

City of Opa-locka

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



REGULAR COMMISSION MEETING Agenda

**Wednesday, June 8, 2022
7:00 PM**

City Commission

**Mayor Veronica J. Williams
Vice Mayor John H. Taylor Jr.
Commissioner Sherelean Bass
Commissioner Chris Davis
Commissioner Audrey Dominguez**

Appointed Officials

**Interim City Manager Darvin Williams
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."

PROCEDURES FOR PUBLIC PARTICIPATION

How to watch the meeting

Members of the public can watch public meetings and public hearings at <https://www.youtube.com/user/CityofOpaLocka>

City Commission Meetings are held in-person while allowing virtual participation. Members of the public wishing to address the Commission may do so in person or virtually.

To participate virtually, please register by 7:00 p.m. on the scheduled meeting date via the City of Opa-locka website at www.opalockafl.gov.

CITY OF OPA-LOCKA

"The Great City"

AGENDA REGULAR COMMISSION MEETING June 8, 2022 7:00 PM

- 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:**

Budget Workshop Meeting Minutes - April 20, 2022
- 9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:**
- 10. PUBLIC PRESENTATIONS:**
- 11. CITIZENS' FORUM:**
(Opportunity for discussion of any concerns – please limit to 3 minutes)
- 12. ACTION ITEMS (items from consent agenda pull list):**
- 13. ADMINISTRATION:**

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE REVISED OPA-LOCKA TITLE VI PROGRAM PLAN; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***
2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER, DARVIN WILLIAMS, TO SEEK FUNDING OPPORTUNITIES, INCLUDING PARTNERSHIPS AND ESTABLISH AN ANNUAL MOORISH ARTS AND CULTURAL FESTIVAL FOR A RECOMMENDED PRELIMINARY BUDGETED AMOUNT OF \$50,000.00 FOR THE FY 2023 BUDGET; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Davis***
3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER, DARVIN WILLIAMS, TO DESIGNATE ONE (1) RESERVED PARKING SPACE AT ALL CITY FACILITIES FOR THE USE BY U.S. MILITARY VETERANS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Vice Mayor Taylor***

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

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

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 13 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS", ARTICLE XIV ENTITLED "LANDLORD PERMIT", SPECIFICALLY AMENDING SECTION, 13-274(3) TO REQUIRE THAT ALL APARTMENT BUILDINGS WITH ONE HUNDRED FIFTY (150) UNITS OR MORE TO BE REQUIRED TO HAVE ONSITE 24-HOUR ARMED OFF-DUTY POLICE OFFICER SECURITY; AMENDING SECTION 13-278(5)(b) TO REQUIRE PERMIT APPLICANTS WITH ONE HUNDRED FIFTY (150) UNITS OR MORE APARTMENT UNITS TO COMPLETE A SEPARATE FORM TO BE CREATED BY CITY CONTAINING AN ACKNOWLEDGMENT THAT A DAILY LOG WILL BE KEPT CONTAINING THE**

NAMES OF ANY AND ALL ON-SITE 24-HOUR ARMED OFF-DUTY POLICE OFFICERS BEFORE A PERMIT SHALL BE ISSUED; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Davis*

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

C. RESOLUTION(S):

- 17. CITY MANAGER'S REPORT:
- 18. OFFICIAL BOARD REPORTS:
- 19. FUTURE AGENDA ITEMS:
- 20. MAYOR/COMMISSION REPORTS:
- 21. OFFICIAL BOARD APPOINTMENTS:
- 22. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

- 1. Feedback Fridays with City of Opa-locka Commissioner Sherelean Bass, **every Friday** from 4:00 p.m. - 5:00 p.m., Opa-locka Municipal Complex, 780 Fisherman Street, 4th Floor, Opa-locka, Florida.
- 2. Opa-locka Community Redevelopment Agency Meeting, **Tuesday, June 14, 2022** at 5:30 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.
- 3. City of Opa-locka Charter Review Board Meeting, **Thursday, June 16, 2022** at 6:00 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.
- 4. City of Opa-locka Historic Environmental Preservation Board, **Thursday, June 23, 2022** at 6:00 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.
- 5. City of Opa-locka Walking One Stop Initiative, **Monday, June 13, 2022** from 9:30 a.m. - 12:00 p.m., at Glorietta Gardens Apartments, 13210 Alexandria Drive, Opa-locka, Florida. *Hosted by Commissioner Chris Davis and Wayne Rawlins*

For further information, please contact the Office of the City Clerk by telephone at (305) 953-2800 or email jflores@opalockafl.gov.

APPROVAL OF MINUTES

CITY OF OPA-LOCKA
“The Great City”

WORKSHOP

Wednesday, April 20, 2022
6:00 p.m.

1. CALL TO ORDER:

Mayor Veronica Williams called the Workshop to order at 6:10 p.m. on Wednesday, April 20, 2022.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Audrey Dominguez, Vice Mayor John H. Taylor Jr., and Mayor Veronica J. Williams. Also, in attendance were: Interim City Manager Darvin Williams, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

3. INVOCATION:

The invocation was delivered by Mayor Williams.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC COMMENTS:

Agenda item(s) only

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings.

Mayor Williams opened public comments.

There being no members of the public to address the Commission, Mayor Williams closed Public Comments.

6. DISCUSSION ITEMS:

a) FY 2023 BUDGET AND FIVE-YEAR PLAN

Mayor Williams asked Interim City Manager Williams to begin the discussion on the FY 2023 budget and five-year plan.

Interim City Manager Williams informed the Commission that the Workshop discussion will cover what will be the Commission's agenda with options from Budget Director Bob Anathan as the guide, and he asked him to deliver his presentation to the Dais.

Budget Director Bob Anathan delivered a presentation to the Commission on the FY 23 budget and the five-year plan. Mr. Anathan concluded his presentation by asking for the Commission's direction based on consensus, pointing out that if separate direction is provided from each member of the Commission, the resulting product probably won't satisfy anybody.

Vice Mayor Taylor asked if the proposal for public safety includes the building of the Police Department, or if it just includes training and hiring.

Interim City Manager Williams stated that it does include that and informed the Commission that his Office believes they have the resources secured to fund at least part of that and they want to proceed to secure additional resources to fund it all. Manager Williams explained that the biggest concern moving forward is the salaries for law enforcement. As City Manager, Mr. Williams said that his position is that increasing the salaries of the Police force needs to be looked at very firmly, pointing out that the average starting salary in Miami-Dade County is \$51,000 while it is \$38,000 in Opa-locka. He informed the Commission that they want to try to hit somewhere between \$45,000 to \$48,000 which would represent a \$1.5 to \$1.7 million hit to the City's finances. While he explained that his Office is looking to be as creative as they possibly can be, the biggest concern is covering the gap.

Vice Mayor Taylor asked if the proposal for infrastructure includes flooding.

Budget Administrator Anathan confirmed that the proposal for infrastructure includes flooding.

Vice Mayor Taylor asked if the Manager's Office was thinking about hiring a grant writer.

Interim City Manager Williams stated that they were not thinking about it at this time.

Vice Mayor Taylor asked if it was part of the five-year plan.

Interim City Manager Williams informed the Commission that the contract with Financial Consultant Gerri Lazarre includes grant writing services, and all of the individual grants are initiated in the Finance Department and filter that way.

Mayor Williams recalled that about 2 years ago, the Commission listed its priorities at the time, and while a few other Commissioners were not there, they listed what they wanted to see, and beautification was at the top of all their lists. The Mayor wondered if a comprehensive beautification plan had been put together including goals and those things that will be tackled first, because she said that beautification is subjective, and everyone sees it in a different way. She also asked what department it would be funneled through, stating that everything can't be on the Public Works Department's lap, acknowledging that it is traditionally it is the department that is thought of related to beautification, but pointing out that it could also be things like grant funding and soliciting the services of private organizations to provide those services.

Interim City Manager Williams stated that he and his Staff share the concerns expressed by Mayor Williams regarding beautification. The Manager said that they do not have a comprehensive beautification plan to date, but he offered assurances that at the direction of the Commission, funds can be allocated to get that done. Absent that direction, Mr. Williams, his Staff will continue to work with the Parks & Recreation Department and Public Works Department through a piecemeal approach with initiatives like the painting program for homes, targeting certain trees and workshops with Residents.

Mayor Williams thanked Interim City Manager Williams for being honest in the spirit of transparency and she acknowledged that he was right about where the City is right now. The Mayor stated that she thinks the City should move forward thinking of a comprehensive beautification plan, so that they and residents know that it is checked off the list and that the City is moving in the right direction obtaining its goals.

Commissioner Davis spring boarded off some of the issues brought up by Mayor Williams such as City beautification, which he described as valuable issues. The Commissioner also recalled that there was a consensus from the Commission during their budget workshop, with beautification being at the top of their list. He also remembered that during that time, the Commission wanted to see some sort of maintenance schedule that shows what is being done on a consistent basis including tree trimming, park cleaning, trash pickup and gutter cleaning. The Commissioner said they want to know what the schedule is and how often it's occurring so that they can share that with the Residents, acknowledging that they are aware these things are happening but that they just don't know when and where. He went on to note that the presentation delivered to the Commission mentioned a quality park system with a broad range of innovative and engaging recreational programs, and he asked if it was the intent for all of the City's community parks to have that programming.

Interim City Manager Williams assured the Commission that the plan for each one of the City's parks will absolutely have some form of activity that reaches out to the community and that they receive some funding so that it can be utilized by the Residents.

Commissioner Davis also asked if the Commission would see grant opportunities extend to programming at the City's parks.

Interim City Manager Williams confirmed that the City's parks will absolutely have grant opportunities extended to their programming.

Commissioner Davis reminded the Commission that they allocated a significant amount towards the City's parks to make certain infrastructure improvements, including fencing. The Commission said he wasn't sure if it's still in the budget or if they amended it but said that he didn't recall it being pulled through the budget amendment process and assumed that the line item is still there. He asked about the implementation of the fencing and different features that would increase safety and the usability of the parks. The Commissioner concluded by pointing out that Ingram and Sherbondy Parks have some level of fencing to provide safety, but he lamented that Kaboom Park doesn't have fencing and he reminded the Commission that it is a park that is geared towards a younger demographic and he believes the City would want to put certain procedures in place to prevent Residents from being harmed in any way.

Interim City Manager Williams confirmed that the funding is already allocated and available to commence with the fencing of the City's parks, with the exception of Kaboom Park because he pointed out that the City is not the only owner of the lots that make up the park and thus the City will have to negotiate with the other 2 owners to ensure that they have the right to complete the fencing.

Commissioner Bass asked for Interim City Manager Williams to elaborate on the section of the presentation that was made to the Commission, which proposed highly effective and ongoing communications between the City government and Community.

Interim City Manager Williams informed the Commission that programs such as the Citizens' Committee are being put together to facilitate outreach, so that Residents have information. Manager Williams also said that his Office is looking at things like the pamphlet suggested by Commissioner Dominguez, with the details of all the City's activities. Stressing that his Office is making government as transparent as possible for Residents so that they can understand what their government does, adding that Citizens will be able to evaluate their government and give feedback on how services are being provided and their experience with things like coming to City Hall to get a permit and paying a water bill, feedback on outreach from the Commission and Parks & Recreation Department and other services, and if they are feeling safe based on how responsive the Police force is.

Commissioner Bass shared that she was driving through what she believed was North Miami Beach and noticed their kiosks where they advertise their events and she said that

she thought it is an impressive thing to have. Acknowledging that she doesn't know if it is in the City's budget, she stated that he would personally love to see that in Opa-locka.

Interim City Manager Williams stated that his administration can absolutely review the pricing on kiosks to advertise City events, to see if that's something that can get done.

Mayor Williams asked Budget Administrator Anathan if he had more to present to the Commission.

Budget Administrator Anathan stated he didn't have anything more to present and stated that he was sensing an acceptance of the objectives that were outlined in his presentation, for the budget to correspond to those objectives both for FY 23 and for the five-year plan.

Vice Mayor Taylor asked if the verbiage proposed by the Commission during the workshop, such as the creation of a comprehensive plan for beautification, can be added into the document presented by Budget Administrator Anathan.

Interim City Manager Williams assured the Commission that his intention is to have a list of all their priorities forwarded to them by email after the Workshop for their confirmation, and added that if anything had been omitted, it can be addressed moving forward.

Mayor Williams stated that she thinks the Commission has provided information to Interim City Manager Williams and can provide any updates moving forward. The Mayor added that when she thinks about the Commission priorities, including the ones that she said Commissioner Dominguez has provided as well, she would like to see them added to the list and bucketed under the places they fit.

Commissioner Dominguez noted that the presentation delivered by Budget Administrator Anathan proposed a declining mileage rate. The Commissioner pointed out that Opa-locka has the highest mileage rate of all the municipalities at 9.65, despite being a small City. She acknowledged that the mileage rate went down last year a little and expressed her hope that it will go down a little bit for the Residents.

Budget Administrator Anathan confirmed that the goal is for the mileage rate to decline.

Interim City Manager Williams acknowledged that it is well documented that Opa-locka has the highest mileage rate in the State of Florida, which he believes is a disservice to the Residents. The Manager stated that his administration plans to address that by diversifying the City's revenue portfolio so that they're not solely relying on the mileage rate for revenue to support the City's services. He said that the diversification will increase the City's revenue stream and will make it possible to lower the mileage rate, asserting that it is one of his administration's targets.

Mayor Williams asked Budget Administrator Anathan to deliver his presentation on the Commission Department Budget.

Budget Administrator Anathan delivered his presentation on the Commission Department Budget.

Vice Mayor Taylor asked if the events budget for the Commission was being done away with.

Budget Administrator Anathan explained that the events budget for the Commission is a separate budget under the special events policy that was adopted by the Commission. The Budget Administrator said that the Parks & Recreation Department will come before the Commission in May to get their approval for the standard special events for next year, including a discussion on their discretionary budgets.

Vice Mayor Taylor suggested that the proposed line item for training, conferences and seminars be raised from \$4,000 to \$5,000 because there are five members of the Commission. The Vice Mayor also suggested that the proposed line item for publications, subscriptions and memberships be raised from \$1,900 to \$2,000.

Interim City Manager Williams confirmed that the budget increases requested by Vice Mayor Taylor could absolutely be included in the proposed budget.

Mayor Williams pointed out that there are times that Members of the Commission are asked to support specific events by buying a ticket or an ad in a book, and she asked if that would fall under the publications/subscriptions/memberships proposed budget line item. The Mayor said that she has been doing what she is sure all the Members of the Commission have been doing, by personally paying out of their own pocket. She went on to say that the assumption is that they have something written in the budget to support other entities. The Mayor also said that it was great to be able to support the Trayvon Martin Foundation with a table at their event and asked if there was something available for when the Commission wants to offer support.

Interim City Manager Williams informed the Commission that a proposed budget to support other entities would not fall under the publications/subscriptions/memberships proposed budget line item, but he said that he would defer to Budget Administrator Anathan for recommendations.

Budget Administrator Anathan informed the Commission that the general expense proposed budget line item is for everything they didn't think of and suggested that the Commission may be looking for a slightly larger number than the \$2,000 that was proposed.

Mayor Williams said that she doesn't know about anyone else, but she shared that she has not been able to use her monthly allowance since she has been on the Dais because she doesn't keep one receipt. The Mayor went on to say that she is okay with putting the proposed budget to support other entities into the general expense proposed budget line item, so that the Commission can support people and organizations by buying a ticket or an ad, but she said it doesn't have to be put into that line item and asked if the currently proposed \$2,000 would be divided by the 5 Members of the Commission or if that amount would have to be increased.

Interim City Manager Williams stated that in terms of equity, he would look to divide the amount budgeted for the Commission to support other entities, equally among the Members of the Commission. Manager Williams pointed out that if the currently proposed \$2,000 was divided evenly, it would equal \$400 for each member of the Commission.

Commissioner Davis stated that he wanted to chime in because he is the only sitting Commission Member that has a membership with the League of Cities, which he said is a running membership that he's had for several years. The Commissioner pointed out that the membership can be expensive and will probably exceed the proposed line time. He asked that it be increased because he has dealt with issues with the League where they personally sent him invoices expecting him to pay for it, when he is holding a membership on behalf of the City. Commissioner Davis acknowledged that the issue with the invoices has been due to the City's relationship with the State of Florida and how they approve certain items but said that it would be greatly appreciated if it was put some way into the budget.

Budget Administrator Anathan stated that the membership for the League of Cities would fall under the proposed budget line item for publications/subscriptions/memberships and he said that if there's consensus amongst the Commission, it will be increased.

Interim City Manager Williams asked Commissioner Davis to let his Office know what the expense for the League of Cities is, and he said that if they can allocate it equally among the 5 Members of the Commission, they will look to increase the budget by that amount.

Vice Mayor Taylor noted that Commissioner Davis stated he received invoices for his membership with the League of Cities and asked if it is a recurring monthly charge.

Commissioner Davis stated that he guesses his Membership with the Leagues of Cities is a recurring monthly charge, but they usually don't send the invoice until it's pretty hefty, so he thinks you get it annually because he's only received one since being a member and assumes another payment is probably coming due.

City Clerk Flores clarified that there is an annual fee for the membership with the League of Cities and in addition, they have monthly board of directors' meetings that are dinners which cost \$60 to attend per person. The Clerk said she thinks those are the invoices that Commissioner Davis is referencing because he does attend these meetings on a monthly basis, so they're sending him the invoices when the City should be paying for them.

Mayor Williams asked if the City was paying for the invoices from the League of Cities that were being sent to Commissioner Davis.

City Clerk Flores stated that to her knowledge, the city is paying for the invoices from the League of Cities that were being sent to Commissioner Davis, but she thinks that at one time there was an issue with that.

Interim City Manager Williams stated that the annual expense from the League of Cities is still paid under the City Manager's Budget, and he said that for whatever reason, they are submitting the monthly expenses on behalf of Commissioner Davis.

Mayor Williams thanked Commissioner Davis for taking the position again with the League of Cities.

Budget Administrator Anathan informed the Commission that the monthly League of Cities meetings are being recorded in the training, conferences and seminars budget line item right now.

Mayor Williams stated that perhaps the publication, subscription and memberships line item may be increased after the Commission makes an assessment of what they've been paying, pointing out that the Commission just became members of the Florida Black Caucus of Local Elected Officials. The Mayor also asked for the clothing proposed line item to be explained.

Budget Administrator Anathan explained that the clothing proposed budget line item is for the shirts branded with the City of Opa-locka logo and their title as Mayor, Vice Mayor or Commissioner.

Mayor Williams pointed out that she had to change over to a new role and had the marketing person leave a week before she had to do the State of the City, which she said probably increased that budget and she proposed to reduce it to \$5,000. The Mayor then said to leave it. She went on to ask when the last time was that a scholarship was given out.

Budget Administrator Anathan stated that he doesn't believe that in the 2 years he's been serving in Opa-locka, that a scholarship was ever given.

Mayor Williams asked why the city scholarships are under the Commission's budget.

Interim City Manager Williams stated that the City scholarships were an initiative.

Mayor Williams stated that she understood that they just need to make sure they follow through on the City scholarship initiative.

Vice Mayor Taylor asked if the Commission monthly allowance included in the proposed budget line item, would still be based on reimbursement.

Budget Administrator Anathan confirmed that per the City's Code, the Commission monthly allowance included in the budget line item, must be based on reimbursement.

Mayor Williams stated that she thinks the Commission decided they would go back to look at the proposed general expense budget line item to see if they can fit the support of the community within that line item.

Vice Mayor Taylor asked if the proposed clothing budget line item can be increased because they have two shirts for 1 year and proposed that a different vendor may allow them to get more.

Interim City Manager Williams informed the Commission that his Office is looking at additional vendors for the purpose of providing additional shirts to the Commission.

Mayor Williams asked if the two shirts that she has that say Mayor were each \$500.

Interim City Manager Williams stated that while he preferred the way Vice Mayor Taylor proffered the question about the cost of the shirts, he offered assurances that research is being done to find additional less expensive vendors.

Vice Mayor Taylor suggested they can go to the Flea Market.

Mayor Williams thanked Budget Administrator Anathan for his time.

Vice Mayor Taylor encouraged his colleagues on the Commission to join him in congratulating Ms. Sha'mecca Lawson for her promotion as Assistant City Manager.

Mayor Williams encouraged her colleagues on the Commission to join her in congratulating Mr. Darwin Williams for being appointed as the new City Manager.

Interim City Manager Williams thanked the Commission for the opportunity to serve the City and the residents of Opa-locka. City Manager Williams re-stated that his administration will be about transparency and integrity moving forward. He expressed his appreciation for the Commission's feedback, agenda items and focus for the proposed budget and said that he is looking forward to fulfilling the recommendations they have.

The City Manager asserted that his Staff is looking forward to a continued relationship with the Commission for the Residents of Opa-locka.

8. ADJOURNMENT:

There being no further business to come before the City Commission, Mayor Williams adjourned the Workshop at 6:51 p.m.

Veronica J. Williams
Mayor

ATTEST:

Joanna Flores, CMC
City Clerk

CONSENT AGENDA

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE REVISED OPA-LOCKA TITLE VI PROGRAM PLAN; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS; on July 14, 2015, pursuant to Resolution No. 15-9048, the City Commission of the City of Opa-Locka voted to authorize the City Manager to accept and implement the Miami-Dade County Transit Opa-Locka Transit Policy for the City of Opa-Locka ("City"), as required by the FDOT for Recipients of State and Federal Funding Dollars; and

WHEREAS; the Opa-Locka Title VI Program ensures that no person is excluded or denied the benefit of service based on race, color, or national origin. The contents of the revised plan has been prepared in accordance with the Section of Title VI of the Civil Rights Act of 1964; and

WHEREAS; the City has received funding from Miami Dade County through the Citizens' Independent Transportation Trust (CITT) Program to fund the Opa-Locka Shuttle Bus for the North Route and was recently awarded funding from the Florida Department of Transportation (FDOT) for the Opa-Locka South Route that will soon be in service. Both funding agencies require municipalities to keep an active Title VI Program, to update the program every three years, and requires the approval of the City Commission; and

WHEREAS, the City Commission finds that it is in the best interest of the City and its residents to authorize the City Manager to accept and implement the revised Opa-Locka Title VI Program Plan, attached hereto as Exhibit "A", to comply with the Federal Transit Administration (FTA) requirements and benefit from the use of funds to innovate or improve existing public services, such as the Opa-Locka Shuttle Bus service that is being offered to the community for free.

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

Resolution No. _____

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

Section 2. Directing Interim City Manager. The City Commission hereby authorizes Interim City Manager, Darvin Williams, to accept and implement the revised Opa-Locka Title VI Program Plan, attached hereto as Exhibit "A" and execute the Office of Civil Rights Municipality Information Sheet Title VI Program Yearly Update Form, attached hereto as Exhibit "B".

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, following review by the City Attorney, without the need for public hearing, by filing a corrected copy of same with the City Clerk.

Section 4. Effective Date. This Resolution shall be effective immediately.

PASSED AND ADOPTED this _____ day of _____, 2022.

