Development Rights.** Except as otherwise provided in the Act for the Entire Term of this Agreement, the City hereby agrees that it shall permit the development of the Project in accordance with the Laws of the City of Opa-Locka, including the City's Comprehensive Plan and Land Development Regulations, as of the Effective Date of this Agreement, subject to the conditions of this Agreement. Except as otherwise provided in the Act, the City's Laws and policies governing the development of the Property as of the Effective Date of this Agreement shall govern the development of the Property for the Entire Term of this Agreement unless terminated. Development of the Property as outlined herein shall not be subject to any future changes to the Laws of the City, including the City's Land Development Regulations and Comprehensive Plan designation after the Effective Date and during the Entire Term of this Agreement, except to the extent that Owners consent to such changes and except as otherwise provided in the Act. The City may apply subsequently adopted laws or policies to the Property only as permitted or required by the Act or as provided above or upon this agreement being terminated or having expired
14. **Zoning and Other Approvals.** The Parties hereto recognize and agree that certain provisions of this Agreement require the City and its boards, departments or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such considerations and actions shall be undertaken in accordance with established requirements of state statutes and municipal ordinances, in the exercise of the City's jurisdiction under the police power. Nothing in this Agreement shall be construed to prohibit the City from duly acting under its police power to approve, approve with conditions, or reject any public hearing application dealing with the Property.

15. **Necessity of Complying, with Local Regulations Relative to Development Permits.** In accordance with Section 163.3227(i), F.S., this Agreement is not and shall not be construed as a development permit or authorization to commence Development. The Owners/Owners and the City agree that the failure of this Agreement to address a particular permit, condition, fee, term or restriction in effect on the Effective Date of this Agreement shall not relieve Owners/Owners of the necessity of complying with any and all regulations governing said permitting requirements, conditions, fees, terms or restrictions as long as compliance with said regulation and requirements do not require the Owners/Owners to develop the Property in a manner that is inconsistent with the Laws of the City of Opa-Locka in existence as of the Effective Date.
16. **Good Faith; Further Assurances.** The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of and to satisfy their obligations under this Agreement in order to secure to themselves the mutual benefits created under this Agreement. In that regard, the parties shall execute such further documents as may be reasonably necessary to effectuate the provisions of this Agreement, provided that the foregoing shall in no way be deemed to inhibit, restrict, or require the exercise of the City's police power or actions of the City when acting in a quasi-judicial capacity.
17. **Notices.** Any notice required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been given if delivered by hand, sent by a recognized courier (such as Federal Express) or mailed by certified or registered mail, return receipt requested, in a postage prepaid envelope and addressed as follows:

If to the City
at:

City Manager
City of Opa.-Locka
780 Fishermen Street, 4th Floor
Opa-Locka, Florida 33054

With a copy
P.A.

Law Offices of Burnadette Norris-Weeks,

City Attorney
City of Opa-Locka
780 Fisherman Street
Opa-Locka, Florida 33054
And
401 North Avenue of the Arts,
Ft. Lauderdale, FL 33311

If to the Owners/Owners
at:

TNJ REALTY LLC
c/o William Green, Managing Partner
2257 SW 132nd Avenue

Miramar Florida 33027

With a copy to:

The Barrister Law Firm
c/o Christopher Benjamin
P.O Box 694011
Miami Florida 33269

18. **Governing Laws, Construction and Litigation.** This Agreement shall be governed and construed in accordance with the laws of the State of Florida. The Owners/Owners and the City agree that Miami-Dade County, Florida is the appropriate venue in connection with any litigation between the parties with respect to this Agreement. All of the parties to this Agreement have participated fully in the negotiation and preparation hereof; and accordingly, this Agreement shall not be more strictly construed against any of the parties hereto. In construing this Agreement, captions, and section and paragraph headings shall be disregarded. All of the exhibits referenced in this Agreement are incorporated in, and made a part of, this Agreement. In the event of any litigation between the parties under this Agreement for a breach thereof, the prevailing party shall be entitled to reasonable attorney's fees and court costs at all trial and appellate levels.
- Pursuant to Section 163.3241, F.S., if state or federal laws are enacted after the execution of this Agreement which are applicable to and preclude the parties' compliance with the terms of this Agreement, such Agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws
19. **Severability.** In the event that any term or provision of this Agreement is determined by an appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect.
20. **Entire Agreement.** This Agreement sets forth the entire Agreement and understanding between the parties hereto relating in any way to the subject matter contained herein and merges all prior discussions between the Owners/Owners and the City. Neither party shall be bound by any agreement, condition, warranty or representation other than as expressly stated in this Agreement and this Agreement may not be amended or modified except by written instrument signed by both parties hereto and in accordance with Section 163.3225, F.S.
21. **Indemnification.** The Owners/Owners shall indemnify and hold harmless the City, its elected and appointed officials, employees, agents and assigns from and against any claims or litigation arising from this Agreement instituted by third parties.
22. **Periodic Review of Agreement.** Pursuant to Section 163.3235, F.S., the City shall review the Property subject to this Agreement at least once every 12 months

to determine if there has been demonstrated good faith compliance with the terms of this Agreement. If the City finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of this Agreement, this Agreement may be revoked or modified by the City.



IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

CITY

CITY OF OPA-LOCKA FLORIDA

ATTEST: _____
City Clerk

By: _____
City Manager

Dated: _____ day of _____, 20__

Approved for form and legal sufficiency:

City Attorney: _____



OWNERS/OWNERS

WITNESS:

Owner/ Developer.
TNJ REALTY LLC

Signature

Print Name

Signature

Print Name

By:_____

Name: William J. Green

Title: Managing Partner

STATE OF FLORIDA)

:

COUNTY OF MIAMI-DADE)

The foregoing instrument acknowledges before me this _____ day of _____, 20__ by William J. Green on behalf of TNJ REALTY LLC who is personally known to me or has produced _____ as identification, and acknowledged that she/he did execute this instrument freely and voluntarily for the purposes stated herein.

Notary Public, State of Florida at Large

Print Name

My Commission Expires:



EXHIBIT A- PROPERTY LEGAL DESCRIPTION/SURVEY/SITE PLAN



SECOND READING ORDINANCES / PUBLIC HEARINGS

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, 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 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 2019-2020 fiscal year General, Proprietary and Special Revenue Funds budgets by passage of Ordinances 19-12 and 19-13; and

WHEREAS, pursuant to Florida Statute 166.241(5), the governing body of each municipality at any time within a fiscal year or within 60 days following the end of 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, pursuant to 4.7(c) of the City of Opa-Locka Charter, entitled "Appropriation Amendments During the Fiscal Year", the City Commission may otherwise amend the annual budget from time to time during the year, by ordinance, as it deems necessary to do so; and

WHEREAS, the City Commission desires to amend its 2019-2020 Fiscal Year General, Proprietary and Special Revenue Funds budgets as set forth in Exhibit “A”.

