

City of Opa-locka

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



Regular Commission Meeting Agenda

Wednesday, December 11, 2019

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

“The Great City”

AGENDA

REGULAR COMMISSION MEETING

December 11, 2019

7:00 P.M.

Sherbondy Village Auditorium

215 Perviz Avenue

Opa-locka, FL 33054

- 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:**

Regular Commission Meeting – October 9, 2019
Special Commission Meeting – November 8, 2019
Special Commission Meeting – November 26, 2019
- 9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:**
- 10. PUBLIC PRESENTATIONS:**
 - 1. Commissioner Esteban Bovo Jr.**
Miami-Dade County Board of County Commission, District 13
Ref: 2020 Census
 - 2. John Riley**
Former City of Opa-locka Commissioner
Ref: Miami-Dade Commission on Ethics & Public Trust, Case No. C19-05-02
- 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:

Items listed under the Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the item(s) will be removed from the Consent Agenda and will be considered separately. All Consent Agenda Resolutions will be read by title.

- 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO CLOSE ALL CITY OF OPA-LOCKA OFFICES FROM DECEMBER 25, 2019 THROUGH DECEMBER 27, 2019 AND PROVIDE PAID VACATION TO EMPLOYEES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**
Sponsored by City Manager

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

- 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF FINAL SITE PLAN REVIEW FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 12940 NW 27TH AVENUE AND THE ADJACENT PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-004-0031 AND 08-2128-004-0022, IN THE B-2 AND B-3 ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

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

- 1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF A REQUEST TO REZONE THE PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE FROM B-2 TO B-3 TO ALLOW THE CONSTRUCTION OF A SELF STORAGE FACILITY ON THIS PARCEL AND 12940 NW 27TH AVENUE, OPA-LOCKA, FL 33054, IDENTIFIED BY FOLIOS 08-2128-004-0022 AND 08-2128-004-0031; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*
- 2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA LOCKA, FLORIDA, AMENDING CHAPTER 17, ARTICLE III OF THE CITY'S CODE**

OF ORDINANCES ENTITLED “PLANNING AND DEVELOPMENT“ TO INCLUDE NEW DIVISION 3 TO BE ENTITLED “UNITY OF TITLE”; PROVIDING A DEFINITION FOR OF UNITY OF TITLE; ESTABLISHING REQUIREMENTS AND PROCESS FOR UNITY OF TITLE; AMENDING SECTION 2.655(GG) OF THE CITY’S CODE OF ORDINANCES TO INCREASE THE FINE FOR UNITY OF TITLE APPLICATION FROM \$200.00 TO \$500.00; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

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

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA; AMENDING VARIOUS SECTIONS OF CHAPTER 21, ENTITLED “WATER, SEWER AND STORMWATER UTILITIES”; ADOPTING CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT; SPECIFICALLY AMENDING SECTION 21-85 ENTITLED “WHEN BILLS DUE AND PAYABLE, DISCONNECTING SERVICE FOR NON-PAYMENT” TO DECREASE THE TIME FOR A DETERMINATION OF DELIQUENCY FROM THIRTY DAYS TO TWENTY-ONE DAYS; CLARIFYING SECTION 21-85 AND 21-97 ENTITLED “REGULATIONS GOVERNING MIAMI-DADE BILLING FOR THE CITY OF OPA-LOCKA” TO ENSURE THAT CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE WATER AND SEWER DEPARTMENT SHALL APPLY TO THE CITY OF OPA-LOCKA; CLARIFYING THE ADOPTION OF ARTICLE VI., SECTION 32-91 THROUGH SECTION 32-101 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on November 13, 2019). *Sponsored by City Manager*

C. RESOLUTIONS:

17. CITY MANAGER’S REPORT:

1. Glorieta Gardens Management
Ref: Security Enhancement

18. OFFICIAL BOARD REPORTS:

19. MAYOR/COMMISSION REPORT:

20. OFFICIAL BOARD APPOINTMENTS:

Historic Environmental Preservation Board
7 At-Large Appointments

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

Community Relations, Recreation and Activities Board
2 Individual appointments (Mayor Pigatt and Vice Mayor Davis)

21. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

- A. Got a Concern? Commissioner Kelley invites you to **Walk in Wednesdays** from 9:00 a.m. – 12:00 p.m., Opa-locka Municipal Complex, 780 Fisherman Street, 4th Floor, Opa-locka, Florida. NO APPOINTMENT NEEDED!
- B. Join Commissioner Joseph L. Kelley for Meet Me Monday, **December 9, 2019 @ 6:00 p.m.**, Helen L. Miller Center, 2331 NW 143rd Street, Opa-locka, Florida.
- C. City of Opa-locka Planning & Zoning Board Meeting, Tuesday, **December 10, 2019** at 7:00 p.m., Sherbondy Village Auditorium, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida.
- D. Opa-locka Community Redevelopment Agency Meeting, Wednesday, **December 11, 2019 @ 5:00 p.m.**, Sherbondy Village Auditorium, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida.
- E. City of Opa-locka Mayor and Commission Food Distribution, Friday, **December 20, 2019** at 10:00 a.m., Sherbondy Park, 215 Perviz Avenue, Opa-locka, Florida.
Hosted by Commissioner Joseph L. Kelley and Commissioner Alvin E. Burke
- F. City of Opa-locka Annual Holiday in the Park Toy Give-Away, Saturday, **December 21, 2019** from 11:00 a.m. – 3:00 p.m., Sherbondy Village Auditorium, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida. Children 6 months to 14 years old – must be an Opa-locka resident. **Pre-registration required by Friday, December 13, 2019 @ 5:00 p.m.** For further information, please call 305.953.2875. *Sponsored by City of Opa-locka's Mayor & Commission, Parks & Recreation Department, Parents Booster Club and the Community Relations, Recreation and Activities Advisory Board*



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: Regular Commission Meeting Minutes - October 9, 2019

APPROVAL OF MINUTES

CITY OF OPA-LOCKA

"The Great City"

CLERK'S ACTION SUMMARY MINUTES

REGULAR COMMISSION MEETING

WEDNESDAY, October 09, 2019

7:00 P.M.

Sherbondy Village Auditorium

215 Perviz Avenue

Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Matthew Pigatt called the meeting to order at 7:00 p.m. on Wednesday, October 09, 2019 at the Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

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

3. INVOCATION:

The invocation was delivered by Commissioner Joseph L. Kelley.

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:

NEW ITEM:

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING SIGNATORIES FOR VARIOUS BANK ACCOUNTS OF THE CITY OF OPA-LOCKA AT BRANCH BANKING AND TRUST COMPANY; CITY NATIONAL BANK OF FLORIDA AND WELLS FARGO BANK N.A.; FURTHER RECOGNIZING JOHN E. PATE AS THE CITY MANAGER AND REPLACING NEWALL DAUGHTREY'S NAME WITH JOHN E. PATE FOR OFFICIAL PURPOSES EFFECTIVE OCTOBER 15, 2019; AUTHORIZING CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPORT WITH THIS RESOLUTION AND WITH SAID BANKING REQUIREMENTS; PROVIDING AN EFFECTIVE DATE.

Sponsored by Commissioner Kelley

The above resolution was read by City Clerk Flores.

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

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

7. APPROVAL OF AGENDA:

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

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

8. APPROVAL OF MINUTES:

Regular Commissioner Meeting Minutes – September 11, 2019

It was moved by Commissioner Bass, seconded by Commissioner Kelley to approve the minutes from the Regular Commissioner Meeting of September 11, 2019.

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

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

Larry Gardner, Commissioner Barbara Jordan's Office, District I, said he does not have anything to report at this time, but will take any of the commissions concerns back to Commissioner Jordan.

10. PUBLIC PRESENTATION:

11. CITIZENS' INPUT:

Regular Commission Meeting Minutes – 10/09/2019

Marc Cooper said there is a problem in his area with illegal dumping next to the old Jackson Hospital. There are boats, mattresses, household items, and Jacuzzi's among other debris that are in the area and it looks bad. Miami-Dade County is now patrolling the area and cited him four hundred dollars (\$400.00) for people dumping in front of his property because of their code. At least with the City, you did not get cited for other people dumping; the area is starting to look like a mini landfill.

Virginia Cook, The Eye Opener Missionary Baptist Church, 1234 Ali-Baba Avenue, Opa-locka, FL, said she came to the last meeting to discuss the drainage problem in front of the church. She was assured the City would bring the truck to drain the water on days when it rained and it rained the other day and they could not go inside the church because of the flooding. She wants to know why the water was not removed from the church as agreed.

Eric Redmon, Villa Francine, 2766 NW 131st Street, Opa-locka, FL, said a sixteen year old was shot by a stray bullet a week ago and then a nineteen year old was shot after that. His home was going to be broken into, but someone saw it taking place so the people did not succeed. The Police Department is short staffed and the officers that are there are leaving and working for other Cities once they are certified because they are under paid. The ice cream trucks are still on the road and the law needs to change so they can stop because the children are in bed at that time of the night. He also asked where is the registry for sexual predators as Halloween is approaching the community should know which houses to stay away from.

Christian (inaudible), 956 Superior Street, Opa-locka, FL, came with his wife and said they purchased a property with many code violations over ten years and they need help from the city with satisfying the liens which are about a half a million dollars.

Joanna Vicente, 956 Superior Street, Opa-locka, FL, said many of the violations are for overgrown grass and a broken fence and that has been cured years ago. They just purchased the property on September 5th and are asking the commission to waive the Code Enforcement fees.

Henrietta Harrison, 167 NW 45th Street, Miami, FL, said she is representing The Eye Opener Church and believes the standing water is a health hazard and breeds germs and mosquitos. She asked if the church is in the zone of priority that the City mentioned previously.

Commissioner Kelley asked if there was a buyer for the old hospital so that the dumping issue can be corrected in the near future. He also said that the county does spray for mosquitos frequently, but does not know when they go around and spray.

Commissioner Burke said he thought the City had come to a solution with the Code Enforcement problem with the running fines. He said there should be legislation to prevent running liens from happening because a half of a million dollars is too much to place on these properties.

Mayor Pigatt said the manager's office and Public Works is aware of the dumping and will be taking action soon. It will take some time to correct the water issue, but they are working on it. The information on sexual predators can be found by doing a Google search for your area and includes a map with the information. He understands the lien issue and will be addressing it on a case by case basis.

12. ACTION ITEMS:

Regular Commission Meeting Minutes – 10/09/2019

13. CONSENT AGENDA:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING CHANGE ORDER REQUEST #1 TO REPAIR AREAS A, B, AND C ON ROOF LEVEL #4 AT THE HISTORIC CITY HALL BUILDING IN AN AMOUNT NOT TO EXCEED TWELVE THOUSAND FOUR HUNDRED DOLLARS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE PROPOSAL PF RJ SPENCER CONSTRUCTION, LLC FOR ROOFING SERVICES / INTERIOR AND EXTERIOR REMODELING PURSUANT TO RFP NO. 19-0314100 RELATING TO PROPOERTY LOCATED AT 2105 ALI-BABA AVENUE; FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE BID PROPOSAL OF GREAT WASTE AND RECYCLING SERVICES LLC AND WASTE MANAGEMENT OF FLORIDA FOR COMMERCIAL SOLID WASTE PROCESSING AND DISPOSAL SERVICES PURSUANT TO RFP NO. 19-0315100; FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TWO LOWEST RESPONSIVE AND RESPONSIBLE BIDDERS; PROVIDNING FOR AN ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolutions were read by Attorney Norris-Weeks.

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
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, AMENDING SIGNATORIES FOR VARIOUS BANK ACCOUNTS OF THE CITY OF OPA-LOCKA AT BRANCH BANKING AND TRUST COMPANY; CITY NATIONAL BANK OF FLORIDA AND WELLS FARGO BANK N.A.; FURTHER RECOGNIZING JOHN E. PATE AS THE CITY MANAGER AND REPLACING NEWALL DAUGHTREY'S NAME WITH JOHN E. PATE FOR OFFICIAL PURPOSES EFFECTIVE OCTOBER 15, 2019; AUTHORIZING CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPORT WITH THIS RESOLUTION AND WITH SAID BANKING REQUIREMENTS; PROVIDING AN EFFECTIVE DATE. *Sponsored by Commissioner Kelley*

The above resolution was read by Attorney Norris-Weeks.

It was moved by Commissioner Kelley, seconded by Commissioner Burke to pass the resolution.

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

1. 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 27TH AVENUE AND OPA-LOCKA BOULEVARD FOR TNJ REALTY, LLC, ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-0072690, 080-2121007-2630, 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; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Planning & Zoning Director Gregory Gay said the intent is to place 4 retail spaces at the site which will range from 2500 to 4000 square feet.

Robert Holland, 3250 NW 1st Avenue, Miami, FL, said they are currently looking at two restaurants and two retail spaces. It will create fifty to seventy five jobs which will provide employment for residents in the City.

Audrey Dominguez, 1157 Jann Avenue, Opa-locka, FL, said she supports the item and wants it approved so the work can start.

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

It was moved by Commissioner Kelley, seconded by Commissioner Bass for discussion.

Mayor Pigatt said that he supports the item.

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

Commissioner Burke	Yes
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Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DECLARING CERTAIN CITY PROPERTIES AS SURPLUS; AUTHORIZING THE CITY MANAGER TO DISPOSE OF PROPERTY BY SALE; PROVIDING FOR INCORPORATION FOR RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Mr. Gay said there are alleyways in the area where the retail spaces are going to be and the developer is going to purchase them from the City for fifty eight thousand dollars (\$58,000.00).

Mr. Holland said the alleys are of no value to the City who has been maintaining them for years. It will be a benefit to the City to sell them.

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

It was moved by Commissioner Kelley, seconded by Commissioner Bass to pass the resolution.

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE SALE OF THE DECLARED SURPLUS ALLEYWAYS BETWEEN 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, TO TNJ REALTY, LLC, TO ALLOW FOR THE CONSTRUCTION OF A RETAIL CENTER ON THE EIGHT PARCEL SITE BOUNDED BY SUPERIOR STREET, NW 27TH AVENUE AND OPA-LOCKA BOULEVARD FOR TNJ REALTY; PROVIDING FOR INCORPORATION OF RECITALS; CONTAINING REVERTER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Mr. Gay said the purpose of the item is to unify the property and increase the tax base for the site.

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

It was moved by Commissioner Kelley, seconded by Commissioner Bass for discussion.

Commissioner Kelley said he is concerned that the time frames in the reverter clause will make the developer delay in completing the project. He feels it should remain at forty eight months for completion instead of sixty months. He is not opposed to the project, he just wants it completed in a timely manner.

Mr. Holland said they do not have a problem with forty eight months as long as the extension is not unreasonable.

A motion was made to amend the resolution to change the reverter clause from forty eight months to fifty four months.

It was moved by Commissioner Kelley, seconded by Commissioner Burke to pass the amendment.

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

4. 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 27TH AVENUE AND OPA-LOCKA BOULEVARD FOR TNJ REALTY, LLC, ON THE PARCELS IDENTIFIED BY FOLIOS 08-2121-007-2680, 08-2121-0072690, 080-2121007-2630, 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; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manage*

The above resolution was read by Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Mr. Gay said the job fair and all of the open fines that are currently on the properties will be satisfied with the closing of the properties and staff recommends approval at this time.

Commissioner Kelley asked the attorney to ensure that agreement reflects that the job fair is to be held in the City.

Mr. Holland said anytime he speaks on something then that is his word.

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

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

A motion was made to amend the item to add “in the City” when referring to job fairs.

It was moved by Commissioner Kelley, seconded by Commissioner Burke to pass the amendment.

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST READING ORDINANCE(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 13 OF THE CITY OF OPA-LOCKA’S CODE OF ORDINANCE, ENTITLED “LICENSES AND BUSINESS REGULATIONS”, ARTICLE XIV ENTITLED “LANDLORD PERMIT”, SPECIFICALLY AMENDING SECTION, 1313-274 TO ADD NEW SECTION (3) REQUIRING ALL APARTMENT BUILDINGS WITH FORTY UNITS OR MORE TO BE REQUIRED TO HAVE AN ONSITE PROPERTY MANAGER AND ARMED SECURITY SERVICES; AMENDING SECTION 13-278(5)(b) TO REQUIRE PERMIT APPLICANTS WITH FORTY (40) OR MORE APARTMENT UNITS TO COMPLETE A SEPARATE FORM TO BE CREATED BY CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Kelley and Co-sponsored by Vice Mayor Davis*

The above ordinance was read by Attorney Norris-Weeks.

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

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

Commissioner Kelley said he brought the item because he believes it is necessary to keep the residents safe.

Commissioner Burke said he hopes if the item is passed it will be enforced.

Mayor Pigatt said he wouldn't want the City to look like a military area and complexes like senior living facilities do not have crimes. He said of all of the properties on the list, only five have had eleven shootings in the last two years. He would not want to put unnecessary burden on the owners and then have them pass the costs down to the residents in the form of higher rental rates. He is not in support of the item as it is and asked that it be deferred to a workshop.

Commissioner Bass said she believes safety comes first over costs and supports the item.

A motion was made to amend the item to reflect twenty four hour armed services.

It was moved by Commissioner Kelley, seconded by Commissioner Burke to pass the amendment.

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

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

There being no discussion, the motion on the ordinance passed by a 3-1 vote.

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	No

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE CITY OF OPA-LOCKA CODE OF ORDINANCES, ARTICLE VIII, ENTITLED "STREET VENDORS", SECTION 13-160, ENTITLED "LOUD NOISES AND SPEAKING DEVICES" TO PROHIBIT ICE CREAM TRUCK VENDORS FROM OPERATING IN RESIDENTIAL ZONING DISTRICTS BEYOND TEN O'CLOCK PM FOR THE PURPOSE OF VENDING, SELLING OR SERVING GOODS, WARES OR MERCHANDISE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING

FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Kelley and Co-sponsored by Vice Mayor Davis*

The above ordinance was read by Attorney Norris-Weeks.

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

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

Commissioner Kelley said after ten o'clock is too late for the ice cream trucks to be on the road and he believes the children will be in their homes so what is the purpose.

Commissioner Bass said she believes ten o'clock is too late and asked if it can be shut down at 9:00 p.m.

Commissioner Kelley said it is not even dark at some times of the year so he does not want to prevent the children from enjoying the ice cream.

There being no further discussion, the motion on the ordinance passed by a 3-1 vote.

Commissioner Burke	Yes
Vice Mayor Davis	Not Present
Commissioner Kelley	Yes
Commissioner Bass	No
Mayor Pigatt	Yes

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

C. RESOLUTIONS/PUBLIC HEARINGS:

17. CITY MANAGER'S REPORT:

Acting City Manager Daughtrey thanked the commission for allowing him to serve in the City of Opa-locka. He hopes the new manager will come in and continue the work he is leaving behind including the audits, the infrastructure, and capital improvement projects. He hopes the new manager will bring stability to the City so the staff can relax and do what they need to do for the City.

City Attorney Norris-Weeks announced two closed door sessions on October 23, 2019 at 4:30 p.m. to discuss B&G Opa-Holdings V. City of Opa-locka and then at 5:00 p.m. to discuss Joseph Barton et al. V. City of Opa-locka at 215 Perviz Avenue, Opa-locka, Florida.

