

CITY OF OPA-LOCKA

The City of Bright Opportunities



REGULAR COMMISSION MEETING Agenda

**Wednesday, June 28, 2023
7:00 PM**

*Commission Chamber
780 Fisherman Street, 3rd Floor
Opa-locka, FL 33054*

City Commission

**Mayor John H. Taylor, Jr.
Vice Mayor Natasha L. Ervin
Commissioner Sherelean Bass
Commissioner Joseph L. Kelley
Commissioner Veronica Williams**

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 City of Bright Opportunities"

AGENDA
REGULAR COMMISSION MEETING
June 28, 2023
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:**

Regular Commission Meeting Minutes - May 24, 2023

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, DIRECTING THE INTERIM CITY MANAGER TO UPDATE THE SPECIAL EVENTS POLICY AND PRESENT IT TO THE CITY COMMISSION FOR FINAL**

APPROVAL; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor*

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, DIRECTING THE INTERIM CITY MANAGER TO EXPLORE THE FEASIBILITY OF WRAPPING ONE POLICE VEHICLE FOR CEREMONIAL PURPOSES; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor***
3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, DIRECTING THE INTERIM CITY MANAGER TO DEVELOP A RECYCLING PLAN REGARDING THE CITY MUNICIPAL COMPLEX TO BE PRESENTED TO THE CITY COMMISSION FOR CONSIDERATION AND APPROVAL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Williams***

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE AMENDMENT OF THE PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT REQUEST FOR THE CONSTRUCTION AND OPERATION OF A CONVENIENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim City Manager***

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

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

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

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND**

EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on 06/14/2023). *Sponsored by Interim City Manager*

C. RESOLUTION(S):

17. CITY MANAGER'S REPORT:

18. OFFICIAL BOARD REPORTS:

19. MAYOR/COMMISSION REPORTS:

20. OFFICIAL BOARD APPOINTMENTS:

Civil Service Board

1 individual appointment (Commissioner Bass)

1 individual appointment (Commissioner Williams)

Housing Authority and Nuisance Abatement Board

1 individual appointment (Mayor Taylor)

1 individual appointment (Commissioner Williams)

Local Financial Oversight Board

2 at-large appointments

Teen & Young Adult Advisory Board

1 individual appointment (Commissioner Bass)

1 individual appointment (Commissioner Kelley)

21. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

1. **City of Opa-locka Historic Environmental Preservation Board Meeting on [Thursday, June 29, 2023](#) at 7:00 p.m., City of Opa-locka Municipal Complex, 780 Fisherman Street, 3rd Floor, Opa-locka, FL.**
2. **City of Opa-locka Mayor & Commission invite you a Pool Party in celebration of America's Birthday, [Tuesday, July 4, 2023](#) from 11:00 AM - 4:00 PM, Sherbondy Village, 215 Perviz Avenue, Opa-locka, FL.**
3. **City of Opa-locka Mayor & Commission in partnership with Farm Share and Miami-Dade County invites the community to a Monthly Free Food Walk-**

Thru Distribution hosted by Commissioner Joseph L. Kelley, **Wednesday, July 5, 2023** from 10:00 A.M. - 1:00 P.M., first come, first served, at Sherbondy Park Pavilion, 777 Sharazad Boulevard, Opa-locka, Florida.

4. Opa-locka Community Redevelopment Agency Meeting, **Tuesday, July 11, 2023** at 6:00 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.
5. City of Opa-locka Mayor & Commission invite you to BINGO sponsored by Mayor John H. Taylor, Jr. on **Friday, July 14, 2023** at 6:00 p.m., Sherbondy Park, 215 Perviz Avenue, Opa-locka, FL.
6. City of Opa-locka Signage & Color Chart Workshop on **Wednesday, July 19, 2023** at 6:00 p.m., Opa-locka Municipal Complex, 780 Fisherman Street, 3rd Floor, Opa-locka, FL.
7. Free aerobics classes sponsored by Mayor John H. Taylor, Jr. **every Monday & Wednesday** from 6 p.m. - 7 p.m., Sherbondy Village, 215 Perviz Avenue, Opa-locka, FL.

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

CITY OF OPA-LOCKA
"The city of bright opportunities"

CLERK'S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING
May 24, 2023
7:00 P.M.

1. CALL TO ORDER:

Mayor Taylor called the meeting to order at 7:07 p.m. on Wednesday, May 24, 2023 at the City Commission Chamber, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Dr. Sherelean Bass, Vice Mayor Natasha L. Ervin, Commissioner Joseph L. Kelley, Commissioner Veronica J. Williams and Mayor John H. Taylor Jr. Also in attendance were: Interim City Manager Darvin Williams, Assistant City Manager Sha'mecca Lawson, City Attorney Burnadette Norris-Weeks and City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was led by Commissioner Kelley.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

Special Presentation by Mayor John H. Taylor, Jr. to the Opa-locka Police Department Reserve Officers in honor of National Police Week

Mayor Taylor presented awards to the City of Opa-locka Police Department Reserve Officers, recognizing them for volunteering their time in honor of National Police Week.

Special Presentation by Commissioner Joseph L. Kelley to Dr. Cynthia Clay, Principal, Dr. Robert B. Ingram Elementary School.

The Commendation was presented to Principal Clay by Commissioner Kelley during Agenda Item 12 - Action Items.

Special Presentation from the Opa-locka Police Department to honor Ms. Toroni Mitchell.

Opa-locka Police Department Captain Alvin Rogers and Captain Hugo Alvarado recognized Ms. Toroni Mitchell as a Citizen Hero for providing swimwear for children in need at the City of Opa-locka 97th Anniversary Pool Party.

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

Commissioner Kelley requested to have Agenda Item 13-2, 13-4, 13-5 and 13-6 pulled from the Consent Agenda for discussion.

Commissioner Williams requested to have Agenda Item 13-7 pulled from the Consent Agenda for discussion.

Vice Mayor Ervin requested to have Agenda Item 13-9 pulled from the Consent Agenda for discussion.

It was moved by Commissioner Williams, seconded by Commissioner Bass to approve the Consent Agenda.

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

Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Commissioner Williams	Yes
Commissioner Bass	Yes
Mayor Taylor	Yes

7. APPROVAL OF AGENDA:

It was moved by Vice Mayor Ervin, seconded by Commissioner Williams, to approve the Agenda.

City Clerk Flores informed the Commission that a substitute ordinance had been provided for Agenda Item 16-A-1, for its first reading.

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

Commissioner Kelley	Yes
Commissioner Williams	Yes

Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Mayor Taylor	Yes

8. APPROVAL OF MINUTES:

Regular Commission Meeting Minutes - April 26, 2023

It was moved by Commissioner Kelley, seconded by Commissioner Williams to approve the minutes from the Regular Commission Meeting on April 26, 2023.

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

Commissioner Williams	Yes
Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Mayor Taylor	Yes

Workshop Meeting Minutes - May 10, 2023

It was moved by Commissioner Kelley, seconded by Commissioner Bass to approve the minutes from the Workshop on May 10, 2023.

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

Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Commissioner Williams	Yes
Mayor Taylor	Yes

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

There were none.

10. PUBLIC PRESENTATIONS:

There were none.

11. CITIZENS' FORUM:

(Opportunity for discussion of any concerns – please limit to 3 minutes)

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings and informed the Commission that former Commissioner Chris Davis had registered to address the Commission virtually

Mayor Taylor opened the Citizens' Forum.

Former Commissioner Luis B. Santiago who resides at 1156 Peri Street stood before the Commission with several business owners who he stated have their licenses and want to follow the rules, but he said that they have changed and he urged the Mayor and Commission to review the ordinance that he said was being enforced against them.

Ms. Celia Pruett who resides at 2350 NW 141 Street commended the Mayor and Commission for a job well done during the City's 97th Birthday Celebration, sharing that she had a marvelous time. Ms. Pruett then went on to share her concerns that the City's wonderful Police Department was putting warning stickers on vehicles parked on the sidewalk and the canal, stating that she understands the canal banks but pointing out that Opa-locka is an old city and that there is limited parking, adding that they have no other place to park.

Ms. Mary Brownlee was joined by her husband at the podium and she stated that she has resided at 2370 NW 141st Street for almost 60 years and she received applause from the Mayor and Commission. Ms. Brownlee then yielded her time to Ms. Pruett.

Ms. Celia Pruett continued on and suggested that the Mayor and Commission take time out of what she recognized is a busy schedule for them, and asked them to ride around and assess the areas and get to know the Citizens, because she said that some of them are disabled and are not able to come out, but are taxpayers too. Ms. Pruett concluded by noting that the neighborhood is diverse and she urged the Commission to make everybody feel a part of the Community.

Mr. Bruce Baskin who resides at 2070 York Street stated that he is a long time resident of over 55 years in the City of Opa-locka, having been born and raised in the City. Mr. Baskin shared that he and his neighbors who joined him at the podium were perplexed when they found a citation on their properties stating that they were encroaching on the rear part of their properties. He recalled that over 50 years ago, there was a lake that was backfilled, and his mother put up a fence to protect their property, and that the City put up a 10-foot fence in 1981 and 1982, but never created an alleyway. Mr. Baskin expressed concern because all of a sudden, it's for an alleyway, while Florida Power and Light, Comcast, Miami-Dade County and the City of Opa-locka have never had an issue reaching their equipment. He pleaded with the Commission to look into it further before the Residents incur costs that he doesn't think they should have to.

Ms. Ruby Chaviano who resides at 2060 York Street stated that she has lived at her address for about 3 years, and said that when she purchased the property, the fence was as it is. Ms. Chaviano informed the Commission that when she did her fence, she had a

permit and placed it behind the fence. Lamenting that she has gotten at least 4 citations, she said it was an absolute nuisance for her to even have to come out of her way to bring this to the Commission's attention. She shared that she has a survey and property deed and that everything indicates that the fence is there, adding that it is not going to be moved. Ms. Chaviano agreed with Ms. Baskin, and said that it seems absurd to have to move her property and said that they just wanted to bring the uptick in Code Enforcement to the Commission's attention, adding that it really shouldn't even be brought to the attention of the Residents.

Mr. Chaviano who resides at 2060 York Street with his wife Ms. Ruby Chaviano shared that he always says there's a diamond in the dirt and there is a lot of potential. He acknowledged that he sees stuff being fixed, but urged the Commission to look at the power lines. Mr. Chaviano said that he used to work for Florida Power and Light and said that the trees need to be trimmed because the cables are under the trees and every time there's a little spark, the lights go out. He further urged the Commission to get the park running, stating that he came from Hialeah, but said that he doesn't need to go to Hialeah to take his kids to the park, adding that the Mayor and Commission are doing a great job.

Ms. Stephanie Holden who resides at 200 Perviz Avenue expressed multiple concerns and urged the Commission to get it right.

There being no additional members of the public to address the Commission, Mayor Taylor closed the Citizen's Forum.

Commissioner Kelley addressed the concerns expressed by former Commissioner Santiago, sharing that he had spoken with the Manager regarding some of those issues and that he was informed that the Manager was working on a solution to it. The Commissioner said that he thinks the Manager spoke to a couple of the business owners and that he was awaiting his report, which he understood would be ready on Friday. He offered assurances that the Commission heard former Commissioner Santiago, adding that he had already spoken with a couple of the business owners who had gone to Meet Me Monday. Commissioner Kelley went on to say that he believes that if a Resident takes the time to come to a meeting to express concerns, they ought to at least acknowledge that. He also said that he heard Ms. Pruett's concerns about the parking on the canal bank, stating that the Commission can definitely look into her suggestion about sidewalks, adding that if they are parking on the sidewalk, it is obviously a violation, but he said that he would definitely look into being on the side of the property. Stating that he does Meet Me Monday and is out in the community, he said that he is sure that all of the Commission Members are assessing the City in their own way, but he also said that Ms. Pruett's idea to section off the City and all of them take a part of it, is a good idea.

Commissioner Kelley then went on to share that he grew up on York Street which Mr. Baskin had addressed, stating that he asked the City Manager about the 5 foot reduction, and he said that he is waiting on the response for that because he acknowledged that some of those homes were there before the fence was even put up. Noting that on the other end, there is a little alley, but he said that there was a time where there was no fence, and he expressed his hope that the City Manager's Office would take a look at that before the City does anything because it would be a tremendous hardship. Pointing out that he heard one of the Residents state that they have a survey, he said that means the City had to approve them to get their fence, and further stated that he is challenged on why they City would come back now, adding that he was sure the Commission would like to get that report. Commissioner Kelley then said that he had Florida Power and Light out at Meet Me Monday a couple of months prior, talking about the need for cutting back the trees, stating that he thought they would cut back 3 feet of each side and that the rest is the owner's responsibility, adding that they may need to look at that and how they can help Residents. Noting that the Resident who spoke about re-opening Ingram Park had kids with him, the Commissioner shared his hope that the reopening would be on June 10th with a community family day, acknowledging that there was still work to do, adding that he hoped the Resident would be a part of it. He stated that there are bigger plans for the park, but that it had been closed for too long and he said that he was excited that his colleagues had joined in agreement to reopen it. Commissioner Kelley then concluded by stating that he was not going to address the concerns expressed by the other Resident, but he was not going to let anything go by without addressing it and that America is a great country where we have the right to express our opinions, adding that his Mother said to him years ago to allow the work that he does to speak for him.

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

- 1. [13-2] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REJECTING ALL BIDS RECEIVED IN CONNECTION WITH RFP NO. 23-0307200 AND FURTHER AUTHORIZING AND APPROVING READVERTISEMENT AND RE-ISSUANCE OF A REQUEST FOR PROPOSALS ("RFP") FOR SESAME STREET CULVERT REPLACEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim City Manager***

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

It was moved by Commissioner Kelley, seconded by Commissioner Williams to discuss Agenda Item 12-1.

Mayor Taylor asked Assistant City Manager Lawson to introduce Agenda Item 12-1.

Assistant City Manager Lawson informed the Commission that 3 proposals were received for the request for proposals for the Sesame Street Culvert, but she said that the proposals were being requested to be rejected based on the cost and the current budget. Ms. Lawson also stated that Capital Improvement Projects Manager Adelina Gross was available if the Commission had questions.

Commissioner Kelley said that he wanted to put on the record that he had asked a couple of questions during his Agenda Briefing that he didn't get the answer to, but said that some responses were just provided right before the Commission Meeting and that he hadn't had a chance to really look at them. The Commissioner shared his concern that the analysis from the City's engineers projected the cost to be far off around \$600,000 and even added a couple hundred thousand as a buffer, but when the bids came in, they were higher. He lamented that they would have to rebid the project and expressed his hope that in the future that the engineers would really look at the numbers to be put in the budget, adding that he also hoped it would not happen going forward.

There being no additional discussion, Agenda Item 12-1 passed by a 5-0 vote.

Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Commissioner Williams	Yes
Commissioner Bass	Yes
Mayor Taylor	Yes

- 2. [13-4] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING GRANT FUNDING FROM MIAMI-DADE COUNTY NEAT STREETS PROGRAM, IN THE AMOUNT OF ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO PIGGYBACK THE CITY OF BOCA RATON CONTRACT 2021-022 FOR LANDSCAPE MATERIAL SERVICES AND ACCEPT THE PROPOSAL OF GARDENING ANGEL NURSERY INC. FOR TREE INSTALLATION SERVICES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim City Manager***

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

It was moved by Commissioner Kelley, seconded by Commissioner Williams to discuss Agenda Item 12-2.

Mayor Taylor asked Assistant City Manager Lawson to introduce Agenda Item 12-2.