Veronica Williams, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

Burnadette Norris-Weeks, P.A.
City Attorney

Resolution No. _____

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass:	_____
Commissioner Davis:	_____
Commissioner Dominguez:	_____
Vice-Mayor Taylor:	_____
Mayor Williams:	_____



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

Department Director:	Airia Austin		Department Director Signature:				
City Manager:	Darvin Williams		CM Signature:				
Commission Meeting Date:	06/08/2022		Item Type: (Enter X in box)	Resolution X	Ordinance	Other	
Fiscal Impact: (Enter X in box)	Yes X	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading	
			Public Hearing: (Enter X in box)	Yes	No X	Yes	No X
Funding Source: Account# :	(Enter Fund & Dept.) Ex: See Financial Impact Section		Advertising Requirement: (Enter X in box)	Yes		No X	
Contract/P.O. Required: (Enter X in box)	Yes X	No	RFP/RFQ/Bid#:				
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 ☒ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)			
Sponsor Name	City Manager		Department:	City Manager			

Short Title:

**OPA-LOCKA TRANSIT SYSTEM
TITLE VI PROGRAM PLAN**

Staff Summary:

A resolution from the City Commission of the City of Opa-locka, Florida to authorize the City Manager to accept and implement the revised Opa-locka Title VI Program Plan to comply with the Federal Transit Administration (FTA) requirements and benefitting from the use of funds to innovate or improve existing public services such as the Opa-locka Shuttle Bus service that is being offered to the community for free.

The program ensures that no person is excluded or denied benefitting from the service based on race, color, or national origin. The contents of the program have been prepared in accordance with the Section of Title VI of the Civil Rights Act of 1964.

The City currently received funding from Miami Dade County through the Citizens' Independent Transportation Trust (CITT) Program to fund the Opa-locka Shuttle Bus for the North Route and was recently awarded funding from the Florida Department of Transportation (FDOT) for the Opa-locka South Route that will be in service soon. Both funding agencies require municipalities to keep an active Title VI Program, to update the program every three years, and requires the approval of the City Commission.

Proposed Action:

Staff recommends approval of this item to continue benefitting from available funding opportunities that are beneficial to our community, to comply with federal, state, and county requirements, and most importantly to ensure that no person be discriminated based on race, color or national origin in all services provided by the City.

Attachment:

1. Agenda
2. Opa-locka Title VI Program
3. Miami Dade County (MDC) Title VI Municipality Update Form
4. Opa-locka 's Resolution No. 15-9048 for Opa-locka Transit Policy



OPA-LOCKA TRANSIT SYSTEM

(OTS)

TITLE VI PROGRAM PLAN

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1. INTRODUCTION

1.1. OTS' COMMITMENT TO CIVIL RIGHTS

This update of Opa-locka Transit System's Title VI Program has been prepared to ensure that the level and quality of OTS' fixed route services are provided in a nondiscriminatory manner and that the opportunity for full and fair participation is offered to OTS' riders and residents alike. Additionally, through this program, OTS has examined the need for services and materials for persons for whom English is not their primary language, and who have a limited ability to read, write, speak, or understand the English language.

While it is a matter of principle that OTS is committed to ensuring that no person is excluded from participation in or denied the benefits of subject to discrimination in the receipt of any of OTS' services based on race, color or national origin, the contents of this program have been prepared in accordance with the Section of Title VI of the Civil Rights Act of 1964.

"Federal agencies are to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them"

Executive Order 13166

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT), the Highway Transportation System (HTS) has an obligation to ensure that,

- The benefits of its bus services are shared equitably throughout the service area.
- The level and quality of bus services are sufficient to provide equal access to all riders in its service area.
- No one is precluded from participating in OTS service planning and development process.
- Decisions regarding service changes are made without regard to race, color or national origin and that development benefitting a community as a whole not be unjustifiably done through the disproportionate allocation of its adverse environmental and health burdens on the community's minority population.

2. GENERAL REQUIREMENTS

2.1. NOTICE TO THE PUBLIC

To make OTS' riders aware of its commitment to Title VI compliance, and of their right to file a civil right complaint, OTS has presented the following language, in both English and Spanish, on decals inside the buses and on its website, WWW.OPALOCKAFL.GOV

2.2. YOUR CIVIL RIGHTS



OTS operates The Opa-locka Express service without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under the Title VI may file a complaint with OTS. For more information on OTS' civil rights program and procedures to file a complaint, please contact transit office by email to OCarney@opalockafl.gov or call the office at 305-953-2868 and advised them that you need assistance in obtaining more information on filling out a TITLE VI Complaint form.

3. DISCRIMINATION COMPLAINT PROCEDURES

OTS has established a process for riders to file a complaint under Title VI. Any person who believes that she or he has been discriminated against based on race, color, or national origin by OTS may file a Title VI complaint by completing and submitting the agency's Title VI Complaint form (appendix A) available on our website WWW.OPALOCKAFL.GOV. Download the form, fill it out completely and print it. Mail the completed form to:

Opa-locka Transit System
Title VI Complaint – ocarney@opalockafl.gov
12950 NW 42nd Ave. Opa-locka. FL 33054

Note: The City of Opa-locka encourages all complainants to send the complaint forms via certified mail through the US Postal Service, to ensure that all written correspondence can be easily tracked.

The Complaint Procedure

The following procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by OTS, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

OTS investigates complaints received no more than 30 days after the alleged incident. OTS will process complaints that are complete. Once the complaint is received, OTS will review it and the complainant will receive an acknowledgement letter (appendix B) informing them whether the complaint will be investigated by OTS. OTS will then notify the Miami-Dade Transit (MDT) Office of Civil Rights and Labor Relations Allison Aristide – Title: VI/Non-Discrimination Coordinator. Allison@miamidade.gov (305.468.5900)

Every effort will be made to obtain early resolution of complaints at the lowest possible level. OTS has up to 60 days to investigate the complaint. If more information is needed to resolve the case, OTS may contact the complainant. The complainant has fifteen days from the date of the letter to send requested information back to OTS. If the information is not received back from the complainant within the fifteen days, OTS can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the complaint is investigated and reviewed, one of two letters will be issued to the complainant, a closure letter (appendix C) or a letter of finding (LOF) (appendix D). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

A LOF summarizes the allegations and the interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member or other action will occur.

If the complainant wishes to appeal the decision, she or he has ten days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at:

Federal Transit Administration Office of Civil Rights
Attention : Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Avenue SE
Washington, DC 20590

Title VI Complaint Form



Active Complaints or Inquiries alleging Discrimination

HTS maintains a list of all complaints alleging discrimination. This list is maintained and stored electronically. As of July 1, 2014, there are no Title VI complaints.

List of TITLE VI Investigations, Lawsuits and Complaints

Type (Investigation, Lawsuit or Complaint)	Date of Complaint (Month/Day/Year)	Summary of Complaint (Include basis of Complaint; race, color or national origin)	Status of Complaint	Action (s) Taken

4. OTS PUBLIC PARTICIPATION PLAN

4.1. KEY PRINCIPLES

Public Participation Plan (PPP) process is in place. Any changes that greatly affect the users will need City Council approval. The time and date of these meetings are posted at City Hall in the lobby and are also posted online in the city's webpage (www.opalockafl.gov). The residents may review the agenda and participate in the meeting. The postings usually occur 4 days prior to the meeting. Also, any changes that affect will also be posted on the inside of the buses in English and Spanish.

Potentially affected community members will have the appropriate opportunity to express any concerns that they may have regarding the issue at hand.

The concerns of the participants involved will be considered in the decision-making process.

Through an open public process, OTS follows a public participation plan to provide for public involvement efforts and enhance access to OTS transportation decision-making process by minority and Limited English Proficient (LEP) populations.

Limited English Proficient (LEP)

LEP refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

OTS will use its Public Participation Plan when considering fare changes, modifications to routes and schedules when,

- Fare increases or significant changes in the method of fare payment are being considered.
- A new route is established.
- An existing route is proposed for elimination.
- Considering the total discontinuance of service on any line or group of lines on any given day when service is currently offered.
- Any system-wide change in service hours that exceeds 10% of current total service hours.
- Routing on any given route or routes that affect more than 25% of the riders using the affected route(s).

4.2. OTS' PUBLIC PARTICIPATION PROCESS

Outreach Efforts - Alerting Riders

OTS' PPP maintains the traditional elements to the outreach program such as seat-drop flyers, driver issued surveys, and by posters and notices on the buses. While there may be minor variations in the outreach process from time-to-time. The outline below provides the general steps for engaging riders in the decision-making process using a fare change as an example.

1. A fare change proposal is developed internally or because of public comment.
2. If required, approval from the City Council is sought to proceed to a public comment hearing.
3. Public meetings (City Council) are posted at City Hall in the lobby board and posted online in the city's webpage (www.opalockafl.gov) usually 4 days prior.
4. Bilingual (English & Spanish) public outreach is available.

Example of fare increase notice placed inside bus,

The City of Opa-locka will not increase any transit rate

There has never been a transit assessment in the City of Opa-locka other than the Miami Dade Transit Buse

In response to recent changes made by the Federal Transit Administration (FTA) on Title VI Requirements and Guidelines for FTA Recipients (FTA C4702.1B). The City of Opa-locka is looking for residents to provide input on a pending fare increase and its impact on fixed route on fixed route services. The public can submit comments on the fare increase through June 30, 2022, by emailing the City of Opa-locka at Ocarney@opalockafl.gov. Comments can also be submitted in writing to: Opa-locka Transit System at 12950 NW 42nd Avenue. Opa-locka, FL 33054

La ciudad de Opa-locka nunca ha implementado ninguna tarifa ni aumento de la misma.

Este incremento de tarifa ha sido la tercera en los últimos once años.

En respuesta a los cambios recientes realizados por la FTA a los Requisitos y Guías para beneficiarios del Title VI (FTA C4702.1B), la Ciudad de Opa-locka está buscando comentarios de los usuarios de autobuses a cerca del incremento pendiente en las tarifas de autobuses. Los comentarios serán aceptados hasta el día 30 de June 2022 por correo electrónico a: ocarney@opalockafl.gov o por correo a Opa-locka Transit System al 12950 NW 42nd Avenue. Opa-locka, FL 33054

5. LANGUAGE ASSITANCE PLAN

Improving Access for People with Limited English Proficiency

To ensure meaningful access to programs and activities. OTS uses the information obtained in a Four Factor Analysis to determine the specific language services that are appropriate. This analysis helps OTS to determine if it communicates effectively with LEP persons and in forms language access planning.

The Four Factor Analysis is a local assessment that considers,

1. The number or proportion of LEP persons eligible to be served of likely to be encountered by OTS.
2. The frequency with which LEP persons come into contact with OTS services.
3. The nature and importance of OTS' services in people's lives; and
4. The resources available to OTS for LEP outreach, as well as cost associated with that outreach.

5.1. FACTOR 1 – NUMBER OF LEP PERSONS ON SERVICE REGION

The first step in determining the appropriate components of a Language Assistance Plan is understanding the proportion of LEP persons who may encounter OTS service, their literacy skills in English and their native language, the location of their community and neighborhoods and, more importantly, if any are underserved as a result of a language barrier.

City of Opa-locka Overview

Our transportation efforts, although not enough, currently serve the city. Opa-locka is located 10 miles north of downtown Miami, in Miami-Dade County, Florida, is 4.265 square miles and is home to 16,463 residents representing a highly vulnerable population. The target community consists of individuals and families with small children living below the poverty line, elderly in poverty, a population that is predominantly minority, with high levels of unemployment, under-educated, living in substandard housing within substandard community infrastructures, battered by seasonal storms and devastated by declared disasters, living with the daily consequences of the high crime rate, who are blighted by environmental justice concern due to their disproportionate risk of health issues stemming from exposure to contaminants from the proximity of their neighborhoods to Brownfield.

The target population needs greater opportunities for educational advancement. Approximately 21.30% of the population have not completed high school. Health disparities are often linked to school performance with a direct correlation between school attendance levels and academic success. People who do not have high school diploma or higher-level education is more propense to live in poverty or end up unemployed.

Approximately ten public schools are either located in or assigned to Opa-locka area with an attendance of over 2,700 children from pre-kindergarten to twelve grade level, who travel to and from school each day. Ninety percent (90%) of these children are eligible for free or reduced lunch which reaffirm the fact that high level of Opa-locka's population live with low income. All these schools enroll 100% minority (Black and Hispanic). Test scores in these schools falls far below the state average. (www.greatschools.org)

5.2. FACTOR 2 – FREQUENCY OF LEP USE

There are places where OTS riders of the LEP population can come into contact with OTS service such as fixed route buses and informational calls to customer service. It is important for OTS to ensure that the following points of contact are covered in English and Spanish,

- The use of the bus service.
- Communication with OTS customer service staff.
- Bus pass sales
- Printed outreach materials - ex, Brochures
- Web-based materials
- Meetings - City Council meetings
- Service-related posters - notices inside buses

5.3. FACTOR 3 – THE IMPORTANCE OF OTS SERVICE TO PEOPLE'S LIVES

Access to the services provided by OTS' fixed route is critical to the many people in the area. Many depend on OTS' fixed route services for access to jobs and for access to essential community services, shopping places, and medical appointments. Riders eligible for service under the American's with

Disabilities Act (ADA) require service for the same reasons. Because of the essential nature of these services and the importance of these to the many residents in the area, there is a need to ensure that language is not a barrier to access.

Based on passenger surveys, many of the riders responded to using the buses for multiple reasons. The percentages given below is based on just the number of each individual reason for using the bus by the total number of respondents.

- 96 (%) reported depending on the service for work related transportation.
- 41(%)reported using the service for school.
- 75(%) reported using the service for health care.
- 58(%) reported using the service for shopping - all essential trip purposes.

5.4. FACTOR 4 – RESOURCES AND COSTS FOR LEP OUTREACH

OTS is committed to providing resources to improve access to its services for LEP persons. Today, bilingual information (English/Spanish) is distributed in several different manners including,

- The inside of the Shuttles
- On each pickup point of route
- Will be posted on our web site in English and Spanish
- Brochures are placed in the City Hall Main Entrance

6. DECISION MAKING BODIES

Non- Elected Committees and Councils

The City of Opa-locka does not have a non-elected committee and /or council or any advisory board regarding this policy of services.

7. SERVICE STANDARDS AND POLICIES

Vehicle Capacity

Vehicle Headway (Frequency)

The shuttle buses operate on weekdays. and Saturdays between hours of 6am and 7pm except holiday(s) within the city and connect residents to the Tri Rail station as well as to MDT bus stops. The shuttle services allow residents to connect to areas of work and school outside of the city. It helps local and regional mobility significantly.

Our City Commission advised us for the north route extension along NW 151st Street from NW 27th Avenue to NW 37th Avenue. Currently NW 151st Street has shuttle bus services for the commercial area from NW 22nd Avenue to NW 27th Avenue but no services for the residential areas between NW 27th Avenue and NW 37th Avenue. The southbound shuttle bus on NW 27th Avenue makes left on NW 151st Street goes towards NW 22nd Avenue.

Request was made to extend the North bound shuttle bus can make right turn on NW 151st Street and extend services between NW 27th Avenue and NW 37th Avenue by routing through NW 37th Avenue. Sultan Avenue. Curtis Drive and then back to NW 151st Street towards 22nd Avenue as shown on the attached Exhibit - 1. This will require about 10 minutes travel time adjustment and will not require any additional bus if this time can be adjusted on the schedule. The schedule for the route on the east

side of NW 22nd Avenue can be adjusted as it serves only the commercial area. The proposed route extension will help the residential community between NW 27 Avenue and NW 37th Avenue. NW 151 Street is the city limit, and the route extension will provide services to the Miami Gardens resident on the north side and Opa-locka residents on the south side. It will enhance the shuttle services popularity and will increase the total ridership.

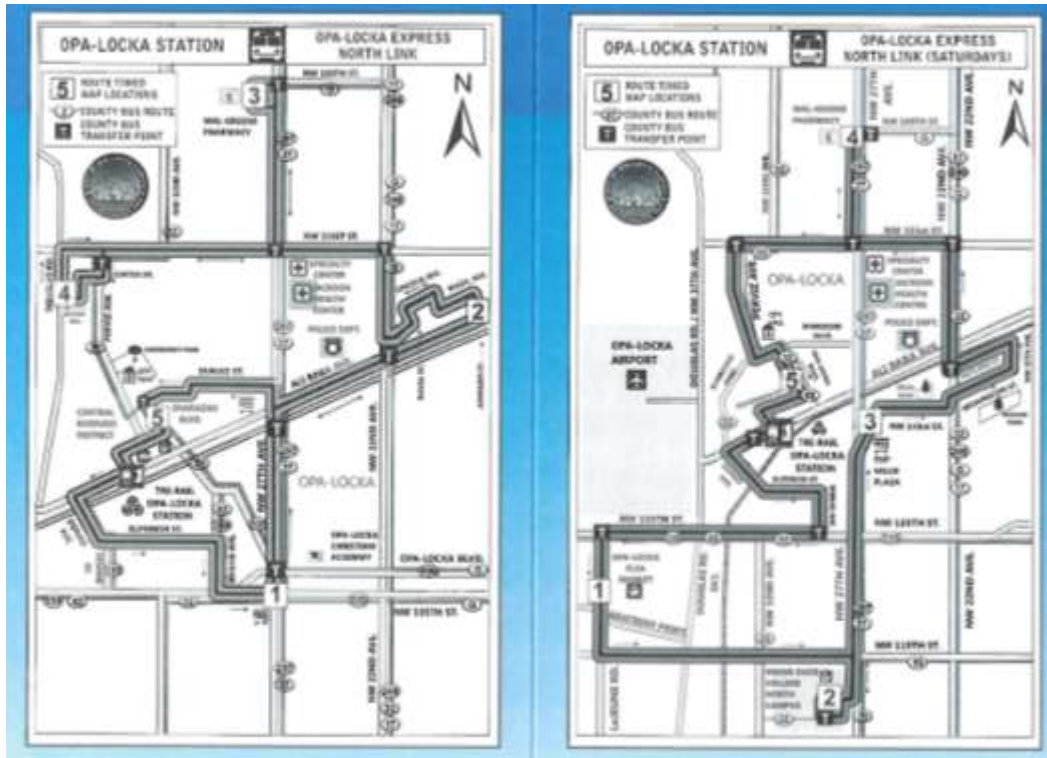
The Opa-locka Shuttle Bus shuttle is currently funded by the Citizens Independents Transportation Trust (CITT) Program and it operates on weekdays between hours of 6am and 7pm except holiday(s) within the city and connect residents to the Tri Rail station. MDT bus stops. Flea Market. Miami- Dade College, Walgreen's and other key areas. The current agreement with the Limousines of South Florida (LSF) does allow LSF to a minimum of thirteen (13) hours operation per day for 5 (five) days a week The amendment will allow LSF to extend their services for Saturday per the attached schedule and route map.

CONTACT

For additional information on the OTS Title VI Plan please contact.

Owen Carney
Opa-locka Transit System
12950 NW 42nd Ave. Opa-locka. FL 33054
Email: ocarney@opalockafl.gov

EXHIBIT - 1



Opa-locka Station Opa-locka Express North Link Shuttle Bus Schedule

WEEKDAY AM & PM											
North Train Arrives	South Train Arrives	Bus Departs Tri-Rail	Opa-Locka Blvd. / NW 21th Ave.	Alhambra Avenue / Johnson St.	Walgreens	Sutton Ave. / Douglas Rd.	Alhambra Avenue / Johnson St.	Downtown Opa-Locka	Bus Arrives Tri-Rail	North Train Departs	South Train Departs
											
*	*	*	*	*	6:10	6:15	6:20	6:25	6:30	6:35	6:58
6:15	6:15	6:30	6:35	6:40	6:45	6:50	6:55	7:00	7:05	7:15	7:35
6:35	6:35	7:05	7:10	7:15	7:25	7:30	7:35	7:40	7:45	7:55	7:55/8:15
7:15	7:25	7:45	7:50	7:55	8:10	8:15	8:20	8:25	8:30	8:35	8:35/8:55
7:55/8:35	7:55/8:15/8:35	8:45	8:50	8:55	9:10	9:15	9:20	9:25	9:30	9:35	9:35
8:35	8:35/8:55	9:05	9:10	9:15	9:20	9:25	9:30	9:35	9:40	9:45	9:45/9:55
10:35	10:45	10:45	10:50	10:55	11:10	11:15	11:20	11:25	11:30	11:35	11:45
11:35	11:45	11:45	11:50	11:55	12:10	12:15	12:20	12:25	12:30	12:35	12:45
12:35	12:45	12:45	12:50	12:55	1:10	1:15	1:20	1:25	1:30	1:35	1:45
1:35	1:45	1:45	1:50	1:55	2:05	2:10	2:15	2:20	2:25	2:30	2:40
*	*	2:30	2:35	2:40	2:55	3:00	3:05	3:10	3:15	3:20	3:25/4:15
2:35	2:45	3:30	3:35	3:40	3:55	4:00	4:05	4:10	4:15	4:20	4:45/5:05
2:55/4:15	3:45	4:30	4:35	4:40	4:55	5:00	5:05	5:10	5:20	5:25/5:55	5:45/6:05
4:45/5:05	4:45/5:15	5:30	5:35	5:40	5:55	6:00	6:05	6:10	6:20	6:25/7:05	6:45/7:05
5:25/5:55	5:45/6:05	6:25	6:30	6:35	6:45	6:50	6:55	7:00	7:10	7:15	7:55
6:05/7:25	6:45/7:05	7:10	7:15	7:20	7:25	*	*	*	*	*	*

SATURDAY AM & PM											
North Train Arrives	South Train Arrives	Bus Departs Tri-Rail	Pico Market	Miami Trade College	Top Value Plaza	Walgreens	Downtown Opa-Locka	Bus Arrives Tri-Rail	North Train Departs	South Train Departs	
											
8:30	9:25	9:30	9:40	9:45	9:50	10:10	10:17	10:20	10:33	10:25	
9:30	10:25	10:30	10:40	10:45	10:50	11:10	11:17	11:20	11:33	11:25	
10:30	11:25	11:30	11:40	11:45	11:50	12:10	12:17	12:20	12:33	12:25	
11:30	12:25	12:30	12:40	12:45	12:50	1:10	1:17	1:20	1:33	1:25	
12:30	1:25	1:30	1:40	1:45	1:50	2:10	2:17	2:20	2:33	2:25	
1:30	2:25	2:30	2:40	2:45	2:50	3:10	3:17	3:20	3:33	3:25	
2:30	3:25	3:30	3:40	3:45	3:50	4:10	4:17	4:20	4:33	4:25	
3:30	4:25	4:30	4:40	4:45	4:50	5:10	5:17	5:20	5:33	5:25	
4:30	5:25	5:30	5:40	5:45	5:50	6:10	6:17	6:20	6:33	6:25	

or more information, call 1-800-TRI-RAIL (874-7245) or visit www.tri-rail.com
Community Shuttle will operate as a "Wave & Ride" at any county bus stop or at any point in a residential area along the route.