18. OFFICIAL BOARD REPORTS:

19. MAYOR/COMMISSION REPORT:

Commissioner Kelley thanked everyone who wore pink in support of breast cancer awareness month. The food distribution program will be held next Friday and the public is welcomed to attend, the Mock Commission Meeting will be held at the end of this month and everyone is welcomed to attend. He thanked Mr. Daughtrey for all of his years of service and knows his contribution was a benefit to the City.

Mayor Pigatt thanked the manager for his valuable insight and the knowledge he brought to the City. He said the City will be traveling to Tallahassee and meeting with the JLAC Committee. The meeting will include conversations of dissolving the City. He hopes the City will do what it needs to do to prepare.

Commissioner Bass thanked the manager for his service.

20. OFFICIAL BOARD APPOINTMENTS:

21. ADJOURNMENT:

There being no further business to come before the commission, it was moved by Commissioner Kelley, seconded by Commissioner Burke to adjourn the meeting at 8:53 p.m.

MAYOR

ATTEST:

CITY CLERK



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: special Commission Meeting Minutes - November 8, 2019

CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
SPECIAL COMMISSION MEETING

Friday, November 8, 2019

5:30 P.M.

Sherbondy Village Auditorium

215 Perviz Avenue

Opa-locka, FL 33054

CALL TO ORDER:

Mayor Matthew Pigatt called the meeting to order at 5:30 p.m. on Friday, November 8, 2019 in the Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.

1. ROLL CALL:

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

2. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

3. INVOCATION:

The invocation was delivered by Commissioner Sherelean Bass.

4. PUBLIC INPUT:
Agenda Items Only

5. FIRST READING ORDINANCES/PUBLIC HEARING:

- 1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL FUND BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; 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 Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Dorothy Johnson, 13724 NW 22nd Place, Opa-locka, FL, said there is no dollar amount on the short title of the agenda cover memo and it needs to be added. The businesses are supposed to pay an alarm fee and that is not happening; she asked the commission to look into it. She said she did not see any revenue from FEMA, the grant from the Police Department or the crossing guards. There were only two things in the document that had numbers that remained the same. She said she does not want another “99 Findings” from the Auditor General so the City needs to pay close attention to what is going on.

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

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

City Manager Pate said the purpose of the ordinance is to close out the budget year. He went on to summarize the amendment to inform the commission and the public of what is going on.

Commissioner Kelley arrived at 5:37 p.m.

Mayor Pigatt said it is alarming to hear that there is over three hundred thousand dollars (\$300,000.00) in rental deficit for the Town Center building. He asked the manager what he intends to do.

City Manager Pate said some of the issues are historical, but the City never acted upon them. He will begin to meet with the tenants and if they do not intend to pay, then the City will begin the eviction process.

Mayor Pigatt asked the manager to address the anticipated income that was not received in the Parks Department.

City Manager Pate said he is working with staff to see if they can identify potential income; this was discussed as recently as today.

Mayor Pigatt asked about the Ad Valorem Taxes and the deficit in revenue.

City Manager Pate said the City projected a higher amount in taxes versus what was actually received.

Mayor Pigatt asked about the twenty thousand dollars in funds that were not used by the I.T. Department.

I.T. Director Nelson Rodriguez said those funds were used at the end of the fiscal year and are no longer available. The software was purchased for the Police department to bring the City into compliance with FDLE.

The mayor went on to ask the same question to several departments about why there was thousands of dollars in funding left in certain line items. The Parks and Recreation and Planning and Zoning Directors came before the commission and stated that the funds were spent by the end of the fiscal year, but the invoices are awaiting the approval from the state.

Commissioner Bass asked how many tenants were not paying rent in the Town Center building.

City Manager Pate said based on the report that he has the same company can have multiple suite numbers and there are currently five to seven units that are not paying rent. He asked for time to work through the issues because leases will have to be renegotiated or the tenants will be evicted.

Vice Mayor Davis asked about the FEMA reimbursement funds.

City Manager Pate said the City was performing services without the proper certification and certain criteria that was required by the state and FEMA did not provide any funds for noncompliance.

Public Works Director Airia Austin said some of the funds have been approved, but they have not been released. The other funds were not approved because the third party contractor had trucks that were not certified.

City Manager Pate said the third party contractors were selected by the manager's office to conduct the work.

Vice Mayor Davis asked about the funds that were rejected by FEMA.

Mr. Austin said he is aware of the certifications and once they have gone through the appeals process, then FEMA will release the reimbursements.

Commissioner Kelley asked about the grant for the bus circulator, he asked if there was any movement with it.

City Manager Pate said a check request was sent to the state and he is awaiting a response from them in regards to the reimbursements. He is going to request an expedited review process so that the reimbursements can be sent.

Commissioner Kelley asked if the City had a list of its fixed assets.

City Manager Pate said, "No". He said he is going to work with Risk Management to compile a list and will present it to the commission once it is complete.

Trimerge Consultant Gerri Lazarre and Financial Analyst Giovanni Stephanson came before the commission and said that most of the transactions have a specific line item, but all the small donations or amounts that come into the City were grouped into one line item. These are items that are not coded to the City.

Commissioner Kelley asked where the funds go.

Ms. Lazarre said it goes into the general fund and a schedule can be created to show where the individual funds came from.

Commissioner Kelley said there was discussion about moving Code Enforcement under Building and License. He is concerned that it is moving from under the Police Department since they are offered discounts on certain equipment and resources that both departments utilize.

City Manager Pate said he will not move Code Enforcement from under Police Department for the reasons the commissioner mentioned.

Commissioner Kelley asked if the percentages are done after each quarter to reflect checks and balances.

City Manager Pate said the system was set up to reflect the budget even after the department has gone over spending. He worked with the I.T. Department and will know where they are at because they will not be allowed to overspend; it will take more budget amendments than usual.

Commissioner Kelley said he would like for the commission to receive monthly reports that reflect the balances in all of the accounts. The manager can provide this with his report.

Mayor Pigatt said he saw salaries that were not spent and open positions that were not filled. He asked about the Minimum Housing Standards Officer Position because that is very important to him. He asked for clarity.

City Manager Pate said within the last three months, positions were filled and decisions were made with lack of signatures from the manager's office. The minimum housing person was recommended and selected before he was appointed, but the paperwork was just signed off on Wednesday. He is currently working with the H.R. Director to post the vacant positions that were on hold because of lack of cooperation from the manager's office. The minimum housing person has been hired.

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

Commissioner Burke	Not Present
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

- 2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED PROPRIETARY AND SPECIAL REVENUE FUND BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; 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 Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Dorothy Johnson, 13724 NW 22nd Place, Opa-locka, FL, said she does not think she has gotten several calls from businesses about people fund raising on behalf of the City and she does not think it is right. She asked if the City was receiving monies from the GOB Bond. The street sweeper has not been seen since it was purchased awhile back for over three hundred thousand dollars (\$300,000.00). Some of the line items do not provide an explanation as to why it is going over budget; the reports need to be provided so everyone knows what is going on.

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

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

Commissioner Kelley asked the manager to explain the water and sewer revenue.

City Manager Pate said currently Miami-Dade County owes the City funds and they are forthcoming.

Ms. Lazarre said both water and sewer revenues have decreased on the City's side and on the county's side. There has been a reduction in the water and sewer receipts and it is a collection issue on the City's side as well as the county's side.

City Manager Pate said the issue is the City will be passing an ordinance at the next commission meeting to adopt the county's water rules and regulations. Once that is done, he projected that the water and sewer revenues will rise.

Commissioner Kelley said he hopes this will be conveyed to the residents since disconnections will resume for nonpayment accounts.

City Manager Pate said he will be sending out notices once it is realized and he will also be holding a workshop to provide information to the residents.

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

Commissioner Burke	Not Present
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

6. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Bass, seconded by Vice Mayor Davis to adjourn the meeting at 6:28 p.m.

MAYOR

ATTEST:

Special Commission Meeting November 8, 2019

CITY CLERK



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: Special Commission Meeting Minutes - November 26, 2019

CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
SPECIAL COMMISSION MEETING

Tuesday, November 26, 2019

5:30 P.M.

Sherbondy Village Auditorium

215 Perviz Avenue

Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Matthew Pigatt called the meeting to order at 5:30 p.m. on Tuesday, November 26, 2019 in the Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

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

3. INVOCATION:

The invocation was delivered by Commissioner Sherelean Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC INPUT:
Agenda Items Only

6. RESOLUTIONS:

- a) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A SETTLEMENT AGREEMENT INVOLVING LAW ENFORCEMENT MATTERS IN THE TOTAL AMOUNT OF EIGHT THOUSAND DOLLARS; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

The above resolution was read by Attorney Crawford.

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

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

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Not Present
Commissioner Bass	Yes
Mayor Pigatt	Yes

- b) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO INITIATE THE CLOSE OUT PROCESS WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RELATING TO THE DRINKING WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT (LOAN #DW130331); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** Sponsored by City Manager

The above resolution was read by Attorney Crawford.

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

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

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Not Present
Commissioner Bass	Yes
Mayor Pigatt	Yes

7. SECOND READING ORDINANCES/PUBLIC HEARINGS:

- a) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL FUND BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on November 8, 2019).**
Sponsored by City Manager

The above ordinance was read by Attorney Crawford.

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 Burke to pass the ordinance.

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

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Not Present
Commissioner Bass	Yes
Mayor Pigatt	Yes

- b) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED PROPRIETARY AND SPECIAL REVENUE FUND BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on November 8, 2019).
*Sponsored by City Manager***

The above ordinance was read by Attorney Crawford.

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 Commissioner Bass to pass the ordinance.

Mayor Pigatt thanked the City Manager's Office and the Finance Department for all of the work they completed regarding the budget.

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

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Not Present
Commissioner Bass	Yes
Mayor Pigatt	Yes

6. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Burke, seconded by Vice Mayor Davis to adjourn the meeting at 5:40 p.m.

MAYOR

ATTEST:

CITY CLERK



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: Public Presentations

PUBLIC PRESENTATIONS

Joanna Flores

From: Borjes, Lenna (DIST13) <Lenna.Borjes@miamidade.gov>
Sent: Friday, October 11, 2019 1:29 PM
To: Joanna Flores
Subject: Commissioner Bovo Census Presentation to the City of Opa-Locka

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. If if this is a suspicious message please contact itsupport@opalockafl.gov

Good afternoon Ms. Flores,

Hope this email finds you well. Miami-Dade County Commissioner Esteban Bovo Jr. would like to make a presentation on the 2020 Census in the following weeks to the City of Opa-Locka Mayor and Council Members. As Chair of Miami-Dade County 2020 Census Task Force, he will discuss the importance of having everyone counted in our county. In addition, he will give an update on our current status; explain the children and immigrant undercount; describe our outreach efforts and municipal and local partner participation; as well as inform about our county resources.

We respectfully request the approval of Commissioner Bovo's 2020 Census presentation.

Best Regards,

Lenna Borjes, MPA
Commission Aide
Office of Commissioner Esteban Bovo, Jr. (DIST. 13)
111 NW 1ST ST, SUITE 320
MIAMI, FLORIDA 33128
Ph: 305.375.5380 or 305.820.8424
Lenna.Borjes@miamidade.gov

All lobbyist must register prior to a meeting with Commissioner Bovo.
Lobbyist Register: Clerk of the Board, 111 NW 1st Street, 17th Floor

Stay connected with Commissioner Bovo!



James H. Greason

Attorney at law

November 10, 2019

VIA EMAIL: jpate@opalockafl.gov; jflores@opalockafl.gov

John E. Pate, City Manager
City of Opa-locka
780 Fisherman Street. 4th Floor
Opa-locka, FL 33054

RE: IN RE: JOHN RILEY
MIAMI-DADE COMMISSION ON ETHICS & PUBLIC TRUST
Case No. C19-05-02

Dear Mr. Pate:

Undersigned counsel is in receipt of a response of the Assistant City Attorney's denial of my request on October 30, 2019, that legal representation be provided to former City Commissioner John Riley in a now-pending proceeding before the Miami-Dade Commission on Ethics. Copies of my letter and the response are attached for your reference.

The Ethics Commission's Complaint is predicated upon Mr. Riley's purported discussion at the scene with an Opa-locka police officer who had responded to a woman's request for help to prevent her "unlawful eviction." Mr. Riley was in a city vehicle at the time and advised the officer that the incident was a civil, not criminal, matter and therefore beyond the officer's jurisdiction as established by published police protocols. Commissioner Riley further commented that the apartment was Section 8 and could not have been sublet to the woman, and the officer's involvement in a civil matter could potentially expose the city to liability. This count of the Complaint is not addressed in the Assistant City Attorney's response.

Mr. Riley's alleged actions fall squarely with the scope of his office as City Commissioner. Section 2.5 of the Opa-locka Charter confers upon the Commission the power, *inter alia*, "to inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs." City Commissioners are not precluded from addressing police officers in the field, and it is the custom and practice that commissioners may respond to

☛ P. O. Box 800351
Aventura, FL 33280-0351

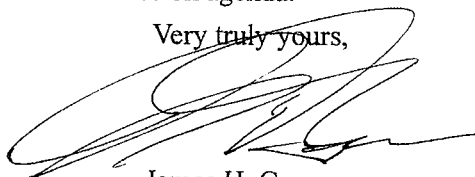
TELEPHONE/TEXT: 305-582-9158
EMAIL: JHGreason@msn.com

such events. Commissioner Riley immediately disclosed the incident and the officer's involvement to the City Manager as is required by Chapter 23 of the Opa-locka Code of Ordinances. The gravamen of the Ethics Commission Complaint is Commissioner Riley's office at the time, and clearly the charged offenses arise out of and were in the scope of Commissioner Riley's public office, and his words were in service of public purpose.

Mr. Riley is entitled to payment by the City for his legal representation in accordance with Opa-locka Code §§2-8.1 & 2-8.2. as well as §111.07, Fla. Stat., and the long-standing custom and practice of the City of Opa-locka. Florida common law also requires that the city provide former Commissioner Riley representation. *See, Thornber v. City of Ft. Walton Beach*, 568 So.2d 914, 917 (Fla. 1990); *Lomelo v. City of Sunrise*, 423 So.2d 974, 976 (Fla. 4th DCA 1982), *rev. dismissed*, 431 So.2d 988 (Fla. 1983)(mayor interfered in a lawful arrest, *held* If a public officer is charged with misconduct while performing his official duties and while serving a public purpose, the public has a primary interest in such a controversy and should pay the reasonable and necessary legal fees incurred by the public officer in successfully defending against unfounded allegations of official misconduct, *held*, "If the city council was or is displeased with his activities other remedies are available. **They may not abandon his legal defense simply because they disapprove of his actions.**") (emphasis supplied); *Nuzum v. Valdes*, 407 So.2d 277, 279 (Fla. 3d DCA 1981)(alleging an interference with advantageous business relationships as well as the intentional tort of conspiracy, *held*, "To deny a public official representation for acts purportedly arising from the performance of his official duties would have a chilling effect upon the proper performance of his duties and the diligent representation of the public interest."); *Ellison v. Reid*, 397 So.2d 352, 354 (Fla. 1st DCA 1981) (property appraiser accused by Florida Ethics Commission with misconduct, cheating, while attending training program).

In accordance with the Opa-locka Charter and Citizen's Bill of Rights, former Commissioner Riley demands appearance before the City Commission determine his right to legal representation before the Miami-Dade Commission on Ethics and requests the issue be placed on the soonest available Commission agenda.

Very truly yours,



James H. Greason

cc: Hon. John Riley

☛ P. O. Box 800351
Aventura, FL 33280-0351

TELEPHONE/TEXT: 305-582-9158
EMAIL: JHGreason@msn.com



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO CLOSE ALL CITY OF OPA-LOCKA OFFICES FROM DECEMBER 25, 2019 THROUGH DECEMBER 27, 2019 AND PROVIDE PAID VACATION TO EMPLOYEES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

CONSENT AGENDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO CLOSE ALL CITY OF OPA-LOCKA OFFICES FROM DECEMBER 25, 2019 THROUGH DECEMBER 27, 2019 AND PROVIDE PAID VACATION TO EMPLOYEES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, pursuant to the referenced provision of the Florida Constitution, the City may exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act" implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, the City of Opa-locka ("City") intends to designate the period from December 25 through December 27 as an annual "Holiday Season"; and

WHEREAS, City employees have not received merit increases or cost of living adjustments for multiple years and have endured a difficult work environment marked by instability; and

WHEREAS, critical or essential employees will be credited for the additional paid vacation pursuant to City policy; and

WHEREAS, the City Commission of City of Opa-locka finds that it is in the best interest of the City of Opa-locka to close its offices from December 25, 2019 through December 27, 2019.

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

Resolution No.

The City Commission hereby directs the City Manager to close all city of Opa-locka offices from December 25, 2019 through December 27, 2019 and provide paid vacation to employees.

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. EFFECTIVE DATE.

This Resolution shall take effect immediately upon adoption and is subject to the approval of the Governor or his designee.

PASSED AND ADOPTED this 11th day of December, 2019.

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 Burke:
Commissioner Kelley:
Commissioner Bass:
Vice-Mayor Davis:
Mayor Pigatt:



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF FINAL SITE PLAN REVIEW FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 12940 NW 27TH AVENUE AND THE ADJACENT PARCEL LOCATED AT THE CORNER OF NW 128TH STREET AND NW 27TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-004-0031 AND 08-2128-004-0022, IN THE B-2 AND B-3 ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE.

PLANNING & ZONING PUBLIC HEARING

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF FINAL SITE PLAN REVIEW FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 12940 NW 27TH AVENUE AND THE ADJACENT PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-004-0031 AND 08-2128-004-0022, IN THE B-2 AND B-3 ZONING DISTRICTS; 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 site plan review request; and

WHEREAS, the applicant appeared and presented their formal application request, all evidence, documents, and marked exhibits before the Planning & Zoning Board on October 8th, 2019 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 approved this request for final site plan review, attached as Exhibit "A" hereto, at the October 8th, 2019 meeting by a 4 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.

WHEREAS, the applicant is requesting that the property identified by folio #08-2128-004-0022 be rezoned from B2 to a B3 zoning designation; and

WHEREAS, the property identified by folio number Folio #08-2128-004-0031 and address 12940 NW 27th Avenue is currently in the B3 zoning district and said zoning designation will remain the same.

WHEREAS, the applicant is requesting that the City Commission approve the site plan attached hereto as Exhibit "A".

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 Self Storage Facility on the property located at 12940 NW 27th Avenue and the adjacent parcel located at the corner of NW 129th Street And NW 27th Avenue and identified by Folios 08-2128-004-0031 and 08-2128-004-0022, in The B-2 and B-3 Zoning Districts.

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 _____, 2019.