NOW, THEREFORE, BE IT DULY ORDAINED 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, 2019, 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 2019-2020, 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 Charter and the adopted Code of Ordinances in accordance with the adopted Amended General, Proprietary and Special Revenue Funds Budgets for Fiscal Year 2019-2020.

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, 2019, shall not lapse at that time and appropriations have been hereby provided for those outstanding encumbrances that have been incurred prior to September 30, 2019, 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, in the appropriate lawful manner. The City Manager is authorized to approve adjustments to the expenditure code allocations, within the limit of department appropriations made in the attached Budget and as otherwise consistent with the City of Opa-Locka's Code of Ordinances.

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.

SECTION 5. 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 _____ day of May, 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 Bass	_____ (Yes)	_____ (No)
Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Kelley	_____ (Yes)	_____ (No)
Vice-Mayor Davis	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)



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 Virtual Regular Commission Meeting on Wednesday, June 24, 2020 at 7:00 p.m. to consider the following items:

SECOND READING ORDINANCE/PUBLIC HEARING:

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 May 27, 2020).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE FINAL SITE PLAN FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08- 2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08-2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121- 007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27 AVENUE AND OPA-LOCKA BOULEVARD ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-007-2690, 08-2121-007-2630, 08- 2121-013-2010, 08-2121-013-2020, 08-2121-007-2650, 08-2121-007-2660 AND 08-2121-007-2670 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A WAREHOUSE/DISTRIBUTION CENTER ON THE PROPERTY LOCATED AT 12700 NW LE JEUNE ROAD IDENTIFIED BY FOLIOS 08-2129-000-0032, IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121-004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPALOCKA BOULEVARD IDENTIFIED BY FOLIOS 08-2121- 004-0580 AND 08-2121-004-0590, IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Additional information on the above items may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearings. For information on Virtual Commission Meeting procedures please visit www.opalockafl.gov.

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



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

Department Director:	Robert Anathan		Department Director Signature:		
City Manager:	John Pate		CM Signature:		
Commission Meeting Date:	May 27, 2020		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance
				X	
Fiscal Impact: <i>(Enter X in box)</i> N/A	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
				X	
Funding Source: <i>Account# :</i> General Fund	<i>(Enter Fund & Dept)</i> See Attachments		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> Improves focus toward meeting current requirements	
	X				
Sponsor Name	City Manager		Department: City Manager's Office	City Manager	

Short Title:

Budget Amendment #2 – FY 20

Staff Summary:

There is one proposed amendment in this package which increases expenditures over the current amended budget and this is accompanied with increased revenue to cover the additional expenditure.

1 – Improvement of 2105 Ali Baba building funded by a CDBG grant.

There are three other proposed amendments with increased revenue which is utilized in different ways,

4 – Red light camera revenue was increased with the increase offset by increased distribution of this revenue to other recipients.

5 – A small increase in the receipt of County Court fees was recognized and used to offset an anticipated increase in legal advertising requirements.

#24 – The Burlington Canal project was moved from the Water-Sewer Fund to the Stormwater Fund since it is a stormwater project. This is primarily funded by a grant.

The remaining 37 proposed amendments reflect increased expenditures offset by reductions in other expenditures with no impact on total expense. Some of the more material proposed amendments are as follow:

- #13 – The Police Criminal Investigation Division compensation was significantly under-budgeted for the number and seniority of the personnel assigned to this division by \$176,000. This additional expense was offset by savings in compensation in other divisions.
- #16 – Police Patrol Overtime Pay was increased by \$75,000 to cover the possibility of continuing COVID-19 duties at the current level through the end of the fiscal year. All Police overtime incurred in support of COVID-19 duties will be submitted to FEMA with a potential recovery rate ranging from 75% to 87.5% with the latter 12.5% dependent on the role the State is to play in the reimbursement process.
- #17 – Reflects additional roadway milling and resurfacing to be accomplished with the additional funding previously released by the County Citizens Independent Transportation Trust (CITT) program.
- #19 – Expenditure of funds for an evaluation of the current status of the historic City Hall as the first step in a major FY 21 restoration project.
- #21 – Additional restoration of City’s fire hydrants to ensure unrestricted availability in the event of being needed.
- #23 – Relining of sewer mains of final wastewater collection basin to further limit inflow and infiltration to reduce the cost of wastewater processing and to satisfy all requirements to remove DERM commerce restrictions.
- #29 – initiation of two CRA projects to develop a downtown master plan and provide incentives for local merchants to implement façade improvements to their properties.
- #33 – Payment of unpaid Hurricane Irma bills.
- #35 – Payment of prior year Parks & Recreation security bills.
- #40 – City reached settlement with former City Attorney in regard to services and severance pay of \$246,057.
- #41 – During the period FY 13 – FY 15 the Water-Sewer Fund provided \$344,972 to the CRA Fund to fund operations since no TIF revenue had been earned. These funds are now being returned to the Water-Sewer Fund.

The remainder of the proposed amendments are smaller or administrative in nature. Brief explanations of the nature of each proposed amendment is reflected in the attachment. The outlook for year remains positive with all funds currently forecasted to achieve surpluses.

.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 20 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</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	19,117,946	734,292	766,719	1,643,987	668,518	3,495,364	-	2,404,911	674,856	29,506,593
Fund Balance	-	78,055	536,631	-	-	-	-	-	-	614,686
Total Funding	19,117,946	812,347	1,303,350	1,643,987	668,518	3,495,364	-	2,404,911	674,856	30,121,279
Expenditure	19,117,946	812,347	1,303,350	1,643,987	668,518	3,495,364	-	2,404,911	674,856	30,121,279
<u>Amendment</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	214,383	-	464,750	-	-	-	-	-	20,500	699,633
Fund Balance	-	-	-	-	-	-	10,000	-	-	10,000
Total Funding	214,383	-	464,750	-	-	-	10,000	-	20,500	709,633
Expenditure	214,383	-	464,750	-	-	-	10,000	-	20,500	709,633
<u>Amended Budget</u>										
<u>Funding</u>										
Revenue/Loans/Trans In	19,332,329	734,292	1,231,469	1,643,987	668,518	3,495,364	-	2,404,911	695,356	30,206,226
Fund Balance	-	78,055	536,631	-	-	-	10,000	-	-	624,686
Total Funding	19,332,329	812,347	1,768,100	1,643,987	668,518	3,495,364	10,000	2,404,911	695,356	30,830,912
Expenditure	19,332,329	812,347	1,768,100	1,643,987	668,518	3,495,364	10,000	2,404,911	695,356	30,830,912