* No train service

APPENDIX - A

Complaint Form



Opa-locka Transit System Title VI Non-Discrimination Program Complaint of Discrimination

Complainant (s) Name, <i>Nombre(s) de(los) Reclamante(s),</i>	Complainant (s) Address, <i>Dirección de(los) Reclamante(s),</i>
Complainant (s) Phone Number, <i>Número de teléfono de(los) Reclamante (s),</i>	
Complainant's Representative's Name. Address. Phone Number and Relationship (e.g., friend. attorney. parent. etc). <i>Nombre del representante del Reclamante. dirección. teléfono y relación (por ejemplo, amigo, abogado. padres. etc.);</i>	
Name and Address of Agency. Institution. or Department Whom You Allege Discriminated Against You. <i>Nombre y Dirección de la agencia. institución o departamento que usted alega discriminó en su contra;</i>	

Names of the individual(s) Whom You Allege Discriminated Against You (if known); <i>Nombre(s) de(los) individuo(s) que usted alega discriminaron en su contra (si lo sabe);</i>		
I believe the discrimination I experienced was based on, (Check all that apply), <i>Creo que la discriminación que yo experimente fue basado en (marque todos los que apliquen),</i>	☐ Race <i>Raza</i> ☐ Color <i>Color</i> ☐ National Origin <i>Origen de Nacionalidad</i>	Date of Alleged Discrimination, <i>Fecha de la Supuesta discriminación,</i>

Mail to/Enviar por correo a:

Attn: Owen Carney
 Opa-locka Transit System
 Public Works Department
 12950 NW 42nd Avenue
 Opa-locka, FL 33054

The form can also be sent via email to Ocarney@opalocokall.gov

Este formulario también se puede enviar por correo electrónico a ocarney@opalockafl.gov

A complaint must be filed no later than thirty (30) days after the date of the alleged discrimination.

La queja deberá ser reportada dentro de los treinta (30) días siguientes al incidente de alegada discriminación.



OPA-LOCKA TRANSIT SYSTEM
TITLE VI NON-DISCRIMINATION PROGRAM
COMPLAINT OF DISCRIMINATION

Please provide name(s) and phone number(s) of any person, if known, that Opa-locka Transit System could contact for additional information to support or clarify your allegation(s).

Por favor provea el(los) nombre(s) y teléfono(s) de cualquier persona, si conoce, que el Sistema de Transporte de Opa-locka podría contactar para obtener información adicional que corrobore sus alegaciones.

Please explain as clearly as possible: how, why, when, and where you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

Por favor explique lo más claramente posible: cómo, por qué, cuándo y dónde cree usted que fue discriminado. Incluya la mayor cantidad de información de segundo plano posible a cerca de los supuestos actos de discriminación. Puede agregar páginas adicionales si es necesario.

Complainant(s) or Complainant(s) Representatives Signature,

Firma de(los) Reclamante(s) o de los representantes de (los) Reclamante(s),

Date of Signature,

Fecha de la Firma,

APPENDIX - B



LETTER ACKNOWLEDGING RECEIPT OF COMPLAINT

Date _____

Complainant's Name: _____

Complainant's Address: _____

Dear (Mr./Ms.),

This letter is to acknowledge that a complaint has been received from you alleging,

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please contact me at 305-953-2868.

Attn: **Owen Carney, Coordinator**

Opa-locka Transit System

Public Works Department

12950 NW 42nd Avenue

Opa-locka, FL 33054

APPENDIX - C

LETTER NOTIFYING COMPLAINANT THAT THE COMPLAINT IS SUBSTANTIATED



Date _____

Complainant's Name _____

Complainant's Address _____

Dear (Mr. /Ms.),

The matter referenced in your letter dated _____ against the Opa-locka Transit System alleging of a Title VI violation has been investigated.

The violation of the Title VI of the Civil Rights Act of 1964 mentioned in your letter was identified. Corrective action of this deficiency(s) is being implemented to ensure that this issue does not arise again.

Thank you for bringing this matter to our attention.

Sincerely,

Owen Carney, Coordinator
Public Works Department
Opa-locka Transit System
12950 NW 42nd Avenue
Opa-locka, FL 33054

APPENDIX - D

LETTER NOTIFYING COMPLAINANT THAT THE COMPLAINT IS NOT SUBSTANTIATED



Date _____

Complainant's Name _____

Complainant's Address _____

Dear (Mr./Ms.),

The matter referenced in your complaint dated _____ against the Opa-locka Transit System alleging
has been investigated.

The results of the investigation did not validate that there was any violation of the Title VI of the Civil Rights Act of 1964. As you know, Title VI prohibits discrimination based on race, color or national origin in any program receiving federal financial assistance.

The city's attorney has reviewed and analyzed the materials and facts pertaining to your case for evidence that a violation to any of the civil rights laws as occurred. There was no evidence found to substantiate your complaint and we are closing this matter in our files.

You have the right to appeal within ten days of receipt of this final written decision and/or file the complaint directly with the ITA Federal Transit Administration at

Federal Transit Administration
Office of Civil Rights
Attn: Complaint Team
East Building, 5th Floor- TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Thank you for taking the time to contact us. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Owen Carney, Coordinator
Opa-locka Transit System
Public Works Department
12950 NW 42nd Avenue
Opa-locka FL 33054

DRAFT

APPENDIX – E

OPA-LOCKA HISTORY AND DEMOGRAPHICS

The City of Opa-locka is a small community, located in the northwestern area of downtown Miami Dade County, Florida. The city has an area of 4.2 square miles and its total population is 16,463 (Source 2020 Decennial census). The target community represents a highly vulnerable multi-cultural population compounded by 58.5% of Black or African American, 40.9% of Hispanic or Latino, 3.5% of White alone, not Hispanic or Latino, and 0.1% of Asian; that includes elderly and families with small children and women head of households with children living below the poverty line. Opa-locka has high levels of unemployment, under-educated citizens living in poor housing within substandard community infrastructures, battered by seasonal storms and devastated by declared disasters. The community is plagued daily with high indexes of property and violent crime rates. In 2020, the city violent crime rate in Opa-locka was higher than the national violent crime rate by 405% and the city property crime rate was higher than the national property crime rate by 214% (2020 Crime Rate Index).

Opa-locka was founded by aviation pioneer Glenn Curtiss in 1926, who developed the city with a remarkable Moorish architecture style. The Naval Air Station Miami was located in what we know today as the Miami Opa-locka Airport. After the 1926 hurricane, the city was damaged badly, but some of these Moorish style buildings survived the disaster, and today, approximately twenty of the original Moorish revival architectural buildings are listed on the National Register of Historic Places as part of the Opa-locka thematic Resource Area. In the 1980s, the population in Opa-locka transitioned from majority white to majority African American serving as a pioneer in black empowerment in northern Dade County. Back in 1943, Opa-locka hired its first black Police officer, the first Black City Commissioner, Albert Tresvant, was elected to serve for the Opa-locka community in 1972, who later became the first Black Mayor for Opa-locka. The city dedicated a mile long section of Perviz Avenue to be renamed after Barack Obama to honor the first African American President of the United States.

The city has a large general aviation airport, four parks (Sherbondy, Segal, Magnolia, and Ingram), two lakes, and a railroad station, currently known as the Tri Rail Station. The city is combined by residential, commercial, and industrial zones.

In the 1987, a nine-block part of the city repeatedly made the headlines with its abbreviated nickname, “The Triangle”. The area was so overrun with crime and cocaine that the city's public works department blocked all but one of its entrances with metallic security barriers. The area was then hot with heroin; the cocaine trade that developed in the '80s was violent and pervasive. The city removed some of the barriers from the Triangle in 2012. The neighborhood was renamed as “Magnolia North” as part of a rebranding effort to bring about the first visible change. Thanks to the funding assistance of Miami Dade County pass through General Obligation Grant (GOB) and others federal funding sources, the city started the renovations of the Historic City Hall facility, utilized Miami Dade County (MDC) Funding through Community Development Block Grant (CDBG) to demolish and rebuild Helen Miller at Segal Park Community Center and has been able to restore many other projects with the assistance of these funding sources.

Despite the potential for growth and revitalization, Opa-locka faces many challenges daily. Its drinking water, wastewater, and stormwater system is very old and damaged. Opa-locka's gravity sewer collection and distribution system experience many failures because these infrastructures are more than 50 years old, which have led to breakage and damage of the pipe segments. Opa-locka has accomplished some rehabilitations to its gravity collection system, as well as enhanced some of its pump's stations according to its financial capability and with the aid of federal, state, and local funding sources. Deep cleaning projects have been conducted to alleviate the stormwater system and new drainage systems and swale regrading have been installed in some areas in need. Although progress have been made, Opa-locka still has a long way to replace or upgrade its entire stormwater system to meet current and future level of service and finally remedy the significant flooding events that are experienced in the city, specially, in the industrial and commercial area during rainy season.

Moreover, most of the streets in Opa-locka are very damaged with huge potholes causing safety liabilities. Some due to the lack of drainage systems, others just have been deteriorated with the passing of the years, but in some other cases, the soil condition is not very stable because they were used as a landfill in the past. A clear example is a portion of NW 135th Street, Cairo Lane, and NW 127th Street. This zone is plagued with scrap metal businesses. Every year there are fire incidents on these streets where the fire fighters have struggled to access the property and maneuver the equipment to extinguish the fire due to the inconsistent pavement and the huge potholes that are frequently presence on these roads. The heavy traffic that normally frequent the industrial areas of the city also cause damages and shorten the life expectancy of these streets. Opa-locka is a small city with a high index of poverty compared to other cities nationwide; therefore, the city does not count with much revenue to afford the expensive cost to improve its entire infrastructure overnight. Some projects have been divided into different faces to make it more affordable and that way overcome some of the roadway issues. Since 2017, the city has been working in the Milling and Resurfacing Citywide Project prioritizing streets with worse condition, but which are not part of a major infrastructure improvement work plan. This project has been such an enhancement to the city image as well as an improvement to the quality of life and safety for our residents and visitors. As of 2022, five phases have been accomplished with a total of 12.5 miles of repaired streets. Another project that will enhance the image of the city of Opa-locka and will provide safety to our pedestrians is the new sidewalk installation project that the city has initiated in fiscal year 2020, of which we are already at the third phase, and at the end of this phase the city will have installed 5.5 miles of new sidewalk. So far, both projects have been executed with the assistance of the People's Transportation Tax Funding program through Miami Dade County and the Gas Tax Revenue.

DEMOGRAPHIC INFORMATION	OPA-LOCKA	MIAMI DADE COUNTY	FLORIDA	USA
POPULATION	16,463	2,701,767	21,538,187	331,449,281
POPULATION BORN OUTSIDE THE USA	34.0%	54.0%	20.8%	13.5%

POVERTY RATE	40.4%	15.0%	12.4%	11.4%
MEDIAN HOUSEHOLD INCOME	\$22,494	\$53,975	\$57,703	\$64,994
PERSON UNDER FIVE	9.0%	5.8%	5.3%	6.0%
65 YEARS+ POPULATION	12.8%	16.7%	20.9%	16.5%
HIGH SCHOOL GRADUATE OR HIGHER	68.0%	81.8%	88.5%	88.5%
LANGUAGE OTHER THAN ENGLISH SPOKEN AT HOME	47.3%	75.0%	29.4%	21.5%

www.census.gov/quickfacts/fact/table/miamidadecountyflorida,us,Fl,opa-lockacityflorida

Department of Transportation and Public Works (DTPW)
OFFICE OF CIVIL RIGHTS MUNICIPALITY INFORMATION SHEET
TITLE VI PROGRAM (FTA C 4702.1B)
YEARLY UPDATE



Municipality Name	_____	Date: _____
Address	_____	
Contact Person & Title	_____	
Contact Numbers	_____	
e-mail address	_____	Fax _____
Legal Status of Organization	Municipality _____	

TITLE VI DEFINITION - *Title VI of the Civil Rights Act of 1964 as amended states "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program, or activity receiving Federal financial assistance."*

ENVIRONMENTAL JUSTICE DEFINITION - *When municipalities plan or program activities that could potentially have a disproportionately high or adverse impact on human health or the environment, recipients should include explicit consideration of the effects on minority populations and low income populations.*

REQUIREMENTS (FTA 4702.1B)	YES	NO	NOTES
Title VI statement clearly posted within dwelling or on company website indicating organization's commitment to providing non-discriminatory services and how to file a Title VI discrimination complaint.			
Tracking system in place to monitor Title VI complaints, as well as a system in place to monitor active Title VI investigations.			
Does municipality collect demographic data?			
Has municipality conferred with DTPW prior to completing a four factor analysis? If answer is NO, what other ways does the municipality provide meaningful access to the population they serve (provide answer in NOTES section).			
Does municipality monitor (every 3 years) the level and quality of service within predominantly minority areas to ensure equitable treatment.			
REQUIREMENTS	YES	NO	NOTES
Does municipality have transit related, non-elected planning boards, advisory councils or committees, or similar bodies selected by municipality? IF YES, please attach a copy of a table depicting the racial breakdown of the membership of the committee and a description of efforts made to encourage participation of minorities on committees or councils. If NO, submit a statement indicating there is NO SUCH TRANSIT-RELATED, NON-ELECTED PLANNING BOARDS, ADVISORY COUNCILS OR COMMITTEES.			
Does municipality plan to raise fares within the next 3 years?			

Does municipality confer with MDT prior to siting or location of facility (vehicle storage facility, maintenance facility or operations center) which requires land acquisition and/or the displacement of persons from their residences and businesses for which a NEPA process has not been completed? A 'facility' does not include bus shelters, transit stations or power substations.			
Does municipality confer with DTPW prior to submitting their Public Participation plan? IF YES, does plan include an outreach plan to engage traditionally underserved persons?			
Does municipality confer with DTPW prior to making service adjustments to current system operations?			
Does municipality confer with DTPW prior to making a decision to prepare an Environmental Assessment (EA) and an Environmental Impact Statement (EIS) when considering new projects?			
Does municipality confer with DTPW prior to determining whether to notice or involve the public when considering proposed Title VI related programs/projects?			
When considering Title VI related programs/projects, does municipality confer with DTPW to ensure all requirements from (FTA C 4702.1B) are adhered to prior to completion?			
ADDITIONAL INFORMATION			
PLEASE ATTACH A COPY OF ALL INFORMATION REQUESTED AND SUBMIT IT ALONG WITH THE CHECKLIST.			
Please Note that the Municipality is Responsible for IMMEDIATELY notifying DTPW of any changes regarding plans for Service, Fares, Environmental Assessments, Sitings/Locations, Title VI Related Programs and Projects prior to rendering a decision.			

Sponsored by: The City Manager

RESOLUTION NO. 15-9048

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT THE MIAMI-DADE COUNTY TRANSIT OPA-LOCKA TRANSIT POLICY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The City of Opa-locka currently receives Federal and State Transportation funding; and

WHEREAS, the Florida Department of Transportation (FDOT) and Miami-Dade Transit require that all recipient municipalities implement a non-discrimination policy in compliance with Title VI of the Civil Rights Act of 1964; and

WHEREAS, attached is the City of Opa-locka policy, which the County has already approved.

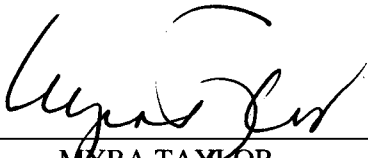
NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

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

Section 2. The City Commission hereby approves the attached non-discrimination policy in compliance with the Civil Rights Act and authorizes the Manager to implement said policy.

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

PASSED AND ADOPTED this 30th day of July, 2015.



MYRA TAYLOR
MAYOR



City of Opa-Locka
Agenda Cover Memo

Commission Meeting Date:	July 14, 2015		Item Type: <i>(Enter X in box)</i>	Resolution		Ordinance		Other	
				X					
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1 st Reading		2 nd Reading			
	X		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No		
					X		X		
Funding Source: <i>(Enter Acct No.)</i>	<i>(Enter Fund & Dept)</i> FDOT Miami Dade Transit		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No			
				X (Bus Shuttle Pick up and return areas)					
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #: N/A						
		X							
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> Improve Safety and transportation for our residents, business, stakeholders and visitors					
	X								
			Enhance Organizational	☐					
			Bus. & Economic Dev	☒					
			Public Safety	☐					
			Quality of Education	☐					
			Qual. of Life & City Image	☒					
			Communcation	☐					
Sponsor Name	City Manager		Department: CIP	CIP/Public Works & Finance					

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT THE MIAMI DADE COUNTY TRANSIT OPA-LOCKA TRANSIT POLICY FOR THE CITY OF OPA-LOCKA AS REQUIRED BY THE FDOT FOR RECIPIENTS OF STATE AND FEDERAL FUNDING DOLLARS AND THAT SAID POLICY WILL BE MADE PUBLIC ON THE CITY'S WEBSITE AS REQUIRED AND THAT ALL BANNERS, LOGOS AND INFORMATIONAL MATERIAL SHALL BE PLACED IN PUBLIC PLACES WHERE PEOPLE GATHER TO RIDE THE OPA-LOCKA SHUTTLE AND THAT SAID POLICY MUST BE REVISED LEGISLATIVELY EVERY YEAR IN THE MONTH OF OCTOBER AND SUBMITTED TO THE RESPECTIVE FUNDERS AS REQUIRED.

Short Title:

The City of Opa-locka's is in compliance and in accordance with the Federal Transit Administration (FTA) legislation for sub-recipients of funding received through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant, 'non-discriminatory use of Federal funds by recipients of FTA assistance including their sub-recipients and contractors is prohibited. 'In compliance with the FTA reporting requirements, the

Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) is responsible for ensuring that each participating municipality is in compliance with Title VI of the Civil Rights Act of 1964. Specifically, the Title VI Act of 1964 states, "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Furthermore, federally supported transit services and related benefits must be distributed in an equitable manner. This policy has been approved in its entirety by Miami Dade County Manager of Civil Rights and Labor Relations.

Staff Summary:

The City of Opa-locka has obtained approval for compliance under Federal Title VI Policy for 2015-2016

Proposed Action:

Staff recommends the adoption of the Resolution to authorize the City Manager to implement and revise policy yearly

Attachment:

Attachments: TITLE VI POLICY APPROVED BY MIAMI DADE TRANSIT

Prepared by: Delia Rosa Kennedy, Grant Administrator



Memorandum

TO: Mayor Myra L. Taylor
Vice-Mayor Timothy Homes
Commissioner Joseph L Kelley
Commissioner Luis B Santiago
Commissioner Terrence K Pinder

FROM: 
Kelvin L. Baker, Sr., City Manager

DATE: July 14, 2015

RE: Implementation of Title VI Policy in accordance "Title VI of the Civil Rights Act of 1964" as mandated for entities receiving federal funding

Request: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT THE MIAMI DADE COUNTY TRANSIT OPA-LOCKA TRANSIT POLICY FOR THE CITY OF OPA-LOCKA AS REQUIRED BY THE FDOT FOR RECIPIENTS OF STATE AND FEDERAL FUNDING DOLLARS AND THAT SAID POLICY WILL BE MADE PUBLIC ON THE CITY'S WEBSITE AS REQUIRED AND THAT ALL BANNERS, LOGOS AND INFORMATIONAL MATERIAL SHALL BE PLACED IN PUBLIC PLACES WHERE PEOPLE GATHER TO RIDE THE OPA-LOCKA SHUTTLE AND THAT SAID POLICY MUST BE REVISED LEGISLATIVELY EVERY YEAR IN THE MONTH OF OCTOBER AND SUBMITTED TO THE RESPECTIVE FUNDERS AS REQUIRED

Description: The City of Opa-locka's is in compliance and in accordance with the Federal Transit Administration (FTA) legislation for sub-recipients of funding received through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant, 'non-discriminatory use of Federal funds by recipients of FTA assistance including their sub-recipients and contractors is prohibited. 'In compliance with the FTA reporting requirements, the Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) is responsible for ensuring that each participating municipality is in compliance with Title VI of the Civil Rights Act of 1964. Specifically, the Title VI Act of 1964 states, "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Furthermore, federally supported transit services and related benefits must be distributed in an equitable manner. This policy has been approved in its entirety by Miami Dade County Manager of Civil Rights and Labor Relations.

Financial Impact: No Impact to the City

Implementation Timeline: Immediately

Legislative History: N/A

Recommendation(s): Staff recommends approval, implementation and yearly update

Attachment(s): COPY OF THE TITLE VI POLICY

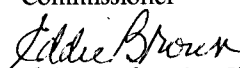
Prepared by: Delia Rosa Kennedy, Grant Administrator

END OF MEMORANDUM



Memorandum

TO: Mayor Myra L. Taylor
Vice-Mayor Timothy Homes
Commissioner Joseph L Kelley
Commissioner Luis B Santiago
Commissioner Terrence K Pinder

FROM: 
~~Kevin L. Baker, Sr.~~, City Manager

DATE: July 14, 2015

RE: Implementation of Title VI Policy in accordance "Title VI of the Civil Rights Act of 1964" as mandated for entities receiving federal funding

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Description: The City of Opa-locka's is in compliance and in accordance with the Federal Transit Administration (FTA) legislation for sub-recipients of funding received through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant, "non-discriminatory use of Federal funds by recipients of FTA assistance including their sub-recipients and contractors is prohibited. In compliance with the FTA reporting requirements, the Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) is responsible for ensuring that each participating municipality is in compliance with Title VI of the Civil Rights Act of 1964. Specifically, the Title VI Act of 1964 states, "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Furthermore, federally supported transit services and related benefits must be distributed in an equitable manner. This policy has been approved in its entirety by Miami Dade County Manager of Civil Rights and Labor Relations.

Financial Impact: No Impact to the City

Implementation Timeline: Immediately

Legislative History: N/A

Recommendation(s): Staff recommends approval, implementation and yearly update

Attachment(s): COPY OF THE TITLE VI POLICY

Prepared by: Delia Rosa Kennedy, Grant Administrator

END OF MEMORANDUM



City of Opa-locka Transit System OTS TITLE VI Program Plan

Effective July 1, 2015

City of Opa-locka Transit System
Title VI Program Plan

Prepared by:
Delia Rosa Kennedy, Grant Administrator
City of Opa-locka
3400 NW 135th Street, Building B
Opa-locka FL 33054

INTRODUCTION

OTS' Commitment to Civil Rights

This update of Opa-locka Transit System's Title VI Program has been prepared to ensure that the level and quality of OTS' fixed route services are provided in a nondiscriminatory manner and that the opportunity for full and fair participation is offered to OTS' riders and residents alike. Additionally, through this program, OTS has examined the need for services and materials for persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.

While it is a matter of principle that OTS is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or subjects to discrimination in the receipt of any of OTS services on the basis of race, color or national origin, the contents of this program have been prepared in accordance with the Section of Title VI of the Civil Rights Act of 1964.

"Federal agencies are to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them."