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 Pate		CM Signature:		
Commission Meeting Date:	11-13-19		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	
		X	Public Hearing: (Enter X in box)	Yes	No
				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:	Strategic Plan	
	X		Enhance Organizational ☐	Obj./Strategy: (list the specific objective/strategy this item will address)	
			Bus. & Economic Dev ☒		
			Public Safety ☐		
			Quality of Education ☐		
			Qual. of Life & City Image ☐		
			Communcation ☐		
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 12940 NW 27TH AVENUE AND THE ADJACENT PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-004-0031 AND 08-2128-004-0022, IN THE B-2 AND B-3 ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE..

Staff Summary:

The applicant has made a request to change zoning to B-3 to allow for self-storage warehouse at 12940 nw 27th avenue. The south parcel is currently zone B-3 which allows for a self-storage facility. The subject property is currently own by Joel-N-Bonwit, Inc. according to the Miami-Dade County Property appraiser's website. The subject Property is previous automotive operation and the current land consists of two parcels

(Folio #08-2128-004-0022 North Parcel, Folio # 08-2128-004-0031 South Parcel), zoning for north parcel is B-2 which allows for commercial uses but does not allow for self-storage facilities. The proposed rezoning was presented to the Planning & Zoning Board at their October 16, 2019 meeting. The P&Z Board recommended approval of this amendment by a 6 to 0 vote. The rezoning, if approved, will allow north parcel to be rezoned for B-3, allowing for the use of a self-storage facility.

BACKGROUND

The applicant proposes to utilize the property as a self-storage facility. The proposed use will include a 107,340 square foot building, 27 parking spaces. The parking lot portion of the development will be located along the rear (west) of the property. The Applicant also indicated in the site plan, proposal to have a masonry construction or a decorative masonry block to prevent the view of parking lot. Furthermore, retention swales are indicated in the Site Plan for drainage purposes. The Community Development Department reviewed the rezoning requests and are in agreeance that the proposed rezoning is consistent with the area and the end result will bring a new productive use to the area. Staff have reviewed the Code of Ordinance and determined that the project was adequately addressed by our City Code. This amendment request was reviewed and recommended for approval by the Planning & Zoning Board Council on October 16th, 2019.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- Safe and Secure Self-Storage – Site Plan
P & Z Board Meeting Minutes 10-16-19

EXHIBIT "A"

PLANNING COUNCIL

October 8th

2019



SAFE AND SECURE SELFS STORAGE: Site Plan **APPLICANT'S REQUEST:**

Staff Report

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING FINAL SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 12940 NW 27TH AVENUE AND THE ADJACENT PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-004-0031 AND 08-2128-004-0022, IN THE B-2 AND B-3 ZONING DISTRICTS; 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:
28-29 52 41
NILE GDNS SEC 2 PB 31-42
N303.04FT OF W110FT OF E118FT OF
LOT 6 LESS S150FT
LOT SIZE 153.040 X 110
OR 11984-3264 1183 5
COC 23152-2250 02 2005 6
- The subject property is currently own by Joel-N-Bonwit, Inc. according to the Miami-Dade County Property appraiser's website. The subject Property is previous automotive operation and the current land consists of two parcels (Folio #08-2128-004-0022 North Parcel, Folio # 08-2128-004-0031 South Parcel), zoning for north parcel is B-2 which allows for commercial uses but does not allow for self-storage facilities. The applicant has made a request to change zoning to B-3 to allow for self-storage warehouse at this location. The south parcel is currently zone B-3 which allows for a self-storage facility.
- Currently the site conditions are as follow: a single office building and parking lot (*see Existing Condition Section*). The site is located immediately adjacent to main railroad to the east and easements at its west, north and south edge. The site is only accessible via county road at its western edge providing for ingress and egress, immediately adjacent to NW 27th Avenue.

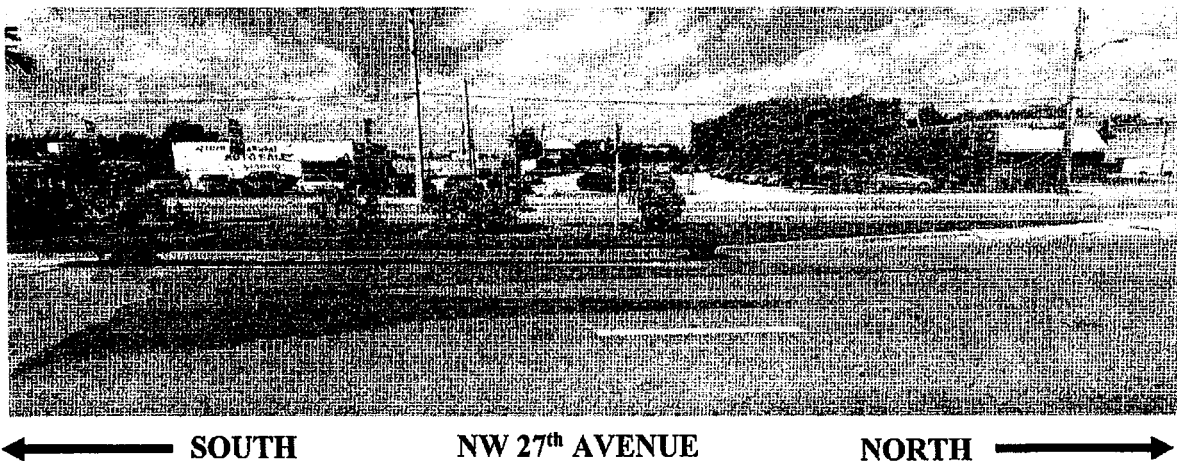


Figure 1: Google Street View, dated:

II. Project Details

- Applicant's intent**

The applicant proposes to utilize the property as a self-storage facility. The proposed use will include a 107,340 square foot building, 27 parking spaces. The parking lot portion of the development will be located along the rear (west) of the property.

The Applicant also indicated in the site plan, proposal to have a masonry construction or a decorative masonry block to prevent the view of parking lot. Furthermore, retention swales are indicated in the Site Plan for drainage purposes.

Site Computations & Land Development Regulations Zoning Code Table 1			
Applicant	Safe and Secure Self-Storage		
Folio Number	Opa-locka: 08-2128-004-0022		
	Opa-locka: 08-2128-004-0031		
Address Location	12940 NW 27 th Avenue		
Building (s) Footprint	Total Site Area – 53,080 SF		
	Office Bldg. – 21,468 SF		
	Parking Lot – 18,680 SF		
	Common Green Area – 12,932 SF		
Floor Area	Total 107,340 SF		
Zoning	B-2 – Commercial Liberal		
	B-3 – Commercial Intensive		
Zoning Code Consistency	The proposed use for Safe and Secure Self-Storage Facility is consistent with the B-3 Zoning Code however would need to rezone the north parcel from B-2 to B-3.		
Existing Land Use	Auto Dealership / B-2 and B-3		
Future Land Use Designation	B-3		
Comprehensive Plan Consistency	The proposed use for Safe and Secure Self-Storage Facility is not consistent with the Comprehensive Plan because half of the requested property is B-2.		
Applicable LDR Sections	Ordinance no. 15-31, Article III Sections: 22-54; 22-55; 22-112; Ord. no. 14-16		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front (East)	15 Feet	15 Feet	YES
Rear (West)	15 Feet	15 Feet	YES
Side (North)	0 Feet	43 Feet	YES
Side (South)	0 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	10,000 (0.23 Acres)	107,340 SF (8.4 Acres)	YES
Lot Width	N/A	N/A	N/A

Building Height	6 Stories or 65 Feet whichever less	Office Building: 5 Stories/ 60 Feet	YES
Structure Length	N/A	N/A	N/A
Other Vehicular Use Area	1,625 SF	18,680 sq. ft.	YES
Landscaping		12,932 sq. ft.	
Parking Details	Office buildings: pursuant to the Land development Regulation Ordinance 86-8: Article 4, section 22-91: one (1) Parking per 2500 square feet of floor area. -43 spaces required * Off. Bldg. = 27 spaces Required	Office Bldg. 21,000 SF Parking Lot: 18,680 SF Total Space Provided: 27 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 Friday, April 17, 2015. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, October 09 th , 2019. - 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.		

II. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by commercial properties to the north and south and industrial to the west with ingress and egress to NW 27th Avenue.
- Sidewalk alongside the east edge of the Property

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (F.U.)	Zoning
North	Commercial/Laundromat	Commercial	B-2 (Commercial Liberal)
South	Commercial/Car Sales	Commercial	B-3 (Commercial Intensive)
East	ROW	ROW NW 27 th Avenue	N/A
West	Res Condo/Commercial Car Sales	Residential/Commercial	R-3/B-3

Surrounding Zoning Designation Map

The Site is Highlighted in Yellow

- **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 "Safe and Secure Self-Storage facility" 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 .30ac. (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 proposing to remove a chain link fence, fencing off the proposed parking area instead with a Masonry Construction/Decorative Masonry Block Wall 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.
- The applicant has applied for a Comprehensive Plan Amendment for a land use change for the north parcel from B-2 to B-3. (Please see Comprehensive Plan Amendment Staff Report detail).

DOES NOT
COMPLY

- **B-3 (Commercial Intensive) Zoning allows all B-2 (Commercial Liberal) Permitted Uses:** Project Specific: *Self-Storage facility*

- **Findings:**

- According to the City's Land Development Regulation/ Zoning Code B-2 (Commercial Liberal) which all permitted uses are also allowed in the B-3 (Commercial Intensive) Zoning District. The Safe and Secure Self-Storage facility which categorized as a Self-Storage facility is permitted within a B-3.
 - Applicant has applied for a Land Development Regulation/ Zoning Code Text Amendment. *(Please See Zoning Code Text Amendment Report for more Details)*

PARTIALLY IN COMPLIANCE

- **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.

V. Project Need Assessment / other Required Approvals

1. Comprehensive Plan Amendment (Small Scale): Land Use Change (Map Amendment); also subject to the Department of Economic Opportunity (DEO) Review).
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019
2. Land Development Regulation/Zoning Code Text Amendment
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019
3. Site Plan
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019
4. Development Agreement
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019

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

/I. **Staff Recommendation:**

- Staff recommend approval of this Site Plan pending the following other approvals:
 - Zoning change;
 - Land Development Regulation/ Rezoning: if approved, north parcel will be rezoned for B-3, allowing for the use of a self-storage facility;
 - A Development Agreement must be submitted along with this Safe and Secure Self Storage 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 Safe and Secure Self-Storage 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 Council Board deem necessary to this Safe and Secure Self-Storage 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 Safe and Secure Self Storage Facility site plan;
 - Address all Miami-Dade County's input/recommendations as appropriate

II. **Attachments:**

- Site Plan
- Development Agreement
- Zoning Change of north parcel from B-2 to B-3

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	

III. **Staff Report Updated After the Planning and Zoning Board Meeting on October 09th, 2019. *Reflected Actions:***

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

Resolution No. 19-1008-01, 19-1008-02, 19-1008-03

RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: Safe and Secure Self-Storage
FOR: SITE PLAN APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 107,240 SQ. FT. SELF STORAGE FACILITY WITH 27 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: 10-09-2019
 - 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 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 Safe and Secure Storage Facility

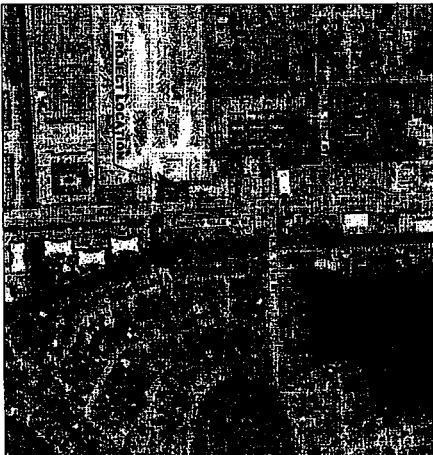
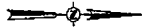
SAFE AND SECURE SELF STORAGE

MIAMI-DADE COUNTY, FLORIDA

JOEL-N-BONWIT, INC

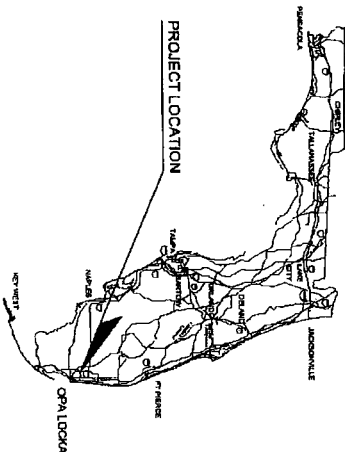
INDEX OF PLANS

SHEET NO.	SHEET DESCRIPTION
CS-1	COVER SHEET
SP-1	SITE PLAN
PD-1	CONCEPTUAL ENGINEERING PLAN
PH-1	SITE CROSS SECTIONS & DETAILS
A1	PHOTOMETRIC PLAN
A2	BUILDING GROUND FLOOR
A3	FLOOR PLAN SECOND FLOOR
A4	FLOOR PLAN THIRD FLOOR
A5	FLOOR PLAN FOURTH FLOOR
A6	FLOOR PLAN FIFTH FLOOR
A7	ROOF PLAN
A8	BUILDING ELEVATIONS
L-1	LANDSCAPE PLAN
S-1	SURVEY



LOCATION MAP

SCALE: 1" = 300'
SECTION 28 / TOWNSHIP 52 S / RANGE 41 E



SITE PLAN



HSA GROUP, INC.
Engineers · Planners · Surveyors
1001 Yamayo Road, Suite 105
Boca Raton, Florida 33431 · 561.392.0221
C26258 · 187824

DEVELOPER:

DEL JESTO LLC
C/O PUGLIESE
101 PUGLIESE WAY
DELMAR BEACH, FL 33444
(850) 464-1623

PLANNER:

HSA GROUP, INC.
SUITE 105
1001 YAMAYO ROAD
BOCA RATON, FL 33431
(850) 392-0221

ARCHITECT:

KENNETH R. CARLSON
ARCHITECT, P.A.
1180 W. NEWPORT CENTER,
SUITE 100
DEERFIELD BEACH, FL 33442
(850) 427-5848

CIVIL ENGINEER:

HSA GROUP, INC.
SUITE 105
1001 YAMAYO ROAD
BOCA RATON, FL 33431
(850) 392-0221

LANDSCAPE ARCHITECT:

MICHAEL J. PERROW &
ASSOCIATES, INC.
CORAL SPRINGS, FL
(854) 752-7782

SAFE AND SECURE SELF STORAGE

COVER SHEET

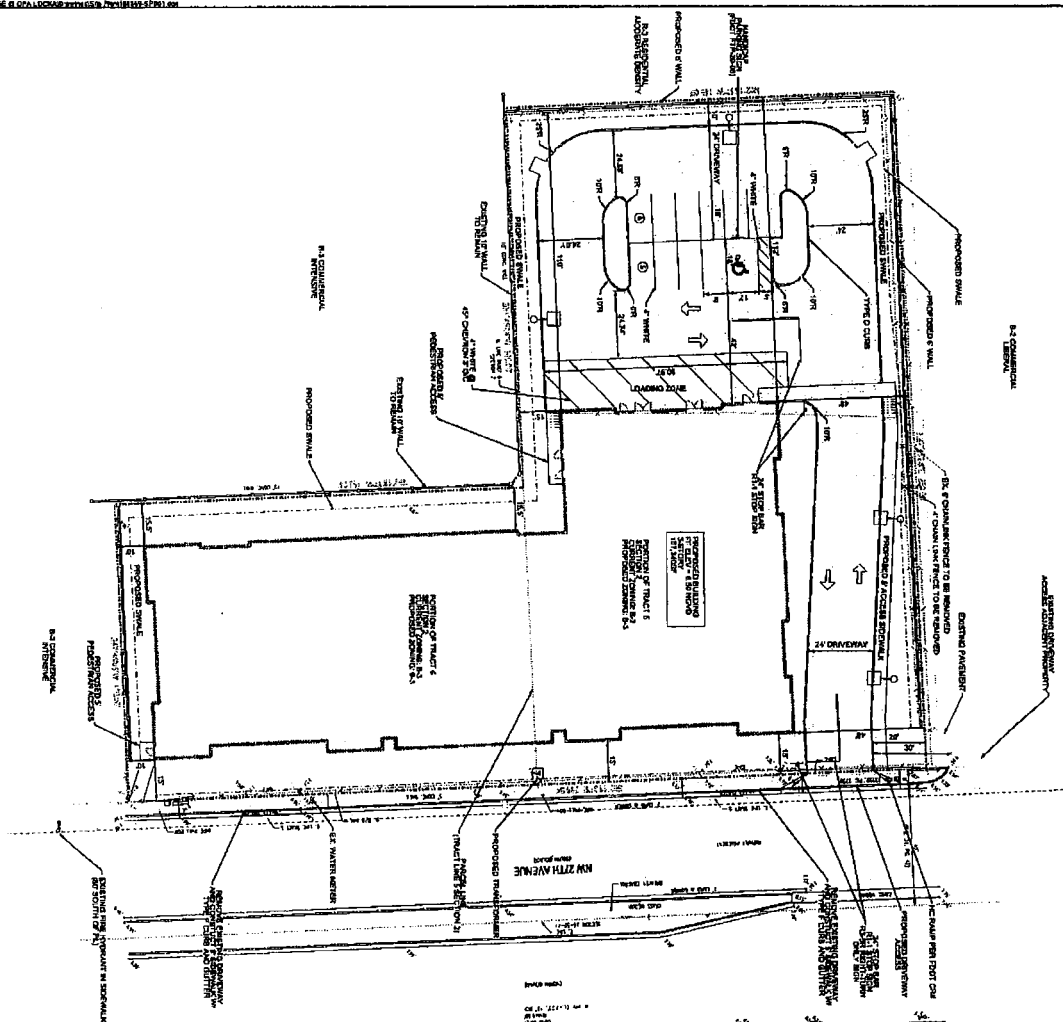


HSA GROUP, INC.
Engineers · Planners · Surveyors
1001 Yamayo Road, Suite 105
Boca Raton, Florida 33431 · 561.392.0221
C26258 · 187824



PROJECT: 1808-69
SHEET: CS-1

THESE PLANS WERE PREPARED AND/OR REVISIONS MADE BY THE ENGINEER AND TO THE BEST OF HIS KNOWLEDGE AND BELIEF THEY COMPLY WITH ALL CITY, COUNTY, STATE AND FEDERAL REQUIREMENTS AND REGULATIONS. ENGINEER'S SIGNATURE: MICHAEL J. PERROW

[illegible]

SUBJECT PROPERTY ADDRESSES: 13840 HWY 27TH AVENUE, PALOCCA, PA

LEGEND

- PROPOSED LIGHTING
- PROPOSED ADA TRAIL
- PROPOSED CONCRETE STRUCTURE
- PROPOSED ASPHALT PLAYGROUND
- PROPOSED ADULT TRAMPOLINE

0 20 40
feet
SCALE: 1"=80'