FY 20 Budget Amendment #2

Enterprise Funds			
	Water Sewer Fund	Storm Water Fund	Total Ent Funds
<u>BUDGET</u>			
<u>Funding</u>			
Revenue/Loans/Trans In	17,005,412	1,112,936	18,118,348
Fund Balance	-	-	-
Total Funding	17,005,412	1,112,936	18,118,348
Expenditure	17,005,412	1,112,936	18,118,348
<u>Amendment</u>			
<u>Funding</u>			
Revenue/Loans/Trans In	344,972	353,376	698,348
Fund Balance	-	-	-
Total Funding	344,972	353,376	698,348
Expenditure	344,972	353,376	698,348
<u>Amended Budget</u>			
<u>Funding</u>			
Revenue/Loans/Trans In	17,350,384	1,466,312	18,816,696
Fund Balance	-	-	-
Total Funding	17,350,384	1,466,312	18,816,696
Expenditure	17,350,384	1,466,312	18,816,696

FY 20 Budget Amendment #2

General Fund

Funding

Revenue/Loans/Trans In
Fund Balance
Total Funding

Budget	Amendment #2	Revised Budget
19,117,946	214,383	19,332,329
-	-	-
19,117,946	214,383	19,332,329
<u>Expenditure</u>		
Commission	-	212,652
CM - Executive	-	829,986
CM - General Government	468,940	3,240,960
CM - Reserve	-	1,100,000
CM - Emergency	(266,557)	(216,557)
CM - Interfund	-	300,000
Clerk	12,000	460,654
Attorney	-	673,983
Finance	(144,000)	744,838
Human Resources	-	303,525
Planning & Community Dev	-	421,762
Building & Licenses	-	520,644
Parks & Recreation	-	999,512
Police	144,000	6,125,227
Code Enforcement	-	473,226
Public Works - Admin	-	299,179
Public Works - Bldg Maintenance	-	701,973
Public Works - Streets	-	1,304,762
Public Works - Trash	-	110,000
Public Works - Vehicle Maintenance	-	726,003
Total Expenditure	214,383	19,332,329

FY 20 Budget Amendment #2

#	<u>Requested Amendment</u>			<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	<u>Comments</u>
1	<u>Safe Neighborhood CIP - 2105 Ali Baba Renovation</u>						
	Rev	320-331696	Grant-CDBG AL	-	464,750	464,750	Renovation of 2105 Ali Baba, funded by a grant. Omitted from original budget
	Exp	44-541818	2105 Ali Baba Improvements	-	464,750	464,750	
2	<u>Commission - Travel</u>						
	Exp	10-511400	Travel	-	3,500	3,500	To cover possible travel requirements for trips to Tallahassee
	Exp	10-511341	Recruiting	30,000	(3,500)	26,500	
3	<u>City Manager - Office Supplies</u>						
	Exp	12-512510	Office Supplies	3,500	1,500	5,000	Higher level of activity has generated need for slight increase in Office Supplies
	Exp	12-512420	Postage & Freight	1,500	(1,000)	500	
	Exp	12-512528	Software Licensing	500	(500)	-	
4	<u>Red Light Camera State & Court Revenue Share</u>						
	Rev	001-354140	Red Light Camera Revenue	1,869,900	202,383	2,072,283	An in-depth study of payment content and cost structure from the red light camera service provider and from analysis of revenue received from the County Court for locally adjudicated violations has provided a much better understanding of revenue and expense relationships.
	Exp	19-519994	State & Court Rev Share	580,000	541,483	1,121,483	
	Exp	19-512497	Red Light Camera Svc Fees	725,500	(339,100)	386,400	
5	<u>Clerk - Legal Advertising</u>						
	Exp	16-512490	Legal Advertising	33,000	12,000	45,000	Amended Legal Advertising budget will be 14% greater than FY 19 - Higher rates. County Court Fines revenue was under budget and after five months, exceeds annual budget
	Rev	001-351100	County Court Fines	100,000	12,000	112,000	
6	<u>Clerk - Computers</u>						
	Exp	16-512646	Computer Equipment	1,000	1,000	2,000	Purchase of an additional computer.
	Exp	16-581920	City Clerk Reserve	3,000	(1,000)	2,000	

FY 20 Budget Amendment #2

#	Requested Amendment			Budget	Adj	Revised	Comments
7	<u>Attorney - Reclassification Of Expense</u>						
	Exp	28-514312	Other Professional Services	-	200,000	200,000	This is additional legal services and should have been budgeted as Other Professional Services rather than Contingency in the original budget since it is incurred every year. Only a portion is being reclassified since some expense has already been charged to Contingency.
	Exp	28-514390	Contingency	450,000	(200,000)	250,000	
8	<u>Not Used</u>						
9	<u>Building & Licenses - Professional Services</u>						
	Exp	30-524312	Other Professional Services	-	19,500	19,500	Includes: State & County Fees charged with permits (\$10,000), external engineering plan review - complex projects (\$2,000) and County Unsafe Structure Board fees (\$7,500)
	Exp	30-581920	Bldg & Licenses Reserve	30,500	(19,500)	11,000	
10	<u>HR - Other Contracted Services</u>						
	Exp	13-513440	Rentals & Leases	10,500	3,000	13,500	Under budgeted for copier and timeclock rental fees
	Exp	13-513120	Salaries - Regular	76,958	(3,000)	73,958	
11	<u>Police - Chief - Memberships</u>						
	Exp	26-521540	Memberships	-	720	720	Memberships include: FBI National Academy (\$120), National Organization of Black Law Enforcement (\$150), International Association of Police Chiefs (\$150) and Miami-Dade Chiefs Association (\$300). Offset taken from Police Admin division Rentals.
	Exp	36-521440	Rentals (Police Admin)	16,000	(720)	15,280	
12	<u>Police - Admin - Professional Services</u>						
	Exp	36-521312	Other Professional Services	-	1,600	1,600	Psychiatric (\$1,000) and polygraph (\$600) services associated with hiring process
	Exp	36-521521	Clothing & Uniform	5,000	(1,600)	3,400	