Assistant City Manager Lawson introduced Agenda Item 12-2 and informed the Commission that City Staff was requesting acceptance of the grant in the amount of \$100,000 and she asked Capital Improvement Projects Manager Adelina Gross to provide additional information on the proposed Item.

Commissioner Kelley stated that he had asked in his Briefing because he knows that Ms. Pruett was going to ask him if any trees were going to be on her street as she has been asking, and he expressed his hope that they are on there. The Commissioner then shared a concern from Residents about the City choosing a company in Boca, and he clarified that the proposed legislation is a piggyback contract with another city, allowing the City not to have to spend as much money. He then went on to express his concern about the beautification of the trees once they are installed, recalling that he had mentioned in the Briefing that the trees planted on Perviz are really bad. The Commissioner stated that he does not want to put more trees up if the City is not going to be able to maintain them. He also recognized that it comes with some mulching and said that because they are looking to do beautification in other parts of the City, they need to make sure that it's cohesive. The Commissioner said that he was told that the Beautification Division was going to take over after 2 months, and that the bad trees were going to be replaced. Noting that the City was getting 200 trees, he expressed his hope that the areas listed are some of the areas he had mentioned that had actually asked for trees, stating that some folks don't really want them in front of their property because of maintenance.

Commissioner Williams stated that she was happy to see the legislation because it is wrapped around beautification, which she said she knows is something that the entire Commission wants to ensure that the City has. The Commissioner then shared that she had conversations with the Beautification Department about improper trees and plants in specific areas, being the reason why they look really nice one month and are wilted and dead the next month. She said that they need to really ensure that the trees are the right trees. She also offered to have a conversation with the City Manager's Office about the watering source, because she said that if the Beautification Department is installing more trees and plants without sufficient water, she lamented that it's all for nothing. Acknowledging that the City has a water truck, the Commissioner said that it's just not going to sustain, especially in the heat of the summer months, and she encouraged the consideration of sprinklers.

Vice Mayor Ervin expressed concern that some houses could lose a parking spot if the City plants a tree, pointing out that the City already has issues with parking. The Vice Mayor stated that she does not want one in her house because they don't have space for a tree.

Mayor Taylor joined Commissioner Williams in stating that he was happy to see the proposed legislation come forth, but also said he wanted to make sure that irrigation is a priority for the trees, further noting that Commissioner Kelley had addressed maintenance. The Mayor expressed concerns that the trees would be planted and then die a month later, and asked that maintenance be made a priority.

There being no additional discussion, Agenda Item 12-2 passed by a 5-0 vote.

Commissioner Kelley	Yes
Commissioner Williams	Yes
Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Mayor Taylor	Yes

It was moved by Commissioner Williams, seconded by Vice Mayor Ervin to amend the Agenda, to continue Agenda Item 5 - Awards/Proclamations/Acknowledgments and to consider Agenda Items 16-B-3 and 16-B-4 after the consideration of the Items pulled from the Consent Agenda .

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

Commissioner Williams	Yes
Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Mayor Taylor	Yes

Special Presentation by Commissioner Joseph L. Kelley to Dr. Cynthia Clay, Principal, Dr. Robert B. Ingram Elementary School.

Commissioner Kelley presented a Commendation to Dr. Robert B. Ingram Elementary School Principal Dr. Cynthia Clay, as the runner-up for the Principal of the Year Award for the District.

Mayor Taylor thanked Dr. Clay for all that she does.

- 3. [13-5] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO SOLICIT THROUGH A REQUEST FOR QUALIFICATIONS (RFQ) ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES; TO ESTABLISH A RENEWED LIBRARY OF QUALIFIED CONSULTANTS FOR FUTURE PROJECTS ON AN AS NEEDED BASIS FOR AN INITIAL TERM OF THREE (3) YEARS, WITH ONE (1) THREE YEAR RENEWAL OPTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim City Manager***

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

It was moved by Commissioner Kelley, seconded by Commissioner Williams to discuss Agenda Item 12-3.

Mayor Taylor asked Assistant City Manager Lawson to introduce Agenda Item 12-3.

Assistant City Manager Lawson introduced Agenda Item 12-3 by informing the Commission that the City Manager's Office would like to issue a request for quotations from qualified respondents to provide professional engineering services on behalf of the City. The Assistant City Manager said that the City currently receives those services from a group of engineering firms under a prior request for quotations and that those contracts are set to expire as of June 30, 2023. She said that if the proposed legislation passed, the same verbiage included in the contract with the current companies would be used for the contract with the companies selected under the request for quotations.

Commissioner Kelley stated that he asked many of the questions in the Briefing and didn't get clear answers, so he has to ask them again during the Commission Meeting. The Commissioner noted that it expires on June 30th and asked why they did not get it much earlier so that the Commission wouldn't be under pressure trying to get it done, adding that he didn't believe they were going to be able to get it out, back and approved by everyone by June 30th. He recalled being told that the engineering contractors that the City has, would be willing to keep working if there are projects, but he reiterated that he wanted to make sure going forward that the Manager's Office gets these out much quicker.

There being no additional discussion, Agenda Item 12-3 passed by a 5-0 vote.

Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Commissioner Williams	Yes
Mayor Taylor	Yes

- 4. [13-6] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO PIGGYBACK SOURCEWELL COOPERATIVE PROGRAM AGREEMENT #081419-SHI WITH SHI INTERNATIONAL CORP. FOR THE PROVISION OF VARIOUS HARDWARE AND SOFTWARE PRODUCTS AND EQUIPMENT, IN AN AMOUNT NOT TO EXCEED SIX HUNDRED NINETY THOUSAND DOLLARS (\$690,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim City Manager***

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

It was moved by Commissioner Bass, seconded by Commissioner Williams to discuss Agenda Item 12-4.

Mayor Taylor asked Assistant City Manager Lawson to introduce Agenda Item 12-4.

Assistant City Manager Lawson introduced Agenda Item 12-4 by informing the Commission that the proposed legislation was related to a request from the Information Technology Department Director to spend \$690,000 for hardware and software. The Assistant City Manager stated that though some of the transactions have not exceeded the \$25,000 threshold, in an abundance of caution, City Staff is requesting authorization to utilize the funding with SHI this fiscal year, to eliminate any possible concerns with failing to comply with the City's procurement code.

Commissioner Kelley said that this was again one of those items that he asked for information on and was just getting it. The Commissioner said that in the packet provided to the Commission, the aggregate budget was \$1.2 for hardware and software, and he said that the information he received says that the budget has about \$350,000 in it and \$424 on the equipment side. He then asked why the transfer was needed from one to the other.

Assistant City Manager Lawson explained that the amount provided is currently in the line item and was done through Budget Amendment #3 which was approved by the Commission on April 26th, adding that the purpose of the proposed legislation is to procure the services the correct way. The Assistant City Manager then asked Budget Administrator Anathan to address Commissioner Kelley's questions.

Budget Administrator Bob Anathan reviewed the financial impact of the proposed legislation for the Commission and noted that it states that there is \$1.2 million already in the budget, but he explained that in the original budget it was primarily for software and not much hardware. Administrator Anathan said that \$450,000 was transferred out of the software budget into the hardware budget to match what the needs were.

Commissioner Kelley asked if the Commission had passed something previously that dealt with hardware and software.

Budget Administrator Anathan stated that he thought that Budget Amendment #3 was the first change to the Information Technology budget of the fiscal year.

Commissioner Kelley asked what was actually left in the hardware and software budget.

Budget Administrator Anathan said that he would have to get back to the Commission on that because he did not have the information.

Commissioner Kelley stated that he understands the need for hardware and software enhancements, recalling that he was told that some of it is going to be for the new Police Department and some is going to be for improvements in the new Commission Chambers. The Commissioner said that he would like to see all that broken down, pointing out that he asked that in the Briefing when he said to Assistant City Manager Ellis that he'd like to have everyone at the Briefing who has the ability to answer questions, including the Budget Administrator, so that he doesn't have to come to Commission Meetings and get the information at the last minute.

Commissioner Williams noted that there is limited documentation in the Agenda Packet provided to the Commission and she pointed out that it is an extensive amount of money, asking if there would be someone from SHI Corporation on staff to direct and train in-house, adding that the City does not have the manpower to make sure that this goes well.

Interim City Manager Williams stated that Commissioner Williams' question was a great one and he said that it is something that is being looked into, which said that he hoped to request. The Manager further stated that it is an item that he is trying to adjust as administration, and he reported that nearly a quarter of a million dollars has already been spent in small increments over the course of just 30 to 60 days. He further explained that from an administrative standpoint, he is trying to support the Information Technology Department and push the item forward as best he can. Manager Williams concluded by offering assurances that he would certainly look into it.

Commissioner Williams thanked Interim City Manager Williams for his answer, and she stated that she thinks they all want to definitely support because the technological infrastructure is limited and they do need to upgrade. The Commissioner expressed concerns about whether professional development was built into the contract, which she said she would like to see before she personally passes it.

Interim City Manager Williams stated that he understood Commissioner Williams and explained that the contract is for several items, and he said that he is still working on getting an itemized list from the Information Technology Department of the things that had already been spent.

Commissioner Kelley shared that he had just received what he asked for, which he noted stated that \$82,000 would be for the Police Station, \$50,000 for the Chamber and \$16,000 for desktops, laptops, cameras and a drone. The Commissioner said that it should be part of the package so that the Commission knows where it is going and if there is any

training, as Commissioner Williams mentioned. He concluded by expressing his hope that the information is provided with these kinds of items in the future, and asked that the breakdown he requested be provided to all of his Commission colleagues.

Interim City Manager Williams stated that what Commissioner Kelley received is part of the Commission's itemized package for the Agenda Item, under the title that says fiscal year 23 proposed SHI International hardware and software procurement, where he stated the top portion itemizes the over \$200,000 in items that have already been purchased and he said that the second half includes the items that have been proposed by the Information Technology Department.

Commissioner Kelley stated that he is really just trying to move on, and said that he asked for it because it wasn't broken down, but he pointed out that he was provided a little breakdown through the Manager's Office that he just received.

There being no additional discussion, the resolution was approved by a 5-0 vote.

Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Commissioner Williams	Yes
Commissioner Bass	Yes
Mayor Taylor	Yes

- 5. [13-7] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER TO TAKE ALL NECESSARY STEPS TO RE-ESTABLISH THE ARABIAN NIGHTS FESTIVAL IN 2024, ESTABLISH A BUDGET AND SEEK ADDITIONAL GRANT FUNDING TO SUPPLEMENT THE EVENTS BUDGET; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor***

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

It was moved by Vice Mayor Ervin, seconded by Commissioner Williams to discuss Agenda Item 12-5.

Mayor Taylor introduced Agenda Item 12-5, stating that the legislation proposed to bring back the Arabian Nights Festival. The Mayor pointed out that for the current year, \$50,000 was allocated towards the event, but it did not happen. He said that he was proposing to make sure it happens in 2024, to roll over the \$50,000 for the current year, add an additional \$50,000 and also have an aggressive approach to seek grant funding for the additional cost of the event.

Commissioner Williams thanked Mayor Taylor for sponsoring the proposed legislation and asked if it could be sponsored by the Commission. The Commissioner also said that over the weekend, a blueprint was established for what Arabian Nights could look and feel like, adding that she is excited to see it. She then said that they need to hit the \$500,000 mark to establish a successful Arabian Nights, but acknowledged that she doesn't know where that would come from. Commissioner Williams then asked Interim City Manager Williams how the needle could be moved a little bit more on the proposed legislation.

Interim City Manager Williams stated that Commissioner Williams was absolutely correct and he shared that his estimates to bring back the Arabian Nights is about \$500,000, adding that she hit the mark spot on. Manager Williams added that the goal, if given \$100,000 by the Commission, is to apply another \$150,000 in grants in addition to his hope to get another \$250,000 in sponsorship.

Commissioner Williams stated that she loves the plan and said that because she loves her benchmarks, she proposed that at the halfway mark, they bring it back to do some new legislation to find the money somewhere else.

City Attorney Norris-Weeks stated that the Commission could ask the Manager to report on the monies raised by a certain date.

Mayor Taylor pointed out that it could also be handled as a budget amendment.

Commissioner Kelley stated that he likes the idea of Arabian Nights, and agreed that it is going to take at least what Commissioner Williams said to bring it back to the form that everybody remembers. The Commissioner then shared his concern that a lot of pressure was being put on the Manager to do something that requires a whole lot of effort, adding that outside help usually costs. He said it's possible to come back for additional funding, but said that he is always challenged with allocating future money that the City does not have yet because he said it is not a good practice, while acknowledging that \$50,000 was being rolled over with \$50,000 being asked for in the upcoming budget. The Commissioner said that the only reason he would support it at the moment is because if they are going to have a successful Arabian Nights by next year, they almost have to have started yesterday. He then noted that the legislation directs the Manager to take all necessary steps to re-establish it, but pointed out that he doesn't see if it is going to be 3 days or 2 days. Commissioner Kelley said that once the Commission passes the legislation and says that Arabian Nights is coming back, there will be an expectation of what it will be, compared to what it used to be.

Mayor Taylor stated that they hadn't really gotten to that part yet, and he explained that the proposed legislation is just for the Interim City Manager to get the ball rolling

because there are a lot of cultural grants that need to be applied for through the County and the State.

Commissioner Kelley stated that he understands that there are grants out there, but he said that once the ball starts rolling, Residents are going to expect it to roll and he said that they may need to look at funding it other ways. The Commissioner then asked when the future date would be that it would come back.

Mayor Taylor said that he didn't mind if Commissioner Kelley wanted to put a date on it, but he pointed out that most likely it would have to come back before the Commission anyway because the threshold for a production company is \$24,999 and he acknowledged that the City does not have the manpower to put on a production of that caliber.

Commissioner Kelley pointed out that there is \$50,000 to get started, but because it is not going to be enough, he asked what the time frame would be for the Manager to come back and state if they can have 3 days or will only be able to do 2 days, deferring to the Mayor because it was his legislation.

Mayor Taylor suggested that the legislation could be amended to set a date certain for several models to be presented to the Commission, of what Arabian Nights could look like the following year. The Mayor asked if the Interim City Manager would need more than 90 days.

Interim City Manager Williams stated that he would want to be able to identify how many days it is going to be, based upon how much money they can secure, and he said that in 90 days he won't have completed grant applications and would be basing it off of \$100,000 which he said would definitely require a one day model.

Mayor Taylor said that he didn't think Residents wanted one day and he reiterated that they need to get the ball rolling.

Interim City Manager Williams said that they should start immediately.

Mayor Taylor agreed that they needed to start immediately and asked what was a comfortable date to come back to the Commission.

Interim City Manager Williams stated that he will start meeting with production companies immediately for the next 30 days to get a model. Manager Williams informed the Commission that they already have some models and that he has taken a production company to Sherbondy Park to look at staging, and he said that he would get an update on the estimates for that within the next 30 days. He then stated that would give them a basis to start a sponsorship package to raise another \$250,000 and he said that they would get that out immediately, putting them in June. The Manager went on to say that they can

look at grant funding in June, expressing his hope that they can do a condensed model since they have some grand funders on Staff, which he said would take them through July. He concluded by stating that he thinks a model could be ready to present to the Commission by August 15th.

Mayor Taylor pointed out that it was literally 90 days.

Interim City Manager Williams said that it was a little longer and that it was a very aggressive time frame.

Mayor Taylor asked if 120 days would be sufficient.

Interim City Manager Williams agreed that 120 days would be sufficient.