N

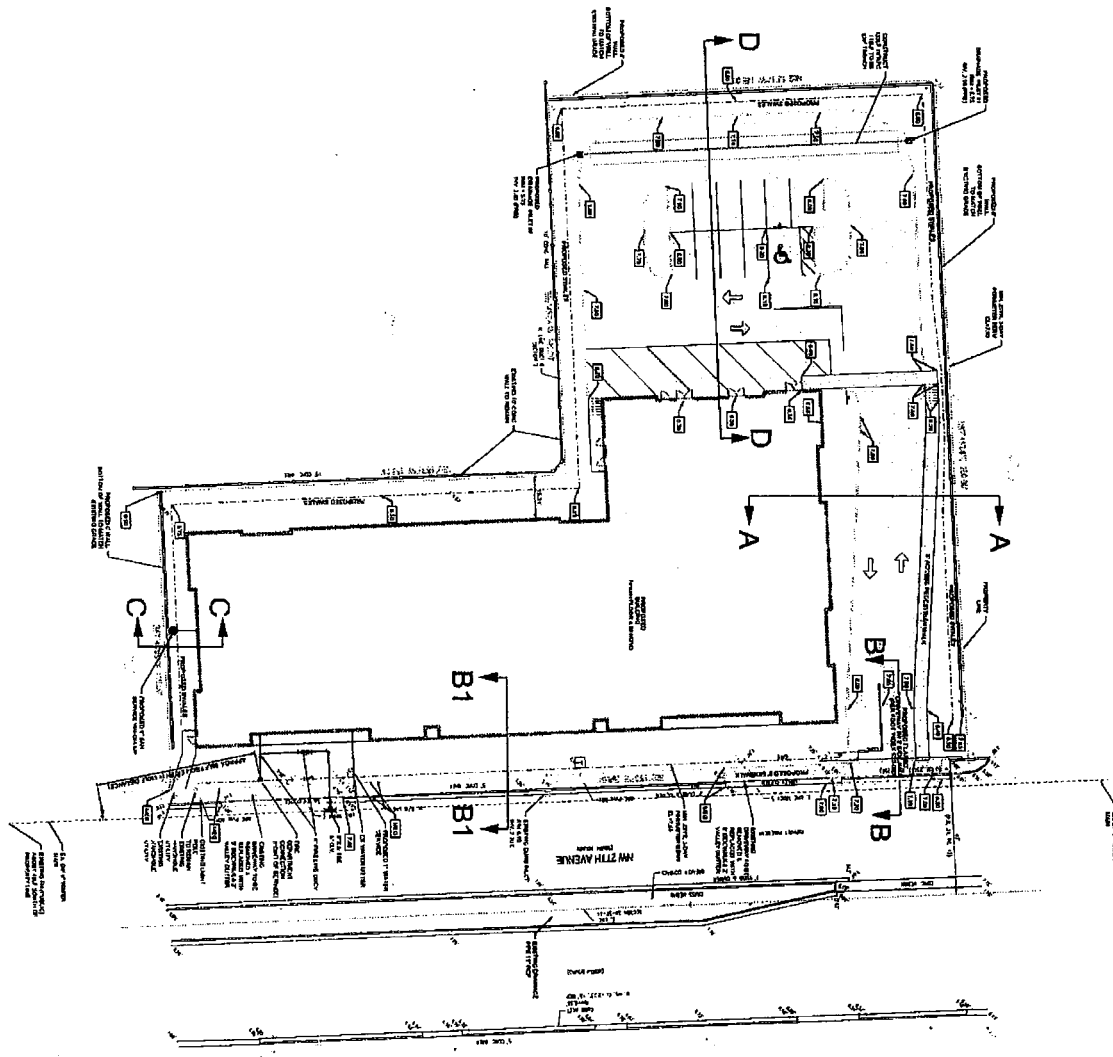
For information about the **2000-2001** program, call 800-445-2345 or visit our website at www.aaup.org. For more information, contact your local AAUP chapter.

SAFE AND SECURE SELF STORAGE

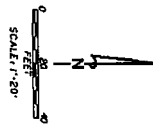
SITE PLAN



1	10/1/19	JSM	REINSTE PER DRG COMMENTS
MC	DATE	BY	REVISIONS

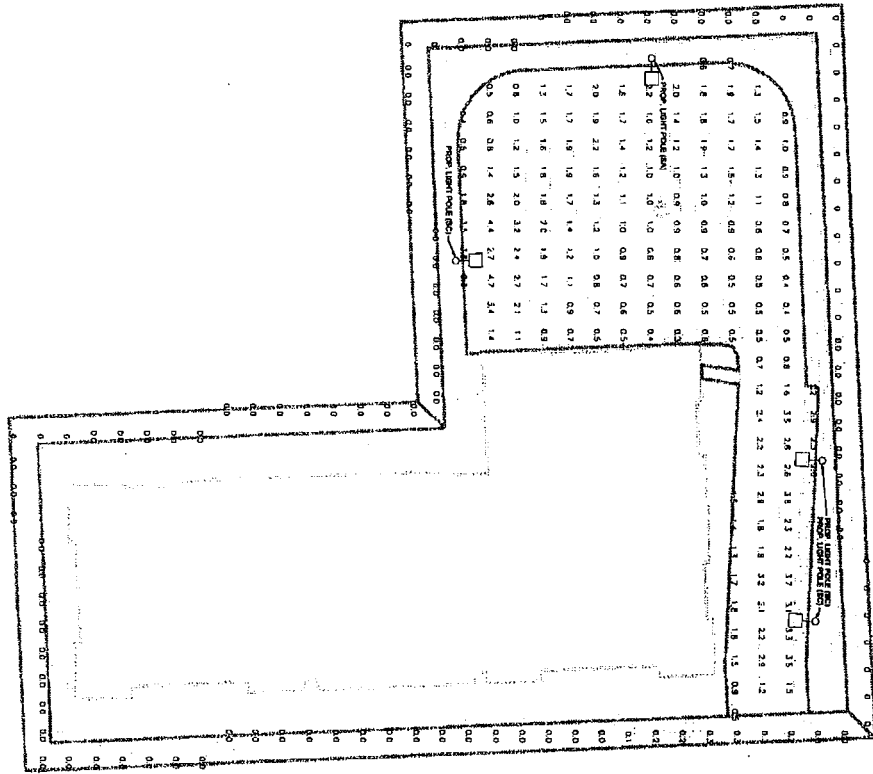


- LEGEND
- LIGHT POLE
 - F.P. TRANSFORMER
 - HANDICAP STALL
 - SIGN
 - NEW PAVEMENT
 - CONCRETE SIDEWALK

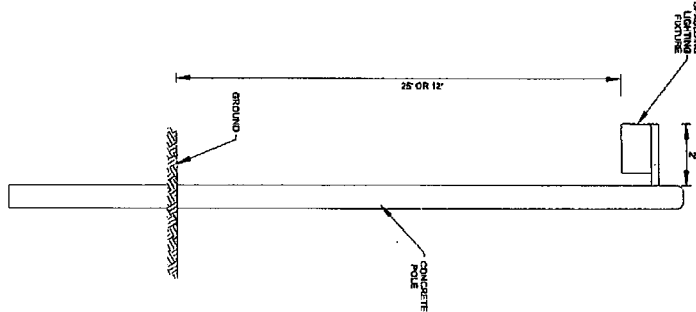


SELF STORAGE - OPA LOCKA CONCEPTUAL CIVIL		 HSQ GROUP, INC. Engineers - Planners - Surveyors 1801 Yampa Road, Ste. 50 Rock Hill, South Carolina 29733-1001 Phone: (803) 781-1000		NO. DATE BY REVISIONS
DATE:	6/18/18			
DESIGNED BY:	JM			
DRAWN BY:	NM			
CHECKED BY:	JM			
PROJECT: 1803-03 SHEET: PD-1				

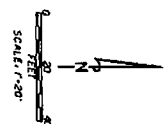
LUMINAIRE SCHEDULE									
CALLOUT	SYMBOL	LAUD	DESCRIPTION	MODEL	VOLTS	QUANTITY	TOTAL LUMENS	HOURLY PREVIEW	SIZE
3A		1' x 1' LED - 100W	Quantity 12	SP-100-LED-100W	120V W 24"	12	12000	20"	15"
3C		1' x 1' LED - 100W	Quantity 12	SP-100-LED-100W	120V W 24"	12	12000	20"	15"



GENERAL PHOTOMETRIC SCHEDULE	
4' x 4' LED - 100W	1.9
4' x 4' LED - 100W	4.7
4' x 4' LED - 100W	0.3
4' x 4' LED - 100W	0.07
4' x 4' LED - 100W	1.0
4' x 4' LED - 100W	1.0
4' x 4' LED - 100W	0.07 / 0
4' x 4' LED - 100W	4.30



OFFSITE	
4' x 4' LED - 100W	0.07
4' x 4' LED - 100W	0.3
4' x 4' LED - 100W	0
4' x 4' LED - 100W	0
4' x 4' LED - 100W	0.07 / 0
4' x 4' LED - 100W	0.07 / 0
4' x 4' LED - 100W	0.07 / 0
4' x 4' LED - 100W	0.07 / 0



-  LIGHT POLE
-  POLE TRANSFORMER
-  HANDICAP STALL
-  SIGN

SAFE AND SECURE SELF STORAGE

LIGHTING PLAN



HSQ GROUP, INC.
Engineers - Planners - Surveyors
1801 Yankee Road, Suite 100
Boca Raton, Florida 33431 (561) 992-0021
CRESS - LESTER

DATE	REVISION	BY	CHKD BY
10/11/17	1	AS	AS
10/11/17	2	AS	AS
10/11/17	3	AS	AS

PROJECT: 1808-09

DATE: 10/11/17

BY: AS

CHKD BY: AS

1808-09

10/11/17

AS

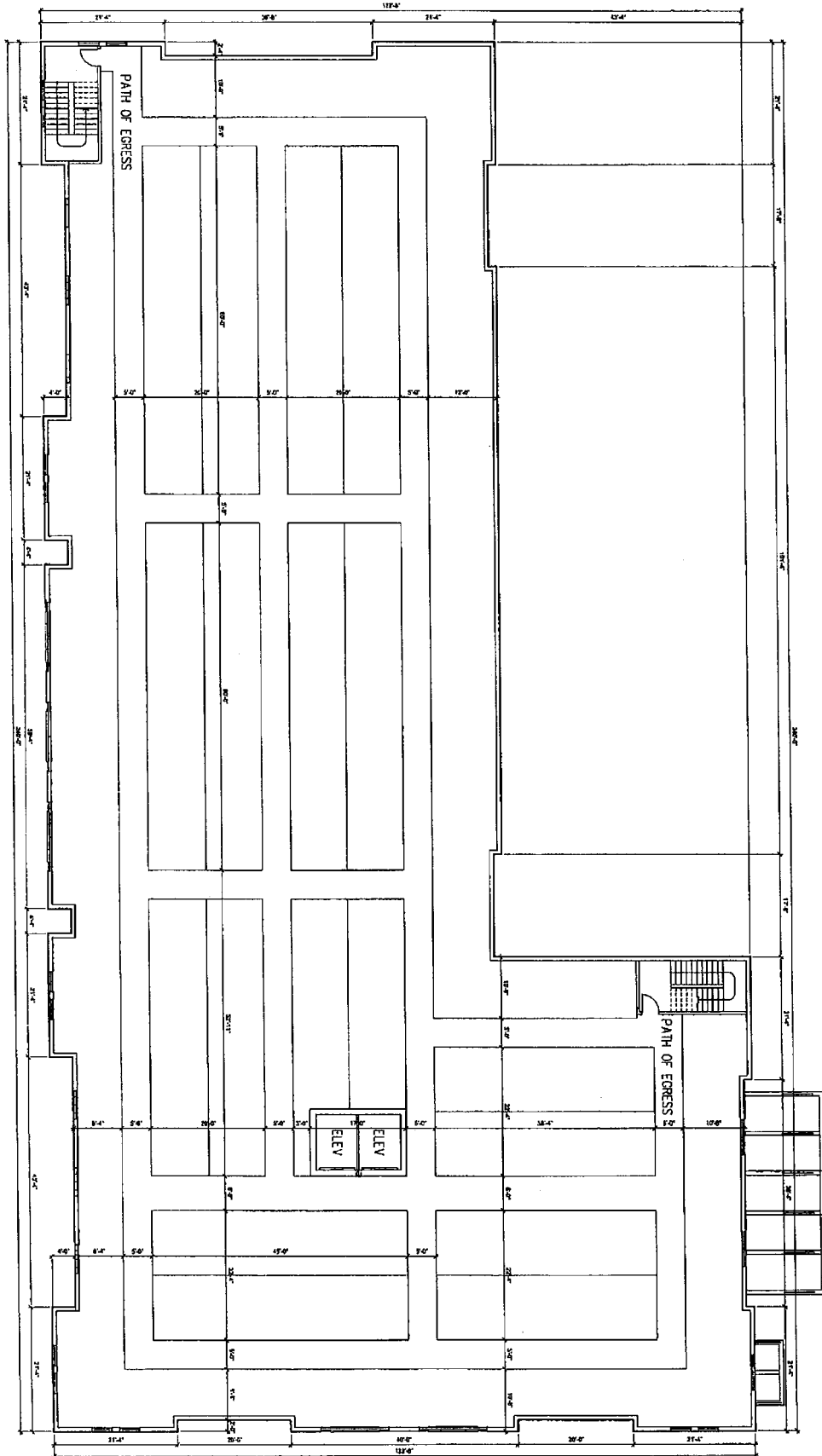
AS

REVIEW PER DRG COMMENTS

DATE: 10/11/17

BY: AS

SECOND FLOOR PLAN SCALE: 1/8" = 1'-0"



These architectural drawings are a preliminary design and are not to be used for construction. They are subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The architect is not responsible for any errors or omissions in these drawings.

A2	Sheet Title FLOOR PLAN SECOND FLOOR	GOODS EDWARD DESIGN STUDIOS 2645 Highway 74 Fort Smith, AR 72305 501-471-0748 goodsdesign.com	Scale 1/8" = 1'-0" 1/4" = 1'-0" 1/2" = 1'-0" 3/4" = 1'-0" 1" = 1'-0"	Symbol Circle Sy Revisions
	Project SAFE & SECURE SELF-STORAGE at OPA-LOCKA OPA-LOCKA, FLORIDA			

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

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GEA LOCKA, FLORIDA

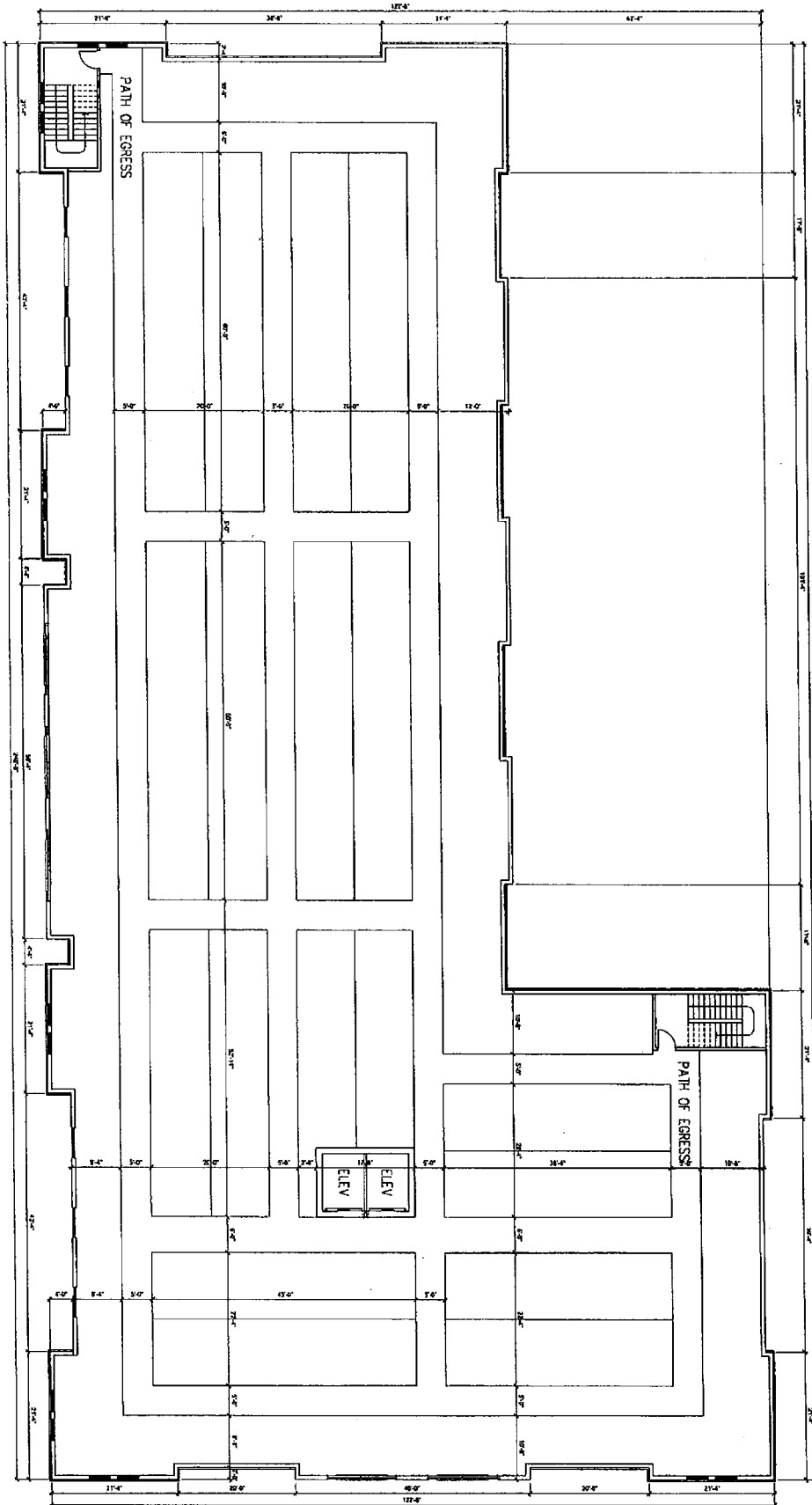
GOOD & EDWARD
DESIGN STUDIOS
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Main Street
Evergreen, CO 80439
321-271-0148
Good&Edward.com

page 7 last

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A3

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



OPALOCKA, FLORIDA

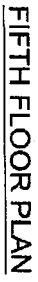
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GoodEdward.com

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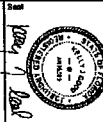
A4

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



OPALOCKA, FLORIDA

**GOOD &
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28245 Highway 74
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GoodEdward.com

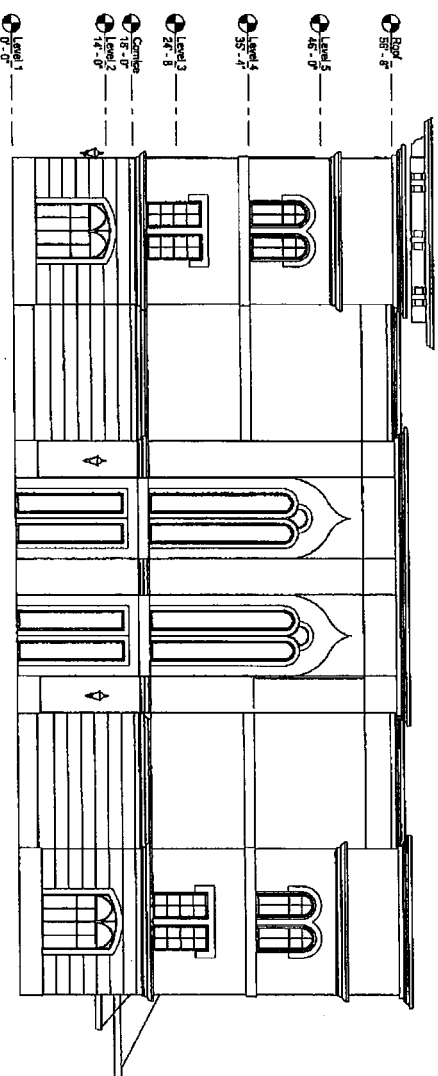
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A5

SCALE: 1/8" = 1'-0" (NW 27th AVE)

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

(NW 27th AVE)



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

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

- ## COLORS:
- 1 WALL - BOTTOM ROOM PAINTING
 - 2 WALL - TOP - STONE WHITE
 - 3 BANDS - ROOM PAINTING
 - 4 VERTICAL SLABENT PANELS - ROOM PAINTING
 - 5 DOORS - WHITE
 - 6 CHAIRS - BROWN METAL
 - 7 WINDOWS - WHITE METAL

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GOOD & EDWARD
DESIGN STUDIOS

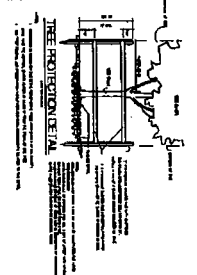
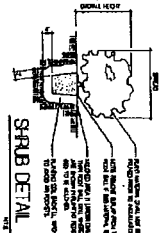
28245 Highway 74
Main Street
Evergreen, CO 80439
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ELEVATIONS

RE SELF-STORAGE at OPA-LOCKA

OPA-LOCKA, FLORIDA

A7

[illegible][illegible]

[illegible][illegible]

1. What is the purpose of the study?
 The purpose of the study is to determine the effect of the use of the Internet on the learning of English as a second language.