FY 20 Budget Amendment #2

#	Requested Amendment			Budget	Adj	Revised	Comments
13	Police - Criminal Investigation Division - Compensation						
	Exp	20-521120	Salaries Regular	246,483	120,000	366,483	The Criminal Investigation Division budget was unrealistically low for a division of six mid-range to senior Police Officers. Compensation adjustment increase in this department offset by compensation savings in Finance (Division 17) due to being unable to fill senior positions and to savings in the Police Patrol Division (Division 22) due to filling open positions more slowly than anticipated. Overall, the City is forecasted to save at least \$750,000 in compensation this year in comparison to the current amended budget
	Exp	20-521150	Longevity	-	4,000	4,000	
	Exp	20-521210	FICA	18,856	11,000	29,856	
	Exp	20-521220	Retirement	55,702	35,000	90,702	
	Exp	20-521230	Life And Health Insurance	36,675	6,000	42,675	
	Exp	17-513110	Salaries - Executive	112,500	(90,000)	22,500	
	Exp	17-513120	Salaries - Regular	314,101	(25,000)	289,101	
	Exp	17-513210	FICA	32,635	(8,000)	24,635	
	Exp	17-513220	Retirement	36,133	(9,000)	27,133	
	Exp	17-513230	Life And Health Insurance	44,302	(12,000)	32,302	
	Exp	22-521230	Life And Health Insurance	278,518	(32,000)	246,518	
14	Police - Patrol - Operating Expense - Radio Repair						
	Exp	22-521520	Operating Expense	-	6,500	6,500	Reclassification of repair of radios. Incorrectly budgeted as capital expenditure
	Exp	22-521644	Public Safety Equipment	10,000	(6,500)	3,500	
15	Police - Patrol - Operating Expense - Consumables						
	Exp	22-521520	Operating Expense	6,500	10,600	17,100	Consumables (bullets, Taser cartridges, etc.) incorrectly budgeted as capital expenditure. Lease of ten police vehicles deferred to next fiscal year due to COVID-19 impact on vehicle production.
	Exp	22-521648	Auto Lease/Purchase	32,500	(10,600)	21,900	
16	Police - Patrol - Overtime & Longevity Pay						
	Exp	22-521140	Salaries - Overtime	75,000	75,000	150,000	Police overtime up significantly due to additional COVID-19 requirements. Will be submitted to FEMA for potential reimbursement. Longevity bonus covered by PBA contract not budgeted. Encumbrance reserve was established for unbudgeted FY 19 purchase orders that remained open past the end of FY 19. Not required this year.
	Exp	22-521150	Longevity	-	25,000	25,000	
	Exp	19-519992	Encumbrance Reserve	150,000	(100,000)	50,000	

FY 20 Budget Amendment #2

#	<u>Requested Amendment</u>			<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	<u>Comments</u>
17	<u>People's Transportation Program - Road Remilling & Sidewalks</u>						
	Exp	47-541340	Other Contracted Services	901,000	537,140	1,438,140	Increase in roadway to be milled (\$199,000) and increasing the sidewalk replacement from 2.0 miles to 2.6 miles (total \$338,140 for 2.6 miles) Previously was going to be funded through Safe Neighborhood Fund. Funding offset from available Working Capital Reserve.
	Exp	47-541992	Working Capital Reserve	542,987	(537,140)	5,847	
18	<u>Special Law Enforcement Fund</u>						
	Bal	165-270000	Fund Balance	-	10,000	10,000	Fund has in excess of \$100,000 in fund balance from prior year proceeds received from prosecution of criminal activity which can only be spent for specialized police activities, including training. \$10,000 of available fund balance to be used for that purpose
	Exp	65-521541	Educational Costs	-	10,000	10,000	
19	<u>Safe Neighborhood CIP - Historic City Hall</u>						
	Exp	44-541823	Historic City Hall	1,000	99,000	100,000	Historic City Hall budget of \$1,000 increased to \$100,000 to permit reevaluation of building condition. Resurfacing Improvement reduced by transfer of a portion of this activity to the People's Transportation Plan fund with dedicated revenue for roadway improvement.
	Exp	44-541992	Working Capital Reserve	624,516	(99,000)	525,516	
20	<u>Safe Neighborhood CIP - Ingram Park - Renovation</u>						
	Exp	44-541811	Ingram Park	390,000	20,000	410,000	Project expanded to included restroom restoration at the park
	Exp	44-541992	Working Capital Reserve *	525,516	(20,000)	505,516	
	* Reduced from original budget due to Amendment #19						
21	<u>Water Distribution - Fire Hydrant Maintenance</u>						
	Exp	64-5336309	Fire Hydrants	93,122	156,878	250,000	Funding available to accelerate program of renovating City fire hydrants to ensure reliability. Purchase of water savings available due to County rebate adjusting for prior year costs
	Exp	64-533433	Purchase Of Water	1,657,138	(156,878)	1,500,260	

FY 20 Budget Amendment #2

#	<u>Requested Amendment</u>			<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	<u>Comments</u>
22	<u>Wastewater Collection - Wastewater Processing</u>						
	Exp	35-535432	Sewage Disposal	2,205,000	90,000	2,295,000	Wastewater processed up 8% over prior year. (Three collection basins being relined in FY 20 to mitigate.) Offset from Other Contracted Services which was over budgeted.
	Exp	35-535340	Other Contracted Services	400,000	(90,000)	310,000	
23	<u>Wastewater Collection - Pump Station #4 Collection Basin Relining</u>						
	Exp	75-5356314	SRF Projects - Wastewater	548,970	600,000	1,148,970	Funding required to reline the sewer mains in the Pump Stations # 4 collection basin. Zone 6 project deferred for this year.
	Exp	75-5356318	Zone 6	1,727,669	(600,000)	1,127,669	
24	<u>Stormwater - Burlington Canal</u>						
	Rev	450-334700	State Grants (LP13035)	-	353,376	353,376	This is a stormwater project originally budgeted in the Water-Sewer Fund. Transferred to Stormwater Fund.
	Exp	43-5356327	Burlington Canal	-	447,526	447,526	
	Exp	43-538992	Working Capital Reserve	425,310	(94,150)	331,160	
25	<u>PW Admin - Laundry Contract Fees</u>						
	Exp	32-541340	Other Contracted Services	-	300	300	Fees associated with new department uniform laundry contract
	Exp	32-581920	PW Admin Reserve	20,000	(300)	19,700	
26	<u>PW Vehicle Maintenance - Vehicle Repairs</u>						
	Exp	49-541340	Other Contracted Services	45,000	25,000	70,000	Maintenance Division down one employee with increased outsourcing of vehicle repairs. Year-to-date activity indicates need for increased budget. Offset saving from reduced gasoline prices and reduced driving
	Exp	49-541450	Gas, Oil, Grease	336,000	(25,000)	311,000	
27	<u>Risk Management - Workers Compensation</u>						
	Exp	84-513240	Worker's Compensation	22,000	13,000	35,000	Increase in claims from prior worker out on lifetime disability when City was self-insured.
	Exp	84-513452	General Liability - Deductible	150,000	(13,000)	137,000	