Commissioner Kelley stated that he didn't want to sound like he is not supportive, because he is definitely supportive, but he reminded his Commission colleagues to keep in mind as they start talking about spending money on Arabian Nights, that they still have a lot of infrastructure and other challenges, and urged them not to lose sight of the meat and potato issues that hit folks every day.

Mayor Taylor pointed out that it is the reason why he suggested grants be used and he asked the City Attorney to add to the legislation that the Manager will bring back a model within 120 days.

City Attorney Norris-Weeks stated that the Commission needed to make a motion.

Mayor Taylor pointed out that he is the sponsor of the proposed legislation and asked if he needed to make a motion.

City Attorney Norris-Weeks stated that he did have to make a motion.

It was moved by Mayor Taylor, seconded by Vice Mayor Ervin to amend the proposed legislation to add that the Manager would bring back a model within 120 days from the passage of the resolution.

There being no additional discussion, the amendment was approved by a 5-0 vote.

Commissioner Williams	Yes
Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Mayor Taylor	Yes

There being no additional discussion, the resolution was approved by a 5-0 vote.

Commissioner Kelley	Yes
Commissioner Williams	Yes
Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Mayor Taylor	Yes

- 6. [13-9] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER TO CONDUCT AN EVALUATION OF ALL CITY OWNED FACILITIES FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND TO IMPLEMENT A PLAN TO BRING ANY DEFICIENCIES INTO COMPLIANCE WITHIN NINETY (90) DAYS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor***

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

It was moved by Commissioner Bass, seconded by Vice Mayor Ervin to discuss Agenda Item 12-6.

Mayor Taylor pointed out that several Residents have expressed concerns that some of the City's buildings are not compliant with the Americans with Disabilities Act, and he said that he proposed the legislation to ask the City Manager to complete a study on all buildings, to ensure they are compliant and if they are not, bring them up to code within a certain amount of days.

Vice Mayor Ervin explained that she pulled the proposed legislation for discussion because she thought it may be impossible for the City to get into compliance within 90 days if they have to order parts that she said may be on backorder.

Mayor Taylor stated that he didn't mind a friendly amendment to the legislation and asked what Vice Mayor Ervin was suggesting.

Vice Mayor Ervin requested input from Interim City Manager Williams.

Interim City Manager Williams recommended 120 days.

It was moved by Vice Mayor Ervin, seconded by Commissioner Bass to amend the timeline included in the resolution proposed by Agenda Item 12-6, from 90 to 120 days.

There being no additional discussion, the amendment was approved by a 5-0 vote.

Vice Mayor Ervin	Yes
Commissioner Kelley	Yes

Commissioner Williams	Yes
Commissioner Bass	Yes
Mayor Taylor	Yes

There being no additional discussion, the resolution was approved by a 5-0 vote.

Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Commissioner Williams	Yes
Mayor Taylor	Yes

Because the Commission had voted earlier during the Commission Meeting to amend the order of the Agenda, upon completion of the discussion of Agenda Item 12 - Action Items, the Commission opened discussion on Agenda Items 16-B-3 and 16-B-4 and then continued the regular order of the Agenda.

13. ADMINISTRATION:

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO PIGGYBACK CITY OF MIAMI CONTRACT IFB 1115382 WITH H&R PAVING, INC. FOR QUALIFIED PROFESSIONAL SERVICES FOR PAVEMENT RESURFACING, AND ENTER INTO AN AGREEMENT WITH H&R PAVING, INC. TO MILL AND RESURFACE 2.4 LANE-MILES OF CITY ROADWAYS, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED FORTY-TWO THOUSAND, EIGHT HUNDRED THIRTY-FOUR DOLLARS AND SEVENTY-TWO CENTS (\$342,834.72); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Interim City Manager*
2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REJECTING ALL BIDS RECEIVED IN CONNECTION WITH RFP NO. 23-0307200 AND FURTHER AUTHORIZING AND APPROVING READVERTISEMENT AND RE-ISSUANCE OF A REQUEST FOR PROPOSALS ("RFP") FOR SESAME STREET CULVERT REPLACEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Interim City Manager*
3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING RESOLUTION #23-036 TO EXCLUDE THE CITY MANAGER AND THE CITY COMMISSION FROM**

THE PROHIBITION OF USE OF PERSONAL FUNDS FOR CITY BUSINESS RELATED MATTERS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim City Manager*

4. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING GRANT FUNDING FROM MIAMI-DADE COUNTY NEAT STREETS PROGRAM, IN THE AMOUNT OF ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO PIGGYBACK THE CITY OF BOCA RATON CONTRACT 2021-022 FOR LANDSCAPE MATERIAL SERVICES AND ACCEPT THE PROPOSAL OF GARDENING ANGEL NURSERY INC. FOR TREE INSTALLATION SERVICES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Interim City Manager*
5. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO SOLICIT THROUGH A REQUEST FOR QUALIFICATIONS (RFQ) ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES; TO ESTABLISH A RENEWED LIBRARY OF QUALIFIED CONSULTANTS FOR FUTURE PROJECTS ON AN AS NEEDED BASIS FOR AN INITIAL TERM OF THREE (3) YEARS, WITH ONE (1) THREE YEAR RENEWAL OPTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Interim City Manager*
6. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO PIGGYBACK SOURCEWELL COOPERATIVE PROGRAM AGREEMENT #081419-SHI WITH SHI INTERNATIONAL CORP. FOR THE PROVISION OF VARIOUS HARDWARE AND SOFTWARE PRODUCTS AND EQUIPMENT, IN AN AMOUNT NOT TO EXCEED SIX HUNDRED NINETY THOUSAND DOLLARS (\$690,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Interim City Manager*
7. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER TO TAKE ALL NECESSARY STEPS TO RE-ESTABLISH THE ARABIAN NIGHTS FESTIVAL IN 2024, ESTABLISH A BUDGET AND SEEK ADDITIONAL GRANT FUNDING TO SUPPLEMENT THE EVENTS**

BUDGET; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor*

8. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS FOR LEGISLATIVE LOBBYING SERVICES; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor*

9. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER TO CONDUCT AN EVALUATION OF ALL CITY OWNED FACILITIES FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND TO IMPLEMENT A PLAN TO BRING ANY DEFICIENCIES INTO COMPLIANCE WITHIN NINETY (90) DAYS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor*

10. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING A PUBLIC RECORDS, RECORD RETENTION AND DISPOSITION POLICY FOR THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING AN EFFECTIVE DATE. *Sponsored by City Clerk*

Vote taken on Consent Agenda items can be viewed under Agenda Item 6 – Approval of the Consent Agenda.

14. NEW ITEMS:

There were none.

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

There were none.

B. APPEALS:

There were none.

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 14 , OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14- 13 AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED "REGISTRATION OF FORECLOSURE MORTGAGED PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY; PROVIDING FOR 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 Williams***

The above ordinance was read by City Attorney Norris-Weeks.

It was moved by Commissioner Bass, seconded by Vice Mayor Ervin to discuss Agenda Item 16-A-1.

Commissioner Williams introduced her sponsored legislation and stated that the ordinance proposed by Agenda Item 16-A-1 is a follow-up to what the City Commission passed the previous year, accepting PROCHAMPS as the company for property registration of foreclosed properties. The Commissioner said that the legislation also aligns with the nuisance legislation that she previously sponsored. She shared that one of the great things is that the City is expected to receive monies regarding the legislation, and she asked for her Commission colleagues' support.

Mayor Taylor opened the Public Hearing for Agenda Item 16-A-1.

There being no members of the public to address the Commission, Mayor Taylor closed Public Hearing for Agenda Item 16-A-1.

Commissioner Kelley stated that he didn't get a chance to look at the ordinance revision that was provided to the Commission, and asked when it would take effect and what the process would be to make sure everyone that may be affected is notified of the registry and what has to take place.

Commissioner Williams stated that she believed it was a year ago that under the legislation she proposed, the Commission discussed sending out mailers to let Residents know, but deferred the rest of Commissioner Kelley's question to the Manager.

Interim City Manager Williams stated that he has met with PROCHAMPS and he said that they are going to have a registration process put in place that will provide the City with monies, as they will be charging for the registration process. Manager Williams said that once the City is able to identify the, Code Enforcement will be able to move forward and take action against the properties.

Commissioner Kelley asked if the City was going to have a company that was going to be responsible for reaching out to folks that this could impact.

Interim City Manager Williams informed the Commission that PROCHAMPS was the company that was selected though the Request for Proposals process the previous year before Commissioner Kelley returned to the Commission.

Commissioner Kelley asked if they were being used to notify as well.

Interim City Manager Williams confirmed that Commissioner Kelley was correct.

Commissioner Kelley asked what the next step would be for PROCHAMPS and how folks that may be impacted by this would be notified, if the Commission were to pass the proposed ordinance.

Interim City Manager Williams asked Community Development Director Gregory Gay to provide the Commission with more specifics.

Community Development Director Gregory Gay informed the Commission that upon the completion of the contract process with PROCHAMPS, they would be the agency of record that would get in contact with all property owners for the registration process, and would provide a record of the properties that are registered within the City, including properties that are vacant and under foreclosure.

Commissioner Kelley said that his question was not being answered and inquired who would be notified once PROCHAMPS is advised that the COMMISSION has passed the proposed ordinance.

Community Development Director Gregory Gay stated that they would complete an assessment based on the list of properties from Code Enforcement that have citations and violations, in addition with their own assessment to get in contact

with those property owners. Mr. Gay suggested that if it was necessary, he would suggest that once it is all done, some type of town hall meeting would probably be needed to introduce this to the Community.

Commissioner Kelley pointed out that the Commission heard from Businesses earlier about the changes in the law for the betterment of the City, that folks don't really know about. The Commissioner then shared his understanding that PROCHAMPS would get information from Code Enforcement and do their own assessment.

Community Development Director Gregory Gay confirmed that they have information to do their own assessment, especially when it comes to properties that are in foreclosure.

Commissioner Kelley asked what the next step was after they complete their assessment.

Community Development Director Gregory Gay stated that the next step would be to contact the property owners.

Commissioner Kelley asked when the town hall would take place, adding that he didn't really see how the City was going to get word to folks now that they know who's going to be in charge of it.

Commissioner Williams stated that mailers were placed in the legislation a year ago and she said that the proposed legislation is for foreclosed properties, stating that it sounded like Commissioner Kelley was talking about all Residents.

Commissioner Kelley stated that he was talking about those who may be impacted the legislation. The Commissioner said he was fine with the company that was selected prior to him coming back, and he shared his understanding that they would be getting their information initially from Code Enforcement, noting that it meant that the city had been out there. He then reiterated that he just doesn't want folks to say they didn't know this was taking place, whether it is for properties that are foreclosed or had just been bought. The Commissioner said that he guessed one way was to do mailers to the property owners as Commissioner Williams indicated, adding that he just wants to make sure that it's known in advance and didn't see it listed in the legislation. He concluded by stating that if it's part of it, he's fine with it.

Vice Mayor Ervin asked if they would deal with the mortgage companies and not the Residents, because the properties are in foreclosure.

City Attorney Norris-Weeks informed the Commission that it's a fairly comprehensive process and suggested that Community Development Director Gregory Gay may want to invite them to the next meeting. The City Attorney said that they have had a number of meetings with the vendors, and that they have their own database that is part of what the City is paying for, and are not really relying on Code Enforcement, adding that it is one of the many services that they have available to cities. She said that it is a lot of information and she thinks the Commission would understand it a lot better if they were able to make a presentation. The City Attorney also pointed out that on the next Commission Meeting agenda, there will be legislation to approve the contract with them as part of the second reading of the ordinance, providing the Commission with an overview, if the Manager deems it appropriate.

Commissioner Williams stated that she wanted to be clear and said that they are talking about foreclosed derelict property that has been abandoned. The Commissioner said she understood what Commissioner Kelley was saying about getting the word out, but she said that they are talking about owners who have completely walked away from property and allowed it to succumb, with the City having to step in, take over, and foreclose on the property to demolish it for ownership. She further clarified that these are not people that can have their door knocked on to hand them a letter, which is why she said that the company will work specifically with mortgage companies on the properties in their database. The Commissioner then said that she was hearing 2 different sides to the story, stating that it is not a residential thing and is about property within the City that has been derelict and turned into a nuisance.

Mayor Taylor asked if the company will reach out to the mortgage companies or foreclose on the properties that are derelict and dilapidated.

Commissioner Williams explained that they will attempt to reach out to the property owners and whoever owns the mortgage and title of the property.

Mayor Taylor asked if their job was to make sure that the City gets its cut once the property is sold, because there are liens.

Community Development Director Gregory Gay stated that it is part of their process.

Commissioner Williams stated that it is the second part.

Mayor Taylor asked if the first part was to mitigate the derelict and dilapidated issue.

Commissioner Bass asked how many of those properties there are in the City, recognizing that it may not be a precise number.

Community Development Director Gregory Gay stated that while he didn't know the exact number, they were probably looking at between 50 to 100 properties.

Mayor Taylor stated his understanding that part of the job to be done by PROCHAMPS was to seek those properties.

Community Development Director Gregory Gay confirmed that Mayor Taylor was correct and he added that they would get them registered as vacant properties, identify whether they're going through a foreclosure process and moving through that process.

Mayor Taylor suggested that they do what was recommended by the City Attorney but said that the Manager could set up a public presentation or one-on-one meetings with PROCHAMPS, in order for the Commission to get an understanding of what they are projected to do in the City. The Mayor said that he would support it on the first reading, like Commissioner Kelley, adding that he would like to know more.

Commissioner Williams said that the plan was to invite them to the next meeting.

Mayor Taylor said that was okay.

There being no additional discussion, the proposed ordinance passed its first reading by a 5-0 vote.

Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Commissioner Williams	Yes
Mayor Taylor	Yes

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

- 1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS, ORDINANCE 15-31, TO PERMIT TANDEM OR MECHANICAL PARKING FOR MULTIFAMILY DEVELOPMENT IN THE R-2 THROUGH R-4 ZONING DISTRICTS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR**

AN EFFECTIVE DATE (first reading / public hearing held on April 26, 2023) Sponsored by Interim City Manager

The above ordinance was read by City Attorney Norris-Weeks.

It was moved by Vice Mayor Ervin, seconded by Commissioner Bass to discuss Agenda Item 16-B-1.

Mayor Taylor asked Interim City Manager Williams to introduce Agenda Item 16-B-1.

Interim City Manager Williams stated that Agenda Item 16-B-1 proposed the second reading of an item that passed its first reading. Manager Williams said that the purpose was so that the City can move forward with the developments that are projected to commence in the City that include tandem and mechanical parking operations. He reminded the Commission that all of their questions were addressed during a Workshop and he expressed his hope that they still have their support.

Mayor Taylor opened the Public Hearing for Agenda Item 16-B-1.

There being no members of the public to address the Commission, Mayor Taylor closed Public Hearing for Agenda Item 16-B-1.

Commissioner Kelley pointed out that he had made his comments at the last meeting and that he had said it to City Staff again at the Briefing. The Commissioner acknowledged that the Commission is considering the legislation because there's a potential development coming in a certain location which he said is probably going to be a great place, adding that they want to see things change, but expressing his concern on the record about adequate off-street parking. He said that what the ordinance is going to do, in addition to the next one, is open up the entire City for it. The Commissioner recalled seeing the presentation and acknowledged that it's going to look beautiful, but he said that there are other areas in the City that don't have the same kind of capacity for off street parking. He cautioned that it is going to become an issue somewhere down the road because there will be beautiful buildings with tandem and mechanical parking with 2 spots, asking where the other 2 or 3 cars will be put, identifying it as a challenge. Commissioner Kelley acknowledged that it is supported by his Commission Colleagues, but reiterated his hope that City Staff is looking down the road to address that in other areas.