2. What is the research question?
 The research question is: "What is the effect of the use of the Internet on the learning of English as a second language?"

3. What is the hypothesis?
 The hypothesis is: "The use of the Internet will have a positive effect on the learning of English as a second language."

4. What is the independent variable?
 The independent variable is the use of the Internet.

5. What is the dependent variable?
 The dependent variable is the learning of English as a second language.

6. What is the control group?
 The control group is the group of students who did not use the Internet.

7. What is the experimental group?
 The experimental group is the group of students who used the Internet.

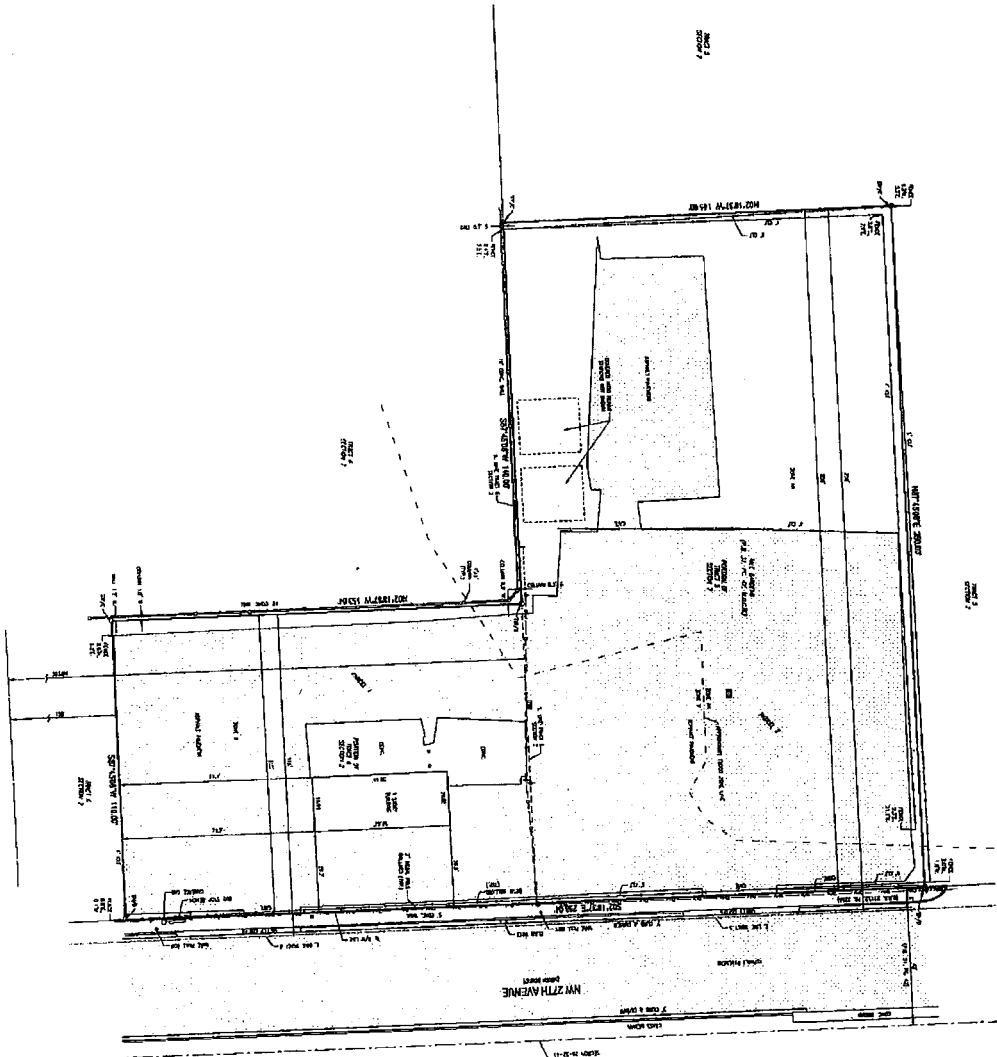
8. What is the data collection method?
 The data collection method is a questionnaire.

9. What is the data analysis method?
 The data analysis method is a t-test.

10. What is the conclusion?
 The conclusion is: "The use of the Internet has a positive effect on the learning of English as a second language."

[illegible]

PROJECT NUMBER
180866
SHEET NUMBER
1 OF 1

[illegible]



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF A REQUEST TO REZONE THE PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE FROM B-2 TO B-3 TO ALLOW THE CONSTRUCTION OF A SELF STORAGE FACILITY ON THIS PARCEL AND 12940 NW 27 AVENUE, OPA-LOCKA, FL 33054 IDENTIFIED BY FOLIOS 08-2128-004-0022 AND 08-2128-004-0031; PROVIDING FOR AN EFFECTIVE DATE.

**FIRST READING
ORDINANCES /
PUBLIC HEARINGS**

ORDINANCE NO.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APROVAL OR DENIAL OF A REQUEST TO REZONE THE PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE FROM B-2 TO B-3 TO ALLOW THE CONSTRUCTION OF A SELF STORAGE FACILITY ON THIS PARCEL AND 12940 NW 27TH AVENUE, OPA-LOCKA, FL 33054 IDENTIFIED BY FOLIOS 08-2128-004-0022, AND 08-2128-004-0031; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article I and Article 2 of the City of Opa-locka Code of Ordinances ("Code"), the City Commission has the power to adopt and modify the official map of the City of Opa-locka ("City"); and

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 site plan review request; and

WHEREAS, the applicant appeared and has presented their formal application request, all evidence, documents, and marked exhibits before the Planning & Zoning Board on October 8th, 2019 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 to rezone the parcel at the October 8th, 2019 meeting by a 4 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; and

WHEREAS, the applicant is requesting that the property identified by folio #08-2128-004-0022 be rezoned from B2 to a B3 zoning designation; and

WHEREAS, the property identified by folio number Folio #08-2128-004-0031 and address 12940 NW 27th Avenue is currently in the B3 zoning district and said zoning designation will remain the same.

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 Ordinance by reference.

SECTION 2. Approval Of Rezoning.

The request to Rezone this property from B-2 to B-3, as legally described herein, is hereby approved.

SECTION 3. Conflict and Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. Severability.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. Scrivener's Errors.

Sections of this Ordinance may be re-numbered 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 6. Liberal Construction.

The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it was adopted.

SECTION 7. Effective Date.

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

PASSED AND ADOPTED this _____ day of _____, 2019.

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 Pate		CM Signature:		
Commission Meeting Date:	11-13-19		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	2nd Reading
		X	Public Hearing: (Enter X in box)	Yes X	No
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:

An Ordinance Of The City Commission Of The City Of Opa-Locka, Florida, Recommending Approval Or Denial To Rezone The Parcel Located At The Corner Of Nw 129th Street And Nw 27th Avenue From B-2 To B-3 To Allow The Construction Of A Self Storage Facility On This Parcel And 12940 Nw 27th Avenue, Opa-Locka, Fl 33054, Identified By Folios 08-2128-004-0022 And 08-2128-004-0031; Providing For An Effective Date.

Staff Summary:

The applicant has made a request to change zoning to B-3 to allow for self-storage warehouse at 12940 nw 27th avenue. The south parcel is currently zone B-3 which allows for a self-storage facility. The subject property is currently own by Joel-N-Bonwit, Inc. according to the Miami-Dade County Property appraiser's website. The subject Property is previous automotive operation and the current land consists of two parcels (Folio #08-2128-004-0022 North Parcel, Folio # 08-2128-004-0031 South Parcel), zoning for north parcel is B-2 which allows for commercial uses but does not allow for self-storage facilities. The proposed

rezoning was presented to the Planning & Zoning Board at their October 16, 2019 meeting. The P&Z Board recommended approval of this amendment by a 6 to 0 vote. The rezoning, if approved, will allow north parcel to be rezoned for B-3, allowing for the use of a self-storage facility.

BACKGROUND

The applicant proposes to utilize the property as a self-storage facility. The proposed use will include a 107,340 square foot building, 27 parking spaces. The parking lot portion of the development will be located along the rear (west) of the property. The Applicant also indicated in the site plan, proposal to have a masonry construction or a decorative masonry block to prevent the view of parking lot. Furthermore, retention swales are indicated in the Site Plan for drainage purposes. The Community Development Department reviewed the rezoning requests and are in agreeance that the proposed rezoning is consistent with the area and the end result will bring a new productive use to the area. Staff have reviewed the Code of Ordinance and determined that the project was adequately addressed by our City Code. This amendment request was reviewed and recommended for approval by the Planning & Zoning Board Council on October 16th, 2019.

Proposed Action:

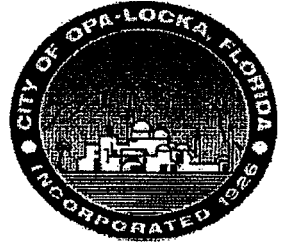
Staff has recommended approval of this legislation.

Attachment:

PCD Staff Report- Safe and Secure Self-Storage - Rezoning
P & Z Board Meeting Minutes 10-16-19

PLANNING COUNCIL

October 8th
2019



SAFE AND SECURE SELFS STORAGE: Rezoning

APPLICANT'S REQUEST:

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL TO REZONE THE PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE FROM B-2 TO B-3 TO ALLOW THE CONSTRUCTION OF A SELF STORAGE FACILITY ON THIS PARCEL AND 12940 NW 27TH AVENUE, OPA-LOCKA, FL 33054, IDENTIFIED BY FOLIOS 08-2128-004-0022 AND 08-2128-004-0031; 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:
28-29 52 41
NILE GDNS SEC 2 PB 31-42
N303.04FT OF W110FT OF E118FT OF
LOT 6 LESS S150FT
LOT SIZE 153.040 X 110
OR 11984-3264 1183 5
COC 23152-2250 02 2005 6
- The subject property is currently own by Joel-N-Bonwit, Inc. according to the Miami-Dade County Property appraiser's website. The subject Property is previous automotive operation and the current land consists of two parcels (Folio #08-2128-004-0022 North Parcel, Folio # 08-2128-004-0031 South Parcel), zoning for north parcel is B-2 which allows for commercial uses but does not allow for self-storage facilities. The applicant has made a request to change zoning to B-3 to allow for self-storage warehouse at this location. The south parcel is currently zone B-3 which allows for a self-storage facility.
- Currently the site conditions are as follow: a single office building and parking lot (*see Existing Condition Section*). The site is located immediately adjacent to main railroad to the east and easements at its west, north and south edge. The site is only accessible via county road at its western edge providing for ingress and egress, immediately adjacent to NW 27th Avenue.

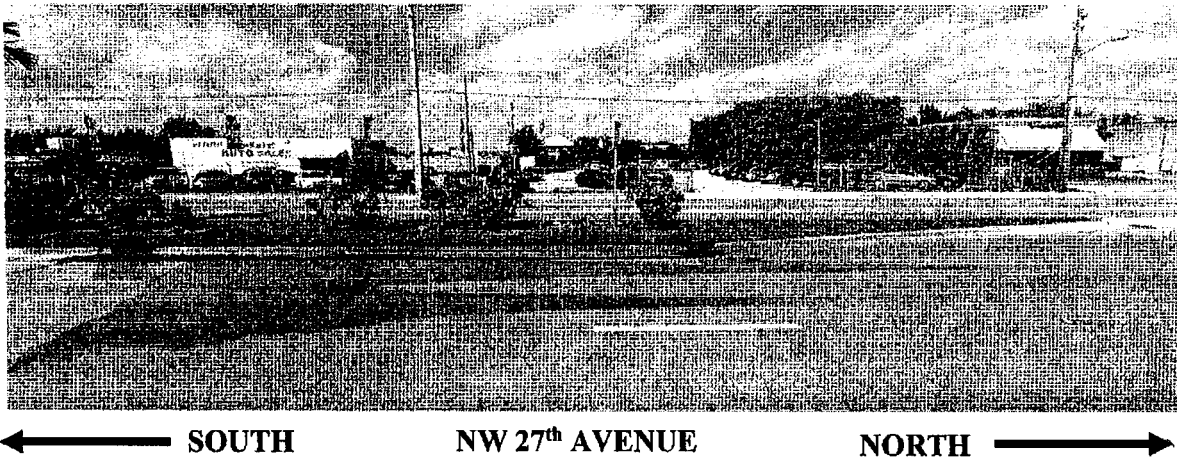


Figure 1: Google Street View, dated:

II. Project Details

- Applicant's intent**

The applicant proposes to utilize the property as a self-storage facility. The proposed use will include a 107,340 square foot building, 27 parking spaces. The parking lot portion of the development will be located along the rear (west) of the property.

The Applicant also indicated in the site plan, proposal to have a masonry construction or a decorative masonry block to prevent the view of parking lot. Furthermore, retention swales are indicated in the Site Plan for drainage purposes.

Site Computations & Land Development Regulation / Zoning Code Table 1			
Applicant	Safe and Secure Self-Storage		
Folio Number	Opa-locka: 08-2128-004-0022		
	Opa-locka: 08-2128-004-0031		
Address Location	12940 NW 27 th Avenue		
Building (s) Footprint	Total Site Area – 53,080 SF		
	Office Bldg. – 21,468 SF		
	Parking Lot – 18,680 SF		
	Common Green Area – 12,932 SF		
Floor Area	Total 107,340 SF		
Zoning	B-2 – Commercial Liberal		
	B-3 – Commercial Intensive		
Zoning Code Consistency	The proposed use for Safe and Secure Self-Storage Facility is consistent with the B-3 Zoning Code however would need to rezone the north parcel from B-2 to B-3.		
Existing Land Use	Auto Dealership / B-2 and B-3		
Future Land Use Designation	B-3		
Comprehensive Plan Consistency	- The proposed use for Safe and Secure Self-Storage Facility is not consistent with the Comprehensive Plan because half of the requested property is B-2.		
Applicable LDR Sections	Ordinance no. 15-31, Article III Sections; 22-54; 22-55; 22-112, Ord. no. 14-16		
SET BACKS/ YARD	REQUIRED	PROPOSED	COMPLIANCE
Front (East)	15 Feet	15 Feet	YES
Rear (West)	15 Feet	15 Feet	YES
Side (North)	0 Feet	43 Feet	YES
Side (South)	0 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	10,000 (0.23 Acres)	107,340 SF (8.4 Acres)	YES
Lot Width	N/A	N/A	N/A

Building Height	6 Stories or 65 Feet whichever less	Office Building: 5 Stories/ 60 Feet	YES
Structure Length	N/A	N/A	N/A
Other Vehicular Use Area	1,625 SF	18,680 sq. ft.	YES
Landscaping		12,932 sq. ft.	
Parking Details	Office buildings: pursuant to the Land development Regulation Ordinance 15-31: Article VI, section 22-155, one (1) Parking per 2500 square feet of floor area. -8 spaces required	Office Bldg. 21,926 SF Parking Lot: 18,680 SF Total Space Provided: *10 parking spaces *1 Handicap space *5 Loading spaces =16 parking 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 Friday, April 17, 2015. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, October 09 th , 2019. - 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.		

II. Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by commercial properties to the north and south and industrial to the west with ingress and egress to NW 27th Avenue.
- Sidewalk alongside the east edge of the Property

Surrounding Land Use and Zoning: Table 2

Location	Surrounding Land Use	Surrounding Zoning
North	Commercial/Laundromat	Commercial
South	Commercial/Car Sales	Commercial
East	ROW	ROW NW 27 th Avenue
West	Res Condo/Commercial Car Sales	Residential/Commercial
		B-2 (Commercial Liberal) B-3 (Commercial Intensive) N/A R-3/B-3

Surrounding Zoning Designation Map

The Site is Highlighted in Yellow

- **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 'Safe and Secure Self-Storage facility' 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 .30ac. (*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 proposing to remove a chain link fence, fencing off the proposed parking area instead with a Masonry Construction/Decorative Masonry Block Wall 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.

- The applicant has applied for a Comprehensive Plan Amendment for a land use change for the north parcel from B-2 to B-3. *(Please see Comprehensive Plan Amendment Staff Report for detail).*

DOES NOT COMPLY

- **B-3 (Commercial Intensive) Zoning allows all B-2 (Commercial Liberal) Permitted Uses:** Project Specific: Self-Storage facility

- **Findings:**

- According to the City's Land Development Regulation/ Zoning Code B-2 (Commercial Liberal) which all permitted uses are also allowed in the B-3 (Commercial Intensive) Zoning District. The Safe and Secure Self-Storage facility which categorized as a Self-Storage facility is permitted within a B-3.
- Applicant has applied for a Land Development Regulation/ Zoning Code Text Amendment. *(Please See Zoning Code Text Amendment Report for more Details)*

PARTIALLY IN COMPLIANCE

- **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.