FY 20 Budget Amendment #2

#	<u>Requested Amendment</u>			<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	<u>Comments</u>
28	<u>IT Expense - Telephone Expense</u>						
	Exp	85-512411	Telephone	106,500	18,000	124,500	Transition costs in moving to new improved phone service at lower FY 21 costs than current service.
	Exp	85-512413	Internet	38,400	(18,000)	20,400	
29	<u>CRA - Downtown Master Plan & Facades Projects</u>						
	Exp	77-515312	Other Professional Services	5,000	170,000	175,000	Unbudgeted CRA FY 20 projects of \$175,000 for a downtown master plan and \$200,000 for a plan to promote façade improvements.
	Exp	77-515480	Promotional Activities (Facades	-	200,000	200,000	
	Exp	77-581950	CRA Reserve	730,289	(370,000)	360,289	
30	<u>Water-Sewer Finance - Other Contracted Services</u>						
	Exp	61-513340	Other Contracted Services	300,000	180,000	480,000	County Billing Services not budgeted. Offset from legal services due slow movement of litigation process and no major settlements anticipated for this year.
	Exp	61-514380	Legal Settlements	550,000	(180,000)	370,000	
31	<u>Water-Sewer Finance - Other Contracted Services</u>						
	Exp	61-513343	Utility Excise Tax	-	15,000	15,000	Utility excise tax unbudgeted.
	Exp	61-514380	Legal Settlements*	370,000	(15,000)	355,000	
	* Reduced from original budget due to Amendment #30						
32	<u>Stormwater - Small Projects</u>						
	Exp	43-5386317	Sharazad Project	-	13,420	13,420	Small additional projects not recognized at time of original budget.
	Exp	43-5386318	Ali Baba Project	-	13,870	13,870	
	Exp	43-538992	Working Capital Reserve *	331,160	(27,290)	303,870	
	* Reduced from original budget due to Amendment #24						
33	<u>PW - Roads & Street - Hurricane Irma Debris Removal</u>						
	Exp	41-541340	Other Contracted Services	242,680	55,800	298,480	Unpaid Hurricane Irma debris removal bills
	Exp	41-581920	PW Streets Reserve	108,056	(55,800)	52,256	
34	<u>Commission - Furniture</u>						
	Exp	10-511642	Office Furniture & Equipment	-	1,631	1,631	Prior year purchase with late billing.
	Exp	10-511646	Computer	3,000	(1,631)	1,369	

FY 20 Budget Amendment #2

#	Requested Amendment		Budget	Adj	Revised	Comments
35	<u>Parks & Recreation - Prior Year Security Services</u>					
	Exp	72-572340 Other Contracted Services	8,325	52,000	60,325	\$58,711 of unpaid prior year security services for Sherbondy Park & Helen Miller Center.
	Exp	72-581920 Parks & Recreation Reserve	269,144	(52,000)	217,144	
36	<u>Town Center - Building Repairs</u>					
	Exp	62-519461 Repair & Maintenance - Buildin	50,000	17,000	67,000	Additional maintenance for AC repairs and also to correct water damage in IT spaces after repair of roof leak.
	Exp	62-519340 Other Contracted Services	280,000	(17,000)	263,000	
37	<u>Stormwater - Other Contracted Services - County Billing Services</u>					
	Exp	43-538340 Other Contracted Services	223,625	14,000	237,625	County fees for billing stormwater fees on the water bill.
	Exp	43-538992 Working Capital Reserve *	303,870	(14,000)	289,870	
	* Reduced from original budget due to Amendment #24 & #32					
38	<u>Stormwater - Vehicle Lease / Purchase</u>					
	Exp	43-538648 Vehicle Lease/Purchase	-	68,938	68,938	City has acquired a vacuum truck on a lease to purchase contract. Transaction incorrectly budgeted as a rental.
	Exp	43-538440 Rentals And Leases	73,297	(68,938)	4,359	
39	<u>I.T. - Computer Equipment - COVID-19 Expenditures</u>					
	Exp	85-512646 Computer Equipment	101,400	20,500	121,900	City has purchased 15 laptops (\$10,0000) for essential employees who were required to work at home, and will purchase a personnel entrance temperature monitor system (\$10,500) due COVID-19 response. I.T. is an internal service fund funded by other divisions. Funding increase from the General Fund with an offsetting reduction to the General Fund Emergency Contingency. This will be submitted to FEMA for possible reimbursement
	Rev	119-383030 Info Tech Transfer-In	657,207	20,500	677,707	
	Exp	19-519441 Info Tech Transfer-Out	59,735	20,500	80,235	
	Exp	25-525390 Emergency Contingency	50,000	(20,500)	29,500	

FY 20 Budget Amendment #2

#	<u>Requested Amendment</u>			<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	<u>Comments</u>
40	<u>General Government - Settlement</u>						
	Exp	19-519312	Other Professional Services	45,000	246,057	291,057	City has reached a settlement with the prior City Attorney in regard to disputed fees related to services, severance pay and statutory interest. Contract was terminated as of May, 2019. Reserve utilized to offset.
	Exp	81-581920	General Fund Reserve	500,000	(246,057)	253,943	
41	<u>CRA - Return Of Water-Sewer Funds</u>						
	Exp	77-581950	CRA Reserve *	360,289	(344,972)	15,317	In FY 13 through FY 15, City transferred \$344,972 into the CRA Fund from the Water-Sewer Fund to fund CRA operations since no TIF revenue had yet been received. Water-Sewer Fund isn't responsible for funding CRA Fund and funds are being returned. CRA Reserve is reduced to fund transfer. Funds transferred into Water-Sewer Fund increases Water-Sewer CIP Reserves
	Tr-Out	77-515321	Trans Out To Water Sewer	-	344,972	344,972	
	* Reduced from original budget due to Amendment #29						
	Trf In	440-389xxx	Transfer In From CRA	-	344,972	344,972	
	Exp	75-535992	Water-Sewer CIP Reserve	-	344,972	344,972	

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 8, ARTICLE I, TO CREATE NEW SECTION 8.6 ENTITLED “FACE MASKS OR FACE COVERINGS DURING PANDEMIC RELATED PUBLIC HEALTH EMERGENCY THAT THREATENS LIFE, HEALTH AND SAFETY OF RESIDENTS”; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-locka recognizes the emergency declarations of the President of the United States, the Governor of the State of Florida, and the Mayor of Miami-Dade County related to the spread of COVID-19 disease in our community; and