There being no additional discussion, the proposed ordinance was approved by a 4-1 vote.

Vice Mayor Ervin	Yes
Commissioner Kelley	No
Commissioner Williams	Yes
Commissioner Bass	Yes
Mayor Taylor	Yes

2. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER II, ARTICLE II, ENTITLED “CITY COMMISSION”, SECTION 2-31 ENTITLED “PER DIEM” OF THE CITY OF OPA-LOCKA’S CODE OF ORDINANCES TO INCREASE SUBSISTENCE ALLOWANCES FOR CLASS C TRAVELERS, PURSUANT TO 166.021, FLORIDA STATUTES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on April 26, 2023). *Sponsored by Commissioner Bass***

The above ordinance was read by City Attorney Norris-Weeks.

It was moved by Vice Mayor Ervin, seconded by Commissioner Williams to discuss Agenda Item 16-B-2.

Commissioner Bass introduced the ordinance she proposed by stating that they all know that everything has gone up tremendously as it relates to finances. The Commissioner said that the legislation is simply to increase the Commission’s overnight travel for breakfast from \$10 to \$20, for lunch from \$10 to \$30, and dinner from \$30 to \$50. She concluded by stating that she would like to continue to have the support of her Commissioner Colleagues.

Mayor Taylor opened the Public Hearing for Agenda Item 16-B-2.

There being no members of the public to address the Commission, Mayor Taylor closed Public Hearing for Agenda Item 16-B-2.

There being no discussion, the proposed ordinance was approved by a 5-0 vote.

Commissioner Kelley	Yes
Commissioner Williams	Yes
Commissioner Bass	Yes

Vice Mayor Ervin	Yes
Mayor Taylor	Yes

3. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RENAMING BUTTERFLY GARDEN TO “COMMISSIONER ROSE TYDUS’ PRAYER GARDEN”; PROVIDING FOR A REPEALER, SEVERABILITY AND EFFECTIVE DATE (first reading / public hearing held on May 10, 2023). *Sponsored by Commissioner Bass and Co-sponsored by Mayor Taylor***

The above ordinance was read by City Attorney Norris-Weeks.

It was moved by Vice Mayor Ervin, seconded by Commissioner Williams to discuss Agenda Item 16-B-3.

Commissioner Bass introduced her proposed legislation, expressing her hope that they will complete the butterfly garden renaming to Commissioner Rose Tydus Garden. The Commissioner shared that she has had several conversations with her and that she knows it means so much to her, adding that she knows she is not alone in saying that she deserves it and that she is looking forward to having the continued support of the Commission on it.

Mayor Taylor opened the Public Hearing for Agenda Item 16-B-3.

There being no members of the public to address the Commission, Mayor Taylor closed Public Hearing for Agenda Item 16-B-3.

There being no additional discussion, the proposed ordinance was approved by a 5-0 vote.

Commissioner Kelley	Yes
Commissioner Williams	Yes
Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Mayor Taylor	Yes

Mayor Taylor offered congratulations for the renaming of the Butterfly Garden, recognizing that it is now referred to as Commissioner Rose Tydus Prayer Garden.

4. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING NW 22ND PLACE FROM SUPERIOR STREET TO NW 139TH STREET AS VICE MAYOR**

DOROTHY JOHNSON PLACE; PROVIDING FOR A REPEALER, SEVERABILITY AND EFFECTIVE DATE (first reading / public hearing held on May 10, 2023). *Sponsored by Commissioner Kelley and Co-sponsored by Mayor Taylor, Vice Mayor Ervin, Commissioner Dr. Bass and Commissioner Williams*

The above ordinance was read by City Attorney Norris-Weeks.

It was moved by Commissioner Bass, seconded by Vice Mayor Ervin to discuss Agenda Item 16-B-4.

Commissioner Kelley introduced the ordinance proposed by Agenda Item 16-B-4 and stated that it goes without saying that Vice Mayor Johnson did a whole lot for the Community. The Commissioner also said he was glad that her family was present, recalling that everytime she would come up, she would state her address was on 22nd Place, and he said that he wants to always keep that in mind. He concluded by recognizing that all of the Commission Members are co-sponsoring the legislation, stating that they just want to get it done so they can go to the next step with the County, so that they can have the ceremony and give the street its rightful name.

Mayor Taylor opened the Public Hearing for Agenda Item 16-B-4.

There being no members of the public to address the Commission, Mayor Taylor closed Public Hearing for Agenda Item 16-B-4.

There being no additional discussion, the ordinance was approved by a 5-0 vote.

Commissioner Williams	Yes
Commissioner Bass	Yes
Vice Mayor Ervin	Yes
Commissioner Kelley	Yes
Mayor Taylor	Yes

Mayor Taylor applauded the passage of the ordinance.

Because the Commission had voted earlier during the Commission Meeting to amend the order of the Agenda, upon completion of the discussion Agenda Items 16-B-3 and 16-B-4, the Commission continued the regular order of the Agenda and opened discussion on Agenda Item 16-A-1.

C. RESOLUTION(S):

There were none.

17. CITY MANAGER'S REPORT:

Interim City Manager Williams stated that he had nothing to report.

Commissioner Kelley thanked the Manager for the information regarding Meet Me Monday, sharing that he had talked to a couple of businesses that were appreciative that the Manager met with them and was going to address the issue. The Commissioner said that he would await the Interim City Manager's report, particularly on what he referenced on Ali Baba. He then asked for an update on the status of the old CDC property in Magnolia North, which he said he thinks the County now owns, stating that if he didn't, he could provide it to the Commission later. The Commissioner said that he knows it's been sitting there and noticed there was supposed to be some development. He also asked for an update on the old Jackson Hospital property on 27th Avenue, stating that he has had a couple of Residents ask him what was going to be done. Commissioner Kelley then inquired about the plan for the City dump site because he noticed people dumping all around it. The Commissioner concluded by stating that he would send the other items he had via email.

Interim City Manager Williams stated that he was prepared to provide Commissioner Kelley with those updates.

Commissioner Williams asked what the status was on the sidewalks on Peri Street, stating that it seems to have just stopped.

Interim City Manager Williams asked Capital Improvement Projects Manager Adelina Gross to answer Commissioner Williams' question.

Capital Improvement Projects Manager Adelina Gross explained that the contractor had to stop a week ago and move to another area due to rain, but she said that the contractor was back in place yesterday and was supposed to be finished with the street by the following week. Manager Gross added that the rest of the streets are going to be completed in the next fiscal year.

Commissioner Williams asked if the City was going to revisit old sidewalks that were done over 10 years ago.

Interim City Manager Williams asked Capital Improvement Projects Manager Adelina Gross to answer Commissioner Williams' question.

Capital Improvement Projects Manager Adelina Gross informed the Commission that sidewalks that were installed by the City which are not in compliance will be revisited. Manager Gross explained that most of the sidewalks that are installed are 4 X 4 and are supposed to be 5 X 5. She further stated that the notice to proceed had just been issued to complete an assessment during the summer.

Commissioner Bass said that she wanted to know why some of the streets were smaller, and she shared her understanding that it was because some of the sidewalks are larger.

Capital Improvement Projects Manager Adelina Gross informed the Commission that during the development of the City, there were some issues and some properties encroached the roadway, or took part of the roadway or the swale. Manager Gross reiterated that most of the sidewalks were not in compliance and were just creating a path, but she said that the City was going to try to be in compliance.

Commissioner Kelley shared that he has seen some that are really bad and asked how that is addressed.

Capital Improvement Projects Manager Adelina Gross informed the Commission that they inspect the City on a regular basis and wherever they see sidewalks that are uplifted or have a gap, they replace them. Manager Gross reminded the Commission that they work with a budget, but said that they are looking for grant funding to do more sidewalks in the future.

Commissioner Kelley asked if it was a budgetary challenge for those areas.

Capital Improvement Projects Manager Adelina Gross informed the Commission that they are prioritizing, but said that the assessment being done over the summer is a complete roadway and pavement assessment that will provide all the data on what needs to be replaced and provide a 5-year plan.

Commissioner Kelley recognized what Capital Improvement Projects Manager Adelina Gross was stating, but asked if it was a funding issue that determined how quick they can address the ones that are really bad.

Capital Improvement Projects Manager Adelina Gross confirmed that Commissioner Kelley was correct.

Commissioner Kelley asked what was in the Capital Improvements Project line item.

Capital Improvement Projects Manager Adelina Gross informed the Commission that what was left in the budget was \$94,499.

Commissioner Kelley said that he doesn't want to say it publicly, but would send the location of some sidewalks that are uprooted, and if they have some dollars, he guessed they would make their assessment.

Capital Improvement Projects Manager Adelina Gross stated that she would appreciate it.

Vice Mayor Ervin said that unlike Commissioner Kelley, she needed to announce hers and said that there's been an uplifted sidewalk from Ace Hardware to 762 for more than 4 years, which she said she has reported and asked if it could be looked at because she does walk to Ace Hardware sometimes.

Capital Improvement Projects Manager Adelina Gross stated that she would complete the assessment the following morning.

Vice Mayor Ervin thanked Capital Improvement Projects Manager Adelina Gross.

Mayor Taylor reviewed concerns that were shared during the Citizens Forum and asked Interim City Manager Williams to provide an update to the Commission and the Residents on the power lines on the trees on York Street, the Police warnings for people parking on the swale, and the encroachment of the properties on the fence on York Street.

Interim City Manager Williams stated that the Commission should be provided with an update and he also committed to providing a response to the Residents who had expressed those concerns.

18. OFFICIAL BOARD REPORTS:

Community Relations, Recreations and Activities Board Chair Mr. Brian Dennis informed the Commission that they sent out an email to get information from certain departments. Chair Dennis then thanked the Mayor and Commission for their help on the Arabian Nights Festival, stating that they are haggling over a date because of the Jazz in the Gardens Festival, suggesting that it could be the first weekend of March or April. He also said they are discussing funding for the event to determine the type of entertainment that could be providing, offering the example of bringing 330 Florida A&M band members, stating that in his conversations with Mr. Darryl Baker who is the assistant to Director of Bands Dr. Shelby Chipman, an amount of \$100,000 was discussed with room for negotiation. Chair Dennis said that the job of the Community Relations Board is to bring the City together, and he said that is exactly what they were trying to do. He went on to congratulate Police Chief Israel on coming back from surgery, commending the Police Department for a great job and what was taking place in the City. Chair Dennis concluded by thanking them all of the great job they have done, and further thanking them for their support.

Vice Mayor Ervin pointed out that none of the other Boards have come up to provide a report to the Commission, noting that the Planning Board never comes, and she asked if they were meeting.

Mayor Taylor stated that the Boards are meeting and addressing her questions about the Planning & Zoning Board, pointing out that they are included on the Regular Commission Meeting Agenda and they bring proposed items to the Commission.

Vice Mayor Ervin asked if they could be asked to provide the Commission with reports if they are meeting.

City Clerk Flores stated that the other Boards would be invited to provide a report during Regular Commission Meetings.

19. MAYOR/COMMISSION REPORTS:

Commissioner Williams thanked everyone for the Women of Many Hats Mother's Day Brunch, stating that they will go bigger and better each year. The Commissioner thanked everyone for the City's Anniversary Celebrations over the weekend, sharing that she and her kids had fun, reflecting on seeing the City come together. She then said that she doesn't think in her years, she has seen as many Residents come up with concerns, adding that she loves the Residents, pointing out that she always says that if you have a problem, to come up with a solution. Commissioner Williams concluded by stating that her message to Residents that don't know what's going on behind the scenes and are making subjective statements, is to read, as she said that she tells her kids at school.

Commissioner Bass thanked Commissioner Williams for the Women of Man Hats event, stating that the pictures were phenomenal. The Commissioner shared her thoughts on the City's Anniversary Celebration over the weekend, stating that it was a really good time to be in the City of Opa-locka, adding that if it was a taste of the Arabian Nights Festival, then they are in for a treat. She concluded by thanking her Commission Colleagues who worked together to accomplish it, in addition to the Parks & Recreation Department, Police Department, Public Works Department, City Clerk's Office and the Manager's Office.

Vice Mayor Ervin said that they really had a blast at the City's Anniversary Celebration over the weekend. The Vice Mayor thanked the Manager's Office, City Clerk's Office, Parks & Recreation Department, Police Department, Public Works Department, her Commission Colleagues, and the Residents and guests. The Vice Mayor shared that on her Facebook page, she shared a Miami Gardens Resident giving the City of Opa-locka kudos. She then shared a special thank you for Interim City Manager Williams. She then went on to recall that a few months ago they had talked about the Parks & Recreation Department always being closed on holidays, and reported that the pool would be open on Memorial Day. Vice Mayor Ervin then invited everyone to the Father's Day Fish Fry, stating that she would be cooking on Friday, June 16th at lunch time, for any Fathers, but especially City Staff and everyone who has been a father to somebody's child. The Vice Mayor concluded by urging everyone to pray for the family of Tina Turner who passed away at 83, recalling that she raised her kids listening to her music.

Commissioner Kelley addressed the Fish Fry for Fathers, stating that he was glad to co-host it with Vice Mayor Ervin and he said that he thought she had already asked the Manager for folks to be able to have at least a couple of hours around lunch to come over for the Fish Fry at Ingram Park. Recognizing the sentiments echoed by his Commission Colleagues about the City's 97th Birthday Celebration, the Commissioner gave a shout out to all of the Departments. The Commissioner then thanked the Clerk's Office, the Manager's Office and his Commission Colleagues for the Haitian Heritage Month celebration earlier that evening, during which he said Miami-Dade Commissioner

Marleine Bastien was honored. He noted that Commissioner Bastien had very passionately said that she is definitely going to be working with the City to help on various initiatives. Commissioner Kelley then reported that the Feeding South Florida distribution had taken place the previous Friday at Segal Park and he said that the Division of Driver Licenses was there. He also said that the Ingram Park reopening Fun Day would be held on June 10th from 1 to 5 pm, noting that the trailer was up and stating that he knew they had a little more work to be done, which is why he said that it was pushed to that date as opposed to doing it any earlier. The Commissioner also said that the pictures he saw of the Women of Many Hats event were nice. He also said that he was looking forward to hosting his June 12th Meet Me Monday at Helen Miller at 6 pm, where he said State Representative Gantt will share her legislative thoughts. Commissioner Kelley said that there were questions that came up at Meet Me Monday about some of the bills that passed, which is why he said that he reached out to her to come and share her thoughts. He reminded his Commission Colleagues that they are always welcome. Commissioner Kelley noted that the Police Department comes and opened the door through Management, for any Department that wants to present. The Commissioner concluded by urging his Commission Colleagues to continue to move forward.

Mayor Taylor asked Interim City Manager Williams if he had an update on the financial oversight of the City.

Interim City Manager Williams announced that the City was on schedule to submit the annual report for fiscal year 2021 by June 30th, which he said the Joint Legislative Audit Committee was waiting on.

Mayor Taylor stated that he loved that they came together as a Commission to bring back the Community for the City's 97th Anniversary Celebrations. The Mayor also said that he loved what the City Manager and City Staff did to clean up Historic City Hall, pointing out that even in its dilapidated state, it's still a beautiful building, sharing his excitement that City Hall is actually coming back. He then welcomed the new Human Resources Director Alexia Robotham and Senior Budget Analyst Dake Schwarte to the Opa-locka Family. Mayor Taylor concluded by stating that he loves all of his Commission Colleagues, sharing his appreciation for working with each and every one of them, because they all have something to offer the Community.