V. Project Need Assessment / other Required Approvals

1. Comprehensive Plan Amendment (Small Scale): Land Use Change (Map Amendment); also subject to the Department of Economic Opportunity (DEO) Review).
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019
2. Land Development Regulation/Zoning Code Text Amendment
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019
3. Site Plan
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019
4. Development Agreement
 - Application submitted for Planning Council Meeting (this meeting) Tuesday, October 08th, 2019

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

/I. **Staff Recommendation:**

- Staff recommend approval of this Site Plan pending the following other approvals:
 - Zoning change;
 - Land Development Regulation/ Rezoning: if approved, north parcel will be rezoned for B-3, allowing for the use of a self-storage facility;
 - A Development Agreement must be submitted along with this Safe and Secure Self Storage 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 Safe and Secure Self-Storage 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 Council Board deem necessary to this Safe and Secure Self-Storage 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 Safe and Secure Self Storage Facility site plan;
 - Address all Miami-Dade County's input/recommendations as appropriate

II. **Attachments:**

- Site Plan
- Development Agreement
- Zoning Change of north parcel from B-2 to B-3

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	

III. **Staff Report Updated After the Planning and Zoning Board Meeting on October 09th, 2019. *Reflected Actions:***

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

Resolution No. 19-1008-01

RESOLUTION OF THE PLANNING AND ZONING BOARD, OF THE CITY OF OPA-LOCKA, RELATING TO THE APPLICATION OF: Safe and Secure Self-Storage
FOR: SITE PLAN APPROVAL REQUEST TO CONSTRUCT AND OPERATE THE FOLLOWING: A 107,240 SQ. FT. SELF STORAGE FACILITY WITH 27 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: 10-09-2019
 - 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 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 Safe and Secure Storage Facility



SUSTAINABLE OPA-LOCKA

2015 LAND DEVELOPMENT REGULATIONS (ADOPTED)

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**Article III. Application
Review and Approval
Requirements**

9. The LPA shall hold a public hearing to consider applications for text amendments to the Land Development Regulations and shall, upon conclusion of the public hearing, make a recommendation to the City Commission with respect to each application.
10. The City Commission shall hold public hearing(s) to consider the recommendations of the LPA with respect to applications for amendments to the Comprehensive Plan and shall, upon conclusion of the public hearing(s), adopt an ordinance expressing an intent to adopt or deny those proposed amendments to the Land Development Regulations.

Sec. 22-54. Rezoning

The City Commission may rezone property, in conformity with the provisions of this section. Rezones may be initiated by the City, petition of the owner or owner's agent, or contract purchaser with the owner's written consent, which is the subject of the proposed map amendment.

- A. Application Filing. All rezoning applications shall be filed with the Department of Planning and Community Development. The required application form must be completed and signed by the applicant and owner[s] of the property or their designated agent. Upon acceptance of a completed application, the application shall be forwarded to all appropriate reviewing agencies for comment.
- B. Submittal Requirements. All rezoning applications shall be accompanied by the following items:
 1. An application, on a form provided by the City, completed and signed by the applicant and owner(s) of the property or their designated agent.
 2. A disclosure statement by the parties with at least five (5) percent interest in the project signed by the applicant and notarized. The

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applicant shall keep this information current at all times during the processing of the application.

3. An as-built survey, signed and sealed by a certified surveyor and mapper, completed not longer than 6 months in advance of the date of the application, that contains the following information:
 - a. Boundaries of the entire property, with bearings and distances of the perimeter property lines and of each existing and proposed land use classifications.
 - b. Total area of the property and of each existing and proposed district classification presented in square feet and acres.
 - c. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat.
 - d. Location of all existing buildings and structures.
 - e. Names of all boundary roads or streets, and the width of existing rights-of-way.

- C. Public Hearing. The City Commission shall hold public hearing(s), after receipt of the Planning Council recommendation, as required by law. If the rezoning is denied the Commission shall not consider any further requests for rezoning on any part same property for a period of one (1) year unless said requirement is waived by a majority vote by the City Commission.

- D. Planning Council Approval Criteria. As part of its recommendation the Planning Council shall study and consider, where applicable, whether:
 1. The proposed change is contrary to the established land use pattern.
 2. The proposed change would create "spot zoning".
 3. The proposed change would alter the population or traffic patterns and thereby negatively impact public facilities such as schools, utilities, streets, etc.

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4. The proposed zoning district boundaries would become more illogically drawn.
5. The proposed change would be in conflict with all or portions of the City's Comprehensive Plan.
6. There is an additional need for uses permitted within the proposed zoning district.
7. The proposed change will adversely affect living conditions in the neighborhood, if applicable.
8. The proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
9. The proposed change will create a drainage problem.
10. The proposed change will reduce light and air to adjacent areas.
11. The proposed change will adversely affect property values.
12. The proposed change will be a deterrent to the improvement or development of adjacent property.
13. The proposed change will constitute a grant of special privilege.
14. There are no substantial reasons why the property cannot be used in accordance with the existing zoning.
15. Whether the change suggested is out of scale with the surrounding neighborhood.
16. It is possible to find other sites already zoned permitting the uses(s) requested.
17. The proposed rezoning would meet all other regulations.

E. City Commission Approval Criteria. The City Commission shall use the following criteria in making their decision regarding approval or disapproval of a rezoning application:

1. The proposed rezone is consistent with goals, objectives and policies of the City's Comprehensive Plan.
2. The proposed zoning district is compatible with the surrounding area's zoning designation(s) and existing uses.

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3. The subject property is physically suitable for the uses permitted in the proposed district.

- F. Expiration of Rezoning Approvals. The grant of a rezoning shall be null and void twelve (12) months from the date of City Commission approval unless construction of the development has commenced.

Sec. 22-55. Site Plan Application

Applications for Site Plan review shall require the submission of a site plan package in accordance with the provisions of this Article. Site plans shall be required for all development within the City. Prior to any action by the City Commission at public hearing a review by and recommendation from the Planning Council shall be required. Notwithstanding the above, the development and the construction of ten (10) detached single-family or five (5) duplex residences shall be subject to administrative site plan review and approval. In addition, existing development on which no site plan was previously submitted and/or is on file shall also be subject to administrative site plan review and approval. No certificate(s) of occupancy shall be issued for any building or buildings unless all facilities included in the approved site plan have been provided. The Director may, if in his opinion it is deemed necessary, retain consultants to assist in the review of an application for site plan approval.

- G. Procedure. An application for site plan review shall be made to the Director prior to an application for a building permit and will only be accepted if all other ordinances and provisions of the City have been complied with. Except as may otherwise be required by law or administrative procedures, all required county, regional, state, or federal agency approvals shall be obtained prior to site plan approval.
- H. Approval Criteria. The Planning Council and City Commission shall use the following criteria in making their decision regarding approval or disapproval of a site plan application:

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1. The development permitted by the application, if granted, conforms to the Comprehensive Plan; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered.
 2. The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of the City.
 3. The development permitted by the application, if granted, will efficiently use or not unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction.
 4. The development permitted by the application, if granted, will efficiently use or not unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.
1. Plan Submission and Review. Any application for site plan approval shall include the following information:
1. The location and size of the site, including its legal description and a current certified survey (less than 6 months old).
 2. The recorded ownership interests including liens and encumbrances and the nature of the developer's interest if the developer is not the owner.
 3. The relationship of the site to existing development in the area including streets, utilities, residential and commercial

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development, and physical features of the land including pertinent ecological structures within 100 feet.

4. The density or intensity of land use to be allocated, all parts of the site to be developed, together with tabulations by acreage and percentage thereof.
5. The location, size, and character of any common open space and the form of organization proposed to own and maintain any common open space.
6. The use and the number of stories, height, bulk, and location of all buildings and other structures.
7. The requirements as set forth in this Chapter and other Chapters, including the necessary documentation for providing required improvements such as streets, water supply, storm drainage, parking, landscaping, and sewage collection as well as the provisions for all other appropriate public and private services such as police or security protection, fire protection, and refuse collection.
8. The substance of covenants, grants of easements, or other restrictions proposed to be imposed upon the use of the land, buildings, and structures including proposed easements or grants for public utilities.
9. In the case of plans which call for development over a period of years, a phasing schedule showing the approximate times within which applications for building permits are intended to be filed.
10. Any additional data, plans, or specifications which the applicant believes is pertinent and will assist in clarifying his application.
11. A demonstration that the proposed development does not degrade adopted levels of service in the City.
12. Architectural elevations for buildings in the development; exact number of dwelling units, sizes and types and total number of bedrooms, if residential. For nonresidential development, the Floor Area Ratio and Gross Square Footage shall be required.

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13. Plans for signs, if any.
14. Traffic Study stating current average daily and peak hour traffic volume counts, a description of existing traffic conditions, programmed and planned roadway improvements, and future traffic conditions. All roadway improvements and associated costs shall be provided.
15. Landscaping plan, including types, sizes and locations of vegetation and decorative shrubbery, and showing provisions for irrigation and maintenance. Certification of Compliance with City Landscape and Miami-Dade County Chapter 18A requirements.
16. Color renderings and elevations.
17. Photometrics
18. Flood criteria data and finished floor elevations.
19. Additional data, maps, plans, surveys or statements as may be required for the particular use or activity involved.

J. Development Review Committee. Upon acceptance of a site plan application, one which is deemed non-administrative, the Director shall forward a copy of the application and accompanying material to each of the following Departments for review, as applicable. The applicant shall obtain applicable County and State approval prior to scheduling of public hearing.

1. Public Works
2. Parks and Recreation
3. Police
4. Building and Licenses
5. Code Enforcement
6. Any other agency (whether municipal, county or state), as deemed applicable by the Director.

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If requested by the Director, each reviewing discipline shall prepare a staff report with written comments and shall forward such staff report to the Director. The Director shall make a written finding that the site plan has or has not met the standards of this Code.

A final site plan approved, either by the City Commission or administrative action shall only be valid for a period of two (2) years. If a final plan has been allowed to expire without application for a building permit or commencement of construction the applicant will be required to submit a new site plan application.

Sec. 22-56. Site Plan Modification

The Director is authorized to consider and approve minor modifications to previously approved site plans which do not exceed the thresholds established below. A letter of intent shall be submitted as part of the Minor Modification application. A minor site plan modification does not require City Commission action or hearing. Site Plan Modifications that are deemed not minor shall require rehearing before the Planning Council and City Commission.

- A. Minor Modification Determination. A minor modification must demonstrate the following, as applicable:
1. The number of buildings, number of stories, height, and number of units is the same or fewer.
 2. Lot coverage and/or floor area ratio have not increased or decreased by more than five (5) percent.
 3. The number of parking spaces may increase or decrease by as much as 5 percent, provided the plan complies with all other requirements of this subsection and of this Chapter.
 4. Density or intensity (floor area ratio) may be transferred from one stage of development to another, provided that the total floor area ratio is not changed and the floor area ratio for each stage is not increased or decreased by more than five (5) percent.



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 17, ARTICLE III OF THE CITY'S CODE OF ORDINANCES ENTITLED "PLANNING AND DEVELOPMENT" TO INCLUDE NEW DIVISION 3 TO BE ENTITLED "UNITY OF TITLE"; PROVIDING A DEFINITION FOR OF UNITYOF TITLE; ESTABLISHING REQUIREMENTS AND PROCESS FOR UNITY OF TITLE; AMENDING SECTION 2.655(GG) OF THE CITY'S CODE OF ORDINANCES TO INCREASE THE FINE FOR UNITY OF TITLE APPLICATION FROM \$200.00 TO \$500.00; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA LOCKA, FLORIDA, AMENDING CHAPTER 17, ARTICLE III OF THE CITY'S CODE OF ORDINANCES ENTITLED "PLANNING AND DEVELOPMENT" TO INCLUDE NEW DIVISION 3 TO BE ENTITLED "UNITY OF TITLE"; PROVIDING A DEFINITION FOR OF UNITY OF TITLE; ESTABLISHING REQUIREMENTS AND PROCESS FOR UNITY OF TITLE; AMENDING SECTION 2.655(GG) OF THE CITY'S CODE OF ORDINANCES TO INCREASE THE FINE FOR UNITY OF TITLE APPLICATION FROM \$200.00 TO \$500.00; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County no longer process the City of Opa-Locka's ("City") requests for Unity of Title; and

WHEREAS, the Planning & Community Development Department has received requests for a unity of title process for the City; and

WHEREAS, the City Commission of the City of Opa-locka ("City Commission") conducted a public hearing and finds that a Unity of Title process is consistent with the City of Opa-locka's Comprehensive Plan; and

WHEREAS, the City Commission has determined that the following amendments promote and protect the general health, safety, and welfare of the residents of the City of Opa-locka.

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. Chapter 17, Planning and Development, Article III, of the City's Code of Ordinances entitled "Planning and Development shall be amended to add new Division 3; provide a definition for "Unity of Title" and establish certain requirements and process for Unity of Title as follows:

ARTICLE III, Division 3.; *UNITY OF TITLE*

Sec. 17-49. - Definition of unity of title.

A written agreement executed by and between a property owner and the City of Opa-Locka, Florida, whereby the property owner for a specified consideration by the city agrees that the lots and or parcels of land constituting the building site shall not be conveyed, mortgaged and or leased separate and apart from each other and that they shall be held together as one (1) tract. The form shall be consistent with Exhibit "A". Such unity of title shall be recorded in the Public Records of Miami-Dade County, Florida, and shall run with the land and shall be binding upon the property owner(s), their successors and assigns.

Sec. 17-50 When required.

As a prerequisite to the issuance of a building permit, the owner in fee simple title shall submit a unity of title in recordable form to the Planning and Community Development Department providing that all of the property encompassing the building site upon which the building and appurtenances are to be located shall be held together as one (1) tract of land and providing that no part or parcel shall be conveyed or mortgaged separate and apart from the building site, as set forth under the site plan and the building permit(s) in the following cases:

- (a) Whenever the required off-street parking is located on contiguous lots or parcels or is located offsite, as provided for under Ordinance 15-31, Article VI relating to Off-Site Parking.
- (b) Whenever the building site consists of more than one (1) lot or parcel and the main building is located on one (1) lot or parcel and accessory use buildings or structures are located on the remaining lot or parcel comprising the building site.
- (c) Whenever the building site consists of more than one (1) lot or parcel and the main building is located on one (1) or more of the lots or parcels and the remaining lots or parcels encompassing the building site are required to meet the minimum zoning requirements.
- (d) Whenever a building is to be constructed or erected upon a lot or parcel which is larger in frontage, depth and/or area than the minimum required by the zoning ordinance and which lot or parcel would be susceptible to further re-subdivision in accordance with the zoning ordinance and subdivision provisions of the City Code.
- (e) Whenever the City of Opa-Locka provides that a unity of title shall be executed as a condition for the granting of a variance or permit(s).
- (f) Whenever a unity of title is specifically required by an ordinance or resolution passed and adopted by the city commission.
- (g) Whenever a site plan and or building site consists of more than one (1) platted lot.

Sec. 17-51 Specific requirements.

- (a) The owner shall provide a certificate of ownership by way of an opinion of title from an attorney licensed to practice law in the State of Florida. Said opinion of title, which shall be from the point of beginning, shall be based upon an abstract brought up within ten (10) days of the requirement that such unity of title be recorded.
- (b) The opinion of title shall include the names and addresses of all mortgagees and lien holders, the description of the mortgages and/or liens and the status of all real estate taxes due and payable.
- (c) The unity of title shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.

Sec. 17-52 Approval, Release and Recording

- (a) The unity of title shall be subject to approval by the Director of Planning & Community Development and the city attorney as to form and content.
- (b) Any unity of title required by this section shall not be released except as specified in the legal instrument used to record said unity of title; any unity of title agreement which does not contain a release clause or procedures for release, may be released by the planning & community development department director in a form acceptable to the city attorney, upon a determination by the planning & community development department director that the unity of title agreement is no longer necessary; in the absence of such a determination, the unity of title shall be released only by resolution passed and adopted by the city commission. Releases approved pursuant to this section shall be recorded in the public records of Miami-Dade County, Florida, at the property owner's expense.

Section 3. Amending the Unity of Title fee set forth in Section 2-655 (gg) from \$200.00 to \$500.00.

The language fee set forth in Section 2-655(gg) shall be amended from \$200.00 to \$500.00.

Section 4. Severability.

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

Section 5. Conflict & Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. Inclusion in Code.

It is the intention of the City Commission of the City of Opa-locka that the provisions of this Ordinance shall, at some time in the future, become and be made a part of the General Code of Ordinances of the City of Opa-locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its adoption on second reading.

PASSED AND ADOPTED this _____ day of _____, 2019.

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) _____

EXHIBIT "A"

This instrument was prepared by:

Name:

Address:

(Space reserved for Clerk)

UNITY OF TITLE

WHEREAS, the undersigned is the Owner of the properties described as:

Folio

Address

Legal Description

Folio

Address

Legal Description

Folio

Address

Legal Description

Also known as _____ Miami-Dade County, Florida, and

Owner recognizes and acknowledges that for the public health, welfare, safety or morals, the herein-described property should not be divided into separate parcels owned by several owners so long as the same is put to the hereinafter use as described in the City approved site plan, and

In consideration of _____ and for other good and valuable consideration, Owner hereby agrees to restrict the use of the subject property in the following manner:

That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately, except in its entirety as one plot or parcel of land.

Owner further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land and may be recorded, at Owner's expense, in the Public Records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the Owner, their heirs, successors, personal representatives and assigns and upon all mortgagees or lessees until such time as the same may be released in writing by the Director of the Planning & Community Development Department, or in the absence of said person by a majority vote of the City Commission. Further provided, however, that a release will be executed when the premises are made to conform with applicable zoning regulations or the use or structure is removed from the premises and there is no further reason to maintain the Unity of Title on the public records.

City Use Only

Verified by _____ Accepted
by: _____

[Execution Pages Follow]

[Unity of Title.doc (12/11/19)]



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:	11-13-19		Item Type: (Enter X in box)	Resolution	Ordinance X
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance/Resolution Reading: (Enter X in box)	1st Reading X	2nd Reading X
		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:

An Ordinance Of The City Commission Of The City Of Opa Locka, Florida, Recommending Approval Or Denial Of An Amendment To The City Code Of Ordinance, Chapter 17 – Planning And Development, Article Iii – Subdivisions And Platting, Division III Unity Of Title And Covenant Agreements, Providing For Definitions; Definition Of Unity Of Title; Establishing Requirements And Process For Unity Of Title; Covenants In Lieu Of Unity Of Tile; Payment Of Costs, Expenses; Containing A Severability Clause; And Providing For An Immediate Effective Date.

Staff Summary:

The Planning & Community Development Department Director has received requests for a unity of title process by the City of Opa-locka because Miami-Dade County no longer processes these requests and covenants in lieu of unity of title, and the requirements and the process. The Planning & Community Development Department Director has determined that this amendment is consistent with the City of Opa-locka Comprehensive Plan.

The City Commission of the City of Opa-locka will conduct a public hearing on this ordinance and The City Commission of the City of Opa-locka has determined that the following this amendment will promote and protect the general health, safety, and welfare of the residents of the City of Opa-locka. The Planning & Community Development Department recommends the following amendment:

Chapter 17, Planning and Development, Article III, Subdivisions and Platting is hereby amended to provide the requirements and the process for unity of title, and covenants in lieu of unity of title by adding the following:

ARTICLE III SUBDIVISIONS AND PLATTING,

DIVISION III- UNITY OF TITLE AND COVENANT AGREEMENTS

Sec. 17-49. - Definition of unity of title.