WHEREAS, several Executive Orders have been issued for the closure of certain businesses and the limitations on the operation of essential businesses within their respective jurisdictions; and

WHEREAS, the Commission has authority under the Governor Ron DeSantis’ Executive Order 20-52, to prevent the introduction of contagious, infectious, or pestilential diseases into the City and to establish and regulate a sufficient quarantine, not inconsistent with laws of the state, in the City and to punish any breach of quarantine law; and

WHEREAS, the City Commission finds that an emergency of unprecedented size resulting from the natural cause of community spread of a novel human coronavirus disease, COVID-19, has occurred in the City of Opa-locka; and

WHEREAS, COVID-19 is a disease caused by a novel coronavirus, previously unknown in humans, and causes upper-respiratory tract illnesses that can range from mild to severe, spread quickly, and may cause death, particularly in older adults and persons with certain chronic medical conditions; and

WHEREAS, the World Health Organization declared COVID-19 to be a global pandemic as of March 15, 2020; and

WHEREAS, the spread and effect of COVID-19 has created a humanitarian crisis of unanticipated proportions; and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency related to the COVID-19 pandemic, restricting international travel to prevent spread of the disease; and

WHEREAS, the City of Opa-locka is threatened by COVID-19 because of the extraordinary ability of the virus to spread rapidly among humans, and COVID-19 thereby

constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City; and

WHEREAS, although under investigation and development, no vaccine or drug is currently available to cure or combat COVID-19; and

WHEREAS, as of April 27, 2020, Florida has had 32,138 identified cases of the coronavirus, including 11,570 in Miami-Dade County, where the City of Opa-locka is located; and

WHEREAS, Florida has recorded 1,088 deaths attributed to COVID-19, with 302 of those deaths occurring in Miami-Dade County; and

WHEREAS, current discussions about COVID-19 include plans to safely return the public to jobs and regular activities; and

WHEREAS, the Centers for Disease Control (“CDC”) continues to study the spread and effects of COVID-19 and has found that a significant portion of individuals with the novel coronavirus lack symptoms and those that eventually develop symptoms can transmit the virus to others before those symptoms appear, meaning that the virus can be spread between people interacting in close proximity to each other by actions such as speaking, coughing, or sneezing, even without exhibiting symptoms; and

WHEREAS, in light of this new evidence, CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain, for example, grocery stores, pharmacies and other businesses people must visit to acquire goods and services necessary to maintain their comfort and well-being; and

WHEREAS, the City Commission recognizes that it is critical to continue to maintain maintaining 6-feet social distancing to slow the spread of the virus COVID-19, but that the additional use of simple cloth face coverings, as recommended by CDC, can further help aid in slowing the spread of the virus by helping reducing the chances of asymptomatic people who may have the virus and do not know it from transmitting the virus to others; and

WHEREAS, the use of masks or face coverings will be beneficial in returning the City of Opa-locka to a more normal level of business activity in attempting to reopen certain businesses and other activities in the City of Opa-locka, and it is in the best interest of public health for individuals to continue to use social distancing and the additional precaution of face coverings or masks while in public contact with other persons; and

WHEREAS, members of households with vulnerable individuals need to use all reasonable precautions to avoid potential exposure to COVID-19; and

WHEREAS, the City of Opa-Locka intends for masks to be worn during any declared pandemic and desires to create a new section of the city’s code of ordinances for face masks or face coverings to be worn during any pandemic related public health emergency that threatens the life, health and safety of residents as determined by the State of Florida, Miami-Dade County or the City of Opa-Locka Commission; and

WHEREAS, the City Commission finds that it is in the best interest of the public peace, health, welfare, and safety, and to preserve the lives of citizens of the City of Opa-locka, to require that masks or face coverings, consisting of at least simple cloth face coverings, be worn by persons when interacting in public spaces in the City of Opa-locka during any declared pandemic.

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 Chapter 8, Article I to create new Section 8.6 as set forth herein::

Section 3. FACE MASKS OR FACE COVERINGS DURING PANDEMIC RELATED PUBLIC HEALTH EMERGENCY THAT THREATENS LIFE, HEALTH AND SAFETY OF RESIDENTS

(a) DEFINITIONS:

Face covering or mask: A device to cover the nose and mouth of a person to impede the spread of saliva or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned from scarves, bandanas or other suitable fabrics. The mask must cover the mouth and nose of the wearer.

Public place: Any place other than an individual's home or personal vehicle; provided, however, that face coverings or masks should be worn when interacting with someone other than a member of the household at home or when traveling with someone who is not a member of the household.

Vulnerable individuals: Elderly individuals or individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy.

(b) WHEN WORN: Face coverings or masks shall be worn at all times by persons over the age of five (5) years and who can medically tolerate doing so when in public places within the City of Opa-locka.

(c) The requirement to wear face coverings or masks shall apply to all persons, whether employees or customers or clients of businesses within the City.

(d) Exceptions:

- (1) Face coverings or masks are not required to be worn over the face during individual outdoor exercise, for example, walking or jogging, but must be worn when encountering and interacting with groups of other people in a park or other public place.
 - (2) Children less than two (2) years of age and under, as face coverings or masks may pose a risk of choking, strangulation or suffocation to infants and young toddlers. Carriers and strollers with coverings that allow the child to breathe comfortably are alternatives for infants and young toddlers are not required to wear face coverings or masks in public, unless exhibiting symptoms. Parents and guardians shall be responsible for ensuring proper masking of children over the age of two (2) years when in public but must ensure that the face covering or mask do not pose a choking hazard for children older than two (2) and can be safely worn without obstructing a child's ability to breathe. Parents and guardians shall also exercise judgment in and avoid bringing children not wearing masks into public places, especially where contact with persons with vulnerable conditions (age, certain chronic medical conditions) is expected.
 - (3) Patients in examination rooms of medical or dental offices or clinics or hospitals where there is a necessity to examine or treat the mouth or nasal area, subject to the direction of the medical or dental professionals in charge of the office, clinic or hospital.
 - (4) When wearing a face covering or masks poses a greater mental or physical health, safety or security risk, such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance. For purposes of this subsection, "safety risk" shall include external factors, such as, but not limited to, where wearing a face covering or mask may pose a risk to persons working on ladders or at height, wearing other respiratory protection, heavy physical exertion or operating heavy equipment or working in an environment where a face covering or mask hinders communications. However, employers are encouraged to structure work to promote social distancing and limit close contact as much as possible within in workplaces where face coverings or masks may pose such risks.
 - (5) When wearing a face covering or masks poses a greater mental or physical health, safety or security risk, such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.
- (e) Business owners, managers and supervisors shall ensure that employees, customers, clients and/or visitors observe the requirement for face coverings or masks while at the place of business. This shall not be interpreted as requiring businesses to provide face coverings or masks to employees.
- (f) Reusable face coverings or masks must be kept clean and sanitary, including regular washing at least daily.