20. OFFICIAL BOARD APPOINTMENTS:

Mayor Taylor appointed Bernice Pierre-Georges to the Teen & Young Adult Advisory Board.

Vice Mayor Ervin shared that her appointment was eager to get going, and she said that she told him that he would be contacted.

Mayor Taylor asked if there was a quorum established with his appointment, and whether they could start meeting.

City Clerk Flores stated that she would have to read the ordinance, but she believed so.

21. ADJOURNMENT:

Mayor Taylor thanked City Staff for their patience and hard work. The Mayor noted that the previous week was Police Appreciation Week and that the current week was Public Works Appreciation Week, and he recognized that they work really hard and urged everyone to tell them what a good job they are doing.

There being no further business to come before the City Commission, it was moved by Vice Mayor Ervin, seconded by Commissioner Bass to adjourn the meeting at 9:28 p.m.

John H. Taylor, Jr.
Mayor

Attest:

Joanna Flores, CMC
City Clerk

RESOLUTION NO. 23-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, DIRECTING THE INTERIM CITY MANAGER TO UPDATE THE SPECIAL EVENTS POLICY AND PRESENT IT TO THE CITY COMMISSION FOR FINAL APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka ("City") holds certain several special events designed to enhance the quality of life for residents, business owners and visitors; and

WHEREAS, the current special events policy was adopted by Resolution 21-9859; and

WHEREAS, the City Commission of the City of Opa-Locka desires to update its special events policy for city commission approval and further desires to incorporate the recent direction of the City Commission pertaining to special events; and

WHEREAS, any revisions to the special events policy shall be presented by the Interim City Manager to the City Commission for final approval; and

WHEREAS, it is in the best interest of the City to review and revise its Special events Policy to allow staff and the City Commission the needed flexibility to structure and plan events for the community.

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

SECTION 1. RECITALS ADOPTED.

The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

The City Commission of the City of Opa-Locka hereby directs the Interim City Manager to update the City's special events policy and present said policy to the City Commission for final approval.

SECTION 3. SCRIVENER'S ERRORS.

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

SECTION 4. EFFECTIVE DATE

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

PASSED and **ADOPTED** this ____ day of _____, 2023.

John Taylor, 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 Kelley	_____ (Yes)	_____ (No)
Commissioner Williams	_____ (Yes)	_____ (No)
Vice Mayor Ervin	_____ (Yes)	_____ (No)
Mayor Taylor	_____ (Yes)	_____ (No)



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

City Manager:	Darvin Williams		CM Signature:		
Commission Meeting Date:	06.28.2023		Item Type: (Enter X in box)	Resolution X	Ordinance
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	
			Public Hearing: (Enter X in box)	Yes	No
Funding Source: Account#:	(Enter Fund & Dept) Ex: NA		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	Mayor Taylor		Department:	City Commission	

Short Title:

A resolution of the City Commission of the City of Opa-locka directing the Interim City Manager to update the Events policy and present it to the City Commission for final approval.

Staff Summary:

Events within the City help to increase the quality of life for residents and visitors. The current Event policy was adopted by Resolution 21-9859. It is in the best interest of the City to review and revise this policy to allow staff and the City Commission the desired flexibility to structure and plan events for the community. Any revisions to this policy will be presented to the City Commission for final approval.

Financial Impact – There will be no incremental expense involved in the Staff updating the City's Events policy.

Proposed Action:

It is recommended the City Commission of the City of Opa-locka adopt legislation directing the Interim City Manager to update the Events policy and present it to the City Commission for final approval.

Attachment:

RESOLUTION NO. 23-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, DIRECTING THE INTERIM CITY MANAGER TO EXPLORE THE FEASIBILITY OF WRAPPING ONE POLICE VEHICLE FOR CEREMONIAL PURPOSES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka's police staff attends various events on behalf of the City of Opa-Locka ("City") to include support for organizations and within surrounding municipalities; and

WHEREAS, to represent and distinctly identify City vehicles during ceremonial occasions, the City Commission hereby directs the Interim City Manager to explore the feasibility of wrapping one (1) police vehicle for said purposes; and

WHEREAS, the City Commission has determined that it is in the best interest of the City and its residents to direct the City Manager to explore the feasibility of wrapping one (1) police vehicle for ceremonial purposes.

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

SECTION 1. RECITALS ADOPTED.

The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

The City Commission of the City of Opa-Locka hereby directs the Interim City Manager to explore the feasibility of wrapping one police vehicle for ceremonial purposes.

SECTION 3. SCRIVENER'S ERRORS.

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

SECTION 4. EFFECTIVE DATE

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

PASSED and **ADOPTED** this ____ day of _____, 2023.

John Taylor, 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 Kelley	_____ (Yes)	_____ (No)
Commissioner Williams	_____ (Yes)	_____ (No)
Vice Mayor Ervin	_____ (Yes)	_____ (No)
Mayor Taylor	_____ (Yes)	_____ (No)



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

City Manager:	Darvin Williams		CM Signature:				
Commission Meeting Date:	06.28.2023		Item Type: <i>(Enter X in box)</i>	Resolution X	Ordinance		Other
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
	X		Public Hearing: <i>(Enter X in box)</i>	Yes	No X	Yes	No
Funding Source: <i>Account#:</i>	<i>(Enter Fund & Dept)</i> Ex: See Financial Impact Section		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No X	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No X	RFP/RFQ/Bid#:				
Strategic Plan Related <i>(Enter X in box)</i>	Yes X	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
Sponsor Name	Mayor Taylor		Department:	City Commission			

Short Title:

A resolution of the City Commission of the City of Opa-locka directing the Interim City Manager to explore the possibility of wrapping one police vehicle for ceremonial purposes.

Staff Summary:

The City's police staff attends various events on behalf of the City, organizations, and surrounding municipalities. To visibly represent and distinctly identify City vehicles during ceremonial occasions, the Interim City Manager shall explore the possibility of wrapping one police vehicle.

Financial Impact – Cost is unknown at this time, but will be part of the resulting report that will be produced in exploring the feasibility of wrapping a police vehicle.

Proposed Action:

It is recommended the City Commission of the City of Opa-locka adopt legislation directing the Interim City Manager to explore the possibility of wrapping a police vehicle for ceremonial purposes.

Attachment:

RESOLUTION NO. 23-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, DIRECTING THE INTERIM CITY MANAGER TO DEVELOP A RECYCLING PLAN REGARDING THE CITY MUNICIPAL COMPLEX TO BE PRESENTED TO THE CITY COMMISSION FOR CONSIDERATION AND APPROVAL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka staff located within the City of Opa-Locka's Municipal Complex utilize a significant amount of paper, cardboard and plastics when conducting daily City business; and

WHEREAS, implementing a recycling program would assist the City in reducing the amount of energy and gases now being produced by trash. A program will also be beneficial for reuse of the internal material and allow for scheduled pick-up of the items to be recycled externally; and

WHEREAS, overall, recycling can reduce the need to grow, harvest or extract new raw materials from the earth; and

WHEREAS, the City Commission desires that the City Manager develop a recycling plan for the Municipal Complex that takes into consideration existing resources, explores the types of contracted services necessary and contemplates procurement vehicles that may be needed in order to accomplish a recycling plan; and

WHEREAS, the City Commission further desires that the cost of conducting a recycling program be included within the recycling plan and be presented to the City Commission for final approval; and

WHEREAS, the City Commission has determined that it is in the best interest of the City of Opa-Locka and its residents to develop a recycling plan for the Municipal Complex to be presented to the City Commission for approval.

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

SECTION 1. RECITALS ADOPTED.

The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

The City Commission of the City of Opa-Locka hereby directs the Interim City Manager to develop a recycling plan regarding the City of Opa-Locka's Municipal Complex, along with a budget to be presented to the City Commission for consideration and approval.

SECTION 3. SCRIVENER'S ERRORS.

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

SECTION 4. EFFECTIVE DATE

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

PASSED and ADOPTED this ____ day of _____, 2023.

John Taylor, 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 Kelley	_____ (Yes)	_____ (No)
Commissioner Williams	_____ (Yes)	_____ (No)
Vice Mayor Ervin	_____ (Yes)	_____ (No)
Mayor Taylor	_____ (Yes)	_____ (No)



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

City Manager:	Darvin Williams		CM Signature: 			
Commission Meeting Date:	06.28.2023		Item Type: (Enter X in box)	Resolution X	Ordinance	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading
			Public Hearing: (Enter X in box)	Yes	No X	Yes No
Funding Source: Account#:	(Enter Fund & Dept) Ex: NA		Advertising Requirement: (Enter X in box)	Yes		No X
Contract/P.O. Required: (Enter X in box)	Yes	No X	RFP/RFQ/Bid#:			
Strategic Plan Related (Enter X in box)	Yes	No X	Strategic Plan Priority Area: Enhance Organizational ☒ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)		
Sponsor Name	Commissioner Williams		Department:	City Commission		

Short Title:

A resolution of the City Commission of the City of Opa-locka directing the Interim City Manager to develop a recycling plan for the Municipal Complex to be presented to the City Commission for approval.

Staff Summary:

Municipal Complex staff utilize a significant amount of paper, cardboard, and plastic in conducting daily City business. Implementing a recycling program will assist in reducing the amount of energy and gases being produced by trash. It will also be beneficial to reuse the material internally or allow for scheduled pick-up of the items to be recycled externally. Overall, recycling can make a drastic change in the utilization of these valuable resources. In developing a recycling plan, the availability of potential contracts suitable to serve as the basis for piggybacking purposes and/or the need to issue an RFP will be investigated.

Financial Impact – There will be no incremental cost in developing a recycling plan for the Municipal Complex. The cost of conducting a recycling program will be included in the recycling plan to be presented to the City Commission for approval.

Proposed Action:

It is recommended the City Commission of the City of Opa-locka adopt legislation directing the Interim City Manager to develop a recycling plan for the Municipal Complex and present it for approval.

Attachment:

RESOLUTION NO. 23-XXXXXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE AMENDMENT OF THE PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT REQUEST FOR THE CONSTRUCTION AND OPERATION OF A CONVENIENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 14, 2023, pursuant to Resolution 22-083, the City Commission of the City of Opa-Locka ("City Commission") approved the Development Agreement Approval Request of Applicant, Mauricio Falla; and

WHEREAS, the Applicant desires to amend certain terms of the Development Agreement to ensure consistency with its operations and is now requesting modification of the Agreement; and

WHEREAS, Applicant specifically requests to amend Section 9(e) to remove the following language, "and encumbrances, with the exception of any current or future mortgage(s)"; and

WHEREAS, the Applicant is also requesting amendment of the Development Agreement, Section 9(k) 4 to include the following language, "Neither party shall be responsible for delays or lack of performance resulting from acts beyond the reasonable control of the party or parties. Such acts shall include, but not be limited to, acts of God, fire, strikes, material shortages, compliance with laws or regulations, riots, acts of war, or any other conditions beyond the reasonable control of a party", and

WHEREAS, amendment for the removal and addition of the language, as provided herein, requires review and approval by the City Commission; and

WHEREAS, the Applicant intends to re-develop the site into a new convenience store, with two retail spaces and a service station with a hand car-wash in the east section of the City of Opa-Locka ("City"); and

WHEREAS, the Project will consist of the demolition of the current building and the new construction and operation of an convenience store, retail spaces and a service station with a hand car-wash; and

WHEREAS, the redevelopment of this site is intended to provide two new retail spaces, a new convenience store and a service station with a hand carwash at this location.

WHEREAS, the development will also include 9 car parking spaces, 19 new assorted trees, 359 shrub plants and landscaped open space.

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

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Development Agreement Amendment. The City Commission of the City of Opa-Locka has reviewed the request by the Applicant to amend the Development Agreement and hereby approves / denies the Development Agreement amendment by removal and addition of the language, as provided herein. A copy of the Development Agreement with the approved modification is attached hereto and incorporated herein as composite Exhibit "A".

SECTION 3. SCRIVENER'S ERRORS.

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

SECTION 4. EFFECTIVE DATE

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

PASSED and ADOPTED this ____ day of _____, 2023.

John Taylor, 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 Kelley	_____ (Yes)	_____ (No)
Commissioner Williams	_____ (Yes)	_____ (No)
Vice Mayor Ervin	_____ (Yes)	_____ (No)
Mayor Taylor	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory D. Gay		Department Director Signature:		
City Manager:	Darvin Williams		CM Signature		
Commission Meeting Date:	June 14, 2023		Item Type: (Enter X in box)	Resolution X	Ordinance
Fiscal Impact: (Enter X in box)	Yes 	No X	Ordinance Reading: (Enter X in box)	1st Reading 	2nd Reading
			Public Hearing: (Enter X in box)	Yes X	No
Funding Source: Account# :	(Enter Fund & Dept) Ex: See Financial Impact section below		Advertising Requirement: (Enter X in box)	Yes 	No X
Contract/P.O. Required: (Enter X in box)	Yes 	No X	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: Planning & Community Development	City Manager	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE MODIFICATION OF THE PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT REQUEST FOR THE CONSTRUCTION AND OPERATION OF CONVENINENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

After the City Commission approved the Development Agreement by Resolution 22-083 on December 14, 2022, for the construction and operation of a Convenience Store, two retail spaces and a service station with a hand car-wash at 14585 NW 22 Avenue, the applicant, Mauricio Falla, and his Attorney determined that they were not in agreement with certain items in the Development Agreement. The applicant is requesting modification of Section 9(e) and 9(k) 4 of the Development Agreement to remove the following language, 9(e) "and encumbrances, with the exception of any current or future mortgage(s)." and add 9(k) 4, "Neither party shall be responsible for delays or lack of performance resulting from acts beyond the reasonable control of the party or parties. Such acts shall include, but not be limited to, acts of God, fire, strikes, material

shortages, compliance with laws or regulations, riots, acts of war, or any other conditions beyond the reasonable control of a party". The City Attorney has provided that the requested modification of this Development Agreement requires review and approval by the City Commission.

Background

The applicant, Mauricio Falla has submitted an application for site plan approval to demolish the current building at 14585 NW 22nd Avenue, Opa-locka, Florida and identified by folio 08-2122-005-0690 in the B-2 Zoning District and within the Corridor Mixed Use Overlay. The applicant intends to develop this site into a new convenience store and service station with two separate retail spaces with a hand car-wash. The development will also include nine parking spaces and 19 assorted trees and 359 shrub plants and landscaped open space.

This property is located in the southeast section of the City at the intersection of Service Road and NW 22nd Avenue. The property owner, Maclam Investment, LLC, according to Maimi-Dade County Property Appraiser's website obtained this vacant, unused (and no licensed business occupies this space) 20,886 square foot parcel and has submitted a formal request for site plan review approval and development agreement approval to construct a service station/fueling facility and convenience store and include two retail spaces and a hand car-wash. According to the applicant's site plan the redevelopment of this site will provide a 3,579 square foot building with 1,975 square feet allocated for the Convenience Store and two 802 square foot sections for new retail spaces. This use, Auto Service Station is permitted in the B-2 zoning district. The outside had car wash is permitted as an accessory use for any Auto Service Station. The City of Opa-locka 's Comprehensive Plan, Future Land Use map provides that the property has a future land use designation of "Commercial" and the zoning map provides that the property is zoned Commercial Liberal (B-2) and is within the "Corridor Mixed Use Overlay".