A written agreement executed by and between a property owner and the City of Opa-Locka, Florida, whereby the property owner for a specified consideration by the city agrees that the lots and or parcels of land constituting the building site shall not be conveyed, mortgaged and or leased separate and apart from each other and that they shall be held together as one (1) tract. Such unity of title shall be recorded in the Public Records of Miami-Dade County, Florida, and shall run with the land and shall be binding upon the property owner(s), their successors and assigns.

Sec. 17-50 When required.

As a prerequisite to the issuance of a building permit, the owner in fee simple title shall submit a unity of title in recordable form to the Planning and Community Development Department providing that all of the property encompassing the building site upon which the building and appurtenances are to be located shall be held together as one (1) tract of land and providing that no part or parcel shall be conveyed or mortgaged

separate and apart from the building site, as set forth under the site plan and the building permit(s) in the following cases:

- (a) Whenever the required off-street parking is located on contiguous lots or parcels or is located offsite, as provided for under section 918 (substitute Ordinance 15-31 Article VI and add as an amendment Miami-Dade County Section 918 for Off-Site Parking) of this ordinance
- (b) (b) Whenever the building site consists of more than one (1) lot or parcel and the main building is located on one (1) lot or parcel and accessory use buildings or structures are located on the remaining lot or parcel comprising the building site.
- (c) Whenever the building site consists of more than one (1) lot or parcel and the main building is located on one (1) or more of the lots or parcels and the remaining lots or parcels encompassing the building site are required to meet the minimum zoning requirements.
- (d) Whenever a building is to be constructed or erected upon a lot or parcel which is larger in frontage, depth and/or area than the minimum required by the zoning ordinance and which lot or parcel would be susceptible to further re-subdivision in accordance with the zoning ordinance and subdivision provisions of the City Code.
- (e) Whenever the City of Opa-Locka provides that a unity of title shall be executed as a condition for the granting of a variance or permit(s).
- (f) Whenever a unity of title is specifically required by an ordinance or resolution passed and adopted by the city commission.
- (g) Whenever a site plan (building site) consists of more than one (1) platted lot.

Sec. 17-51 Specific requirements.

- (a) The owner shall provide a certificate of ownership by way of an opinion of title from an attorney licensed to practice law in the State of Florida. Said opinion of title, which shall be from the point of beginning, shall be based upon an abstract brought up within ten (10) days of the requirement that such unity of title be recorded.

(b) The opinion of title shall include the names and addresses of all mortgagees and lien holders, the description of the mortgages and/or liens and the status of all real estate taxes due and payable.

(c) The unity of title shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.

Sec. 17-52 Approval - Release - Recording

The unity of title shall be subject to approval by the city attorney as to form and content.

Release.

Any unity of title required by this section shall not be released except as specified in the legal instrument used to record said unity of title; any unity of title agreement which does not contain a release clause or procedures for release, may be released by the zoning administrator, in a form acceptable to the city attorney, upon a determination by the zoning administrator that the unity of title agreement is no longer necessary; in the absence of such a determination, the unity of title shall be released only by resolution passed and adopted by the city commission. Releases approved pursuant to this section shall be recorded in the public records of Miami-Dade County, Florida, at the property owner's expense.

Recording.

The owner shall pay the fee as required by (section 2-655), item (gg) of the City Code of the City of Opa-Locka for recording the unity of title in the Public Records of Miami-Dade County.

Covenant in lieu of unity of title, when available.

Whenever unity of title is required, pursuant to section 17-49 of this ordinance, a covenant in lieu thereof shall be acceptable provided that said covenant conforms to all of the following requirements:

(a) Where multiple buildings on a single site exist, or for properties which contain multiple owners on a single site, the city may accept a covenant in lieu of unity of title. The acceptance of said covenant shall require the approval of the directors of the public works, planning and community development, and building departments or their designees. The acceptance of a

covenant in lieu of unity of title will not constitute a subdivision of land for purposes of this chapter. The directors or their designees shall evaluate the request for submittal of a covenant in lieu of unity of title and the information supplied with regard to its effect on the health, welfare and safety of the community. In evaluating the request, the directors or their designees may confer with representatives of other departments or agencies, as may be necessary.

(b) If there is a negative effect on the health, welfare or safety of the community, the request for submittal of the covenant in lieu of unity of title shall be denied.

(c) If there is no negative effect on the health, welfare, or safety of the community, the directors or their designees may approve the covenant in lieu of unity of title.

(d) In determining whether a negative effect on the health, welfare or safety of the community exists, the directors of the public works, planning and community development, and building departments shall review the effect of:

(1) The ingress and egress to the subject property and structures with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and access in case of fire or other emergency.

(2) The off-street parking and loading facilities as related to adjacent streets, with particular reference to automotive and pedestrian safety, convenience, internal traffic flow and control, arrangement in relation to access in case of fire or other emergency, and screening and landscaping.

(3) The utilities of the subject property, and

(4) The maintenance of the subject property.

(e) A covenant in lieu of unity of title shall not be accepted for residential properties which are zoned R-1 (single family residential) or R-2 (two family residential).

(f) The covenant in lieu of unity of title, approved for legal form and sufficiency by the city attorney, or designee, shall run with the land and be binding upon the heirs, successors, personal representatives and assigns, and upon all mortgagees and lessees and others presently or in the future having any interest in the

property. The covenant in lieu of unity of title shall contain the following elements:

(1) That in the event of multiple ownership subsequent to the approval of the covenant in lieu of unity of title, each of the subsequent owners shall be bound by the terms, provisions and conditions of the covenant. The owner shall further agree that he or she will not convey portions of the subject property to such other parties unless and until the owners and such parties shall have executed and mutually delivered, in recordable form an instrument to be known as an "easement and operating agreement" which shall contain, among other things:

- (i) Easements in the common area of each parcel for ingress to and egress from the other parcels;
- (ii) Easements in the common area of each parcel for the passage and parking of vehicles;
- (iii) Easements in the common area of each parcel for the passage and accommodation of pedestrians;
- (iv) Easements for access roads across the common area of each parcel to public and private roadways;
- (v) Easements for the installation, use, operation, maintenance, repair, replacement, relocation and removal of utility facilities in appropriate areas in each such parcel;
- (vi) Easements on each such parcel for construction of buildings and improvements in favor of each such other parcel;
- (vii) Easements upon each such parcel in favor of each adjoining parcel for the installation, use, maintenance, repair, replacement and removal of common construction improvements such as footing, supports and foundations;
- (viii) Easements on each parcel for attachment of buildings;
- (ix) Easements on each parcel for building overhangs and other overhangs and projections encroaching upon such parcel from

adjoining parcel such as, by way of example, marquees, canopies, lights, lighting devices, awnings, wing walls and the like;

(x) Appropriate reservation of rights to grant easements to utility companies;

(xi) Appropriate reservation of rights to road rights-of-way and curb cuts;

(xii) Easements in favor of each such parcel for pedestrian and vehicular traffic over dedicated private ring roads and access roads; and

(xiii) Appropriate agreements between the owners of the several parcels as to the obligation to maintain and repair all private roadways, parking facilities, common areas and common facilities and the like.

These provisions or portions thereof may be waived if approved by each of the directors of public works, planning and community development, and building, provided the provisions are inapplicable to the subject property. In addition, such easement and operating agreement shall contain such other provisions with respect to the operation, maintenance and development of the property as to which the parties thereto may agree, and such provision may be modified or amended by such parties (or the applicable association governing such parties) without approval or joinder by the directors of public works, planning and community development and building departments, all to the end that although the property may have several owners, it will be constructed, conveyed and operated in accordance with an approved site plan. The multiple owners may, by mutual agreement, allocate among themselves and the parcels owned by them, set back, parking, open spaces, floor to area ratio and similar governmental requirements, and these allocations shall be honored in connection with requests for future site plan changes.

(2) The covenant in lieu of unity title shall be in effect for a period of thirty (30) years from the date the documents are recorded in the public records of Miami-Dade County, Florida, after which time they shall be

extended automatically for successive periods of ten (10) years unless released in writing by the owners, provided however, that with respect to any portion of the subject property or which a condominium, homeowners or other similar association then exists, the instrument of amendment, modification or release shall be executed by such association (in accordance with its governing documents) in lieu of the fee owners of such portion of the subject property, and except for modifications or amendments for which joinder as hereinafter provided is not required as afore stated, provided each of the directors of the public works, planning and community development and building departments also execute the instrument of amendment, modification or release upon the demonstration and affirmative finding that the same is no longer necessary to preserve and protect the property for the purposes herein intended.

Sec. 17-53 *Recorded agreements between parties superseded by covenants in lieu of unity of title.*

Whenever a covenant in lieu of unity of title is produced which makes specific reference to and provides conditions, requirements and limitations for any characteristic or aspect of use pertaining to the subject property, such document shall supersede any other existing agreements regulating such matters, or shall be accepted as a substitute for any agreements required from the applicant pertaining to joint or shared facilities.

Sec. 17-54 *Zoning covenants; release.*

Whenever a covenant is required for zoning purposes, its release shall be as specified in the legal instrument used to record said document. Any covenant which does not contain a release provision may be released by the zoning administrator, in a form acceptable to the city attorney, upon a determination that the covenant is no longer necessary. In the absence of such a determination, the covenant shall be released only by resolution passed and adopted by the city commission. Releases approved pursuant to this section shall be recorded in the public records of Miami-Dade County, Florida, at the property owner's expense.

Proposed Action:

Staff has recommended approval of this Request.

Attachment:

DRAFT Ordinance



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA; AMENDING VARIOUS SECTIONS OF CHAPTER 21, ENTITLED "WATER, SEWER AND STORMWATER UTILITIES"; ADOPTING CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT; SPECIFICALLY AMENDING SECTION 21-85 ENTITLED "WHEN BILLS DUE AND PAYABLE, DISCONNECTING SERVICE FOR NON-PAYMENT" TO DECREASE THE TIME FOR A DETERMINATION OF DELIQUENCY FROM THIRTY DAYS TO TWENTY-ONE DAYS; CLARIFYING SECTION 21-85 AND 21-97 ENTITLED "REGULATIONS GOVERNING MIAMI-DADE BILLING FOR THE CITY OF OPA-LOCKA" TO ENSURE THAT CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE WATER AND SEWER DEPARTMENT SHALL APPLY TO THE CITY OF OPA-LOCKA; CLARIFYING THE ADOPTION OF ARTICLE VI., SECTION 32-91 THROUGH SECTION 32-101 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

**SECOND READING
ORDINANCE / PUBLIC
HEARING**

1st Reading: _____
2nd Reading: _____
Public Hearing: _____
Adopted: _____
Effective Date: _____
Sponsor: City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA; AMENDING VARIOUS SECTIONS OF CHAPTER 21, ENTITLED "WATER, SEWER AND STORMWATER UTILITIES"; ADOPTING CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT; SPECIFICALLY AMENDING SECTION 21-85 ENTITLED "WHEN BILLS DUE AND PAYABLE, DISCONNECTING SERVICE FOR NON-PAYMENT" TO DECREASE THE TIME FOR A DETERMINATION OF DELIQUENCY FROM THIRTY DAYS TO TWENTY-ONE DAYS; CLARIFYING SECTION 21-85 AND 21-97 ENTITLED "REGULATIONS GOVERNING MIAMI-DADE BILLING FOR THE CITY OF OPA-LOCKA" TO ENSURE THAT CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE WATER AND SEWER DEPARTMENT SHALL APPLY TO THE CITY OF OPA-LOCKA; CLARIFYING THE ADOPTION OF ARTICLE VI., SECTION 32-91 THROUGH SECTION 32-101 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on December 12, 2019 the City of Opa-Locka ("City"), passed Resolution 18-18 adopting certain Miami-Dade County Water and Sewer Regulations related to customer billing to be performed by Miami-Dade County on behalf of the City of Opa-Locka; and

WHEREAS, the City desires to amend Section 21-85 of the City of Opa-Locka's Code of Ordinances to specifically decrease from thirty (30) days to twenty one (21) days the time for a determination of a payment delinquency; and

WHEREAS, the City further desires to clarify that certain sections of Miami-Dade County's Water and Sewer Rules and Regulations shall apply to the billing performed by Miami-Dade County on the behalf of the City of Opa-locka; and

WHEREAS, the Commission of the City of Opa-locka finds that amendment and clarification is in the best interest of the City.

NOW THEREFORE, BE IT ORDAINED BY THE 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 Ordinance.

Section 2. Adoption of Certain Water and Sewer Department Rules and Regulations.

The following Rules and Regulation set forth by the Miami-Dade County Water and

Sewer Department are hereby adopted and shall apply to this Ordinance: Rule 2.01; 2.02 (7), (8), (11), (13), (14); 2.03; 2.07 (1-8), (11), (12); 2.09; 2.10(1), (a-e) and (2); 2.11; 2.12; 3.01; 3.03; 3.07; (1-5) and (7); 3.08 (5) and 3.10. To the extent that Miami-Dade County revises, amends or eliminates any of the above provisions, the City shall ratify the adoption of any changes in a written communication from the City Manager for the City of Opa-Locka to the Miami-Dade County Water and Sewer Department Director.

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Section 32. Amending Section 21-85 entitled "When Bills Due and Payable;

Discontinuing service for nonpayment" shall be amended to read:

Sec. 21-85. - When bills due and payable; discontinuing service for nonpayment.

Bills are due when rendered, and if not paid within ~~thirty~~twenty-one (21~~30~~) days thereafter, they shall become delinquent, and service may be discontinued and the prepayment, deposit or guarantee applied toward settlement of the bill. Mailing of the next month's bill showing a previous

balance shall constitute due notice. Discontinuance shall be in accordance with the Miami-Dade Water and Sewer Department, as well as provisions set forth in Section 32-91 through Section 32-101 of the Miami-Dade County Code of Ordinances. ~~regulations of the Miami-Dade County Code of Ordinances—Chapter 32 Water and Sewer Regulations Dade County Water and Sewer Board.~~ In such cases service will not be restored until the bill has been paid and the department has been reimbursed for extra expense incurred on account of the delinquent bill.

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Sec. 21-97 Regulations Governing Miami-Dade Billing for the City of Opa-locka

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1. Billing procedure; penalty for late payment; lien.

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(a) Water and sewer charges for service rendered by the City of Opa-locka ("City") shall be billed to customers as set forth in Section 32-91 through Section 32-101 of the Miami-Dade County Code of Ordinances ~~by ordinance.~~ If such charges are not fully paid by said customers on or before the past due dates set forth on customers' bills, a ten (10) percent late charge may be added to the water and sewer bill and imposed upon the customer ~~by the City~~ in accordance with regulations prescribed by ~~the City Commission~~ Miami-Dade County on behalf of the City of Opa-Locka. Unpaid balances of said customers for such charges and late charges shall be subject to an interest charge at the rate of eight (8) percent per annum. Imposition of said interest charge shall commence sixty (60) days after the final bill date for water and sewer charges.

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(b) Water and sewer charges and late charges, together with any interest charges, shall be debts due and owing the City and all of same shall be recoverable by the City in any court of competent jurisdiction.

(c) The City shall utilize Miami-Dade County's Rules and Regulations ~~Policy and Procedures~~ for notification of property owners and/or managers of delinquent accounts.

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(d) Subscribers to this service shall pay in advance an annual fee of three dollars (\$3.00) per monthly account and two dollars and fifty cents (\$2.50) per quarterly account.

(e) Tenants who reside in multi-unit property served by one meter may establish a bridge account with the City for water and sewer service for a period not to exceed one year where the property owner's account is terminated for nonpayment. The City shall utilize Miami-Dade County's Rules and Regulations ~~Policy and Procedures~~ for the administration of bridge accounts with tenants that meet specified conditions.

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(f) Except as otherwise provided by this article, all charges, late charges and interest accruing thereupon, for water and sewer service rendered by the City to any real property which remain unpaid sixty (60) days after the final bill date for water and sewer charges shall become a lien against and upon the real property to which such water and sewer service has been furnished to the same extent and character as a lien for a special assessment. Until fully paid and discharged, said charges, late charges, and interest accrued thereupon shall be, remain, and constitute a special assessment lien equal in rank and dignity with the liens of City ad valorem taxes and superior in

rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved for the period of twenty (20) years from the date said charges become a lien as set forth in this section. Said liens may be enforced and satisfied by the City, pursuant to Chapter 173, Florida Statutes, as it may be amended from time to time, or by any other method permitted by law. The lien provided for herein shall not be deemed to be in lieu of any other legal remedies for payment available to the City, including but not limited to suspension and termination of water service.

(g) Liens may be discharged and satisfied by payment to the City of the aggregate amounts specified in the notice of lien, together with interest accrued thereon, and all filing and recording fees. When any such lien has been fully paid and/or discharged, the City shall cause evidence of the satisfaction and discharge of such lien to be filed with the office of the Clerk of the Circuit Court of Miami-Dade County, Florida. Any person, firm, or corporation or legal entity, other than the present owner of the property involved, who fully pays any such lien shall be entitled to receive an assignment of the lien and shall be subrogated to the rights of the City in respect of the enforcement of such lien.

2. When bills are due and payable; discontinuing service for nonpayment.

Bills are due when rendered, and if not paid within twenty-one (21) days thereafter, they shall become delinquent, and service may be discontinued and the prepayment, deposit or guarantee applied toward settlement of the bill. Mailing of the next month's bill showing a previous balance shall constitute due notice. Discontinuance shall be in accordance with ~~the regulations of the~~ Miami-Dade County Code of Ordinances - Chapter 32 Water and Sewer Regulations. In such cases service will not be restored until the bill has been paid and the department has been reimbursed for extra expense incurred on account of the delinquent bill.

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3- Deposits.

There shall be deposited with the City, by each consumer of:

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(a) *Water and sewer service, water only service, or sewer only service:*

Water Meter Size (inches)	Residential Customers	Commercial Customers
$\frac{3}{4}$	\$170.00	\$250.00
1	1,000.00	1,000.00

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Water Meter Size (inches)	Residential Customers	Commercial Customers
1½	1,500.00	1,500.00
2	2,000.00	2,000.00
3	3,000.00	3,000.00
4	4,000.00	4,000.00
6	6,000.00	6,000.00
8	8,000.00	8,000.00

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(b) *Water and sewer service, water only service, or sewer only service for customers discovered using water and sewer services without a deposit.* The deposit and all unbilled water and sewer charges must be paid to re-connection of services.

Water Meter Size (inches)	Residential Customers	Commercial Customers
¾	\$340.00	\$500.00

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Water Meter Size (inches)	Residential Customers	Commercial Customers
1	2,000.00	2,000.00
1½	3,000.00	3,000.00
2	4,000.00	4,000.00
3	6,000.00	6,000.00
4	8,000.00	8,000.00
6	12,000.00	12,000.00
8	16,000.00	16,000.00

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(c) *Other miscellaneous fees:*

Tampering fees	\$450.00
Disconnection fee	25.00
Meter removal fee	50.00

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SECTION 43. SEVERABILITY

If any clause, section, or other part or application of this Ordinance is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or application of this Ordinance.

SECTION 54. CONFLICT

All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith, are hereby repealed.

SECTION 65. CODIFICATION

This Ordinance shall be codified in the Code of Ordinances when the code is recodified.