(g) This ordinance shall remain in effect, subject to modification passed by the City Commission for evolving information on preventing the spread of any pandemic as direction is given by federal, state or local officials.

Section 4. 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 5. Failure to comply with this Ordinance is punishable by a civil fine of no greater than Two Hundred and Fifty (\$250.00) to be imposed as follows:

- a) First time offense \$100.00
- b) Second time offense \$150.00
- c) Third time offense \$250.00

All violations of this section charged by the police department shall be referred to the City's Special Master for adjudication, in accordance with the City's rules therein. Where a minor is found to have violated this section, the fine imposed by this section shall be assessed against such minor's parents or legal guardian.

As an alternative to, or in addition to, the fine set forth herein, the Special Master may, in his/her discretion, order the violator to perform monitored community service, not to exceed twenty-five (25) hours for any single violation.

Section 6. If any subsection, sentence, clause, phrase, or word of this Ordinance or any application of it to any person, structure, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this ordinance.

Section 7. Be it ordained by the city commission of the City of Opa-locka, Florida that “facial coverings” or “masks” shall be required in public places within the city to slow the spread of COVID-19, and any other emergency declared pandemic by the state of Florida, Miami-Dade County or the City of Opa-locka as follows.

Section 8. This Ordinance shall become effective upon passage, approval and publication or as otherwise provided by law.

PASSED AND ADOPTED this _____ day of _____, 2020.

Matthew Pigatt
Mayor

Attest to:

Approved as to form and legal sufficiency:

Joanna Flores
City Clerk

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by:
Seconded by:
Commissioner Vote:
Commissioner Bass:
Commissioner Burke:
Commissioner Kelley:
Vice Mayor Davis:
Mayor Pigatt:

ECONOMY REOPENING

Miami offers free hour of street parking with PaybyPhone app

BY MAYA LORA
mlora@miamiherald.com

Starting Wednesday, the Miami Parking Authority offered customers one hour of free on-street parking per day when they use the PaybyPhone parking app.

The Miami Parking Authority manages and develops on-and-off street parking in the city.

The department is also offering a 20 percent discount for June and July to customers who pay monthly rates, said Alejandra Argudin, CEO of the parking authority.

“Some people are just going to be struggling to get back in, and some people are going to be dying to just get back to work,” Argudin said. “And so we thought what better than to give the only thing that we can as a parking organization, which is time.”

Wednesday also marked Phase 1a of the city of Miami’s plan to reopen the economy. The first phase includes the reopening of some parks, retail businesses, personal grooming

businesses and offices, but not restaurants, which will reopen on Wednesday, May 27.

“As MPA complies with the city’s re-opening plans, management will take increased safety measures to welcome back its customers and ascertain that the following guidelines are observed: sanitizing garage elevators, parking lot and on-street pay-and-display machines and high-traffic touchpoint surfaces,” reads the department’s press release.

Argudin said she hopes



MIAMI HERALD ARCHIVES

As first phase of reopening began Wednesday, the Miami Parking Authority is offering the first hour of parking free for people who use the PaybyPhone parking app. The authority will also resume issuing tickets for metered parking violations.

the initiative will help fuel local business. More people opting to park their cars past the one free hour may also pump more money into the parking authority, which has seen a 93 percent drop in revenue since March 16.

“We want to see our

community thrive again,” Argudin said.

Also on Wednesday, the parking authority resumed enforcing citations for metered parking violations. Argudin said the authority stopped enforcing violations on March 16, except in

prohibited and restricted areas.

“We saw the occupancy drop, so really there was not a lot of movement on the street,” Argudin said. “We knew that the community as a whole is suffering through the crisis and we thought it was the right thing to do.”

But Argudin said the department won’t be taking an “aggressive” approach to enforcement, although she wants to signal that the parking authority is getting “back to business.”

Those who redeem their free hour with the PaybyPhone app can utilize a “touch-free” parking experience.

Customers can also use payment machines, which Argudin said are being cleaned more frequently, but they will be unable to receive the one hour of free parking.



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 a public hearing at its Virtual Special Commission Meeting on Thursday, June 4, 2020 at 6:30 p.m. to consider the following item:

SECOND READING ORDINANCE/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 8, ARTICLE I, TO CREATE NEW SECTION 8.6 ENTITLED “FACE MASKS OR FACE COVERINGS DURING PANDEMIC RELATED PUBLIC HEALTH EMERGENCY THAT THREATENS LIFE, HEALTH AND SAFETY OF RESIDENTS”; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on May 13, 2020).

Additional information on the above item may be obtained by contacting the Office of the City Clerk via telephone (305) 953-2800 or email jflores@opalockafl.gov. All interested persons are encouraged to participate in this meeting and will be heard with respect to the public hearing.

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



NOTICE TO UNDERTAKE CONSTRUCTION WORKS VISTA VERDE COMMUNITY, CITY OF MIAMI GARDENS

The City of Miami Gardens continues to support its residents and businesses by continuously improving and maintaining our roadway infrastructure. The Vista Verde Community has been experiencing flooding over the past years. Therefore, the Department of Public Works is embarking on the Vista Verde Phase #4 Project which is envisioned to minimize the issue of flooding in this community. Local road and drainage improvements are necessary to reduce flooding and improve the quality of stormwater runoff in the Vista Verde community.

This project will consist of the construction of an on-site French Drain system that will retain normal stormwater runoff within the project area and filter the captured water. The project will also reduce flooding due to excessive rain and hurricane storms. The project is anticipated to commence February 2021 and be completed within six (6) months at an estimated cost of \$1,701,380.

For further information on this project please contact the City of Miami Gardens Public Works Department at 786-279-1280 or truz@miamigardens-fl.gov. You may also visit www.miamigardens-fl.gov.

Face Cover Requirement Ordinance

Cost-Benefit Analysis

In evaluating the cost and benefit of enforcing the proposed face cover requirement ordinance, staff constructed two separate scenarios: (1) administered by the County and (2) administered by the City. Underlying both scenarios was an assumption of 1,000 citations being issued per month, gradually declining as the community began to comprehend the importance of utilizing face covering procedures when in public spaces. (The Police Department is currently issuing face covering warnings in the range of 750 per month.) Both scenarios assume that a citation recipient can elect to perform community service upon receipt of a citation rather than having this awarded by a special magistrate, similar to the ability to select an option with traffic violations.