----- Executive Order 13166

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT), HTS has an obligation to ensure that:

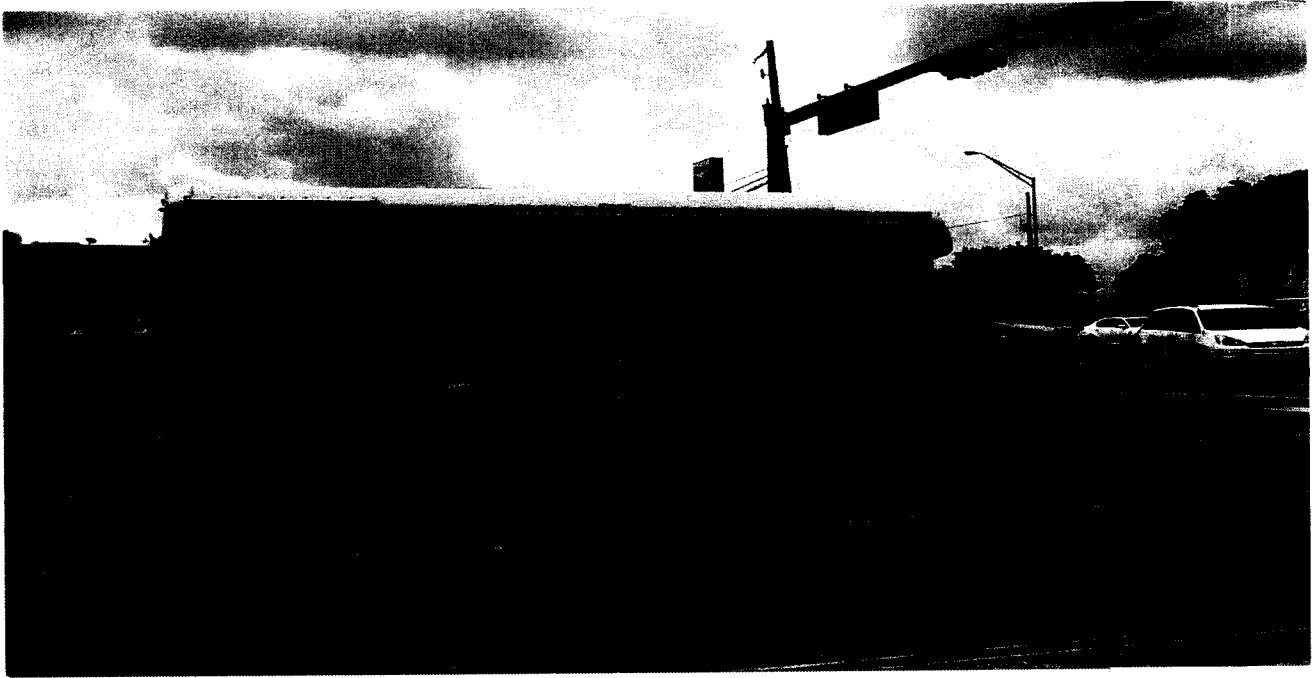
- The benefits of its bus services are shared equitably throughout the service area;
- The level and quality of bus services are sufficient to provide equal access to all riders in its service area;
- No one is precluded from participating in OTS service planning and development process;
- Decisions regarding service changes are made without regard to race, color or national origin and that development benefitting a community as a whole not be unjustifiably done through the disproportionate allocation of its adverse environmental and health burdens on the community's minority population; and

GENERAL REQUIREMENTS

Notice to the Public

To make OTS riders aware of its commitment to Title VI compliance, and of their right to file a civil rights complaint, OTS has presented the following language, in both English and Spanish, on decals inside the buses and on its website: WWW.OPALOCKAFL.GOV

Your Civil Rights



OTS operates The Opa-locka Express service without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under the Title VI may file a complaint with OTS. For more information on OTS' civil rights program and procedures to file a complaint, please contact transit office by email to OCarney@opalockafl.gov or call the office at 305-953-2868 and advised them that you need assistance in obtaining more information on filling out a TITLE VI Complaint form.

Discrimination Complaint Procedures

OTS has established a process for riders to file a complaint under Title VI. Any person who believes that she or he has been discriminated against on the basis of race, color, or national origin by OTS may file a Title VI complaint by completing and submitting the agency's Title VI Complaint form (appendix A) available on our website WWW.OPALOCKAFL.GOV. Download the form, fill it out completely and print it. Mail the completed form to.

Opa-locka Transit System

Title VI Complaint – OCarney@opalockafl.gov

3400 NW 135th Street, Building B, Opa-locka, FL 33054

Note: The City of Opa-locka encourages all complainants to send the complaint forms via certified mail through the US Postal Service, to ensure that all written correspondence can be easily tracked.

The Complaint Procedure

The following procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by OTS, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

OTS investigates complaints received no more than 30 days after the alleged incident. OTS will process complaints that are complete. Once the complaint is received, OTS will review it and the complainant will receive an acknowledgement letter (appendix B) informing them whether the complaint will be investigated by OTS. OTS will then notify the Miami-Dade Transit (MDT) Office of Civil Rights and Labor Relations Allison Aristide – manager of the complaint. (Allison@miamidade.gov) (786-469-5473)

Every effort will be made to obtain early resolution of complaints at the lowest possible level. OTS has up to 60 days to investigate the complaint. If more information is needed to resolve the case, OTS may contact the complainant. The complainant has fifteen days from the date of the letter to send requested information back to OTS. If the information is not received back from the complainant within the fifteen days, OTS can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the complaint is investigated and reviewed, one of two letters will be issued to the complainant: a closure letter (appendix C) or a letter of finding (LOF) (appendix D). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.

If the complainant wishes to appeal the decision, she or he has ten days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at:

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590



Active Complaints or Inquiries alleging Discrimination

HTS maintains a list of all complaints alleging discrimination. This list is maintained and stored electronically. As of July 1, 2014 there are no Title VI complaints.

List of TTTLE VI Investigations, Lawsuits and Complaints

Complaint Number	Complainant Name	Summary of Complaint (if not confidential, attach)	Status	Assigned To

OTS PUBLIC PARTICIPATION PLAN

Key Principles

Public Participation Plan (PPP) process is in place. Any changes that greatly affect the users will need City Council approval. The time and date of these meetings are posted at City Hall in the lobby and are also posted online in the city's webpage (www.opalockafl.gov). The residents may review the agenda and participate in the meeting. The postings usually occur 4 days prior to the meeting. Also any changes that affect will also be posted on the inside of the buses in English and Spanish.

- Potentially affected community members will have the appropriate opportunity to express any concerns that they may have regarding the issue at hand.
- The concerns of the participants involved will be considered in the decision-making process.

Through an open public process, OTS follows a public participation plan to provide for public involvement efforts and enhance access to OTS transportation decision-making process by minority and Limited English Proficient (LEP) populations.

Limited English Proficient (LEP)

LEP refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

OTS will use its Public Participation Plan when considering fare changes, modifications to routes and schedules when:

- A fare increase or significant change in the method of fare payment is being considered;
- A new route is established;
- An existing route is proposed for elimination;

- Considering the total discontinuance of service on any line or group of lines on any given day when service is currently offered;
- Any system-wide change in service hours that exceeds 10% of current total service hours;
- Routing on any given route or routes that affect more than 25% of the riders using the affected route(s).

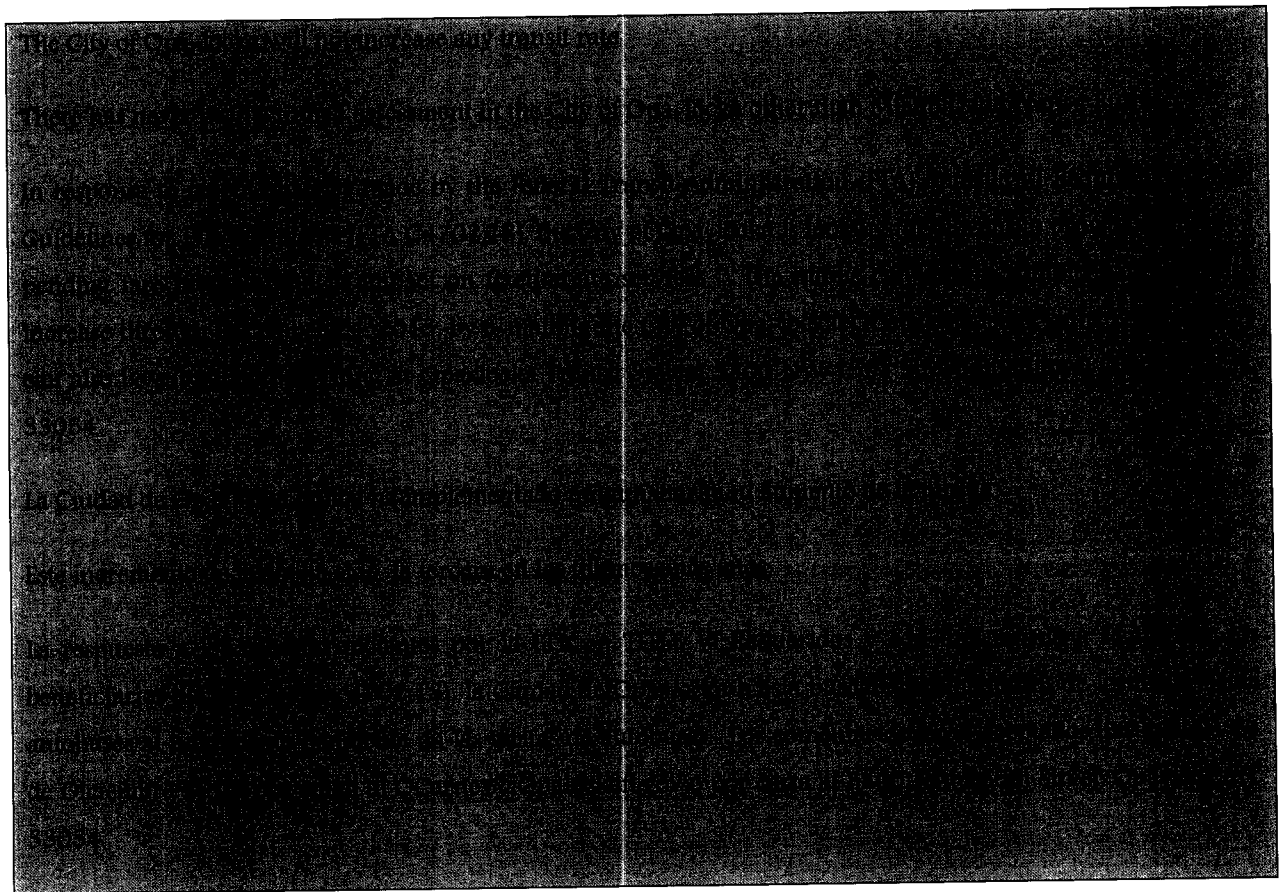
OTS' Public Participation Process

Outreach Efforts – Alerting Riders

OTS' PPP maintains the traditional elements to the outreach program such as seat-drop flyers, driver issued surveys, and by posters and notices on the buses. While there may be minor variations in the outreach process from time -to-time, the outline below provides the general steps for engaging riders in the decision-making process using a fare change as an example;

1. A fare change proposal is developed internally or as a result of public comment;
2. If required, approval from the City Council is sought to proceed to a public comment hearing;
3. Public meetings (City Council) are posted at City Hall in the lobby board and posted online in the city's webpage (www.opalockafl.gov) usually 4 days prior.
4. Bilingual (English & Spanish) public outreach is available;

EXAMPLE OF FARE INCREASE NOTICE PLACED INSIDE BUS.



LANGUAGE ASSISTANCE PLAN

Improving Access for People with Limited English Proficiency

In order to ensure meaningful access to programs and activities, OTS uses the information obtained in a Four Factor Analysis to determine the specific language services that are appropriate. This analysis helps OTS to determine if it communicates effectively with LEP persons and informs language access planning.

The Four Factor Analysis is a local assessment that considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by OTS;
2. The frequency with which LEP persons come into contact with OTS services;
3. The nature and importance of OTS' services in people's lives; and
4. The resources available to OTS for LEP outreach, as well as cost associated with that outreach.

Factor 1 – Number of LEP Persons on Service Region

The first step in determining the appropriate components of a Language Assistance Plan is understanding the proportion of LEP persons who may encounter OTS service, their literacy skills in English and their native language, the location of their community and neighborhoods and, more importantly, if any are underserved as a result of a language barrier.

City of Opa-locka Overview

Our transportation efforts, although not enough currently serve the City of Opa-locka, located 10 miles north of downtown Miami, in Miami-Dade County, Florida, is 4.265 square miles and is home to 15,623 residents representing a highly vulnerable population. The target community consists of individuals and families with small children living below the poverty line, elderly in poverty, a population that is predominantly minority, with high levels of unemployment, under-educated, living in substandard housing within substandard community infrastructures, battered by seasonal storms and devastated by declared disasters, living with the daily consequences of the high crime rate, who are blighted by environmental justice concern due to their disproportionate risk of health issues stemming from exposure to contaminants from the proximity of their neighborhoods to Brownfield. In 2010 the City violent crime rate in Opa-locka was higher than the violent crime rate in Florida by 354.3% and the City property crime rate was higher than the property crime rate in Florida by 92.8%. The city violent crime rate for Opa-locka in 2010 was higher than the national violent crime rate average by 510.41% and the City property crime rate was higher than the national property crime rate average by 133.21%(2010 Crime Rate Index).

The population is diverse with the percentage of foreign born individuals at a rate of almost 3 times the national percentage. The target population is in great need of greater opportunities for educational advancement. The population has a marked disparity in educational obtainment with 25.81% of citizens not completing high school in comparison to the state and national average of 15%. Health disparities are often linked to school performance with a direct correlation between school attendance levels and academic success.

Lack of a high school diploma exacerbates generational poverty and unemployment. Though the lack of education and skills training as well as the types of industry in the area contribute to a lack of job opportunities, the blight of the community contributes to lack of development and economic stimulation. Of those employed, 16% are employed in low paying retail jobs. (American Community Survey 2006–2010).

The community has seven elementary schools with over 3,028 children, pre-kindergarten to fifth grade level, traveling to and from school each day. The free and reduced lunch eligible children make up 98% of this population, indicating their extreme poverty. All seven of these schools enroll 100% minority (Black and Hispanic). The reading achievement scores for all of the students in these schools falls far below the state average, many by over 50%. (Source: Florida Department of Education, 2012-2013, retrieved from www.FLDOE.org)

Factor 2 – Frequency of LEP Use

There are places where OTS riders of the LEP population can come into contact with OTS service such as fixed route buses and informational calls to customer service. It is important for OTS to ensure that the following points of contact are covered in English and Spanish.

- The use of the bus service;
- Communication with OTS customer service staff;
- Bus pass sales
- Printed outreach materials – ex. Brochures
- Web-based materials
- Meetings – City Council meetings
- Service related posters – notices inside buses

Factor 3 – The Importance of OTS Service to People’s Lives

Access to the services provided by OTS’ fixed route is critical to the many people in the area. Many depend on OTS’ fixed route services for access to jobs and for access to essential community services, shopping and medical appointments. Riders eligible for service under the American’s with Disabilities Act (ADA) require service for the same reasons. Because of the essential nature of the services and the importance of these to the many residents in the area, there is a need to ensure that language is not a barrier to access.

In the passenger survey (above), many of them responded to using the buses for multiple reasons. The percentages given is based on just the number of each individual reason for using the bus by the total number of respondents, 96 (%) reported depending on the service for work related transportation, 41(%) reported using the service for school, 75(%) reported using the service for health care, 58(%) reported using the service for shopping – all essential trip purposes.

Factor 4 – Resources and Costs for LEP Outreach

OTS is committed to providing resources to improve access to its services for LEP persons. Today, bilingual information (English/Spanish) is distributed in several different manners including:

- The inside of the Shuttles
- On each pick up point of route
- Will be posted on our web site in English and Spanish
- Brochures are placed in the City Hall Main Entrance

DECISION MAKING BODIES

Non-Elected Committees and Councils

The City of Opa-locka does not have a non-elected committee and/or council or any advisory board regarding this policy of services

SERVICE STANDARDS and POLICIES

Vehicle Capacity

Vehicle Headway (Frequency)

The shuttle buses operate on weekdays, and Saturdays between hours of 6am and 7pm except holiday(s) within the City and connect residents to the Tri Rail station as well as to MDT bus stops. The shuttle services allow residents to connect to areas of work and school outside of the City. It helps local and regional mobility significantly. Our City Commission advised us for the north route extension along NW 151st Street from NW 27th Avenue to NW 37th Avenue. Currently NW 151 Street has shuttle bus services for the commercial area from NW 22 Avenue to NW 27 Avenue but no services for the residential areas between NW 27 Avenue and NW 37th Avenue. The southbound shuttle bus on NW 27th Avenue makes left on NW 151 Street goes towards NW 22nd Avenue.

We are requesting if the southbound shuttle bus can make right turn on NW 151 Street and extend services between NW 27 Avenue and NW 37 Avenue by routing through NW 37 Avenue, Sultan Avenue, Curtis Drive and then back to NW 151 Street towards 22nd Avenue as shown on the attached exhibit-01. This will require about 10 minutes travel time adjustment and will not require any additional bus if this time can be adjusted on the schedule. The schedule for the route on the east side of NW 27th Avenue can be adjusted as it serves only the commercial area. The proposed route extension will help the residential community between NW 27 Avenue and NW 37 Avenue. NW 151 Street is the city limit and the route extension will provide services to the Miami Gardens resident on the north side and Opa-locka residents on the south side. It will enhance the shuttle services popularity and will increase the total ridership.

The shuttle buses through grant funding Job Access Reverse Commute (JARC) operate on weekdays between hours of 6am and 7pm except holiday(s) within the City and connect residents to the Tri Rail station, MDT bus stops, Flea Market, Miami-Dade College and other key areas. The current agreement with the Limousines of South Florida (LSF) does allow LSF to a minimum of thirteen (13) hours operation per day for 5 (five) days a week. The amendment will allow LSF to extend their services for Saturday per the attached schedule and route map.

CONTACT

For additional information on the OTS Title VI Plan please contact;

Owen Carney
Opa-locka Transit System
3400 NW 135th Street, Building B
Opa-locka, Florida 33054
Tel. (305) 953-2868
Email: ocarney@opalockafl.gov

Appendix A

Complaint Form



Opa-locka Transit System
Title VI Non-Discrimination Program
Complaint of Discrimination

Complainant (s) Name: <i>Nombre(s) de(los) Reclamante(s).</i>	Complainant(s) Address: <i>Direccion de(los) Reclamante(s).</i>
Complainant (s) Phone Number: <i>Numero de telefono de(los) Reclamante (s).</i>	
Complainant's Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc); <i>Nombre del representante del Reclamante, direccion, telefono y relacion (por ejemplo amigo, abogado, padres, etc);</i>	
Name and Address of Agency, Institution, or Department Whom You Allege Discriminated Against You; <i>Nombre y Direccion de la agencia, institucion o departamento que usted alega discrimino en su contra;</i>	

Names of the individual(s) Whom You Allege Discriminated Against You (if known); <i>Nombre(s) de(los) individuo(s) que usted allege discriminaron en su contra (si lo sabe);</i>		
I believe the discrimination I experienced was based on: (check all that apply). <i>Creo que la discriminación que yo experimente fue basado en (marquee todos los que apliquen).</i>	☐ Race <i>Raza</i> ☐ Color <i>Color</i> ☐ National Origin <i>Origen Nacional</i>	Date of Alleged Discrimination: <i>Fecha de la Supuesta discriminación.</i>

Mail to: *Envie por correo a:* Opa-locka Transit System 3400 NW 135th Street Building B Opa-locka FL 33054
Ocarney@opalocokafl.gov This form may also be faxed to: *Este formulario tambien se puede enviar por fax a:* 305-953-2900
 Attn: Owen Carney

A complaint must be filed no later than 30 days after the date of the alleged discrimination.

Toda queja tiene que ser reportada dentro de los 30 días siguientes al incidente de alegada discriminación.



Opa-locka Transit System
Title VI Non-Discrimination Program
Complaint of Discrimination

Please list the name(s) and phone number(s) of any person, if known, that Opa-locka Transit System could contact for additional information to support or clarify your allegation(s).

Por favor enumere el(los) nombre(s) y telefono(s) de cualquier persona, si sabe, que el Transporte de Opa-locka podria contactar para obtener informacion adicional para respaldar o aclarar lo que usted alega.

Please explain as clearly as possible how, why, when and where you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

Por favor explique lo más claramente posible como, porque, cuando y donde cree usted que discriminaron en su contra.

Incluya la mayor cantidad de informacion de segundo plano posible acerca de los supuestos actos de discriminación. Puede agregar paginas adicionales si es necesario.

Complainant(s) or Complainant(s)Representatives Signature.

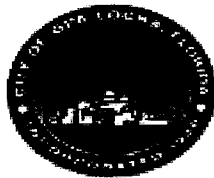
Firma de(los) Reclamante(s) o de los representates de (los) Reclamante(s).

Date of Signature.

Fecha de la Firma.

Appendix B

Letter Acknowledging Receipt of Complaint



Letter Acknowledging Receipt of Complaint

Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

This letter is to acknowledge that a complaint has been received from you alleging

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please contact me at 305-953-2868

Owen Carney, Coordinator
City of Opa-locka Transit
3400 NW 135th Street, Building B
Opa-locka, FL 33054

Appendix C

Letter Notifying Complainant that the complaint is Substantiated



City letter head

Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

The matter reference in your letter dated _____ against the Opa-locka Transit System alleging of a Title VI violation has been investigated.

The violation of the Title VI of the Civil Rights Act of 1964 mentioned in your letter was identified. Corrective action of this deficiency(s) is being implemented to ensure that this issue does not arise again.

Thank you for bringing this matter to our attention.

Sincerely,

Owen Carney, Coordinator
Opa-locka Transit System
3400 NW 135th Street Building B
Opa-locka, FL 33054

Appendix D

Letter Notifying Complainant that the Complaint is Not Substantiated



Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

The matter referenced in your complaint dated _____ against the Opa-locka Transit System alleging

_____ has been investigated.

The results of the investigation did not validate that there was any violation of the Title VI of the Civil Rights Act of 1964. As you know, Title VI prohibits discrimination based on race, color or national origin in any program receiving federal financial assistance.

The city's attorney has reviewed and analyzed the materials and facts pertaining to your case for evidence that a violation to any of the civil rights laws as occurred. There was no evidence found to substantiate your complaint and we are closing this matter in our files.

You have the right to appeal within ten days of receipt of this final written decision and/or file the complaint directly with the FTA Federal Transit Administration at:

Federal Transit Administration Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Thank you for taking the time to contact us. If we can be of further assistance please contact us.