This proposed operation is adjacent to Single-Family homes on the eastside of this parcel. According to the site plan a 6-foot concrete wall will be built on the eastside of this property to buffer the use from the single-family residential properties. For additional buffering there is a 12-foot dedicated alley between the service station/convenience store and the single-family residential properties.

The subject property is generally surrounded by residential properties to the east and commercial and residential properties to the west and south of this site and State Road #9 to the north of this site. The proposed use of Auto Service with two retail spaces and a hand car wash will provide an opportunity for retail services as well as auto services to this community, which are in harmony with the general characteristics of the surrounding neighborhood for commercial and residential uses.

Financial Impact

Approval of this development agreement modification will not provide any negative financial impact.

Proposed Action:

Staff recommended approval of this Resolution.

Attachment:

DRAFT Resolution
Development Agreement – with Modification
P&Z Application Package
P&Z Board Meeting Minutes 9-13-22
Resolution 22-083

RESOLUTION NO. 23-XXXXXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE MODIFICATION OF THE PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT REQUEST FOR THE CONSTRUCTION AND OPERATION OF CONVENIENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after the City Commission approved the Development Agreement by Resolution 22-083 on December 14, 2023, the applicant, Mauricio Falla, and his Attorney determined that they were not in agreement with certain items in the Development Agreement; and

WHEREAS, the applicant is requesting modification of the Development Agreement, Section 9(e) to remove the following language, “and encumbrances, with the exception of any current or future mortgage(s),” and

WHEREAS, the applicant is also requesting modification of the Development Agreement, Section 9(k) 4 to include the following language, “Neither party shall be responsible for delays or lack of performance resulting from acts beyond the reasonable control of the party or parties. Such acts shall include, but not be limited to, acts of God, fire, strikes, material shortages, compliance with laws or regulations, riots, acts of war, or any other conditions beyond the reasonable control of a party”, and

WHEREAS, the City Attorney has provided that the requested modification for the removal of this language requires review and approval by the City Commission; and

WHEREAS, the applicant, Mauricio Falla has submitted an application for site plan approval for a Project located at 14585 NW 22nd Avenue, Opa-Locka, Florida and identified by folio 08-2122-005-0690 in the B-2 Zoning District; and

WHEREAS, the applicant intends to re-develop the site into a new convenience store, with two retail spaces and a service station with a hand car-wash in the east section of the City of Opa-Locka (“City”); and

WHEREAS, the Project will consist of the demolition of the current building and the new construction and operation of an convenience store, retail spaces and a service station with a hand car-wash; and

WHEREAS, the redevelopment of this site is intended to provide two new retail spaces, a new convenience store and a service station with a hand car-wash at this location.

WHEREAS, the development will also include 9 car parking spaces, 19 new assorted trees, 359 shrub plants and landscaped open space; and

WHEREAS, after the applicant, Mauricio Falla presented this request to the Planning & Zoning Board he obtained a traffic study that conveyed the site plan must be modified and this site plan reflects those changes; and

WHEREAS, the request for site plan approval meets the review criteria set forth in the Land Development Regulations, Section 22-55 H.

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

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Development Agreement. The City Commission of the City of Opa-Locka has reviewed the request by the applicant to modify the Development Agreement and hereby approves / denies the Development Agreement modification by removal and addition of the language identified in this resolution for the demolition of the current building and the new construction and operation of a convenience store, with two retail spaces and a service station with a hand car-wash located at 14585 NW 22nd Avenue, Opa-Locka, Florida and identified by folio 08-2122-005-0690 in the B-2 Zoning District. A copy of the Development Agreement with the approved modification and the approved Site Plan is attached hereto and incorporated herein as composite Exhibit "A".

SECTION 3. SCRIVENER'S ERRORS.

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

SECTION 4. EFFECTIVE DATE.

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

PASSED AND ADOPTED this _____ day of _____, 2023.

John Taylor, 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 Williams _____

Commissioner Kelley _____

Commissioner Bass _____

Vice Mayor Ervin _____

Mayor Taylor _____

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

Julio Marrero, Esq.
Developers Attorney
3850 Bird Road, Ste 1001
Miami, FL 33146

This Instrument Prepared by:
Law Offices of Burnadette Norris-Weeks, P.A.
CITY ATTORNEY
City of Opa-locka
780 Fisherman Street
Opa-locka, Florida 33054

SPACE ABOVE THIS LINE FOR RECORDING DATA

**DEVELOPMENT AGREEMENT BETWEEN THE GREAT CITY OF OPA-LOCKA, FLORIDA;
AND MACLAM INVESTMENT, LLC**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ____ day of _____, 2023 ("Execution Date") by and between **the Owner, Maclam Investment, LLC**, a Florida Corporation, with the mailing address of 10773 NW 58th Street No. 140, Doral, Florida 33178 (hereinafter "Owner") and the City of Opa-Locka, Florida, a municipal corporation and a political subdivision of the State of Florida (hereinafter "City"), with a mailing address of 780 Fishermen Street, 4th Floor, Opa-locka Florida 33054.

WITNESSETH:

WHEREAS, the Owner is the fee simple owner of approximately **20,886** square feet of land located at **14585 NW 22nd Avenue**, Opa-Locka, FL 33054, within the municipal boundaries of the City and identified by Miami-Dade County Tax Folio No.**08-2122-005-0690** (the "Property"), the legal description of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the City's Commission adopted Resolution Number 22-082 approving a Master Site Plan for the **Convenience Store, Service Station with Metal Canopy for fuel pumps, two separate retail sales units and a hand carwash** accommodated within approximately **5,827** square feet; and

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

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

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

WHEREAS, the City Commission pursuant to Resolution No. 22-083, adopted on December 14, 2022, authorizes the City Manager to execute this Agreement upon the terms and conditions set forth by the City Commission and listed below, and the undersigned being duly authorized by Owner to execute this Agreement upon the terms and conditions set forth by the City Commission and as listed below; and

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

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are hereby deemed a part hereof.
2. **Consideration.** The Parties hereby agree that the consideration and obligations recited and provided for under this Agreement constitute substantial benefits to both parties and thus constitute adequate consideration for this Agreement.
3. **Definitions.**
 - (a) "Additional Term" means any one or more additional term(s) approved by mutual written consent of the parties pursuant to a public hearing pursuant to Section 163.3225, F.S.
 - (b) "Agreement" means this Chapter 163, F.S., Development Agreement between the City and Owner.
 - (c) "City" means the City of Opa-Locka, a municipal corporation and a political subdivision of the State of Florida, and all departments, agencies and instrumentalities subject to the jurisdiction thereof.
 - (d) "Comprehensive Plan" means the plan adopted by the City pursuant to Chapter 163, F.S.
 - (e) "Owner" means the entity undertaking the development of the Property, defined in the preamble to this Agreement, **Maclam Investment, LLC.**, with the address of 10773 NW 58th Street No. 140, Doral, Florida 33178 and/or any of its respective successors, assigns, or heirs thereof.
 - (f) "Development" means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels and such other activities described in Section 163.3221(4), F.S.
 - (g) "Development Permit" includes any building permit, zoning or subdivision approval, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.
 - (h) "Effective Date" is the date this Agreement is recorded with the clerk of the Circuit Court in and for Miami-Dade County,

- (i) "Entire Term" is the total term of this Agreement, combining the Initial 30 Year Term and the Additional Term, as defined herein.
- (j) "Execution Date" is the date that all parties have affixed their signatures to this Agreement.
- (k) "Existing Zoning" means (a) all entitlements associated with the City's approval of the Maclam Investment, LLC., Site Plan, and (b) the provisions of the Charter, Comprehensive Plan and Laws of the City of Opa-Locka, including the City of Opa-Locka's Unified Land Development Regulation Code and the Ordinance, as amended through the Effective Date.
- (l) "Final Site Plan" means the Site Plan approved by the City Commission via Resolution No. 22-083 for a **Convenience Store & Service Station with two additional retail units and a carwash at 14585 NW 22nd Avenue, Opa-locka, FL 33054.**
- (m) "Governing Body" means the City of Opa-Locka's City Commission.
- (n) "Initial Term" is thirty (30) years commencing on the Effective Date.
- (o) "Land" means the earth, water, and air, above, below, or on the surface and includes any improvements or structures customarily regarded as land, except as provided herein.
- (p) "Land Development Regulations" means ordinances, rules and policies enacted or customarily implemented by the City for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulation or any other regulations controlling the development of or construction upon land in effect as of the Effective Date.
- (q) "Laws" means all ordinances, resolutions, regulations, comprehensive plans, Land Development Regulations, and rules adopted by the City of Opa-Locka affecting the development of land in effect as of the Effective Date, including Opa-Locka's Unified Land Development Regulation Code, the Ordinance and the Resolution Number 15-31.
- (r) "Parties" means the City and the Owner
- (s) "Project" is the **Maclam Investment, LLC's Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054** as described in the plans prepared by **Flallo's MEP Design, Inc.**, and dated February 2, 2021, which proposed the development of an approximately 1,976 square foot building and 9 parking spaces with related employee and customer parking.
- (t) "Property" means the approximately 0.5 acre of land located at 14585 NW 22nd Avenue, Opa-Locka, FL. 33054 and identified by Miami-Dade County Tax Folio No.08-2122-005-0690, the legal description of which is attached hereto and made a part hereof as Exhibit "A."

- (u) "Public Facilities" means major capital improvements, including, but not limited to transportation, transit, sanitary sewer, solid waste, drainage, potable water, educational facilities, parks and recreational, and health systems and facilities for which the City's Comprehensive Plan sets forth required levels of service.
 - (v) "Resolution" means the resolution defined in the preamble to this Agreement, City of Opa-Locka Resolution Number 22-082 approving Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054 and Resolution Number 22-083 approving the Maclam Investment, LLC project Development Agreement.
4. **Intent.** It is the intent of the Owner and the City that this Agreement shall be construed and implemented as a development agreement among the parties pursuant to the Florida Local Government Development Agreement Act, Section 163.3220 through 163.3243, F.S., ("Act"), in compliance with Article V, Section 22-112 of the City of Opa-locka's Land Development Regulation, the Code of Ordinance and the Resolution.
 5. **Effective Date.** Immediately upon approval by the City and execution by all parties, the City shall record, with recording fees paid by the Owner, the Agreement with the clerk of the Circuit Court for Miami-Dade County. This Agreement shall become binding on the Effective Date. Notwithstanding the Effective Date provided herein and required by Section 163.3239, P.S., the City and the Owner shall act in good faith to carry out the intent of the Agreement upon the Execution Date.
 6. **Term of Agreement and Binding Effect.** This Agreement shall run with the land, remain in full force and effect, and be binding on all Parties (including the Owner) and all persons claiming under it for an Initial Term of thirty (30) years from the Effective Date, and may be extended for one or more Additional Term(s) thereafter by mutual consent of the parties subject to two public hearings pursuant to Section 163.3225, F.S. Consent to any extension of this Agreement requires approval of both parties to this Agreement. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement. The obligations imposed pursuant to this Agreement upon the parties and upon the Property shall run with and bind the Property as covenants running with the Property, and this Agreement shall be binding upon and enforceable by and against the parties hereto, their personal representatives, heirs, successors, grantees and/or assigns.
 7. **Termination.** No notice of termination shall be required by either Party upon the expiration of this agreement and thereafter the Parties hereto shall have no further obligations under this agreement.
 8. **Expiration / Termination / Default.** Upon the expiration of the agreement, the city shall have ability and the rights under its police power to adopt Zoning Regulations not inconsistent with the rights granted hereunder. In the event of termination or default, no further rights under this agreement shall exist, whether brought under a claim of vested right, equitable estoppel or otherwise.
 9. **Development Conditions.** In accordance with Section 163.3227(c), F.S., the Owner agrees as follows:

- (a) All impacted Public Facilities shall be adequate to serve the Property at an acceptable level of service prior to the issuance of a Certificate of Occupancy for the Project, and shall be served by water and sanitary sewer main extensions as required by the city in accordance with Miami-Dade County permitting requirements.
- (b) All Public Facility improvements required by the City, by Miami-Dade County, Florida, or voluntarily proposed by the Owner to be installed by Owner shall be constructed in accordance with applicable governmental regulations prior to the issuance of a Certificate of Occupancy of the Project.
- (c) All signage shall comply with all city sign code ordinance requirements.
- (d) Owner will abide by and not deviate from the terms of its graphic and written representations submitted to the City Commission in order to receive approval of the approved Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054. Such items include, but are not specifically limited to:
 - 1. Design of all physical structures, water bodies, private and public improvements; and
 - 2. The color and dimensional characteristics of all building materials.
 - 3. All landscaping, bay, loading and parking spaces must be provided and maintained as shown on the site plan.
- (e) Owners guarantees to preserve and maintain all buildings and structures consistent with the Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054, free of all liens and encumbrances, with the exception of any current or future mortgage(s), for the entire period in which the Owners own the land or control 51% ownership of the Property, or control 5% of any entity to which his agreement has been assigned, sold or otherwise transferred. Any new owner must abide by the terms of this agreement until the expiration of the Term of this Agreement as provided in paragraph 6 above. In the event of a force majeure or in the event of a casualty, the then owner has the option but is not obligated to rebuild, provided that the Property is cleared and maintained in accordance with City Code requirements. It is expressly understood by the Owner that the development of a project that is not substantially in accordance with the Final Site Plan shall require new approvals in accordance with City Code requirements. In addition, Owner shall maintain the Property in a manner consistent with Section 14-2 of the City Code. The landscaping and common areas of the Property shall be maintained by the Owner, its successors or assigns, or by a property owners' association pursuant to reciprocal easement agreement(s) ("REAs"), and /or a combination thereof. The entity or entities responsible for such maintenance shall be determined by the Owner at its discretion. Owner shall provide the City with contact information of the entities or persons responsible for maintenance of

the Property pursuant to this Paragraph. Any new owner must abide by the terms of this agreement until July 2052. Nothing in this section and in this Agreement shall be construed to restrict the Owners right to Mortgage the Property. Owner shall have the right to mortgage its interest in the Property, including the personal property located therein or used in the operation of the proposed Project in any amount, as many times, and on such other terms determined by Owner in its sole and absolute discretion without the approval of the City, and to amend, modify and refinance any such mortgage(s) in its sole and absolute discretion and without the City's approval.

- (f) At the request of the City, Owner shall submit or cause the submittal of an annual report and shall provide additional documentation to the City as required by the Resolution to verify continuing compliance with the Resolution and this Agreement. A copy of the City's form of annual report is attached as Exhibit "B".
- (g) The Owner will not physically alter or substitute the design of structures, materials and colors included in the Final Site Plan except as approved by the City in the City's reasonable sole discretion. In the event that building materials or colors are no longer available, the burden shall be on Owners to prove that said materials or colors are in fact unavailable.
- (h) Owner agrees that the City may enter onto the Property to confirm compliance with the terms of this Agreement.
- (i) Owner agrees to use commercially reasonable efforts to encourage its tenants to:
 - 1. Cooperate with the City on any City-initiated efforts with area economic development and educational organizations, including the Beacon Council, The Meek Foundation, Miami-Dade County Public Schools, and Miami-Dade College or other organizations acceptable to the parties, to expand vocational and technical training programs for residents within the City through December 31, 2024; and
 - 2. Recruit and employ qualified applicants who are City residents through the assistance of the Career Source South Florida office in coordination with the City of Opa-locka, and encourage all contractors retained to develop the Project to do the same, as follows:
 - a) Prepare and provide the City with an outreach plan that outlines the Owner's anticipated commercially reasonable efforts to provide construction-related and

permanent jobs to Opa-locka residents, prior to the issuance of the first building permit for vertical construction within the Property ("Outreach Plan"). Said Outreach Plan, at a minimum, shall require that local job fair(s) ("local" shall mean within the municipal boundaries of the City of Opa-locka; hereinafter "Local Job Fair") be held as described herein and shall outline job training opportunities within the Project.