County Administration – The City currently uses this system for the administration of traffic citations where the City receives citation revenue back from the County, reduced for County charges and fees. This process requires no significant staff resources and is revenue positive to the City.

If a citation recipient requests a special magistrate hearing, this will be conducted by the City. It is assumed that a special magistrate charges \$200 per hour. This charge would reduce the revenue positive aspect slightly but it is assumed that citation payments ordered during the hearings will more than cover special magistrate costs. The Police Department will have an officer present, but this is part of regular police scheduling without causing overtime. Additionally, preparation for special magistrate hearings is a routine Code Enforcement responsibility, including providing clerk services, and it isn't anticipated that incremental Code Enforcement expense will be incurred.

Finally, violators who elect to perform community service will be routed through HR to an appropriate department which will track for community service compliance. Violators failing to fulfill their community service obligations will be routed back into the County system

Advantages

1. Provides a source of revenue and has no significant requirement for staff resources.

Disadvantages

1. Not immediately available. This option is being researched but is believed will require three months at a minimum for implementation.
2. County will review the City ordinance in assuming responsibility for administering these citations. The County might take exception to some aspect of the City's ordinance.
3. County may not agree to administer a program as currently envisioned by the City

City Administration – It has been assumed this process would function as follows:

1. The City will acquire a citation management module to be incorporated into the City's Enterprise Resource Planning (ERP) system, SunGard. This cost is estimated to be

\$50,000 upfront and then \$10,000 per year. Additional equipment may be considered at a later time to reduce the manual content of this process, but won't be considered at this time.

2. New citation books will have to be obtained. The Police Department advises that four-copy citations cost approximately \$4.00 per citation. This appears high and will be further reviewed when time permits, but will be used as a worst case. This would be \$4,000 per month. When administered by the County, the County covers the cost of the citation books.
3. Citations will be entered into the citation management system as incurred. It is assumed this can be done by current staff without incremental expense. It is currently assumed that initially there will 1,000 citations per month (33 per day), but then declining as the community responds to the intent and influence of the ordinance.
4. Payments will be received and processed similarly as is currently done for utility bills with no incremental expense.
5. When payment isn't received within a prescribed period, e.g., 30 days, 60 days, etc., the citation management system will generate correspondence to the citation recipient. It is assumed that mailing costs would be in the range of \$15,000 in the first year and less thereafter as community observance of face covering requirements improves.
6. The special magistrate process and the community service options would be unchanged from that described previously.
7. When it becomes apparent that payment won't be received, collection agency services will be engaged. Although history has indicated that collection agencies frequently aren't highly successful, their compensation is based on a percentage of fees collected, consequently not exposing the City to additional expense.
8. Although oversight of this program may be accomplished by current staff, to be conservative, a full-time person has been added to ensure the proper functioning of this process. Compensation, including benefits, would be \$60,000.

Advantages

1. Can be implemented more quickly than if administered by the County. It is assumed it could be implemented within 45 days with the acquisition and implementation of the software being the controlling factor.
2. The program will be solely controlled by the City with no County involvement.

Disadvantages

1. More expensive. Preliminary first year cost on a worst case basis, covering software, staff cost, citation books and mailing cost, is estimated at \$173,000. This scenario assumes that 12,000 citations are issued in the first year. Collection of 14.4% of issued citations, not community service, would cover this first year expense.
2. Could result in substantial software investment which might not be required in a year if the pandemic subsides. No other use for this software has currently been identified.
3. Could result in the need to reassign or lay off an employee overseeing the program.

Other

1. Staff recommends that regardless of how this program is administered, 2,000 reusable masks be procured (\$4.00 per mask) to be provided to residents to assist them in complying with the face covering ordinance. If purchased in the near future, this should be eligible for FEMA reimbursement at 75% plus another 12.5% if the State assumes reimbursement responsibility.

CITY OF OPA-LOCKA

Budget Narrative for Mask Ordinance Program - COST BENEFIT ANALYSIS

		Scenario 2 CITY ADMINISTRATION	Scenario 1 COUNTY ADMINISTRATION
CASH AVAILABLE	BUDGET NARRATIVE	ANNUAL TOTAL	ANNUAL TOTAL
Cash Needs	Cash estimate to be paid up front to implement this program.	\$239,500.00	\$0.00
EXPENSES	BUDGET NARRATIVE	YTD TOTAL	YTD TOTAL
Salary	Cost for personnel, 1 FTE, full-time, initially estimated.	\$50,000.00	\$0.00
Employment Tax	Employment taxes (FICA) for personnel.	\$5,000.00	\$0.00
Personnel Benefits	Benefits for personnel (i.e. health care, life, etc.).	\$6,000.00	\$0.00
FRS Benefits	Florida Retirement System contributions.	\$1,500.00	\$0.00
IT Infrastructure	Technology infrastructure cost for Enterprise Resource Planning (ERP) software system.	\$60,000.00	\$0.00
Training	Training on ERP system, unknown at this time. TBD.	\$0.00	\$0.00
Rental	For printing use which includes printing, scanning and other fees for master account.	\$5,000.00	\$0.00
Supplies	To provide the necessary supplies to perform the mask program (i.e. stationary, paper, calculator etc.).	\$5,000.00	\$0.00
Citation Booklets	New citation books, \$4.00 per citation, estimated at \$4,000 per month.	\$48,000.00	\$0.00
Postage	To courier, mail, shipping and other necessary delivery mechanisms available to transport necessary documents to end users, etc.	\$15,000.00	\$0.00
Computer	Computer equipment and peripheral.	\$2,000.00	\$0.00
Volunteer Program	Cost unknown at this time. TBD	\$0.00	\$0.00
Merchant Charge	Assume a rate of 2.5% based on total collection.	\$30,000.00	\$0.00
Special Magistrate	Cost for Special Magistrate, assume 5 hours per month at a rate of \$200 per hour. This is an estimate.	\$12,000.00	\$0.00
Educational/Public Safety	Public safety and educational component to include the purchasing of mask.	\$0.00	\$0.00
County Charge	Cost unknown at this time. TBD	\$0.00	\$0.00
Overhead	Allocation of cost allocation of general and admin. functions (i.e. finance, management, clerk, other). TBD	\$0.00	\$0.00
TOTAL EXPENSES	Total direct cost, salary cost, technology and other.	\$239,500.00	\$0.00