Sincerely,

Owen Carney, Supervisor
City of Opa-locka Transit System
3400 NW 135th Street Building B
Opa-locka Florida 33054

Appendix E

Opa-locka History and Demographics

The City of Opa-locka is a small community, located 10 miles north of downtown Miami in Miami-Dade County, Florida, and is 4.2 square miles and is home to 15,967 (census 2013) residents. The target community represents a highly vulnerable multi-cultural population of 97% Black and Hispanic that includes: individuals, elderly, and families with small children and women head of households with children living below the poverty line. Opa-locka has high levels of unemployment, under-educated citizens living in poor housing within substandard community infrastructures, battered by seasonal storms and devastated by declared disasters. The community is plagued daily with the consequences of violent crime rates. For twenty years Opa-locka has been leading the state in most violent crimes and in 2003/2004, the FBI ranked Opa-locka the most dangerous City in America relative to size. In 2010, the City violent crime rate in Opa-locka was higher than the violent crime rate in Florida by 354.3% and in the US by 510.41%. The City property crime rate was higher than the property crime rate in Florida by 92.8% and in the US by 133.21% (2010 Crime Rate Index). Opa-locka was founded by aviation pioneer Glenn Curtiss in 1926 in connection with the development of a general aviation airfield, and a naval base was opened at the Opa-locka airport after the 1926 hurricane. In 1937, Amelia Earhart departed on her ill-fated flight from Opa-locka (now called Miami Opa-locka Airport). With the naval base in operation and the airfield acting as part of the US Navy Training Command during World War II, Opa-locka initially attracted middle class population looking to buy homes. When the Naval base closed in the 1950s, many of the white residents moved out. Working class black residents employed by the rail companies moved in, and by the 1980s, the City had a predominately minority population which remains today at 97%.

In the 1987, a nine-block part of the City repeatedly made the headlines with its abbreviated nickname, "The Triangle." The area was so overrun with crime and cocaine that the City's public works department blocked all but one of its entrances with metallic, security barriers. The area was then hot with heroin; the cocaine trade that developed in the '80s was violent and pervasive.

The city finally removed barriers from the Triangle in 2012. The neighborhood was renamed "Magnolia North" as part of a rebranding effort to bring about the first visible change beginning with GOB Funding to Restore Old City Hall, CDBG Funding to demolish and rebuild Helen Miller at Segal park Community Center and many other CDBG funding for infrastructure and pump station projects.

However, despite the current potential for growth and revitalization, Opa-locka has many challenges to overcome. Threads of corruption and crime still taunt a City who is desperate for change. The City is blighted by scrap yards whose inventories of metals are piled as high as to the sky. Additionally, business owners have been plagued with Cairo Lane 135th Street and 127th Street which was once an abandoned landfill (Minton's), recently caught on fire burning over a hundred cars, tires and automotive paraphernalia that warranted the service of 75+ fire fighters

and over 120,000 gallons of water to get under control. Firefighters main concern was access, as the conditions were deplorable to maneuver equipment to the engulfed flames (Local 10 News Miami September 29, 2014). Mixed fluids and contaminants filtrated back onto the land and into surface and groundwater sources. Our geographic footprint, within Miami-Dade County, has been ranked by the Department of Environmental Protection and the State of Florida at 100th percentile for the dirtiest/worst counties for clean water with impaired or threatened uses of surface waters and water bodies (scorecard.goodguide.com). Due to the City's small geographic size, the target area is community-wide; within the city boundaries. The target vulnerable populations, our elderly, pregnant women and children, and female single head of households with children reside within crime-ridden areas interspersed among recycling businesses and within a dilapidated and dangerous infrastructure. Industrial property uses account for more than 34% of the City's land. In 2011, vacant land of any type (commercial, residential, etc.) composed 22.63% of the City's area. The industry in Opa-locka is dominated by engine suppliers and repair shops for cars, boats and airplanes. The City is also a center for junkyard and recycling businesses. Active CSX freight train tracks run through the Opa-locka dividing neighborhoods, frequently ceasing the flow of traffic and contributing to greenhouse gas emissions. Additionally, when the trains block traffic, it represents significant health and safety concerns do the community residents as it restricts access for medial and police personnel. Brownfield sites within our community have been identified as 67 sites having contamination issues from hazardous and/or petroleum substances. Brownfield properties within our community include old dry cleaner sites, landfills, former military properties, gas stations, properties with illicit dumping, as well as drug-related activities such as Meth Labs. The Florida Department of Environmental Protection (FDEP) Petroleum database (2014) indicates 29 properties with active or pending petroleum cleanup. Five sites are listed in the Superfund database as having prior cleanup activities. Last October, the State of Florida Department of Environmental Protection Clean Water State Revolving Fund awarded a priority funding in excess of \$40 million to the City of Opa-locka which has made the national headlines. Using CDBG Funding also as leverage for funded needed and not part of the State Revolving such as the renovation and rehabilitation of the Opa-locka Community Care and Resource Center. This will be the most ambitious and project of this magnitude in the City's 89 year old history.

Demographic Information

The major disparities facing this community (target area) are poverty levels, minority isolation, reduced educational opportunities, low employment rates and an unhealthy environment. The population of the City in 2013 was 15,967, an increase of 6.8% from the 2000 population of 14,951 (US Census Bureau). Over the next 20 years, the population in Opa-locka is expected to grow 11% with an estimated population of 16,817 by 2030 (Shimberg Center, Florida Housing Data Clearinghouse, 2013).

Table 1. Demographic Information	City of Opa-locka	County	State	National
Population	15,219	2,496,435	18,801,310	308,745,538

Population born outside of the United States	34.3%	51.2%	19.3%	12.9%
Poverty Rate	31.85%	27.30%	13.80%	13.80%
Percent Minority	72.3%	26.2%	25%	27.6%
Median Household Income	\$20,379	\$44,299	\$47,661	\$51,914
Percent Not in Workforce	48.5%	37.1%	39.3%	35.3%
Families below Poverty Level	37.6%	15.7%	11.4%	10.9%
Persons under 5	9.3%	5.9%	5.7%	6.3%
Female Head of Household with Children under 18	24.5%	9%	7.1%	7.2%
65 Years+ Below Poverty Level	40.0%	21.7%	10.1%	9.4%
Unemployment	13.51%	8.9%	8.9%	7.9%
Food Stamps Benefits	48.2%	20.2%	11.7%	11.4%
High School Graduate or Higher	60.4%	78%	85.8%	85.7%
Language other than English spoken at home	45.9%	72.3%	27.3%	20.5%

2008-2013 American Community Survey, 5-Year Estimates; available at <http://factfinder2.census.gov>.

The population is culturally diverse with the percentage of foreign-born individuals at a rate of almost three times the national percentage. The minority population is about three times greater than the county, state, and national average. The major racial groups in the community consist of African American (64.2%), Hispanic (36.16%), and Caucasian (23%). Within this multi-cultural community, subgroups include Cubans (34.53%), Puerto Ricans (11.67%), and other Hispanic or Latino groups representing Dominican Republic, Central and South America, West Indies and Spain (35.67%).

Department of Transportation and Public Works (DTPW)
OFFICE OF CIVIL RIGHTS MUNICIPALITY INFORMATION SHEET
TITLE VI PROGRAM (FTA C 4702.1B)
YEARLY UPDATE



Municipality Name	_____	Date:	_____
Address	_____		
Contact Person & Title	_____		
Contact Numbers	_____		
e-mail address	_____	Fax	_____
Legal Status of Organization	Municipality _____		

TITLE VI DEFINITION - *Title VI of the Civil Rights Act of 1964 as amended states "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program, or activity receiving Federal financial assistance."*

ENVIRONMENTAL JUSTICE DEFINITION - *When municipalities plan or program activities that could potentially have a disproportionately high or adverse impact on human health or the environment, recipients should include explicit consideration of the effects on minority populations and low income populations.*

REQUIREMENTS (FTA 4702.1B)	YES	NO	NOTES
Title VI statement clearly posted within dwelling or on company website indicating organization's commitment to providing non-discriminatory services and how to file a Title VI discrimination complaint.			
Tracking system in place to monitor Title VI complaints, as well as a system in place to monitor active Title VI investigations.			
Does municipality collect demographic data?			
Has municipality conferred with DTPW prior to completing a four factor analysis? If answer is NO, what other ways does the municipality provide meaningful access to the population they serve (provide answer in NOTES section).			
Does municipality monitor (every 3 years) the level and quality of service within predominantly minority areas to ensure equitable treatment.			
REQUIREMENTS	YES	NO	NOTES
Does municipality have transit related, non-elected planning boards, advisory councils or committees, or similar bodies selected by municipality? IF YES, please attach a copy of a table depicting the racial breakdown of the membership of the committee and a description of efforts made to encourage participation of minorities on committees or councils. If NO, submit a statement indicating there is NO SUCH TRANSIT-RELATED, NON-ELECTED PLANNING BOARDS, ADVISORY COUNCILS OR COMMITTEES.			
Does municipality plan to raise fares within the next 3 years?			

Does municipality confer with MDT prior to siting or location of facility (vehicle storage facility, maintenance facility or operations center) which requires land acquisition and/or the displacement of persons from their residences and businesses for which a NEPA process has not been completed? A 'facility' does not include bus shelters, transit stations or power substations.			
Does municipality confer with DTPW prior to submitting their Public Participation plan? IF YES, does plan include an outreach plan to engage traditionally underserved persons?			
Does municipality confer with DTPW prior to making service adjustments to current system operations?			
Does municipality confer with DTPW prior to making a decision to prepare an Environmental Assessment (EA) and an Environmental Impact Statement (EIS) when considering new projects?			
Does municipality confer with DTPW prior to determining whether to notice or involve the public when considering proposed Title VI related programs/projects?			
When considering Title VI related programs/projects, does municipality confer with DTPW to ensure all requirements from (FTA C 4702.1B) are adhered to prior to completion?			
ADDITIONAL INFORMATION			
PLEASE ATTACH A COPY OF ALL INFORMATION REQUESTED AND SUBMIT IT ALONG WITH THE CHECKLIST.			
Please Note that the Municipality is Responsible for IMMEDIATELY notifying DTPW of any changes regarding plans for Service, Fares, Environmental Assessments, Sitings/Locations, Title VI Related Programs and Projects prior to rendering a decision.			

Sponsored by: The City Manager

RESOLUTION NO. 15-9048

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT THE MIAMI-DADE COUNTY TRANSIT OPA-LOCKA TRANSIT POLICY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The City of Opa-locka currently receives Federal and State Transportation funding; and

WHEREAS, the Florida Department of Transportation (FDOT) and Miami-Dade Transit require that all recipient municipalities implement a non-discrimination policy in compliance with Title VI of the Civil Rights Act of 1964; and

WHEREAS, attached is the City of Opa-locka policy, which the County has already approved.

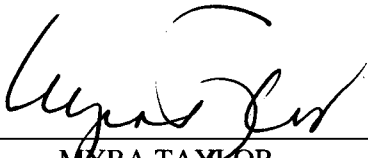
NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

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

Section 2. The City Commission hereby approves the attached non-discrimination policy in compliance with the Civil Rights Act and authorizes the Manager to implement said policy.

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

PASSED AND ADOPTED this 30th day of July, 2015.



MYRA TAYLOR
MAYOR



City of Opa-Locka
Agenda Cover Memo

Commission Meeting Date:	July 14, 2015		Item Type: <i>(Enter X in box)</i>	Resolution X		Ordinance		Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>		1 st Reading		2 nd Reading		
	X		Public Hearing: <i>(Enter X in box)</i>		Yes	No	Yes	No	
						X		X	
Funding Source: <i>(Enter Acct No.)</i>	<i>(Enter Fund & Dept)</i> FDOT Miami Dade Transit		Advertising Requirement: <i>(Enter X in box)</i>		Yes		No		
					X (Bus Shuttle Pick up and return areas)				
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #: N/A						
		X							
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communcation ☐		Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> Improve Safety and transportation for our residents, business, stakeholders and visitors				
	X								
Sponsor Name	City Manager		Department: CIP		CIP/Public Works & Finance				

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT THE MIAMI DADE COUNTY TRANSIT OPA-LOCKA TRANSIT POLICY FOR THE CITY OF OPA-LOCKA AS REQUIRED BY THE FDOT FOR RECIPIENTS OF STATE AND FEDERAL FUNDING DOLLARS AND THAT SAID POLICY WILL BE MADE PUBLIC ON THE CITY'S WEBSITE AS REQUIRED AND THAT ALL BANNERS, LOGOS AND INFORMATIONAL MATERIAL SHALL BE PLACED IN PUBLIC PLACES WHERE PEOPLE GATHER TO RIDE THE OPA-LOCKA SHUTTLE AND THAT SAID POLICY MUST BE REVISED LEGISLATIVELY EVERY YEAR IN THE MONTH OF OCTOBER AND SUBMITTED TO THE RESPECTIVE FUNDERS AS REQUIRED.

Short Title:

The City of Opa-locka's is in compliance and in accordance with the Federal Transit Administration (FTA) legislation for sub-recipients of funding received through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant, 'non-discriminatory use of Federal funds by recipients of FTA assistance including their sub-recipients and contractors is prohibited. 'In compliance with the FTA reporting requirements, the

Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) is responsible for ensuring that each participating municipality is in compliance with Title VI of the Civil Rights Act of 1964. Specifically, the Title VI Act of 1964 states, "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Furthermore, federally supported transit services and related benefits must be distributed in an equitable manner. This policy has been approved in its entirety by Miami Dade County Manager of Civil Rights and Labor Relations.

Staff Summary:

The City of Opa-locka has obtained approval for compliance under Federal Title VI Policy for 2015-2016

Proposed Action:

Staff recommends the adoption of the Resolution to authorize the City Manager to implement and revise policy yearly

Attachment:

Attachments: TITLE VI POLICY APPROVED BY MIAMI DADE TRANSIT

Prepared by: Delia Rosa Kennedy, Grant Administrator



Memorandum

TO: Mayor Myra L. Taylor
Vice-Mayor Timothy Homes
Commissioner Joseph L Kelley
Commissioner Luis B Santiago
Commissioner Terrence K Pinder

FROM: 
Kelvin L. Baker, Sr., City Manager

DATE: July 14, 2015

RE: Implementation of Title VI Policy in accordance "Title VI of the Civil Rights Act of 1964" as mandated for entities receiving federal funding

Request: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT THE MIAMI DADE COUNTY TRANSIT OPA-LOCKA TRANSIT POLICY FOR THE CITY OF OPA-LOCKA AS REQUIRED BY THE FDOT FOR RECIPIENTS OF STATE AND FEDERAL FUNDING DOLLARS AND THAT SAID POLICY WILL BE MADE PUBLIC ON THE CITY'S WEBSITE AS REQUIRED AND THAT ALL BANNERS, LOGOS AND INFORMATIONAL MATERIAL SHALL BE PLACED IN PUBLIC PLACES WHERE PEOPLE GATHER TO RIDE THE OPA-LOCKA SHUTTLE AND THAT SAID POLICY MUST BE REVISED LEGISLATIVELY EVERY YEAR IN THE MONTH OF OCTOBER AND SUBMITTED TO THE RESPECTIVE FUNDERS AS REQUIRED

Description: The City of Opa-locka's is in compliance and in accordance with the Federal Transit Administration (FTA) legislation for sub-recipients of funding received through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant, 'non-discriminatory use of Federal funds by recipients of FTA assistance including their sub-recipients and contractors is prohibited. 'In compliance with the FTA reporting requirements, the Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) is responsible for ensuring that each participating municipality is in compliance with Title VI of the Civil Rights Act of 1964. Specifically, the Title VI Act of 1964 states, "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Furthermore, federally supported transit services and related benefits must be distributed in an equitable manner. This policy has been approved in its entirety by Miami Dade County Manager of Civil Rights and Labor Relations.

Financial Impact: No Impact to the City

Implementation Timeline: Immediately

Received 07/29/15
@ 10:55am

Legislative History: N/A

Recommendation(s): Staff recommends approval, implementation and yearly update

Attachment(s): COPY OF THE TITLE VI POLICY

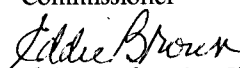
Prepared by: Delia Rosa Kennedy, Grant Administrator

END OF MEMORANDUM



Memorandum

TO: Mayor Myra L. Taylor
Vice-Mayor Timothy Homes
Commissioner Joseph L Kelley
Commissioner Luis B Santiago
Commissioner Terrence K Pinder

FROM: 
~~Kevin L. Baker, Sr.~~, City Manager

DATE: July 14, 2015

RE: Implementation of Title VI Policy in accordance "Title VI of the Civil Rights Act of 1964" as mandated for entities receiving federal funding

Request: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT AND IMPLEMENT THE MIAMI DADE COUNTY TRANSIT OPA-LOCKA TRANSIT POLICY FOR THE CITY OF OPA-LOCKA AS REQUIRED BY THE FDOT FOR RECIPIENTS OF STATE AND FEDERAL FUNDING DOLLARS AND THAT SAID POLICY WILL BE MADE PUBLIC ON THE CITY'S WEBSITE AS REQUIRED AND THAT ALL BANNERS, LOGOS AND INFORMATIONAL MATERIAL SHALL BE PLACED IN PUBLIC PLACES WHERE PEOPLE GATHER TO RIDE THE OPA-LOCKA SHUTTLE AND THAT SAID POLICY MUST BE REVISED LEGISLATIVELY EVERY YEAR IN THE MONTH OF OCTOBER AND SUBMITTED TO THE RESPECTIVE FUNDERS AS REQUIRED

Description: The City of Opa-locka's is in compliance and in accordance with the Federal Transit Administration (FTA) legislation for sub-recipients of funding received through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant, "non-discriminatory use of Federal funds by recipients of FTA assistance including their sub-recipients and contractors is prohibited. In compliance with the FTA reporting requirements, the Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) is responsible for ensuring that each participating municipality is in compliance with Title VI of the Civil Rights Act of 1964. Specifically, the Title VI Act of 1964 states, "No person in the United States shall, on the grounds of race, color or national origin, be excluded from, participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Furthermore, federally supported transit services and related benefits must be distributed in an equitable manner. This policy has been approved in its entirety by Miami Dade County Manager of Civil Rights and Labor Relations.

Financial Impact: No Impact to the City

Implementation Timeline: Immediately

Legislative History: N/A

Recommendation(s): Staff recommends approval, implementation and yearly update

Attachment(s): COPY OF THE TITLE VI POLICY

Prepared by: Delia Rosa Kennedy, Grant Administrator

END OF MEMORANDUM



City of Opa-locka Transit System OTS TITLE VI Program Plan

Effective July 1, 2015

City of Opa-locka Transit System
Title VI Program Plan

Prepared by:
Delia Rosa Kennedy, Grant Administrator
City of Opa-locka
3400 NW 135th Street, Building B
Opa-locka FL 33054

INTRODUCTION

OTS' Commitment to Civil Rights

This update of Opa-locka Transit System's Title VI Program has been prepared to ensure that the level and quality of OTS' fixed route services are provided in a nondiscriminatory manner and that the opportunity for full and fair participation is offered to OTS' riders and residents alike. Additionally, through this program, OTS has examined the need for services and materials for persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English.

While it is a matter of principle that OTS is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or subjects to discrimination in the receipt of any of OTS services on the basis of race, color or national origin, the contents of this program have been prepared in accordance with the Section of Title VI of the Civil Rights Act of 1964.

"Federal agencies are to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them."

----- Executive Order 13166

Under the Civil Rights Act of 1964, and as a recipient of federal funding under the programs of the Federal Transit Administration (FTA) of the U.S. Department of Transportation (US DOT), HTS has an obligation to ensure that:

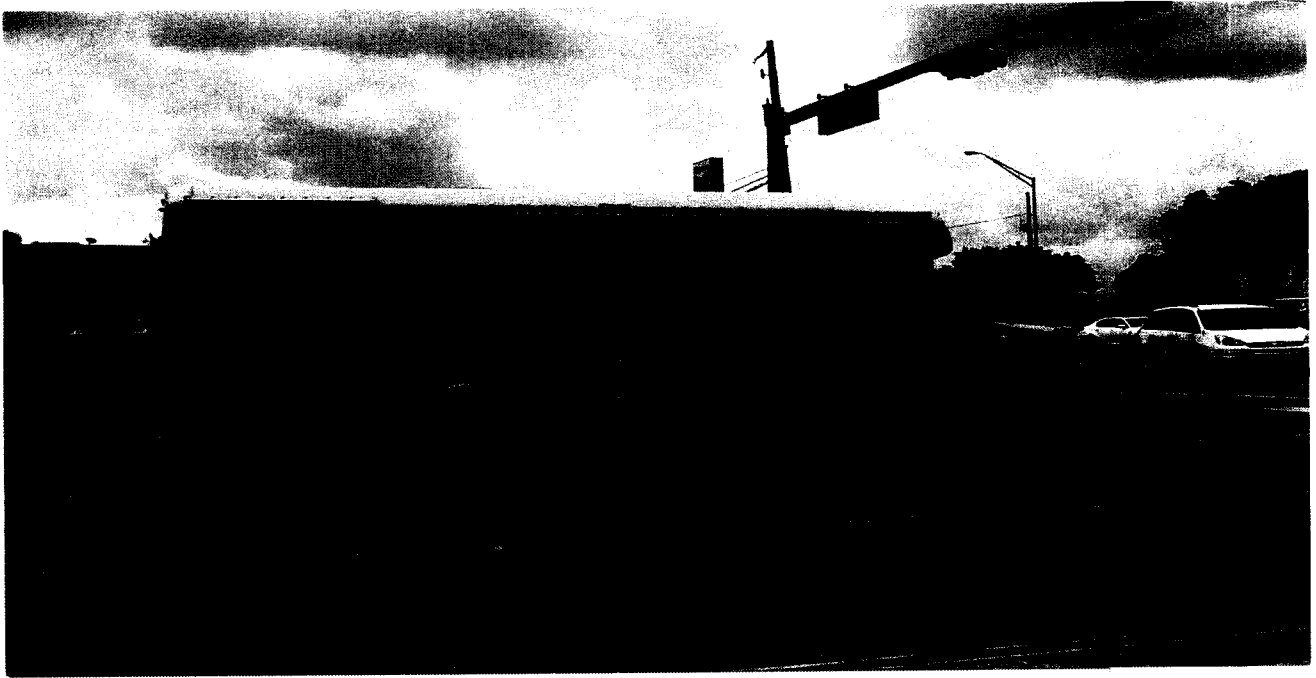
- The benefits of its bus services are shared equitably throughout the service area;
- The level and quality of bus services are sufficient to provide equal access to all riders in its service area;
- No one is precluded from participating in OTS service planning and development process;
- Decisions regarding service changes are made without regard to race, color or national origin and that development benefitting a community as a whole not be unjustifiably done through the disproportionate allocation of its adverse environmental and health burdens on the community's minority population; and

GENERAL REQUIREMENTS

Notice to the Public

To make OTS riders aware of its commitment to Title VI compliance, and of their right to file a civil rights complaint, OTS has presented the following language, in both English and Spanish, on decals inside the buses and on its website: WWW.OPALOCKAFL.GOV

Your Civil Rights



OTS operates The Opa-locka Express service without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by any unlawful discriminatory practice under the Title VI may file a complaint with OTS. For more information on OTS' civil rights program and procedures to file a complaint, please contact transit office by email to OCarney@opalockafl.gov or call the office at 305-953-2868 and advised them that you need assistance in obtaining more information on filling out a TITLE VI Complaint form.