SECTION 76. 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 or re-codified copy of same with the City Clerk.

SECTION 87. LIBERAL CONSTRUCTION.

The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it is adopted.

SECTION 89. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-locka and is subject to the approval of the Governor or his designee.

PASSED FIRST READING this ____ day of _____ 2019.

PASSED SECOND READING this ____ day of _____ 2019.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

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Moved by: _____

Seconded by: _____

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VOTE:

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

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City of Opa-Locka Agenda Cover Memo

Department Director:	Airia Austin		Department Director Signature:		
City Manager:	John E. Pate		CM Signature:		
Commission Meeting Date:	11/13/2019		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	
\$ 0.00		X	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	RFP/RFQ/Bid#:		
		X			
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)	
		X	Enhance Organizational ☐		
			Bus. & Economic Dev ☐		
			Public Safety ☐		
			Quality of Education ☐		
			Qual. of Life & City Image ☐		
			Communication ☐		
Sponsor Name	City Manager		Department:	City Manager	

Short Title:

An ordinance of the city of Opa-locka amending Ordinance 18-18 adopting Miami-Dade County Water & Sewer Department Rules and Regulations set-forth in the County Implementing Order 10-8 effective as of April 24, 2018

Staff Summary:

To allow for efficient and effective billing on behalf of the City of Opa-locka.

Proposed Action:

Staff recommends the approval of this ordinance

Attachment:

1. Agenda
2. Ordinance 18-18

1st Reading: 11/14/2018
2nd Reading 12/12/2018
Public Hearings: 11/14/2018 and 12/12/2018
Adopted: 12/12/2018
Effective Date: 12/12/2018
Sponsor: City Manager

ORDINANCE NO. 18-18

AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA; AMENDING CHAPTER 21 – WATER, SEWER AND STORMWATER UTILITIES, CREATING A SECTION ENTITLED REGULATIONS GOVERNING MIAMI-DADE BILLING FOR THE CITY OF OPA-LOCKA, AND ADOPTING THE POLICIES AND PROCEDURES OF THE MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT TO BE USED IN CONJUNCTION WITH THE NEWLY CREATED SECTION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Opa-locka, Florida (“Code”) contains references to the Dade County Water and Sewer Board, which no longer exists; and

WHEREAS, adopting sections of Miami-Dade County’s Water and Sewer Regulations and Policies and Procedures will enhance Miami-Dade County’s efficiency in billing on the behalf of the City of Opa-locka (“City”); and

WHEREAS, the Commission of the City of Opa-locka finds that it is in the best interest of the City to adopt sections of Miami-Dade County’s Water and Sewer Regulations and Policies and Procedures.

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

SECTION 1. RECITALS

The recitals to the preamble herein are incorporated by reference.

SECTION 2. ADOPTION

The Policies and Procedures of the Miami-Dade County Water and Sewer Department are hereby adopted for the newly created section of the City of Opa-locka Code of Ordinances entitled Regulations Governing Miami-Dade Billing for the City of Opa-locka. Chapter 21 – Water, Sewer and Stormwater Utilities is amended by the addition of the following language:

Sec. 21-85. - When bills due and payable; discontinuing service for nonpayment.

Bills are due when rendered, and if not paid within thirty (30) days thereafter, they shall become delinquent, and service may be discontinued and the prepayment, deposit or guarantee applied toward settlement of the bill. Mailing of the next month's bill showing a previous balance shall constitute due notice. Discontinuance shall be in accordance with the regulations of the Miami-Dade County Code of Ordinances - Chapter 32 Water and Sewer Regulations ~~Dade County Water and Sewer Board~~. In such cases service will not be restored until the bill has been paid and the department has been reimbursed for extra expense incurred on account of the delinquent bill.

Sec. 21-97 Regulations Governing Miami-Dade Billing for the City of Opa-locka

1. Billing procedure; penalty for late payment; lien.

(a) Water and sewer charges for service rendered by the City of Opa-locka ("City") shall be billed to customers as set forth by ordinance. If such charges are not fully paid by said customers on or before the past due dates set forth on customers' bills, a ten (10) percent late charge may be added to the water and sewer bill and imposed upon the customer by the City in accordance with regulations prescribed by the City Commission. Unpaid balances of said customers for such charges and late charges shall be subject to an interest charge at the rate of eight (8) percent per annum. Imposition of said interest charge shall commence sixty (60) days after the final bill date for water and sewer charges.

(b) Water and sewer charges and late charges, together with any interest charges, shall be debts due and owing the City and all of same shall be recoverable by the City in any court of competent jurisdiction.

(c) The City shall utilize Miami-Dade County's Policy and Procedures for notification of property owners and/or managers of delinquent accounts.

(d) Subscribers to this service shall pay in advance an annual fee of three dollars (\$3.00) per monthly account and two dollars and fifty cents (\$2.50) per quarterly account.

(e) Tenants who reside in multi-unit property served by one meter may establish a bridge account with the City for water and sewer service for a period not to exceed one year where the property owner's account is terminated for nonpayment. The City shall utilize Miami-Dade County's Policy and Procedures for the administration of bridge accounts with tenants that meet specified conditions.

(f) Except as otherwise provided by this article, all charges, late charges and interest accruing thereupon, for water and sewer service rendered by the City to any real property which remain unpaid sixty (60) days after the final bill date for water and sewer charges shall become a lien against and upon the real property to which such water and sewer service has been furnished to the same extent and character as a lien for a special assessment. Until fully paid and discharged,

Ordinance No. 18-18

said charges, late charges, and interest accrued thereupon shall be, remain, and constitute a special assessment lien equal in rank and dignity with the liens of City ad valorem taxes and superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved for the period of twenty (20) years from the date said charges become a lien as set forth in this section. Said liens may be enforced and satisfied by the City, pursuant to Chapter 173, Florida Statutes, as it may be amended from time to time, or by any other method permitted by law. The lien provided for herein shall not be deemed to be in lieu of any other legal remedies for payment available to the City, including but not limited to suspension and termination of water service.

(g) Liens may be discharged and satisfied by payment to the City of the aggregate amounts specified in the notice of lien, together with interest accrued thereon, and all filing and recording fees. When any such lien has been fully paid and/or discharged, the City shall cause evidence of the satisfaction and discharge of such lien to be filed with the office of the Clerk of the Circuit Court of Miami-Dade County, Florida. Any person, firm, or corporation or legal entity, other than the present owner of the property involved, who fully pays any such lien shall be entitled to receive an assignment of the lien and shall be subrogated to the rights of the City in respect of the enforcement of such lien.

2. When bills are due and payable; discontinuing service for nonpayment.

Bills are due when rendered, and if not paid within twenty-one (21) days thereafter, they shall become delinquent, and service may be discontinued and the prepayment, deposit or guarantee applied toward settlement of the bill. Mailing of the next month's bill showing a previous balance shall constitute due notice. Discontinuance shall be in accordance with the regulations of the Miami-Dade County Code of Ordinances - Chapter 32 Water and Sewer Regulations. In such cases service will not be restored until the bill has been paid and the department has been reimbursed for extra expense incurred on account of the delinquent bill.

3- Deposits.

There shall be deposited with the city, by each consumer of:

(a) Water and sewer service, water only service, or sewer only service:

Water Meter Size (inches)	Residential Customers	Commercial Customers
¾	\$170.00	\$250.00

Ordinance No. 18-18

Water Meter Size (inches)	Residential Customers	Commercial Customers
1	1,000.00	1,000.00
1½	1,500.00	1,500.00
2	2,000.00	2,000.00
3	3,000.00	3,000.00
4	4,000.00	4,000.00
6	6,000.00	6,000.00
8	8,000.00	8,000.00

(b) Water and sewer service, water only service, or sewer only service for customers discovered using water and sewer services without a deposit. The deposit and all unbilled water and sewer charges must be paid to re-connection of services.

Water Meter Size (inches)	Residential Customers	Commercial Customers

Ordinance No. 18-18

Water Meter Size (inches)	Residential Customers	Commercial Customers
$\frac{3}{4}$	\$340.00	\$500.00
1	2,000.00	2,000.00
1½	3,000.00	3,000.00
2	4,000.00	4,000.00
3	6,000.00	6,000.00
4	8,000.00	8,000.00
6	12,000.00	12,000.00
8	16,000.00	16,000.00

(c) *Other miscellaneous fees:*

Tampering fees	\$450.00
Disconnection fee	25.00

Meter removal fee	50.00
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SECTION 3. SEVERABILITY

If any clause, section, or other part or application of this Ordinance is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or application of this Ordinance.

SECTION 4. CONFLICT

All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith, are hereby repealed.

SECTION 5. CODIFICATION

This Ordinance shall be codified in the Code of Ordinances when the code is recodified.

SECTION 6. 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 or re-codified copy of same with the City Clerk.

SECTION 7. LIBERAL CONSTRUCTION.

The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it is adopted.

SECTION 8. EFFECTIVE DATE.

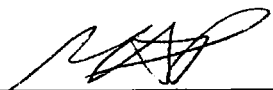
This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-locka and is subject to the approval of the Governor or his designee.

This ordinance was moved for adoption by Commissioner Kelley. The motion was seconded by Commissioner Burke, and upon being put to a vote, the motion passed by a 5-0 vote.

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

PASSED AND ADOPTED this 12th day of December, 2018.

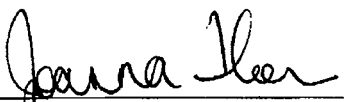
Ordinance No. 18-18



Matthew A. Pigatt
Mayor

Attest to:

Approved as to form and legal sufficiency:



Joanna Flores
City Clerk



The Brown Law Group, LLC
City Attorney



CITY OF OPA-LOCKA, FLORIDA
City Commission

Meeting Date: December 11, 2019

Title: Official City Events / Activities

OFFICIAL CITY EVENTS / ACTIVITIES



COMMISSIONER
JOSEPH L. KELLEY



JOIN ME, COMMISSIONER JOSEPH L. KELLEY FOR

MEET ME MONDAY

IN "THE GREAT" CITY OF OPA-LOCKA
MAYOR AND CITY COMMISSION

MONDAY, DECEMBER 9, 2019

6 PM

Helen L. Miller Center
2331 NW 143RD ST. OPA-LOCKA, FL. 33054

LISTEN TO COMMUNITY CONCERNS
ENCOURAGE
ADDRESS IMPORTANT TOPICS
DISCUSS NEIGHBORHOOD IMPROVEMENT

DO YOU HAVE QUESTIONS?
DO YOU WANT ANSWERS?
NEED TO SEEK SOLUTIONS

**HAPPY
HOLIDAYS!**

FOR MORE INFORMATION CALL 786-393-9175

"ONE OR MORE ELECTED OFFICIALS MAY BE IN ATTENDANCE"



PLANNING & ZONING BOARD SPECIAL MEETING TUESDAY, DECEMBER 10, 2019

NOTICE IS HEREBY GIVEN that the City of Opa-locka Planning & Zoning Board will hold a public hearing at a Special Meeting on Tuesday, December 10, 2019 at 7:00 PM at the Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida, to consider the following item(s):

PUBLIC HEARINGS

1. APPLICANT NAME: DENNIS C. STACKHOUSE
1314 E. LAS OLAS BLVD 648
FT. LAUDERDALE, FL 33301

PROPERTY OWNER: 441 OPA LOCKA BLVD LLC
15 PLEASANT STREET
WOODSTOCK, VT 05091

PROPERTY ADDRESS: 441 OPA LOCKA BOULEVARD, OPA-LOCKA, FL 33054

REQUESTS:

A RESOLUTION OF THE PLANNING & 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 AND IDENTIFIED BY FOLIO 08-2121-004-0590, IN THE B-2 ZONING DISTRICT AND FOR THE RELOCATION OF 20 PARKING SPACES FROM THIS SITE TO THE END OF THE RIGHT OF WAY OF BAHMAN AVENUE AND THE DEDICATION OF FOUR PARKING SPACES ON THE CITY PARKING LOT ON THE SOUTH SIDE OF ALI BABA AVENUE; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT AMENDMENT AND APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A DIALYSIS CENTER ON THE PROPERTY LOCATED AT 441 OPA-LOCKA BOULEVARD AND IDENTIFIED BY FOLIO 08-2121-004-0590, IN THE B-2 ZONING DISTRICT AND FOR THE RELOCATION OF 20 PARKING SPACES FROM THIS SITE TO THE END OF THE RIGHT OF WAY OF BAHMAN AVENUE AND THE DEDICATION OF FOUR PARKING SPACES ON THE CITY PARKING LOT ON THE SOUTH SIDE OF ALI BABA AVENUE; PROVIDING FOR AN EFFECTIVE DATE.

2. APPLICANT NAME: CITY OF OPA-LOCKA

PROPERTY OWNER: CITY OF OPA-LOCKA

PROPERTY ADDRESS: THE CITY OF OPA-LOCKA, FL 33054

REQUEST:

AN ORDINANCE OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31, THE ZONING CODE, ARTICLE X: SIGN REGULATIONS; SIGNAGE DESIGN STANDARDS: A - SECTION 22-245, D PERMITTING OF VINYL SIGNAGE; B - SECTION 22-246 INCREASE SECONDARY SIGN AREA; C - SECTION 22-244 ALLOW NON-CONFORMING POLE SIGNS AND PROVIDE PROCESS CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE ZONING CODE AND AN EFFECTIVE DATE.

Additional Information on the above items may be obtained in the Office of Planning & Community Development, 780 Fisherman Street, 4th Floor, and Opa-locka, Florida 33054. All interested persons are encouraged to attend these meetings and will be heard with respect to the public hearings.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance no later than seven (7) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

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

COPIES OF THE PROPOSED DOCUMENTS SHALL BE AVAILABLE FROM THE COMMUNITY DEVELOPMENT DEPARTMENT AND AT THE PUBLIC HEARING.



PUBLIC NOTICE

OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY MEETING

Wednesday, December 11, 2019 @ 5:00 p.m.

NOTICE IS HEREBY GIVEN that the Opa-locka Community Redevelopment Agency will meet on **Wednesday, December 11, 2019 at 5:00 p.m.** at Sherbondy Village (Auditorium), 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida:

A. SILENCE OR TURN OFF ALL CELL PHONES

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

E. ADD-ON ITEM(S)

F. APPROVAL OF MINUTES

F1. OCRA meeting minutes 10-23-2019

G. PUBLIC COMMENTS

H. OCRA DIRECTOR'S REPORT

H1. Final draft for RFP/RFQ for the creation/development of Opa-locka Downtown Master Plan

H2. Status of RFP/RFQ for Commercial Façade Improvement Program

H3. Review of MOU between the OCRA and City of Opa-locka

I. RESOLUTIONS

11. A RESOLUTION OF THE CHAIRMAN AND BOARD MEMBERS OF THE CITY OF OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY (OCRA) AUTHORIZING THE CREATION OF A DOWNTOWN MASTER PLAN AND TO AUTHORIZE A REQUEST FOR QUALIFICATION PROCESS TO SELECT A CONSULTANT TO PERFORM THE REQUESTED SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

12. A RESOLUTION OF THE CHAIRMAN AND BOARD MEMBERS OF THE CITY OF OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY (OCRA)

AUTHORIZING THE OCRA FAÇADE IMPROVEMENT PROGRAM IN OCRA AREA AND TO AUTHORIZE A REQUEST FOR QUALIFICATION PROCESS TO SELECT A NOT-FOR-PROFIT TO OPERATE AND MANAGE THE PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

J. GENERAL COUNSEL REPORT

K. BOARD COMMENTS

L. ADJOURNMENT

All interested persons are invited to attend this meeting. For additional information, please contact the Office of Planning & Community Development @ 305.953.2868, Ext. *1503.

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 (72) hours 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).

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**Kinshannta Hall
Board Clerk**



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 a Regular Commission Meeting on Wednesday, December 11, 2019 at 7:00 p.m. at the Sherbondy Village Auditorium, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida to consider the following items:

RESOLUTION/PUBLIC HEARING:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF FINAL SITE PLAN REVIEW FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 12940 NW 27TH AVENUE AND THE ADJACENT PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-004-0031 AND 08-2128-004-0022, IN THE B-2 AND B-3 ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

FIRST READING ORDINANCES/PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF A REQUEST TO REZONE THE PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE FROM B-2 TO B-3 TO ALLOW THE CONSTRUCTION OF A SELF STORAGE FACILITY ON THIS PARCEL AND 12940 NW 27TH AVENUE, OPA-LOCKA, FL 33054, IDENTIFIED BY FOLIOS 08-2128-004-0022 AND 08-2128-004-0031; PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA LOCKA, FLORIDA, RECOMMENDING APPROVAL OR DENIAL OF AN AMENDMENT TO THE CITY CODE OF ORDINANCE, CHAPTER 17 – PLANNING AND DEVELOPMENT, ARTICLE III – SUBDIVISIONS AND PLATTING, DIVISION III UNITY OF TITLE AND COVENANT AGREEMENTS, PROVIDING FOR DEFINITIONS; DEFINITION OF UNITY OF TITLE; ESTABLISHING REQUIREMENTS AND PROCESS FOR UNITY OF TITLE; PAYMENT OF COSTS, EXPENSES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

SECOND READING ORDINANCE/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA; AMENDING VARIOUS SECTIONS OF CHAPTER 21, ENTITLED “WATER, SEWER AND STORMWATER UTILITIES”; ADOPTING CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT; SPECIFICALLY AMENDING SECTION 21-85 ENTITLED “WHEN BILLS DUE AND PAYABLE, DISCONNECTING SERVICE FOR NON-PAYMENT” TO DECREASE THE TIME FOR A DETERMINATION OF DELIQUENCY FROM THIRTY DAYS TO TWENTY-ONE DAYS; CLARIFYING SECTION 21-85 AND 21-97 ENTITLED “REGULATIONS GOVERNING MIAMI-DADE BILLING FOR THE CITY OF OPA-LOCKA” TO ENSURE THAT CERTAIN RULES AND REGULATIONS OF THE MIAMI-DADE WATER AND SEWER DEPARTMENT SHALL APPLY TO THE CITY OF OPA-LOCKA; CLARIFYING THE ADOPTION OF ARTICLE VI., SECTION 32-91 THROUGH SECTION 32-101 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on November 13, 2019).

Additional information on the above items may be obtained in the Office of the City Clerk, 780 Fisherman Street, 4th Floor, Opa-locka, Florida. All interested persons are encouraged to attend this meeting and will be heard with respect to the public hearings.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance no later than seven (7) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877)955-8707 (Creole).

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Joanna Flores, CMC
City Clerk
City of Opa-locka

CITY OF OPA-LOCKA

Holiday in the Park **TOY GIVE-AWAY**

Sponsored by the City of Opa-locka Mayor &
Commission, Parks & Recreation Department and
Parents Booster Club



DECEMBER 21ST

Sherbondy Village

215 PERVIZ AVE, OPA-LOCKA, FL 33054

Children ages 6 months to 14 years old

Must be an Opa-locka Resident

Pre-Registration Required by Dec. 13, 2019 @ 5PM

For more information, please call 305.953.2875