- b) Host or require its general contractor(s) to host a Local Job Fair and provide a list of construction job openings to the City to post on the City's website, prior to the issuance of the first building permit for vertical construction. The general contractor shall advise the City of any local new hires following its Local Job Fair(s).

Commented [DJ1]: I would like to seek further clarity on Section 9(i) so that my client is properly informed of his duties regarding this section. Please call me at 786-488-7176 to discuss.

- (j) All trash and garbage containers shall comply with all city dumpster enclosure requirements.

- (k) The following timelines shall be complied with by Owner and shall apply immediately upon approval of this Development Agreement: Violation of this timeline may result in; the revocation of any approved Development Permit and/or any actions deemed necessary by the City of Opa-locka:

1. Apply for building permits: within 6 months from the execution of the Development Agreement. The City Manager may grant a single 6 month extension for good cause shown.
2. Must start construction: within 18 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause shown.
3. Must complete project: within 24 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause.

4. Neither party shall be responsible for delays or lack of performance resulting from acts beyond the reasonable control of the party or parties. Such acts shall include, but not be limited to, acts of God, fire, strikes, material shortages, compliance with laws or regulations, riots, acts of war, or any other conditions beyond the reasonable control of a party. (Mr. Maclam did not indicate that this was also being removed)
PLEASE ADVISE

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

- (a) Modifications to the Final Site Plan;
- (b) Water, sewer, paving and drainage permits;
- (c) Building permits;
- (d) Sign permits;
- (e) Certificate of occupancy;
- (f) Business License and Certificates of use;
- (g) Any other official action of the City and/or Miami-Dade County, Florida or other applicable regulatory agencies having the effect of permitting the development of land or providing permits required for the development of Property.
- (h) Any liens, fees, code violations or unpaid assessments, except for any mortgage(s), shall be satisfied prior to the execution of this agreement for this property or any other property in the City of Opa-locka owned by Maclam Investment, LLC.
- (i) All currently non-compliant building, physical structures or vehicles at 14585 NW 22nd Avenue, Opa-locka, FL 33054 shall be removed prior to the execution of this agreement.

11. **Public Services and Facilities; Concurrence.** In accordance with Section 163.3227(d), F.S., the City and the Owners/Owners anticipate that the Property and the Project will be served by those public services and facilities currently in existence as provided by the State of Florida, Miami-Dade County, the City, and/or as contemplated in the Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054. The Property and the Project will also be served by any and all public facilities provided in the City's Comprehensive Plan, specifically including but not limited to, those public facilities described in the Comprehensive Plan's Capital Improvements Element. For the purposes of concurrency, the City hereby agrees to provide, reserve, and allocate sufficient public facility capacity, including but not limited to water, sanitary sewer, solid waste, drainage, fire and police to serve the development of the Project on the Property. All development orders or permits sought to be issued for the Project pursuant to this Agreement must be able to meet concurrency standards set forth in the Comprehensive Plan (concurrency regulations) and to be consistent with Land Development Regulations, so long as the Owner constructs the Property in compliance with the City's Laws, Comprehensive Plan and Land Development Regulations in existence as of the Effective Date. Owner shall be bound by the City impact fees and assessments in existence as of the Effective Date of this Agreement, and nothing in this paragraph shall relieve the Owner of the requirement to pay such impact fees and assessments.

12. **Consistency with Comprehensive Plan.** In accordance with Section 163.3227(g), F.S., the City hereby finds and declares that the Owners development of the Project on the Property complies with the Laws, ordinances, regulations and policies of the City of Opa-Locka, and is consistent with the City's Laws, Comprehensive Plan and Land Development Regulations.

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

If to the City at:	City Manager City of Opa.-Locka 780 Fishermen Street, 4 th Floor Opa-Locka, Florida 33054
With a copy to:	Law Offices of Burnadette Norris-Weeks, P.A. City Attorney City of Opa-locka 780 Fisherman Street Opa-locka, Florida 33054 And 401 North Avenue of the Arts Ft. Lauderdale, FL 33311
If to the Owners/Owners at:	Maclam Investment, LLC C/O Mauricio Fallo 10773 NW 58 th Street, No. 140 Doral, Florida 33178
With a copy	Law Offices of Marrero, Serrano, Farah Law, LP Julio Marrero, Esq. 3850 Bird Road, Ste 1001 Miami, FL 33146

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

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

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

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

CITY

CITY OF OPA-LOCKA FLORIDA

ATTEST: _____
City Clerk

By: _____
City Manager

Dated: _____ day of _____, 20__

Approved for form and legal sufficiency:

City Attorney: _____

OWNER

Maclam Investment, LLC.

WITNESS:

Signature

Print Name

Signature

Print Name

By: _____
Name: Mauricio Falla
Title: Manager

STATE OF FLORIDA)
:
COUNTY OF MIAMI-DADE)

The foregoing instrument acknowledged before me this _____ day of _____, 20__ by Mauricio Falla of Maclam Investment, LLC, who is personally known to me or has produced _____ as identification, and acknowledged that she/he did execute this instrument freely and voluntarily for the purposes stated herein.

Notary Public, State of Florida at Large

Print Name

My Commission Expires:

EXHIBIT A
PROPERTY LEGAL DESCRIPTION/SURVEY/SITE PLAN
(CONFIRM LEGAL DESCRIPTION BY PROPERTY SURVEY)

MAGNOLIA GARDENS CONSOLIDATED PB- 50-5, LOTS 41 THRU 44 BLK 336 LESS
BEG NW COR OF S25FT OF LOT 43 TH SELY AD 119.46FT SELY AD 49.29FT SWLY AD
4.23FT NWLY AD 50.90FT NLY 119.67FT TO POB FORR/W LOT SIZE 20886 SQ FT
FOLIO NO: 08-2122-005-0690

**EXHIBIT B
CITY'S ANNUAL REPORT FORM**

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

**CITY OF OPA-LOCKA
ANNUAL REPORT FORM**

Reporting Period: _____ to _____
Month/Day/Year Month/Day/Year

Name and Title of Individual Completing Report: _____

Address : _____
Street Location

City, State, Zip

1. Describe any changes made to the proposed plan of development, during the Reporting Period, as approved by the City of Opa-Locka City Commission ("City") pursuant to Resolution No._____, passed and adopted on _____, 2022.
2. Describe any changes, if any, to the Development Agreement between the City of Opa-Locka, Florida, and **the Owner, Maclam Investment, LLC**, a Florida Corporation, as approved by the City of Opa-Locka City Commission pursuant to Resolution No. 22-083__, passed and adopted on December 14, 2022 (the "Development Agreement").
3. Provide a list of development permits for vertical construction issued by the City during the Reporting Period.
4. Provide a list of certificates of occupancy within the project that have been issued by the City during the Reporting Period.
5. Describe compliance with Paragraph 9 (Development Conditions (a)-(k)) of the Development Agreement during the Reporting Period.
6. Provide a statement confirming that all persons have been sent copies of the annual report in conformance with Section 17 of the Development Agreement.

Received:
By:
Date:

“ THE GREAT CITY “



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS FY 2020-2021

TOTAL FEES: \$ 500 New Fees as of October 1, 2015 #1089

FY 2020-2021 Meeting Dates 1st Tuesday of Each Month)

Date Application Found Sufficient

October 5, 2021
November 2, 2021
December 7, 2021
January 4, 2022
February 1, 2022
March 1, 2022
April 5, 2022
May 3, 2022
June 7, 2022
July 5, 2022
August 2, 2022
September 6, 2022

August 20, 2021
September 17, 2021
October 15, 2021
November 19, 2021
December 17, 2021
January 14, 2022
February 18, 2022
March 18, 2022
April 15, 2022
May 20, 2022
June 17, 2022
July 22, 2022

1. All individuals seeking to appear before the Planning & Zoning Board must submit a complete Planning & Zoning Board application, with the required documents and fees totaling (as established by ordinance), paid by check or money order to the City of Opa-locka. Failure to submit all documents and fees will result in your case not being scheduled to be heard at a meeting.
2. If the applicant seeking to appear before the Planning & Zoning Board is not the property owner he must provide an affidavit of authorization from the property owner.
3. All regular meetings are held on the first Tuesday of each month at the City of Opa-locka City Commission Chambers, Meeting Time 7:00 P.M. *(time and location are subject to change, please check with the Planning and Community Development Department for exact time and location of the meetings).*
4. Application package must include all required documents per checklist and fees of The City of Opa-locka. The application will be reviewed by the Department and will be scheduled for the next P&Z meeting upon finding of sufficiency.
5. You are required to complete and return this application along with all the information and documentation (see page 2 check list) requested to the:

City of Opa-locka
Planning & Community Development Department
780 Fishermen Street 4th floor
Opa-locka, FL 33054
Telephone: 305-953-2868, Ext. 1503
Facsimile: 305-953-3060

Received:
By:
Date:

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD APPLICATION

APPLICATION NUMBER: _____ CHECK NUMBER: _____ DATE RECEIVED: _____

PROPERTY OWNER'S NAME: Maclam Investment LLCPROPERTY OWNER'S ADDRESS: 10773 NW 58th ST #140 DOral, FL 33178
Number/Street City State/Zip CodeAPPLICANT'S NAME: Mauricio FallaAPPLICANT'S ADDRESS: 10773 NW 58th ST #140 Doral, FL 33178
Number/Street City State/Zip CodePHONE NUMBER: OFFICE 786-797-6086 CELL HOME _____ OTHER _____SUBJECT PROPERTY ADDRESS: 14585 NW 22 Ave
Number/StreetTAX FOLIO NUMBER: 08-2122-005-0690 PRESENT ZONING: _____LEGAL DESCRIPTION: Magnolia Gardens Consolidated

PB 50-5 lots 41 thru 44 BLK 336 LESS BEG NW COR of 525 FT of lot 43 TH SELY AD 119.46
FT SELY AD 49.29 FT SWLY

Please check specific request:

☐ Tentative Plat☐ Final Plat☐ Comprehensive Plan Amendment: ☐ Small Scale; ☐ Large Scale (please specify type of amendment below)☐ Rezoning☐ Drainage Plan☐ Fill Permit Request☐ Preliminary Site Plan Review☐ Final Site Plan Review☐ Conditional Use Permit – No Plans☐ Conditional Use Permit – With Plans☐ Special Exception – No Plans☐ Special Exception – With Plans☒ Development Agreement☐ Restrictive Covenant☐ Other – Please specify: _____

Add any additional information that may be of importance to this request:

Development Agreement Modification

Reference to Ordinance 15-13

Land Development Regulations/ Zoning Code: Ordinance 15-31

Received:
By:
Date:

PLANNING & ZONING BOARD APPLICATION (Checklist)

Applications will not be accepted without the following data. For a public hearing, all items below are necessary and must be submitted.

- _____ Completed application form
- _____ Application fee payable to the City of Opa-locka by check or money order
- _____ Copy of property owner's and/or applicant's driver license/photo I.D. & Incorporation Documents (Inc., LLC, ...)
- _____ Affidavit (see below), and power of attorney of the property owner (page 3) (Both must be Notarized)
- _____ A completed Neighborhood Petition form (attached) with the signature of each property owner in front, in the rear, to the left and to the right of the subject property, indicating his or her support for the proposed project. (Must include name, address, folio and phone number).
- _____ All preliminary and final site plans, along with property survey, signed and notarized application(s) must be submitted on flash drive in PDF format.
- _____ Fifteen (15) certified boundary and topographic surveys of the property (size 36 x 24 inches). (The submitted property survey must not exceed a maximum of two (2) years from date created in order to be considered acceptable by the City of Opa-locka)
- _____ Fifteen (15) copies of Site Development Plan showing all drainage, water, sewer, structures, landscaping and parking in accordance with the City's zoning ordinance; (size 36 x 24 & at least 7 Sealed Copies
- _____ Map showing parcel to be considered and all properties' legal descriptions thereof, within 375' radius of said parcel. Map to be 1" = 100' scale. Owner's name, address, folio number and legal description on each parcel (Original and 2 copies size of document to accommodate scale)
- _____ Narrative concept must be submitted with application

AFFIDAVIT

I, Mauricio Falla, being first duly sworn, depose and say that I am the **OWNER** of the property, and I understand that this application must be complete and accurate before a public hearing can be advertised.

[Signature]
Signature

May 18, 2022
Date

Sworn to and subscribed before me:

This 18th day of May, 2022
[Signature]

Notary Public

Attach copy of identification



My commission expires _____



Received:
By:
Date:

PLANNING & ZONING BOARD APPLICATION POWER OF ATTORNEY

This form is to be attached to all applications, and to be returned with the application. No application will be honored or persons heard by the Planning & Zoning Board unless a notarized copy of this Power of Attorney is submitted.

To: City of Opa-locka
From: Mauricio Falla, Maclam Investment LLC

1) Jorge Fiallo Fiallo's MEP Design Inc. 10010 SW 83rd ST Miami, FL 33173 305-877-1845 jfiallo@fiallomepdesign.com	2) Sonia Gonzalez The Permit Shop 4100 N. 58th Ave #109 Hollywood, FL 33021 305-796-0141 thepermitshop@gmail.com
---	---

Subject: Power of Attorney (authorization for a person, other than the property owner, to speak in the property owner's behalf).

I Mauricio Falla, being first duly sworn, depose and say that I am the owner of the property legally described as:
Magnolia Gardens Consolidated

PB 50-5 lots 41 thru 44 BLK 336 LESS BEG NW COR of 525 FT of lot 43 TH SELY AD 119.46 FT SELY AD 49.29 FT SWLY

I do give to Jorge Fiallo / Sonia Gonzalez the power of Attorney and authority to speak in my behalf in reference to the above described property. Further, by affixing my notarized signature to this document, I also authorize Jorge Fiallo / Sonia Gonzalez to negotiate and commit to the City Commission and City Administration in my behalf. I will abide by all final determinations of the City Commission and City Administration.

[Signature]
 Signature

05/17/2022
 Date



GABRIELA PEREZ
 Commission # HH 230207
 Expires February 17, 2026

Sworn to and subscribed before me:

This 17th day of May, 2022

[Signature]
 Notary Public

My commission expires: Feb 17-2026

Received:
By:
Date:

Attach copy of identification



**PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION**

RE: PROPERTY ADDRESS: 14585 NW 22 Ave

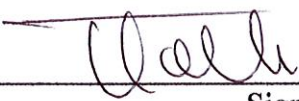
LEGAL DESCRIPTION: Magnolia Gardens Consolidated
PB 50-5 lots 41 thru 44 BLK 336 LESS BEG NW COR of 525
FT of lot 43 TH SELY AD 119.46 FT SELY AD 49.29 FT SWLY

I SUPPORT THIS DEVELOPMENT REQUEST _____

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Mauricio Falla PHONE: 786-797-6086

ADDRESS (If different): 10773 NW 58th ST #140 Doral, FL 33178


Signature

Date of this notice: 11-02-2020

Employer Identification Number:
85-3726617

Form: SS-4

Number of this notice: CP 575 B

MACLAM INVESTMENT LLC
MAURICIO FALLA MBR
10773 NW 58TH ST APT 140
DORAL, FL 33178

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 85-3726617. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065

03/15/2021

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

- * Keep a copy of this notice in your permanent records. **This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you.** You may give a copy of this document to anyone asking for proof of your EIN.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.