Discrimination Complaint Procedures

OTS has established a process for riders to file a complaint under Title VI. Any person who believes that she or he has been discriminated against on the basis of race, color, or national origin by OTS may file a Title VI complaint by completing and submitting the agency's Title VI Complaint form (appendix A) available on our website WWW.OPALOCKAFL.GOV. Download the form, fill it out completely and print it. Mail the completed form to.

Opa-locka Transit System

Title VI Complaint – OCarney@opalockafl.gov

3400 NW 135th Street, Building B, Opa-locka, FL 33054

Note: The City of Opa-locka encourages all complainants to send the complaint forms via certified mail through the US Postal Service, to ensure that all written correspondence can be easily tracked.

The Complaint Procedure

The following procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by OTS, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

OTS investigates complaints received no more than 30 days after the alleged incident. OTS will process complaints that are complete. Once the complaint is received, OTS will review it and the complainant will receive an acknowledgement letter (appendix B) informing them whether the complaint will be investigated by OTS. OTS will then notify the Miami-Dade Transit (MDT) Office of Civil Rights and Labor Relations Allison Aristide – manager of the complaint. (Allison@miamidade.gov) (786-469-5473)

Every effort will be made to obtain early resolution of complaints at the lowest possible level. OTS has up to 60 days to investigate the complaint. If more information is needed to resolve the case, OTS may contact the complainant. The complainant has fifteen days from the date of the letter to send requested information back to OTS. If the information is not received back from the complainant within the fifteen days, OTS can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the complaint is investigated and reviewed, one of two letters will be issued to the complainant: a closure letter (appendix C) or a letter of finding (LOF) (appendix D). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

A LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur.

If the complainant wishes to appeal the decision, she or he has ten days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at:

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590



Active Complaints or Inquiries alleging Discrimination

HTS maintains a list of all complaints alleging discrimination. This list is maintained and stored electronically. As of July 1, 2014 there are no Title VI complaints.

List of TITLE VI Investigations, Lawsuits and Complaints

Complaint Number	Complainant Name	Summary of Complaint (if not confidential origin)	Status	Assigned To

OTS PUBLIC PARTICIPATION PLAN

Key Principles

Public Participation Plan (PPP) process is in place. Any changes that greatly affect the users will need City Council approval. The time and date of these meetings are posted at City Hall in the lobby and are also posted online in the city's webpage (www.opalockafl.gov). The residents may review the agenda and participate in the meeting. The postings usually occur 4 days prior to the meeting. Also any changes that affect will also be posted on the inside of the buses in English and Spanish.

- Potentially affected community members will have the appropriate opportunity to express any concerns that they may have regarding the issue at hand.
- The concerns of the participants involved will be considered in the decision-making process.

Through an open public process, OTS follows a public participation plan to provide for public involvement efforts and enhance access to OTS transportation decision-making process by minority and Limited English Proficient (LEP) populations.

Limited English Proficient (LEP)

LEP refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

OTS will use its Public Participation Plan when considering fare changes, modifications to routes and schedules when:

- A fare increase or significant change in the method of fare payment is being considered;
- A new route is established;
- An existing route is proposed for elimination;

- Considering the total discontinuance of service on any line or group of lines on any given day when service is currently offered;
- Any system-wide change in service hours that exceeds 10% of current total service hours;
- Routing on any given route or routes that affect more than 25% of the riders using the affected route(s).

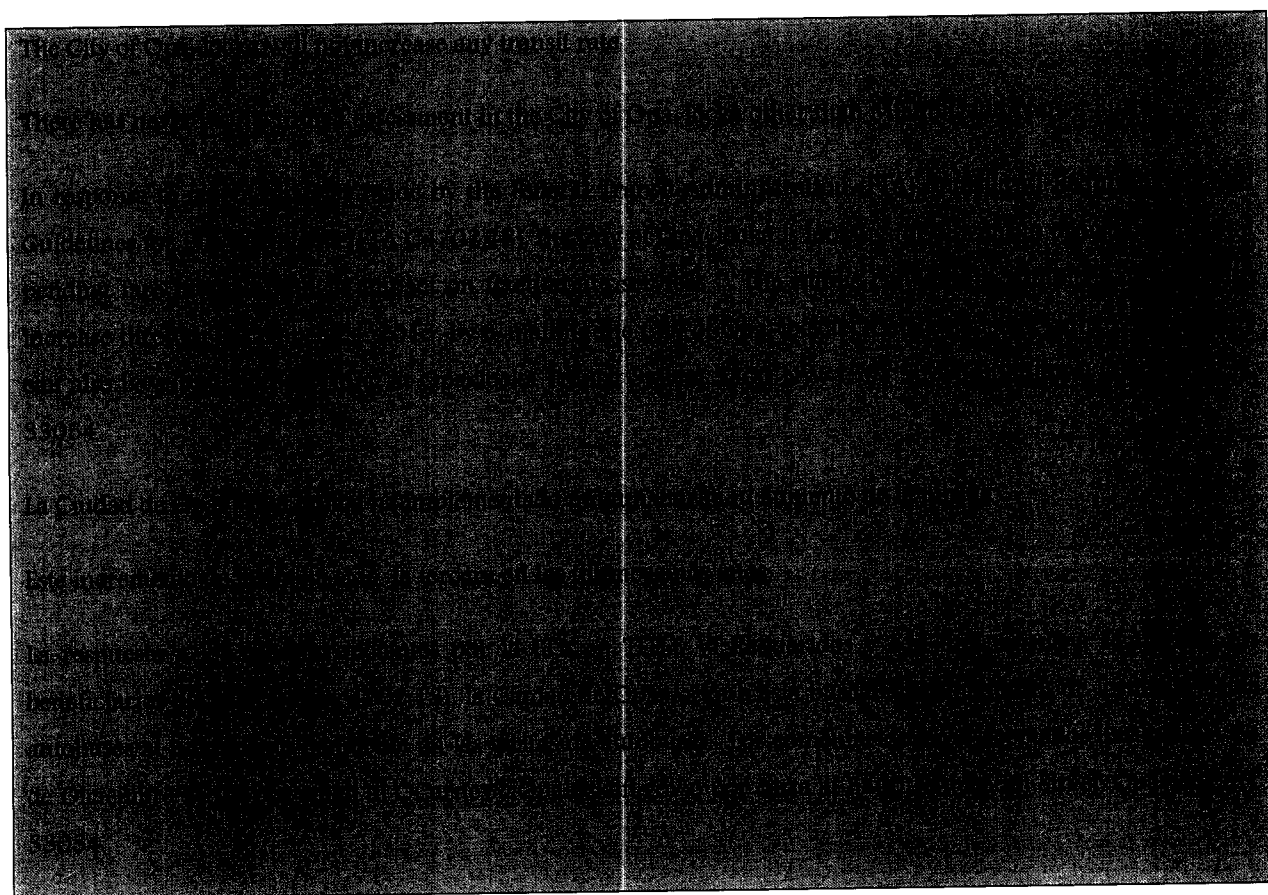
OTS' Public Participation Process

Outreach Efforts – Alerting Riders

OTS' PPP maintains the traditional elements to the outreach program such as seat-drop flyers, driver issued surveys, and by posters and notices on the buses. While there may be minor variations in the outreach process from time -to-time, the outline below provides the general steps for engaging riders in the decision-making process using a fare change as an example;

1. A fare change proposal is developed internally or as a result of public comment;
2. If required, approval from the City Council is sought to proceed to a public comment hearing;
3. Public meetings (City Council) are posted at City Hall in the lobby board and posted online in the city's webpage (www.opalockafl.gov) usually 4 days prior.
4. Bilingual (English & Spanish) public outreach is available;

EXAMPLE OF FARE INCREASE NOTICE PLACED INSIDE BUS.



LANGUAGE ASSISTANCE PLAN

Improving Access for People with Limited English Proficiency

In order to ensure meaningful access to programs and activities, OTS uses the information obtained in a Four Factor Analysis to determine the specific language services that are appropriate. This analysis helps OTS to determine if it communicates effectively with LEP persons and informs language access planning.

The Four Factor Analysis is a local assessment that considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by OTS;
2. The frequency with which LEP persons come into contact with OTS services;
3. The nature and importance of OTS' services in people's lives; and
4. The resources available to OTS for LEP outreach, as well as cost associated with that outreach.

Factor 1 – Number of LEP Persons on Service Region

The first step in determining the appropriate components of a Language Assistance Plan is understanding the proportion of LEP persons who may encounter OTS service, their literacy skills in English and their native language, the location of their community and neighborhoods and, more importantly, if any are underserved as a result of a language barrier.

City of Opa-locka Overview

Our transportation efforts, although not enough currently serve the City of Opa-locka, located 10 miles north of downtown Miami, in Miami-Dade County, Florida, is 4.265 square miles and is home to 15,623 residents representing a highly vulnerable population. The target community consists of individuals and families with small children living below the poverty line, elderly in poverty, a population that is predominantly minority, with high levels of unemployment, under-educated, living in substandard housing within substandard community infrastructures, battered by seasonal storms and devastated by declared disasters, living with the daily consequences of the high crime rate, who are blighted by environmental justice concern due to their disproportionate risk of health issues stemming from exposure to contaminants from the proximity of their neighborhoods to Brownfield. In 2010 the City violent crime rate in Opa-locka was higher than the violent crime rate in Florida by 354.3% and the City property crime rate was higher than the property crime rate in Florida by 92.8%. The city violent crime rate for Opa-locka in 2010 was higher than the national violent crime rate average by 510.41% and the City property crime rate was higher than the national property crime rate average by 133.21%(2010 Crime Rate Index).

The population is diverse with the percentage of foreign born individuals at a rate of almost 3 times the national percentage. The target population is in great need of greater opportunities for educational advancement. The population has a marked disparity in educational obtainment with 25.81% of citizens not completing high school in comparison to the state and national average of 15%. Health disparities are often linked to school performance with a direct correlation between school attendance levels and academic success.

Lack of a high school diploma exacerbates generational poverty and unemployment. Though the lack of education and skills training as well as the types of industry in the area contribute to a lack of job opportunities, the blight of the community contributes to lack of development and economic stimulation. Of those employed, 16% are employed in low paying retail jobs. (American Community Survey 2006–2010).

The community has seven elementary schools with over 3,028 children, pre-kindergarten to fifth grade level, traveling to and from school each day. The free and reduced lunch eligible children make up 98% of this population, indicating their extreme poverty. All seven of these schools enroll 100% minority (Black and Hispanic). The reading achievement scores for all of the students in these schools falls far below the state average, many by over 50%. (Source: Florida Department of Education, 2012-2013, retrieved from www.FLDOE.org)

Factor 2 – Frequency of LEP Use

There are places where OTS riders of the LEP population can come into contact with OTS service such as fixed route buses and informational calls to customer service. It is important for OTS to ensure that the following points of contact are covered in English and Spanish.

- The use of the bus service;
- Communication with OTS customer service staff;
- Bus pass sales
- Printed outreach materials – ex. Brochures
- Web-based materials
- Meetings – City Council meetings
- Service related posters – notices inside buses

Factor 3 – The Importance of OTS Service to People’s Lives

Access to the services provided by OTS’ fixed route is critical to the many people in the area. Many depend on OTS’ fixed route services for access to jobs and for access to essential community services, shopping and medical appointments. Riders eligible for service under the American’s with Disabilities Act (ADA) require service for the same reasons. Because of the essential nature of the services and the importance of these to the many residents in the area, there is a need to ensure that language is not a barrier to access.

In the passenger survey (above), many of them responded to using the buses for multiple reasons. The percentages given is based on just the number of each individual reason for using the bus by the total number of respondents, 96 (%) reported depending on the service for work related transportation, 41(%) reported using the service for school, 75(%) reported using the service for health care, 58(%) reported using the service for shopping – all essential trip purposes.

Factor 4 – Resources and Costs for LEP Outreach

OTS is committed to providing resources to improve access to its services for LEP persons. Today, bilingual information (English/Spanish) is distributed in several different manners including:

- The inside of the Shuttles
- On each pick up point of route
- Will be posted on our web site in English and Spanish
- Brochures are placed in the City Hall Main Entrance

DECISION MAKING BODIES

Non-Elected Committees and Councils

The City of Opa-locka does not have a non-elected committee and/or council or any advisory board regarding this policy of services

SERVICE STANDARDS and POLICIES

Vehicle Capacity

Vehicle Headway (Frequency)

The shuttle buses operate on weekdays, and Saturdays between hours of 6am and 7pm except holiday(s) within the City and connect residents to the Tri Rail station as well as to MDT bus stops. The shuttle services allow residents to connect to areas of work and school outside of the City. It helps local and regional mobility significantly. Our City Commission advised us for the north route extension along NW 151st Street from NW 27th Avenue to NW 37th Avenue. Currently NW 151 Street has shuttle bus services for the commercial area from NW 22 Avenue to NW 27 Avenue but no services for the residential areas between NW 27 Avenue and NW 37th Avenue. The southbound shuttle bus on NW 27th Avenue makes left on NW 151 Street goes towards NW 22nd Avenue.

We are requesting if the southbound shuttle bus can make right turn on NW 151 Street and extend services between NW 27 Avenue and NW 37 Avenue by routing through NW 37 Avenue, Sultan Avenue, Curtis Drive and then back to NW 151 Street towards 22nd Avenue as shown on the attached exhibit-01. This will require about 10 minutes travel time adjustment and will not require any additional bus if this time can be adjusted on the schedule. The schedule for the route on the east side of NW 27th Avenue can be adjusted as it serves only the commercial area. The proposed route extension will help the residential community between NW 27 Avenue and NW 37 Avenue. NW 151 Street is the city limit and the route extension will provide services to the Miami Gardens resident on the north side and Opa-locka residents on the south side. It will enhance the shuttle services popularity and will increase the total ridership.

The shuttle buses through grant funding Job Access Reverse Commute (JARC) operate on weekdays between hours of 6am and 7pm except holiday(s) within the City and connect residents to the Tri Rail station, MDT bus stops, Flea Market, Miami-Dade College and other key areas. The current agreement with the Limousines of South Florida (LSF) does allow LSF to a minimum of thirteen (13) hours operation per day for 5 (five) days a week. The amendment will allow LSF to extend their services for Saturday per the attached schedule and route map.

CONTACT

For additional information on the OTS Title VI Plan please contact;

Owen Carney
Opa-locka Transit System
3400 NW 135th Street, Building B
Opa-locka, Florida 33054
Tel. (305) 953-2868
Email: ocarney@opalockafl.gov

Appendix A

Complaint Form



Opa-locka Transit System
Title VI Non-Discrimination Program
Complaint of Discrimination

Complainant (s) Name: <i>Nombre(s) de(los) Reclamante(s).</i>	Complainant(s) Address: <i>Direccion de(los) Reclamante(s).</i>
Complainant (s) Phone Number: <i>Numero de telefono de(los) Reclamante (s).</i>	
Complainant's Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc); <i>Nombre del representante del Reclamante, direccion, telefono y relacion (por ejemplo amigo, abogado, padres, etc);</i>	
Name and Address of Agency, Institution, or Department Whom You Allege Discriminated Against You; <i>Nombre y Direccion de la agencia, institucion o departamento que usted alega discrimino en su contra;</i>	

Names of the individual(s) Whom You Allege Discriminated Against You (if known); <i>Nombre(s) de(los) individuo(s) que usted allege discriminaron en su contra (si lo sabe);</i>		
I believe the discrimination I experienced was based on: (check all that apply). <i>Creo que la discriminación que yo experimente fue basado en (marquee todos los que apliquen).</i>	☐ Race <i>Raza</i> ☐ Color <i>Color</i> ☐ National Origin <i>Origen Nacional</i>	Date of Alleged Discrimination: <i>Fecha de la Supuesta discriminación.</i>

Mail to: *Envie por correo a:* Opa-locka Transit System 3400 NW 135th Street Building B Opa-locka FL 33054
Ocarney@opalocokafl.gov This form may also be faxed to: *Este formulario tambien se puede enviar por fax a:* 305-953-2900
 Attn: Owen Carney

A complaint must be filed no later than 30 days after the date of the alleged discrimination.

Toda queja tiene que ser reportada dentro de los 30 días siguientes al incidente de alegada discriminación.



Opa-locka Transit System
Title VI Non-Discrimination Program
Complaint of Discrimination

Please list the name(s) and phone number(s) of any person, if known, that Opa-locka Transit System could contact for additional information to support or clarify your allegation(s).

Por favor enumere el(los) nombre(s) y telefono(s) de cualquier persona, si sabe, que el Transporte de Opa-locka podria contactar para obtener informacion adicional para respaldar o aclarar lo que usted alega.

Please explain as clearly as possible how, why, when and where you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

Por favor explique lo más claramente posible como, porque, cuando y donde cree usted que discriminaron en su contra.

Incluya la mayor cantidad de informacion de segundo plano posible acerca de los supuestos actos de discriminación. Puede agregar paginas adicionales si es necesario.

Complainant(s) or Complainant(s)Representatives Signature.

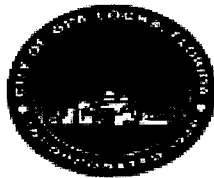
Firma de(los) Reclamante(s) o de los representates de (los) Reclamante(s).

Date of Signature.

Fecha de la Firma.

Appendix B

Letter Acknowledging Receipt of Complaint



Letter Acknowledging Receipt of Complaint

Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

This letter is to acknowledge that a complaint has been received from you alleging

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please contact me at 305-953-2868

Owen Carney, Coordinator
City of Opa-locka Transit
3400 NW 135th Street, Building B
Opa-locka, FL 33054

Appendix C

Letter Notifying Complainant that the complaint is Substantiated



City letter head

Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

The matter reference in your letter dated _____ against the Opa-locka Transit System alleging of a Title VI violation has been investigated.

The violation of the Title VI of the Civil Rights Act of 1964 mentioned in your letter was identified. Corrective action of this deficiency(s) is being implemented to ensure that this issue does not arise again.

Thank you for bringing this matter to our attention.

Sincerely,

Owen Carney, Coordinator
Opa-locka Transit System
3400 NW 135th Street Building B
Opa-locka, FL 33054

Appendix D

Letter Notifying Complainant that the Complaint is Not Substantiated



Date

Complainant's Name

Complainant's Address

Dear (Mr/Ms):

The matter referenced in your complaint dated _____ against the Opa-locka Transit System alleging

_____ has been investigated.

The results of the investigation did not validate that there was any violation of the Title VI of the Civil Rights Act of 1964. As you know, Title VI prohibits discrimination based on race, color or national origin in any program receiving federal financial assistance.

The city's attorney has reviewed and analyzed the materials and facts pertaining to your case for evidence that a violation to any of the civil rights laws as occurred. There was no evidence found to substantiate your complaint and we are closing this matter in our files.

You have the right to appeal within ten days of receipt of this final written decision and/or file the complaint directly with the FTA Federal Transit Administration at:

Federal Transit Administration Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Thank you for taking the time to contact us. If we can be of further assistance please contact us.

Sincerely,

Owen Carney, Supervisor
City of Opa-locka Transit System
3400 NW 135th Street Building B
Opa-locka Florida 33054

Appendix E

Opa-locka History and Demographics

The City of Opa-locka is a small community, located 10 miles north of downtown Miami in Miami-Dade County, Florida, and is 4.2 square miles and is home to 15,967 (census 2013) residents. The target community represents a highly vulnerable multi-cultural population of 97% Black and Hispanic that includes: individuals, elderly, and families with small children and women head of households with children living below the poverty line. Opa-locka has high levels of unemployment, under-educated citizens living in poor housing within substandard community infrastructures, battered by seasonal storms and devastated by declared disasters. The community is plagued daily with the consequences of violent crime rates. For twenty years Opa-locka has been leading the state in most violent crimes and in 2003/2004, the FBI ranked Opa-locka the most dangerous City in America relative to size. In 2010, the City violent crime rate in Opa-locka was higher than the violent crime rate in Florida by 354.3% and in the US by 510.41%. The City property crime rate was higher than the property crime rate in Florida by 92.8% and in the US by 133.21% (2010 Crime Rate Index). Opa-locka was founded by aviation pioneer Glenn Curtiss in 1926 in connection with the development of a general aviation airfield, and a naval base was opened at the Opa-locka airport after the 1926 hurricane. In 1937, Amelia Earhart departed on her ill-fated flight from Opa-locka (now called Miami Opa-locka Airport). With the naval base in operation and the airfield acting as part of the US Navy Training Command during World War II, Opa-locka initially attracted middle class population looking to buy homes. When the Naval base closed in the 1950s, many of the white residents moved out. Working class black residents employed by the rail companies moved in, and by the 1980s, the City had a predominately minority population which remains today at 97%.

In the 1987, a nine-block part of the City repeatedly made the headlines with its abbreviated nickname, "The Triangle." The area was so overrun with crime and cocaine that the City's public works department blocked all but one of its entrances with metallic, security barriers. The area was then hot with heroin; the cocaine trade that developed in the '80s was violent and pervasive.

The city finally removed barriers from the Triangle in 2012. The neighborhood was renamed "Magnolia North" as part of a rebranding effort to bring about the first visible change beginning with GOB Funding to Restore Old City Hall, CDBG Funding to demolish and rebuild Helen Miller at Segal park Community Center and many other CDBG funding for infrastructure and pump station projects.

However, despite the current potential for growth and revitalization, Opa-locka has many challenges to overcome. Threads of corruption and crime still taunt a City who is desperate for change. The City is blighted by scrap yards whose inventories of metals are piled as high as to the sky. Additionally, business owners have been plagued with Cairo Lane 135th Street and 127th Street which was once an abandoned landfill (Minton's), recently caught on fire burning over a hundred cars, tires and automotive paraphernalia that warranted the service of 75+ fire fighters

and over 120,000 gallons of water to get under control. Firefighters main concern was access, as the conditions were deplorable to maneuver equipment to the engulfed flames (Local 10 News Miami September 29, 2014). Mixed fluids and contaminants filtrated back onto the land and into surface and groundwater sources. Our geographic footprint, within Miami-Dade County, has been ranked by the Department of Environmental Protection and the State of Florida at 100th percentile for the dirtiest/worst counties for clean water with impaired or threatened uses of surface waters and water bodies (scorecard.goodguide.com). Due to the City's small geographic size, the target area is community-wide; within the city boundaries. The target vulnerable populations, our elderly, pregnant women and children, and female single head of households with children reside within crime-ridden areas interspersed among recycling businesses and within a dilapidated and dangerous infrastructure. Industrial property uses account for more than 34% of the City's land. In 2011, vacant land of any type (commercial, residential, etc.) composed 22.63% of the City's area. The industry in Opa-locka is dominated by engine suppliers and repair shops for cars, boats and airplanes. The City is also a center for junkyard and recycling businesses. Active CSX freight train tracks run through the Opa-locka dividing neighborhoods, frequently ceasing the flow of traffic and contributing to greenhouse gas emissions. Additionally, when the trains block traffic, it represents significant health and safety concerns do the community residents as it restricts access for medial and police personnel. Brownfield sites within our community have been identified as 67 sites having contamination issues from hazardous and/or petroleum substances. Brownfield properties within our community include old dry cleaner sites, landfills, former military properties, gas stations, properties with illicit dumping, as well as drug-related activities such as Meth Labs. The Florida Department of Environmental Protection (FDEP) Petroleum database (2014) indicates 29 properties with active or pending petroleum cleanup. Five sites are listed in the Superfund database as having prior cleanup activities. Last October, the State of Florida Department of Environmental Protection Clean Water State Revolving Fund awarded a priority funding in excess of \$40 million to the City of Opa-locka which has made the national headlines. Using CDBG Funding also as leverage for funded needed and not part of the State Revolving such as the renovation and rehabilitation of the Opa-locka Community Care and Resource Center. This will be the most ambitious and project of this magnitude in the City's 89 year old history.

Demographic Information

The major disparities facing this community (target area) are poverty levels, minority isolation, reduced educational opportunities, low employment rates and an unhealthy environment. The population of the City in 2013 was 15,967, an increase of 6.8% from the 2000 population of 14,951 (US Census Bureau). Over the next 20 years, the population in Opa-locka is expected to grow 11% with an estimated population of 16,817 by 2030 (Shimberg Center, Florida Housing Data Clearinghouse, 2013).

Table 1. Demographic Information	City of Opa-locka	County	State	National
Population	15,219	2,496,435	18,801,310	308,745,538

Population born outside of the United States	34.3%	51.2%	19.3%	12.9%
Poverty Rate	31.85%	27.30%	13.80%	13.80%
Percent Minority	72.3%	26.2%	25%	27.6%
Median Household Income	\$20,379	\$44,299	\$47,661	\$51,914
Percent Not in Workforce	48.5%	37.1%	39.3%	35.3%
Families below Poverty Level	37.6%	15.7%	11.4%	10.9%
Persons under 5	9.3%	5.9%	5.7%	6.3%
Female Head of Household with Children under 18	24.5%	9%	7.1%	7.2%
65 Years+ Below Poverty Level	40.0%	21.7%	10.1%	9.4%
Unemployment	13.51%	8.9%	8.9%	7.9%
Food Stamps Benefits	48.2%	20.2%	11.7%	11.4%
High School Graduate or Higher	60.4%	78%	85.8%	85.7%
Language other than English spoken at home	45.9%	72.3%	27.3%	20.5%

2008-2013 American Community Survey, 5-Year Estimates; available at <http://factfinder2.census.gov>.

The population is culturally diverse with the percentage of foreign-born individuals at a rate of almost three times the national percentage. The minority population is about three times greater than the county, state, and national average. The major racial groups in the community consist of African American (64.2%), Hispanic (36.16%), and Caucasian (23%). Within this multi-cultural community, subgroups include Cubans (34.53%), Puerto Ricans (11.67%), and other Hispanic or Latino groups representing Dominican Republic, Central and South America, West Indies and Spain (35.67%).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER, DARVIN WILLIAMS, TO SEEK FUNDING OPPORTUNITIES, INCLUDING PARTNERSHIPS AND ESTABLISH AN ANNUAL MOORISH ARTS AND CULTURAL FESTIVAL FOR A RECOMMENDED PRELIMINARY BUDGETED AMOUNT OF \$50,000.00 FOR THE FY 2023 BUDGET; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka ("City Commission") desires to highlight its reemergence as a preeminent South Florida community by, in part, establishing an annual festival utilizing the City's Moorish design heritage to allow visitors to experience an environment markedly different from other municipalities; and

WHEREAS, the City of Opa-Locka ("City") is exploring ways to bring a more positive image to the City and allow for a successful festival to take place that will serve to create a positive image by offering a high level of enjoyment for residents and visitors; and

WHEREAS, by highlighting the City's Moorish Design heritage, the City is seeking a greater level of engagement from the business community and sees a festival as a way to support local businesses and also incentivize new businesses to invest within the City; and

WHEREAS, the City Commission hereby directs the Interim City Manager to seek funding opportunities, including partnerships to establish an annual Moorish Arts and Cultural Festival, utilizing the City's Moorish design heritage; and

WHEREAS, the Interim City Manager estimates that the cost of annual Moorish Arts and Cultural Festival will be approximately \$50,000.00.

Resolution No. _____

WHEREAS, the Interim City Manager is hereby required to produce a detailed budget to the City Commission with a specific plan of action for an annual Moorish Arts and Cultural Festival to the City Commission within ninety (90) days from the approval of this Resolution.

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

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

Section 2. Directing Interim City Manager. The City Commission hereby directs Interim City Manager, Darvin Williams, to seek funding opportunities, including partnerships, for the establishment of an annual Moorish Arts and Cultural Festival. The Interim City Manager is further required to produce a detailed budget to the City Commission within ninety (90) days from the approval of this Resolution showing a specific plan of action for the establishment of an annual Moorish Arts and Cultural Festival within the City.

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 Interim City Manager, following review by the City Attorney, without the need for public hearing, by filing a corrected copy of same with the City Clerk.

Section 4. Effective Date. This Resolution shall be effective immediately.

PASSED AND ADOPTED this _____ day of _____, 2022.

Veronica Williams, Mayor

ATTEST:

Resolution No. _____

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:	_____
Commissioner Davis:	_____
Commissioner Dominguez:	_____
Vice-Mayor Taylor:	_____
Mayor Williams:	_____



City of Opa-locka Agenda Cover Memo

Department Director:					Department Director Signature:					
City Manager:	Darvin Williams				CM Signature:					
Commission Meeting Date: <i>(Enter X in box)</i>	06.08.2022		Item Type: <i>(Enter X in box)</i>	Resolution		Ordinance		Other		
				X						
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading				2nd Reading		
	X			Public Hearing: <i>(Enter X in box)</i>	Yes		No		Yes	
					X					
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex: Recommended For FY 23 Budget Special Events		Advertising Requirement: <i>(Enter X in box)</i>	Yes				No		
								X		
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid#:							
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> X						
	X									
Sponsor Name	Commissioner Davis		Department: City Commission							

Short Title:

A resolution of the City Commission of the City of Opa-locka directing the City Manager to seek funding opportunities, including partnerships, and to develop a preliminary proposal to establish an Annual Moorish Arts and Cultural Festival.

Staff Summary:

The City of Opa-locka is making major progress on its road to recovery and needs to take actions which highlight its reemergence as a preeminent South Florida community. One manner by which the City can be brought to the attention of the world is to establish an annual festival utilizing the City's Moorish design heritage to allow visitors to experience an environment markedly different from elsewhere. A successful festival creates a very positive image and a high level of energy. This causes visitors to want to come back,

provides local enjoyment for the residents, develop civic pride, supports local businesses and incentivizes new businesses to become interested in investment opportunities within the City.

Financial Impact- The full dimensions of what an arts and cultural festival involves are in the very preliminary conceptual phases at this time and the total cost, including possible funding sources, of what might be required is currently unknown. It is recommended that the FY 23 Special Events Budget include \$50,000 as a “placeholder” for this project until a more comprehensive determination can be established.

Proposed Action:

Staff recommends the approval of this request and will provide a plan of action to the City Commission within 90 days of approval.

Attachment:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER, DARVIN WILLIAMS, TO DESIGNATE ONE (1) RESERVED PARKING SPACE AT ALL CITY FACILITIES FOR THE USE BY U.S. MILITARY VETERANS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka ("City Commission") finds it fitting and appropriate for the City of Opa-Locka ("City") to express its appreciation for those individuals who have served in the U.S. Armed Forces and have thereby demonstrated a commitment to protecting and defending freedom and liberty in the United States; and

WHEREAS, the City Commission desires to show its appreciation for veteran military service by designating one (1) reserved parking space for veterans at all City facilities; and

WHEREAS, the City Commission finds that it is in the best interest of the City and its residents to designate one (1) reserved parking space at all City facilities.

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

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

Section 2. **Directing Interim City Manager.** The City Commission hereby directs Interim City Manager, Darvin Williams, to designate one (1) reserved parking space at all City facilities for the U.S. military veterans.

Resolution No. _____

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, following review by the City Attorney, without the need for public hearing, by filing a corrected copy of same with the City Clerk.

Section 3. Effective Date. This Resolution shall be effective immediately.

PASSED AND ADOPTED this _____ day of _____, 2022.

Veronica Williams, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

Resolution No. _____

VOTE:

Commissioner Bass: _____

Commissioner Davis: _____

Commissioner Dominguez: _____

Vice-Mayor Taylor: _____

Mayor Williams: _____



City of Opa-locka Agenda Cover Memo

Department Director:					Department Director Signature:				
City Manager:	Darvin Williams				CM Signature:				
Commission Meeting Date:	06.08.2022		Item Type: (Enter X in box)	Resolution		Ordinance		Other	
				X					
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading				2nd Reading	
		X	X	Public Hearing: (Enter X in box)	Yes	No	Yes	No	
					X				
Funding Source:	(Enter Fund & Dept)		Advertising Requirement: (Enter X in box)	Yes		No			
Account# :	Ex:								
							X		
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:						
		X							
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)					
		X							
Sponsor Name	Vice Mayor Taylor		Department: City Commission						

Short Title:

A resolution of the City Commission of the City of Opa-locka directing the City Manager to designate one (1) reserved parking space at all City facilities for the use of U.S. military veterans

Staff Summary:

Staff feels it is fitting and appropriate for the City of Opa-locka to express its appreciation for their service to those individuals who serve or have served in the U.S. Armed Forces and thereby demonstrated a commitment to protecting and defending freedom and liberty in the United States.

One way in which that appreciation may demonstrated, and which will also provide a convenience and privilege to veterans, is to designate a reserved parking space at all City facilities.

Financial Impact- The cost will be under \$1,000 and will be charged to the Roads & Streets Division, Road Materials – 41-541530 with an available balance of \$8,084,

Proposed Action:

Upon approval of this legislation, staff will move forward with procuring signage to be installed at all City facilities.

Attachment:



FIRST READING ORDINANCE / PUBLIC HEARING

Sponsored by: Commissioner Davis

ORDINANCE NO. XX-XX

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 ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS", ARTICLE XIV ENTITLED "LANDLORD PERMIT", SPECIFICALLY AMENDING SECTION, 13-274(3) TO REQUIRE THAT ALL APARTMENT BUILDINGS WITH ONE HUNDRED FIFTY (150) UNITS OR MORE TO BE REQUIRED TO HAVE ONSITE 24-HOUR ARMED OFF-DUTY POLICE OFFICER SECURITY; AMENDING SECTION 13-278(5)(b) TO REQUIRE PERMIT APPLICANTS WITH ONE HUNDRED FIFTY (150) UNITS OR MORE APARTMENT UNITS TO COMPLETE A SEPARATE FORM TO BE CREATED BY CITY CONTAINING AN ACKNOWLEDGMENT THAT A DAILY LOG WILL BE KEPT CONTAINING THE NAMES OF ANY AND ALL ON-SITE 24-HOUR ARMED OFF-DUTY POLICE OFFICERS BEFORE A PERMIT SHALL BE ISSUED; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of Opa-Locka is concerned about further curtailing crime and related offenses within the City of Opa-Locka ("City"); and

WHEREAS, on November 19, 2020, the City Commission of the City of Opa-Locka passed Ordinance No. 2020-20, requiring that all apartment buildings with One Hundred Fifty (150) Units or more to be required to have onsite armed off-duty police officer security and Landlord Permit Applicants with One Hundred Fifty (150) or more apartment units to complete a separate form, to be created by City, containing an

acknowledgment that a daily log will be kept containing the name of the on-site armed off-duty police officer before a Landlord Permit is issued; and

WHEREAS, due to the increased crime rate in the City, primarily occurring at larger apartment complexes, there is a great need for twenty-four (24) hour onsite armed off-duty police security; and

WHEREAS, in an effort to curtail a recent increase in crime and related offenses in apartment complexes with one hundred fifty (150) units or more, the City Commission deems it necessary for there to be onsite twenty-four (24) hour armed off-duty police officer security services to directly address the immediate concern of life, health, and safety of residents; and

WHEREAS, due to recent city events, the City finds that larger numbers of residents connected with larger unit apartment living warrants greater measures in place to curtail criminal activity; and

WHEREAS, Article VIII, Section 2 of the Florida Constitution and Chapter 166 of Florida Statutes, the City of Opa-Locka ("City") has been granted a broad exercise of home rule powers granted by the constitution which includes the power and authority to enact regulations for valid governmental purposes that are not prohibited by general or special law; and

WHEREAS, the City Commission of the City of Opa-Locka desires to make certain amendments to Chapter 13, Article XIV of the City's Code of Ordinances entitled

“Landlord Permit”, to amend section 13-274(3) and require all apartment buildings with One Hundred Fifty (150) or more units to verify an onsite twenty-four (24) hour armed off-duty police officer as a part of the permit process.

WHEREAS, the City Commission has determined that it will be in the best interest of the City to specifically amend the aforementioned sections of the City’s Code of Ordinances.

WHEREAS, upon adoption of this legislation, the City Manager will inform the management of all apartment complexes with 150 or more units of this requirement and allow them 30 days to be in compliance with this legislation.

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

Section 1. Adoption of Representations.

The foregoing “Whereas” clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. Amending Chapter 13 “Licenses and Business Regulations”, Article XIV entitled “Landlord Permit”, to amended Section 13-274(3) which shall read:

Chapter 13. Licenses and Business Regulations

ARTICLE XIV. - LANDLORD PERMIT

Sec. 13-274. - Landlord permit required.

Every owner of a dwelling or dwelling unit within the city, is required to apply for an annual landlord permit from the city manager or his/her designee prior to leasing, subleasing, renting or otherwise allowing the occupancy of any dwelling or dwelling unit

for the purpose of tenancy of unit to another natural person or other natural persons, whether or not for consideration. In the case of multiple owners of any such dwelling or dwelling unit, it shall be sufficient for any one of the owners to have obtained a permit on the dwelling or unit. The application shall be in writing and on a form provided by the city.

(1) It is hereby deemed unlawful for any person to lease, sublease, rent or allow the occupancy of any dwelling or dwelling unit for the purpose of tenancy, whether or not for consideration, without first obtaining the required landlord permit.

(2) No structure, single-family dwelling, two-family dwelling, three-family dwelling, four-family dwelling, multiple-family dwelling, rooming house, dormitory or other dwelling or dwelling unit used for the purpose of tenancy or leasing, subleasing, or rental shall be occupied by anyone other than an owner or his/her family member(s), without first obtaining a landlord permit therefor, from the city as may be required herein.

(3) All apartments buildings within the City with One Hundred Fifty (150) or more units shall be required to have an onsite property manager who shall live on the premises and be responsible to residents for addressing life, health and safety issues. In addition, there shall be twenty-four (24) hour armed off-duty police officer security ~~shall be~~ required to protect the life, health, safety and of tenants.

Section 3. Amending Chapter 13 "Licenses and Business Regulations", Article XIV entitled "Application procedures", to amend language of Section 13-278(5)(b) to require applicants with One Hundred Fifty (150) or more apartment units to maintain a daily log containing the names of any and all on-site twenty-four (24) hour armed off-duty police officers and shall read:

Sec. 13-278. - Application procedures.

(a) No landlord permit shall be issued or granted to any person unless an application is filed with the city manager, or his/her designee on forms provided for that purpose, disclosing the following:

(1) The landlord's name, address and telephone number, and any other emergency contact information. Any changes in such information during the period for which the

landlord permit is issued shall be made to the city manager or his/her designee, in writing.

(2) If the applicant is a corporation or partnership, the full name and address of the corporation or partnership and the state of incorporation. Applicant must submit a copy of the articles of incorporation.

(3) If the property is mortgaged, the name and address of the mortgagee.

(4) The number of dwelling units and number of bathrooms and bedrooms in each unit.

(5) Whether the applicant and/or its principals has ever been cited for, or found in violation of any required housing standards and if so, the date, jurisdiction, nature of violation and disposition of violation.

(b) All applicants and permits shall be assigned a number, which may be an individual's social security number, a corporation's federal tax number, or such other uniform method of numbering selected by the city manager or his designee. For all applications involving apartment buildings within the City with One Hundred Fifty (150) or more units, a separate form to be created by the City shall be completed by the applicant containing the name of the on-site property manager and an acknowledgment that a daily log will be kept containing the names of the any and all on-site twenty-four (24) hour armed off-duty police officers before a permit shall issue.

(c) Statement of accuracy: The application form shall contain the following language:

"The undersigned has carefully reviewed this application and all facts, figures, statements contained in this application are true, correct, and complete. The applicant also acknowledges and understands that the issuance of the City Landlord Permit is contingent upon a compliance inspection and in conjunction with the issuance of a Certificate of Occupancy. The undersigned understands that failure to comply with the City's Ordinances may result in revocation of said Landlord Permit."

(d) The applicant shall print and sign his or her name on the application immediately after the statement required in subsection (c) above. In the case of a corporation, an officer shall be required to sign the application in his individual capacity and not solely as a corporate agent.

(e) Dwelling or dwelling units that are required to obtain a certificate of occupancy pursuant to § 110 of the Florida Building Code, must do so prior to the issuance of a landlord permit. The city shall honor any certificate of occupancy issued by Miami-Dade County provided that the occupancy for which the certificate was issued remains the same.

(f) State license, certification, registration required. All premises regulated by the state must submit a copy of their current state license, certification, and/or registration prior to the issuance of their landlord permit and thereafter each year at time of renewal. Only the state license itself or receipt therefor shall constitute proof of current state license.

(g) Landlord permits shall not be issued unless:

(1) There has been a site inspection of the dwelling or dwelling unit(s) by the city.

(2) The city has verified compliance with all applicable laws and regulations and has collected all applicable fees due to the city.

Section 4. Other Language Remaining Same. All other language set forth in Chapter 13 that is not otherwise amended herein shall remain the same.

Section 5. Conflict & Repealer.

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

Section 6. Severability.

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

Section 7. Inclusion In Code.

It is the intention of the City Commission of the City of Opa-Locka that the provisions of this Emergency Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be

changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

Section 8. Effective Date.

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

PASSED FIRST READING this ____ day of _____ 2022.

PASSED SECOND READING this ____ day of _____ 2022.

Veronica J. Williams, 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 Davis	_____ (Yes)	_____ (No)
Commissioner Dominguez	_____ (Yes)	_____ (No)
Vice-Mayor Taylor	_____ (Yes)	_____ (No)
Mayor Williams	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:			Department Director Signature:			
City Manager:	Darvin Williams		CM Signature:			
Commission Meeting Date:	06.08.2022	Item Type: (Enter X in box)	Resolution	Ordinance	Other	
				X		
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading
		X				
				Public Hearing: (Enter X in box)	Yes	No
					X	X
Funding Source: Account# :	(Enter Fund & Dept) Ex:		Advertising Requirement: (Enter X in box)	Yes		No
				X		
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:			
		X				
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☒ Bus. & Economic Dev ☐ Public Safety ☒ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)		
	X					
Sponsor Name	Commissioner Davis		Department: City Commission			

Short Title:

An Ordinance of the City Commission of the City of Opa-locka amending Chapter 13 of the City of Opa-locka's Code of Ordinances, entitled "Licenses and Business Regulations", Article XIV entitled "Landlord Permit", specifically amending Section 13-274(3) to require that all apartment complexes with one hundred fifty (150) units or more to be required to have 24-hour onsite armed off-duty police security.

Staff Summary:

Due to the increased crime rate in the City, primarily occurring at apartment complexes, there is a great need for 24-hour onsite armed off-duty police in an effort to curtail crime and related offenses. Staff requests approval of this legislation to address the immediate concern of life, health, and safety of the residents. Armed off-duty police presence is currently required for these apartment complexes, but this amendment increases this requirement to around-the-clock.

Financial Impact- The City will incur no expense related to the proposed action.

Proposed Action:

Upon adoption of legislation, staff will inform the management of all apartment complexes with 150 or more units of this requirement and allow them 30 days to be in compliance with this legislation.

Attachment:

Ordinance No. 2020-20
Ordinance No. 19-14

ORDINANCE NO. 2020-20

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 13 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS", ARTICLE XIV ENTITLED "LANDLORD PERMIT", SPECIFICALLY AMENDING SECTION, 13-274(3) TO REQUIRE THAT ALL APARTMENT BUILDINGS WITH ONE HUNDRED FIFTY (150) UNITS OR MORE TO BE REQUIRED TO HAVE ONSITE ARMED OFF-DUTY POLICE OFFICER SECURITY; AMENDING SECTION 13-278(5)(b) TO REQUIRE PERMIT APPLICANTS WITH ONE HUNDRED FIFTY (150) OR MORE APARTMENT UNITS TO COMPLETE A SEPARATE FORM TO BE CREATED BY CITY CONTAINING AN ACKNOWLEDGMENT THAT A DAILY LOG WILL BE KEPT CONTAINING THE NAME OF THE ON-SITE ARMED OFF-DUTY POLICE OFFICER BEFORE A PERMIT SHALL ISSUE; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka is concerned about the well-being of its citizens residing in apartment complexes; and

WHEREAS, this Ordinance was passed on first reading by the City Commission of the City of Opa-Locka on October 14, 2020; and

WHEREAS, due to scheduling errors, the Ordinance was not noticed in time to allow for proper publication to be read on at least two (2) separate days and run in a newspaper of general circulation within the municipality for at least 10 days prior to adoption; and

WHEREAS, pursuant to Section 166.041, Florida Statutes, the governing body of a municipality may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements of Section 166.041(3)(a), so long as it does not establish or amend the actual zoning map designation of a parcel or parcels of land or that change the actual list of permitted, conditional, or prohibited uses within a zoning category; and

WHEREAS, in an effort to curtail a recent increase in crime and related offenses in apartment complexes with one hundred fifty (150) units or more, the City Commission deems it necessary for there to be armed off duty police officer security services to directly address the immediate concern of life, health, and safety of residents; and

WHEREAS, due to recent city events, including multiple shootings on November 18, 2020, the City finds that larger numbers of residents connected with larger unit apartment living warrants greater measures in place to curtail criminal activity; and

WHEREAS, the City Commission desires to incorporate additional requirements for security in connection with apartments buildings of one hundred fifty (150) or more units as a part of the City's permitting process; and

WHEREAS, Article VIII, Section 2 of the Florida Constitution and Chapter 166 of Florida Statutes, the City of Opa-Locka ("City") has been granted a broad exercise of home rule powers granted by the constitution which includes the power and authority

to enact regulations for valid governmental purposes that are not prohibited by general or special law; and

WHEREAS, the City Commission of the City of Opa-Locka desires to make certain amendments to Chapter 13, Article XIV of the City's Code of Ordinances entitled "Landlord Permit", to amend section 13-274(3) and requiring all apartment buildings with one hundred fifty (150) or more units to verify an onsite armed off-duty police officer as a part of the permit process.

WHEREAS, the City Commission of the City of Opa-Locka desires to Amend Chapter 13 "Licenses and Business Regulations", Article XIV entitled "Application procedures", to amend language of Section 13-278(5)(b) to require applicants with one hundred fifty (150) or more apartment units to complete a separate form, to be created by the City, containing the name of the on-site armed off-duty police officer; and

WHEREAS, the City Commission has determined that it will be in the best interest of the City to specifically amend the aforementioned sections of the City's Code of Ordinances.

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

Section 1. Adoption of Representations.

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. Amending Chapter 13 "Licenses and Business Regulations", Article XIV entitled "Landlord Permit", to amended Section 13-274(3) which shall read:

Chapter 13. Licenses and Business Regulations

ARTICLE XIV. - LANDLORD PERMIT

Sec. 13-274. - Landlord permit required.

Every owner of a dwelling or dwelling unit within the city, is required to apply for an annual landlord permit from the city manager or his/her designee prior to leasing, subleasing, renting or otherwise allowing the occupancy of any dwelling or dwelling unit for the purpose of tenancy of unit to another natural person or other natural persons, whether or not for consideration. In the case of multiple owners of any such dwelling or dwelling unit, it shall be sufficient for any one of the owners to have obtained a permit on the dwelling or unit. The application shall be in writing and on a form provided by the city.

(1) It is hereby deemed unlawful for any person to lease, sublease, rent or allow the occupancy of any dwelling or dwelling unit for the purpose of tenancy, whether or not for consideration, without first obtaining the required landlord permit.

(2) No structure, single-family dwelling, two-family dwelling, three-family dwelling, four-family dwelling, multiple-family dwelling, rooming house, dormitory or other dwelling or dwelling unit used for the purpose of tenancy or leasing, subleasing, or rental shall be occupied by anyone other than an owner or his/her family member(s), without first obtaining a landlord permit therefor, from the city as may be required herein.

(3) All apartment buildings within the City with one hundred fifty (150) or more units shall be required to have an onsite property manager who shall live on the premises and be responsible to residents for addressing life, health and safety issues. In addition, armed off-duty police officer security shall be required to protect the life, health, safety and of tenants.

Section 3. Amending Chapter 13 "Licenses and Business Regulations", Article XIV entitled "Application procedures", to amend language of Section 13-278(5)(b) to require applicants with one hundred fifty (150) or more apartment units to maintain a daily log containing the name of the on-site armed off-duty police officer and shall read:

Sec. 13-278. - Application procedures.

(a) No landlord permit shall be issued or granted to any person unless an application is filed with the city manager, or his/her designee on forms provided for that purpose, disclosing the following:

(1) The landlord's name, address and telephone number, and any other emergency contact information. Any changes in such information during the period for which the landlord permit is issued shall be made to the city manager or his/her designee, in writing.

(2) If the applicant is a corporation or partnership, the full name and address of the corporation or partnership and the state of incorporation. Applicant must submit a copy of the articles of incorporation.

(3) If the property is mortgaged, the name and address of the mortgagee.

(4) The number of dwelling units and number of bathrooms and bedrooms in each unit.

(5) Whether the applicant and/or its principals has ever been cited for, or found in violation of any required housing standards and if so, the date, jurisdiction, nature of violation and disposition of violation.

(b) All applicants and permits shall be assigned a number, which may be an individual's social security number, a corporation's federal tax number, or such other uniform method of numbering selected by the city manager or his designee. For all applications involving apartment buildings within the City with one hundred fifty (150) or more units, a separate form to be created by the City shall be completed by the applicant containing the name of the on-site property manager and an acknowledgment that a daily log will be kept containing the name of the *on-site* armed *off-duty police officer* before a permit shall issue.

(c) Statement of accuracy: The application form shall contain the following language:

"The undersigned has carefully reviewed this application and all facts, figures, statements contained in this application are true, correct, and complete. The applicant also acknowledges and understands that the issuance of the City Landlord Permit is contingent upon a compliance inspection and in conjunction with the issuance of a Certificate of Occupancy. The undersigned understands that failure to comply with the City's Ordinances may result in revocation of said Landlord Permit."

(d) The applicant shall print and sign his or her name on the application immediately after the statement required in subsection (c) above. In the case of a corporation, an officer shall be required to sign the application in his individual capacity and not solely as a corporate agent.

(e) Dwelling or dwelling units that are required to obtain a certificate of occupancy pursuant to § 110 of the Florida Building Code, must do so prior to the issuance of a landlord permit. The city shall honor any certificate of occupancy issued by Miami-Dade County provided that the occupancy for which the certificate was issued remains the same.

(f) State license, certification, registration required. All premises regulated by the state must submit a copy of their current state license, certification, and/or registration prior to the issuance of their landlord permit and thereafter each year at time of renewal. Only the state license itself or receipt therefor shall constitute proof of current state license.

(g) Landlord permits shall not be issued unless:

(1) There has been a site inspection of the dwelling or dwelling unit(s) by the city.

(2) The city has verified compliance with all applicable laws and regulations and has collected all applicable fees due to the city.

Section 4. Other Language Remaining Same. All other language set forth in Chapter 13 that is not otherwise amended herein shall remain the same.

Section 5. Conflict & Repealer.

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

Section 6. Severability.

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

Section 7. Inclusion In Code.

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

Section 8. Effective Date.

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

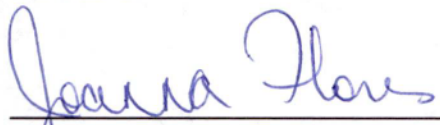
PASSED FIRST READING this 14th day of October, 2020.

PASSED SECOND READING this 19th day of **November**, 2020.



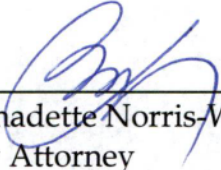
Matthew A. Pigatt, Mayor

ATTEST:



Joanna Flores, City Clerk

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



Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: COMMISSIONER KELLEY

Seconded by: VICE MAYOR DAVIS

VOTE: 5-0

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



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

Department Director:			Department Director Signature:				
City Manager:	John E. Pate		CM Signature:	<i>John E. Pate</i>			
Commission Meeting Date:	11.19.20		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		X	Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept) Ex:</i>		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
				X			
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid#:				
	X						
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☒ Bus. & Economic Dev ☐ Public Safety ☒ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
Sponsor Name	City Manager		Department:	City Manager			

Short Title:

An emergency ordinance authorizing the City Manager to establish a requirement for apartment complexes with 150 units or more to have on-site off duty police officers on the property.

Staff Summary:

Due to the increase crime rate in the City of Opa-locka, primarily occurring at apartment complexes there is a great need for on-site off duty police in an effort to curtail crime and related offenses. It is necessary to approve this legislation to address the immediate concern of life, health, and safety of the residents.

Financial Impact- The City will incur no expense related to the proposed action.

Proposed Action:

Upon adoption of legislation staff will inform the management team for all apartment complexes with 150 units more of the requirements. ...

Attachment:

Ordinance No. 19-14

1st Reading/Public Hearing: October 9, 2019
2nd Reading/Public Hearing: November 13, 2019
Adopted: November 13, 2019
Effective Date: January 1, 2020
Sponsored By: Commissioner Kelley and Vice Mayor Davis

ORDINANCE NO. 19-14

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 ORDINANCES, ENTITLED "LICENSES AND BUSINESS REGULATIONS", ARTICLE XIV ENTITLED "LANDLORD PERMIT", SPECIFICALLY AMENDING SECTION, 13-274 TO ADD NEW SECTION (3) REQUIRING ALL APARTMENT BUILDINGS WITH FORTY (40) UNITS OR MORE TO BE REQUIRED TO HAVE AN ONSITE PROPERTY MANAGER AND 24 HOUR 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 CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka is concerned about the well-being of its citizens residing in apartment complexes; and

WHEREAS, in an effort to curtail crime and related offenses in apartment complexes with forty (40) units or more, the City Commission deems it necessary for there to be an on-site property manager, and armed twenty-four (24) hour security services to address the immediate concern of life, health, and safety of residents; and

WHEREAS, due to recent city events, including shootings, the City finds that larger numbers of residents connected with apartment living warrants greater measures in place to curtail criminal activity; and

WHEREAS, the City Commission desires to incorporate additional requirements for security in connection with apartments buildings of forty (40) or more units as a part of the City's permitting process; and

WHEREAS, Article VIII, Section 2 of the Florida Constitution and Chapter 166 of Florida Statutes, the City of Opa-Locka ("City") has been granted a broad exercise of home rule powers granted by the constitution which includes the power and authority to enact regulations for valid governmental purposes that are not prohibited by general or special law; and

WHEREAS, the City Commission of the City of Opa-Locka desires to make certain amendments to Chapter 13, Article XIV of the City's Code of Ordinances entitled "Landlord Permit", to add new section (3) to 13-274 and requiring all apartment buildings with forty or more units to verify an onsite property manager and twenty-four (24) hour armed security as a part of the permit process.

WHEREAS, the City Commission of the City of Opa-Locka desires to Amend Chapter 13 "Licenses and Business Regulations", Article XIV entitled "Application procedures", to add new language to Section 13-278(5)(b) to require applicants with forty (40) or more apartment units to complete a separate form to be created by the City; and

WHEREAS, the City Commission has determined that it will be in the best interest of the City to specifically amend the aforementioned sections of the City's Code of Ordinances.

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

Section 1. Adoption of Representations.

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. Amending Chapter 13 "Licenses and Business Regulations", Article XIV entitled "Landlord Permit", to add new Section 13-274(3) which shall read:

Chapter 13. Licenses and Business Regulations

ARTICLE XIV. - LANDLORD PERMIT

Sec. 13-274. - Landlord permit required.

Every owner of a dwelling or dwelling unit within the city, is required to apply for an annual landlord permit from the city manager or his/her designee prior to leasing, subleasing, renting or otherwise allowing the occupancy of any dwelling or dwelling unit for the purpose of tenancy of unit to another natural person or other natural persons, whether or not for consideration. In the case of multiple owners of any such dwelling or dwelling unit, it shall be sufficient for any one of the owners to have obtained a permit on the dwelling or unit. The application shall be in writing and on a form provided by the city.

(1) It is hereby deemed unlawful for any person to lease, sublease, rent or allow the occupancy of any dwelling or dwelling unit for the purpose of tenancy, whether or not for consideration, without first obtaining the required landlord permit.

(2) No structure, single-family dwelling, two-family dwelling, three-family dwelling, four-family dwelling, multiple-family dwelling, rooming house, dormitory or other dwelling or dwelling unit used for the purpose of tenancy or leasing, subleasing, or rental shall be occupied by anyone other than an owner or his/her family member(s), without first obtaining a landlord permit therefor, from the city as may be required herein.

(3) All apartments buildings within the City with forty (40) or more units shall be required to have an onsite property manager who shall live on the premises and be responsible to residents

for addressing life, health and safety issues. In addition, twenty-four (24) hour armed security services shall be required to protect the life, health, safety and of tenants.

Section 3. Amending Chapter 13 "Licenses and Business Regulations", Article XIV entitled "Application procedures", to add new language to Section 13-278(5)(b) to require applicants with forty (40) or more apartment units to complete a separate form to be created by the City and shall read:

Sec. 13-278. - Application procedures.

(a) No landlord permit shall be issued or granted to any person unless an application is filed with the city manager, or his/her designee on forms provided for that purpose, disclosing the following:

(1) The landlord's name, address and telephone number, and any other emergency contact information. Any changes in such information during the period for which the landlord permit is issued shall be made to the city manager or his/her designee, in writing.

(2) If the applicant is a corporation or partnership, the full name and address of the corporation or partnership and the state of incorporation. Applicant must submit a copy of the articles of incorporation.

(3) If the property is mortgaged, the name and address of the mortgagee.

(4) The number of dwelling units and number of bathrooms and bedrooms in each unit.

(5) Whether the applicant and/or its principals has ever been cited for, or found in violation of any required housing standards and if so, the date, jurisdiction, nature of violation and disposition of violation.

(b) All applicants and permits shall be assigned a number, which may be an individual's social security number, a corporation's federal tax number, or such other uniform method of numbering selected by the city manager or his designee. For all applications involving apartment buildings within the City with forty (40) or more units, a separate form to be created by the City shall be completed by the applicant containing the name of the on-site property manager and the name of the armed security service before a permit shall issue.

(c) Statement of accuracy: The application form shall contain the following language:

"The undersigned has carefully reviewed this application and all facts, figures, statements contained in this application are true, correct, and complete. The applicant also acknowledges and understands that the issuance of the City Landlord Permit is contingent upon a compliance inspection and in conjunction with the issuance of a Certificate of Occupancy. The undersigned understands that failure to comply with the City's Ordinances may result in revocation of said Landlord Permit."

(d) The applicant shall print and sign his or her name on the application immediately after the statement required in subsection (c) above. In the case of a corporation, an officer shall be required to sign the application in his individual capacity and not solely as a corporate agent.

(e) Dwelling or dwelling units that are required to obtain a certificate of occupancy pursuant to § 110 of the Florida Building Code, must do so prior to the issuance of a landlord permit. The city shall honor any certificate of occupancy issued by Miami-Dade County provided that the occupancy for which the certificate was issued remains the same.

(f) State license, certification, registration required. All premises regulated by the state must submit a copy of their current state license, certification, and/or registration prior to the issuance of their landlord permit and thereafter each year at time of renewal. Only the state license itself or receipt therefor shall constitute proof of current state license.

(g) Landlord permits shall not be issued unless:

(1) There has been a site inspection of the dwelling or dwelling unit(s) by the city.

(2) The city has verified compliance with all applicable laws and regulations and has collected all applicable fees due to the city.

Section 4. Other Language Remaining Same. All other language set forth in Chapter 13 that is not otherwise amended herein shall remain the same.

Section 5. Conflict & Repealer.

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

Section 6. **Severability.**

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

Section 7. **Inclusion In Code.**

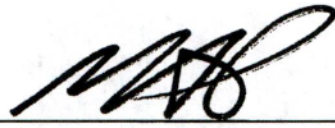
It is the intention of the City Commission of the City of Opa-Locka that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word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

Section 8. **Effective Date.**

This Ordinance shall take effect on January 1, 2020 and upon approval by the State of Florida.

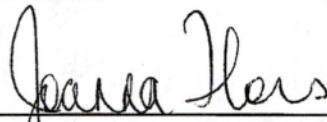
PASSED FIRST READING this 9th day of October, 2019.

PASSED SECOND READING this 13th day of November, 2019.



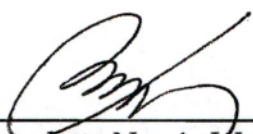
Matthew A. Pigatt, Mayor

ATTEST:



Joanna Flores, City Clerk

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



Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: Commissioner Kelley

Seconded by: Commissioner Bass

VOTE: 4-1

Commissioner Bass:	YES
Commissioner Burke:	YES
Commissioner Kelley:	YES
Vice-Mayor Davis:	YES
Mayor Pigatt:	NO

1st Reading: 02/25/2009
2nd Reading: 03/11/2009
Public Hearing: 03/11/2009
Adopted: 03/11/2009
Effective Date: 03/11/2009
Commissioner D. Johnson

ORDINANCE NO. 09-05

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OPA-LOCKA, FLORIDA; REPEALING ORDINANCE 07-02, CODIFIED AS CHAPTER 7, ARTICLE I, SECTION 7-12 OF THE OPA-LOCKA CODE OF ORDINANCES ENTITLED "APARTMENT BUILDINGS WITH TWENTY-FOUR UNITS OR MORE"; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Opa-locka ("City Commission") adopted Ordinance 07-02, which was later codified into the City of Opa-locka Code of Ordinances as Chapter 7, Article I, Section 7-12, entitled "Apartment Buildings with Twenty-Four Units or More"; and

WHEREAS, the City Commission has determined that it will be in the best interest of the City to specifically repeal Chapter 7, Article I, Section 7-12 of the City's Code of Ordinances entitled "Apartment Buildings with Twenty-Four Units or More".

THE COMMISSION OF THE CITY OF OPA-LOCKA HEREBY ORDAINS:

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

Section 2. Ordinance 07-02, later codified into the City of Opa-locka Code of Ordinances as Chapter 7, Article I, Section 7-12, entitled "Apartment Buildings With Twenty-Four (24) Units" is hereby repealed, and shall be of no further force and effect.

Ordinance No. 09-05

Section 3. All ordinances or Code provisions in conflict herewith are hereby repealed.

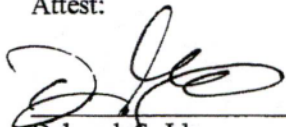
Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. This Ordinance shall, upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

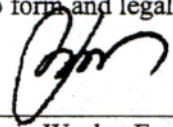
PASSED AND ADOPTED this 11 day of MARCH, 2009.


JOSEPH L. KELLEY
MAYOR

Attest:


Deborah S. Irby
City Clerk

Approved as to form and legal sufficiency:


Burnadette Norris-Weeks, Esq.
City Attorney

Moved by:	<u>JOHNSON</u>
Seconded by:	<u>TAYLOR</u>
Commission Vote:	<u>5-0</u>
Commissioner Tydus:	<u>YES</u>
Commissioner Holmes:	<u>YES</u>
Commissioner Johnson:	<u>YES</u>
Vice-Mayor Taylor:	<u>YES</u>
Mayor Kelley:	<u>YES</u>

1st Reading: DECEMBER 13, 2006
2nd Reading/Public Hearing: FEBRUARY 14, 2007
Adopted: february 14, 2007
Effective Date: FEBRUARY 14, 2007
Sponsored by: D. Johnson

Ordinance No. 07-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, ESTABLISHING A REQUIREMENT FOR ALL APARTMENT BUILDINGS WITH TWENTY-FOUR (24) UNITS OR MORE BE REQUIRED TO HAVE AN ON-SITE PROPERTY MANAGER AND ARMED SECURITY SERVICES; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND CODIFICATION THE CODE OF ORDINANCES

WHEREAS, the City Commission is concerned about the well-being of its citizens residing in apartment complexes; and

WHEREAS, in an effort to curtail crime and related offenses in complexes with twenty-four units or more, the City Commission deems it advisable to have an on-site property manager, and armed security services to address the immediate concern of life, health and safety of the residents.

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

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

Section 2. The City Commission hereby requires of all apartment buildings in the City of Opa-locka with twenty-four (24) units or more:

“All apartment buildings within the city with twenty-four (24) units or more shall be required to have an on site property manager who shall live on the premises and be responsible to residents for addressing all life, health, and safety issues pertaining to the general welfare and maintenance of the property. In addition, armed security services shall be required to protect the life, health and safety of the tenants.”

Section 3. Any ordinances or parts of ordinances in conflict herewith are hereby

repealed.

Section 4. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding in no way affects the validity of the remaining portions of this Ordinance.

Section 5. This Ordinance shall become effective in the manner provided by law.

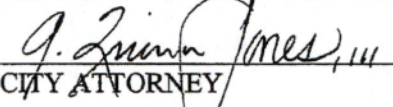
Section 6. This ordinance shall, upon adoption, be codified in the City of Opa-locka Code of Ordinances.

PASSED AND ADOPTED this 14 day of FEBRUARY, 2007.


MAYOR

Attest: 
CITY CLERK

Approved as to form and legal sufficiency:


CITY ATTORNEY

2/8/07
DATE

Moved by: VICE MAYOR JOHNSON
Second by: COMMISSIONER TYDUS
Commission Vote: 3-1
Commissioner Holmes: NO
Commissioner Tydus: YES
Vice-Mayor: Johnson YES
Mayor Kelley: YES

D:Ordinance/Apartment buildings with Managers on site-revised-02-07

Part 1 Crime Stats for Complexes of 150 Units or more

Addresses	Barracks 220 Dunad Ave	Barracks 190 Fisherman Street	Barracks 193 Fisherman Street	Barracks 300 Fisherman St	Barracks 301 Fisherman St	Barracks 192 Sabur Lane	Barracks 200 Sabur Lane	Barracks 1125 Sharazad Blvd	Glorieta Gardens 13002 Alexandria Dr
Offenses									
22 - Stolen Vehicle	0	0	0	0	0	1	0	0	1
26 - Burglary	0	1	1	0	0	0	1	0	0
26 - Commercial Burglary	0	0	0	0	0	0	0	0	0
26 - Residential Burglary	0	0	0	0	0	0	0	0	0
26 - Burglary Vehicle	0	1	0	0	0	4	0	0	1
27 - Theft	0	0	0	0	0	0	0	1	0
29 - Robbery	0	0	0	0	0	0	0	0	0
29 Strongarm Robbery	0	0	0	0	0	0	0	0	0
30 - Shooting	0	0	0	0	0	0	0	0	0
31 - Homicide	0	0	0	0	0	0	0	0	0
32 - Aggravated Assault	1	0	0	0	1	0	0	1	0
32 Aggravated w/ injuries	0	0	0	1	0	0	0	0	0
33 - Sexual Offense	0	0	0	0	0	0	0	0	0
49 - Arson (Fire)	0	0	0	0	0	0	0	0	0

Aswan Apts 13105 N.W. 30th Avenue No Data to report

13124 N.W. 32nd Court

13235 Alexandria Drive No data

13006 Alexandria Drive No data

13010 Alexandria Drive No data

13112 Alexandria Drive No data

13114 Alexandria Drive No data

13116 Alexandria Drive No data

13122 NW. 32nd Court No data

13004 Alexandria Drive No Data

13006 Alexandria Drive No data

Created: 10/09/2020

Revised:

Part 1 Crime Stats for Complexes of 150 Units or more

Addresses	Glorieta Gardens			
	13008 Alexandria Drive	13118 Alexandria Drive	13120 Alexandria Drive	13124 N.W. 32nd Court
Offenses				
22 - Stolen Vehicle	0	0	0	0
26 - Burglary	0	0	0	0
26 - Commercial Burglary	0	0	0	0
26 - Residential Burglary	0	0	0	0
26 - Burglary Vehicle	0	1	0	0
27 - Theft	0	0	0	0
29 - Robbery	0	0	0	0
29 Strongarm Robbery	0	0	0	0
30 - Shooting	0	0	0	1
31 - Homicide	0	0	0	0
32 - Aggravated Assault	0	0	1	1
32 Aggravated w/ Injuries	0	0	0	1
33 - Sexual Offense	0	0	0	0
49 - Arson (Fire)	1	0	0	0

Part 1 Crime Stats for Complexes of 150 Units or more

Addresses	Offenses	Glorieta Gardens 13128 N.W. 32nd Court	Glorieta Gardens 13144 N.W. 32nd Court	Cordoba 13875 NW 22nd Ave
		0	0	5
22 - Stolen Vehicle		0	1	0
26 - Burglary		0	0	0
26 - Commercial Burglary		0	0	0
26 - Residential Burglary		0	0	2
26 - Burglary Vehicle		0	0	1
27 - Theft		0	0	0
29 - Robbery		0	0	1
29 Strongarm Robbery		0	0	7
30 - Shooting		0	0	0
31 - Homicide		1	0	10
32 - Aggravated Assault		0	0	2
32 Aggravated w/ injuries		0	0	0
33 - Sexual Offense		0	0	1
49 - Arson (Fire)		0	0	