Thank you for your cooperation.

CP 575 B (Rev. 7-2007)

9999999999

DATE OF THIS NOTICE: 11-02-2020
EMPLOYER IDENTIFICATION NUMBER: 85-3726617
FORM: SS-4 NOBOD

MACLAM INVESTMENT LLC
MAURICIO FALLA MBR
10773 NW 58TH ST APT 140
DORAL, FL 33178

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L20000335744
FILED 8:00 AM
October 22, 2020
Sec. Of State
jafason

Article I

The name of the Limited Liability Company is:
MACLAM INVESTMENT LLC

Article II

The street address of the principal office of the Limited Liability Company is:
10773 NW 58TH STREET
140
DORAL, FL. UN 33178

The mailing address of the Limited Liability Company is:
10773 NW 58TH STREET
140
DORAL, FL. UN 33178

Article III

The name and Florida street address of the registered agent is:
BIZCPAS
1300 NW 84TH AVE
DORAL, FL. 33126

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: OBDULIA LEMUS

Article IV

The name and address of person(s) authorized to manage LLC:

Title: MGR
MAURICIO FALLA
10773 NW 58TH STREET APT 140
DORAL, FL. 33178 UN

Title: MGR
CLARA I DUENAS
9995 NW 75 STREET
DORAL, FL. 33178 UN

Title: MGR
AMILKAR J CONTRERAS
10710 NW 66 STREET APT 512
MIAMI, FL. 33178 UN

L20000335744
FILED 8:00 AM
October 22, 2020
Sec. Of State
jafason

Article V

The effective date for this Limited Liability Company shall be:

10/22/2020

Signature of member or an authorized representative

Electronic Signature: MAURICIO FALLA

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

1. Magnolia Gardens Consolidated
Lots 41-44, Block 336, PB 50-5
08-2122-005-0690
P.A. 14585 NW 22 AVE

2. Magnolia Gardens Consolidated
Lot 1, Block 336, PB 50-5
08-2122-005-0270
P.A. 2180 SERVICE RD

3. Magnolia Gardens Consolidated
Lot 2, Block 336, PB 50-5
08-2122-005-0280
P.A. 2170 SERVICE RD

4. Magnolia Gardens Consolidated
Lot 3, Block 336, PB 50-5
08-2122-005-0290
P.A. 2160 SERVICE RD

5. Magnolia Gardens Consolidated
Lot 4, Block 336, PB 50-5
08-2122-005-0300
P.A. 2150 SERVICE RD

6. Magnolia Gardens Consolidated
Lot 5, Block 336, PB 50-5
08-2122-005-0310
P.A. 2140 SERVICE RD

7. Magnolia Gardens Consolidated
Lot 6, Block 336, PB 50-5
08-2122-005-0320
P.A. 2130 SERVICE RD

8. Magnolia Gardens Consolidated
Lot 7, Block 336, PB 50-5
08-2122-005-0330
P.A. 2120 SERVICE RD

9. Magnolia Gardens Consolidated
Lot 8, Block 336, PB 50-5
08-2122-005-0340
P.A. 2110 SERVICE RD

Owners

Maclam Investment LLC
10773 NW 58th ST, Ste. 140
Doral, FL 33178

Edward Alonza Frierson
2180 Service Rd.
Opa Locka, FL 33054

Kimberly Jackson / Brandon Bailey
4291 NW 44th Ct
Lauderdale Lakes, FL 33319

Porfirio M. Bonet
19201 S. St. Andrews Dr.
Hialeah, FL 33015

John S. Bailey & w Tanya
2150 Service Rd.
Opa Locka, FL 33054

McCoy Fam Legacy Prtnship LLLP
101 NW 3rd Ave. 1420
Ft. Lauderdale, FL 33301

Odalys Isabel Ramirez Reyes
2130 Service Rd.
Opa Locka, FL 33054

Porfirio M. Bonet
19201 S. St. Andrews Dr.
Hialeah, FL 33015

Debbie P. Nails
18040 NW 2nd PL.
Miami, FL 33169

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

10. Magnolia Gardens Consolidated
Lot 40, Block 336, PB 50-5
08-2122-005-0660
P.A. 2181 RUTLAND ST

11. Magnolia Gardens Consolidated
Lot 39, Block 336, PB 50-5
08-2122-005-0650
P.A. 2171 RUTLAND ST

12. Magnolia Gardens Consolidated
Lot 38, Block 336, PB 50-5
08-2122-005-0640
P.A. 2161 RUTLAND ST

13. Magnolia Gardens Consolidated
Lot 37, Block 336, PB 50-5
08-2122-005-0630
P.A. 2151 RUTLAND ST

14. Magnolia Gardens Consolidated
Lot 36, Block 336, PB 50-5
08-2122-005-0660
P.A. 2141 RUTLAND ST

15. Magnolia Gardens Consolidated
Lot 35, Block 336, PB 50-5
08-2122-005-0610
P.A. 2131 RUTLAND ST

16. Magnolia Gardens Consolidated
Lot 34, Block 336, PB 50-5
08-2122-005-0600
P.A. 2121 RUTLAND ST

17. Magnolia Gardens Consolidated
Lot 33, Block 336, PB 50-5
08-2122-005-0590
P.A. 2111 RUTLAND ST

18. Magnolia Gardens Consolidated
Lot 32, Block 336, PB 50-5
08-2122-005-0580
P.A. 2101 RUTLAND ST

Owners

Edward Tynes & w Valerie
5275 NW 181st Ter.
Opa Locka, FL 33055

US Housing Equity Fund LLC
20295 NE 29th PL 100A
Aventura, FL 33180

Althea Jacobs
2161 Rutland St.
Opa Locka, FL 33054

Notsas Renaissance LLC
1189 NW 44th Ave.
Lauderhill, FL 33313

Marion Denson & w Catherine
4344 NW 202nd St.
Carol City, FL 33055

Savannah Allen / Shirley Wallace
2131 Rutland St.
Opa Locka, FL 33054

34 Ways Foundation Inc.
PO Box 308
Metaire, LA 70004

Randall Neal Thomas LE
2111 Rutland St.
Opa Locka, FL 33054

Stacy Lewis Thomas
2101 Rutland St.
Opa Locka, FL 33054

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

Owners

- | | |
|---|---|
| 19. Magnolia Gardens Consolidated
Lots 41-44, Block 339, PB 50-5
08-2122-005-1120
P.A. 14495 NW 22 AVE | NW22LLC
20281 E. Country Club Dr. Ste. 1805
Aventura, FL 33180 |
| 20. Magnolia Gardens Consolidated
Lot 1, Block 339, PB 50-5
08-2122-005-0700
P.A. 2190 RUTLAND ST | Sharon Ann Brown
2190 Rutland St.
Opa Locka, FL 33054 |
| 21. Magnolia Gardens Consolidated
Lot 2, Block 339, PB 50-5
08-2122-005-0710
P.A. 2180 RUTLAND ST | Elituob 2016 LLC
1301 Miami Gardens Dr. Unit 806W
Miami, FL 33179 |
| 22. Magnolia Gardens Consolidated
Lot 3, Block 339, PB 50-5
08-2122-005-0720
P.A. 2170 RUTLAND ST | Yunior Rodriguez / Marianela Perez
2170 Rutland St.
Opa Locka, FL 33054 |
| 23. Magnolia Gardens Consolidated
Lot 4, Block 339, PB 50-5
08-2122-005-0730
P.A. 2160 RUTLAND ST | Tercena Raffelita Lawrence
2160 Rutland St.
Opa Locka, FL 33054 |
| 24. Magnolia Gardens Consolidated
Lot 5, Block 339, PB 50-5
08-2122-005-0740
P.A. 2150 RUTLAND ST | Jorge Rojas De Leon
2150 Rutland St.
Opa Locka, FL 33054 |
| 25. Magnolia Gardens Consolidated
Lot 6, Block 339, PB 50-5
08-2122-005-0750
P.A. 2140 RUTLAND ST | Romisa 2140 LLC
3450 SW 32 nd St.
Opa Locka, FL 33055 |
| 26. Magnolia Gardens Consolidated
Lot 7, Block 339, PB 50-5
08-2122-005-0760
P.A. 2130 RUTLAND ST | Marta Argelia Alvarado
2130 Rutland St.
Opa Locka, FL 33054 |
| 27. Magnolia Gardens Consolidated
Lot 8, Block 339, PB 50-5
08-2122-005-0770
P.A. 2120 RUTLAND ST | Marion Sims
2120 Rutland St.
Opa Locka, FL 33054 |

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

Owners

28. Magnolia Gardens Consolidated
Lot 9, Block 339, PB 50-5
08-2122-005-0780
P.A. 2110 RUTLAND ST

Bene Homes LLC
9030 SW 48th Ter.
Miami, FL 33165

29. Magnolia Gardens Consolidated
Lot 40, Block 339, PB 50-5
08-2122-005-1090
P.A. 2181 WILMINGTON ST

Mitchell Allen Jackson & Icilda
2181 Wilmington St.
Opa Locka, FL 33054

30. Magnolia Gardens Consolidated
Lot 39, Block 339, PB 50-5
08-2122-005-1080
P.A. 2171 WILMINGTON ST

Lucky O. Connor
291 N. Biscayne River Dr.
Miami, FL 33169

31. Magnolia Gardens Consolidated
Lot 38, Block 339, PB 50-5
08-2122-005-1070
P.A. 2161 WILMINGTON ST

Herman Fluitt & Eloise Fluitt
2606 Raven Lake Ct.
Pearland, TX 77584

32. Magnolia Gardens Consolidated
Lot 37, Block 339, PB 50-5
08-2122-005-1060
P.A. 2151 WILMINGTON ST

Luciferous Holdings LLC
2151 Wilmington St.
Opa Locka, FL 33054

33. Magnolia Gardens Consolidated
Lot 36, Block 339, PB 50-5
08-2122-005-1050
P.A. 2141 WILMINGTON ST

Camelle Joseph
2141 Wilmington St.
Opa Locka, FL 33054

34. Magnolia Gardens Consolidated
Lot 35, Block 339, PB 50-5
08-2122-005-1040
P.A. 2131 WILMINGTON ST

Linda B. Jackson
2131 Wilmington St.
Opa Locka, FL 33054

35. Magnolia Gardens Consolidated
Lot 34, Block 339, PB 50-5
08-2122-005-1030
P.A. 2121 WILMINGTON ST

Johnnie Mae Mosley & Charrise
2121 Wilmington St.
Opa Locka, FL 33054

36. Magnolia Gardens Consolidated
Lot 33, Block 339, PB 50-5
08-2122-005-1020
P.A. 2111 WILMINGTON ST

Tracy White & Kirby White
2111 Wilmington St.
Opa Locka, FL 33054

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

Owners

37. Magnolia Gardens Consolidated Lot 32, Block 339, PB 50-5 08-2122-005-1010 P.A. 2101 WILMINGTON ST	Shirley B. Daniels 2101 Wilmington St. Opa Locka, FL 33054
38. Magnolia Gardens Consolidated 2 nd Add. Lot 32, Block 343, PB 49-70 08-2122-009-0050 P.A. N/A	Abbas Ugur 46 NW 95 th St. Miami, FL 33150
39. Magnolia Gardens Consolidated Lot 1, Block 343, PB 50-5 08-2122-005-1570 P.A. 14430 NW 21 CT	Maua Investments LLC 4699 N. Federal Hwy, Ste. 109E Pompano Beach, FL 33064
40. Magnolia Gardens Consolidated Lot 2, Block 343, PB 50-5 08-2122-005-1580 P.A. 14420 NW 21 CT	Jose Esquivel 3282 NW 50 th St. Miami, FL 33142
41. Magnolia Gardens Consolidated Lot 32, Block 344, PB 50-5 08-2122-005-2160 P.A. 14445 NW 21 CT	Alicia L. Donald 3422 NW 5 th Ave. Miami, FL 33127
42. Magnolia Gardens Consolidated Lot 31, Block 344, PB 50-5 08-2122-005-2150 P.A. 14435 NW 21 CT	Laura Adams Roberts 14435 NW 21 st Ct. Opa Locka, FL 33054
43. Magnolia Gardens Consolidated Lot 1, Block 344, PB 50-5 08-2122-005-1850 P.A. 2130 WILMINGTON ST	Lorenzo Akin 15421 NW 27 th PL. Miami Gardens, FL 33054
44. Magnolia Gardens Consolidated Lot 2, Block 344, PB 50-5 08-2122-005-1860 P.A. 2120 WILMINGTON ST	Marie E. Falaise 268 SW Grove Ave. Port St. Lucie, FL 34983
45. Magnolia Gardens Consolidated Lots 12, 13 & N21.5' Lot 14, Block 335, PB 50-5 08-2122-005-0120 P.A. 14566 NW 22 AVE	M&N Property Investment Inc. 14566 NW 22 nd Ave. Opa Locka, FL 33054

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

46. Magnolia Gardens Consolidated
S28.5' Lot 14, Block 335, PB 50-5
08-2122-005-0140
P.A. N/A

47. Magnolia Gardens Consolidated
Lot 15, Block 335, PB 50-5
08-2122-005-0150
P.A. N/A

48. Magnolia Gardens Consolidated
Lot 11, Block 335, PB 50-5
08-2122-005-0110
P.A. 2210 SERVICE RD

49. Magnolia Gardens Consolidated
Lot 10, Block 335, PB 50-5
08-2122-005-0100
P.A. 2220 SERVICE RD

50. Magnolia Gardens Consolidated
Lot 9, Block 335, PB 50-5
08-2122-005-0090
P.A. 2230 SERVICE RD

51. Magnolia Gardens Consolidated
Lot 8, Block 335, PB 50-5
08-2122-005-0080
P.A. 2240 SERVICE RD

52. Magnolia Gardens Consolidated
Lot 16, Block 335, PB 50-5
08-2122-005-0160
P.A. 2211 RUTLAND ST

53. Magnolia Gardens Consolidated
Lot 17, Block 335, PB 50-5
08-2122-005-0170
P.A. 2221 RUTLAND ST

54. Magnolia Gardens Consolidated
Lot 18, Block 335, PB 50-5
08-2122-005-0180
P.A. 2231 RUTLAND ST

Owners

M&N Property Investment Inc.
14566 NW 22nd Ave.
Opa Locka, FL 33054

M&N Property Investment Inc.
14566 NW 22nd Ave.
Opa Locka, FL 33054

Geraldine Jones
1610 NW 154th St.
Opa Locka, FL 33054

Constance Green Syder LE
2601 NW 162nd Ter.
Miami Gardens, FL 33054

De Jesus 2 Realty LLC
5445 Collins Ave. CU28
Miami Beach, FL 33140

Cruz M. Matos LE
2240 Service Rd.
Opa Locka, FL 33054

William Boyd III
2211 Rutland St.
Opa Locka, FL 33054

Sofia Garcia & Sofia Cruz
2221 Rutland St.
Opa Locka, FL 33054

Terell Killings
2161 NW 60th St.
Miami, FL 33142

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

Owners

55. Magnolia Gardens Consolidated Lot 12, Block 340, PB 50-5 08-2122-005-1240 P.A. N/A	M&N Property Investment Inc. 14566 NW 22 nd Ave. Opa Locka, FL 33054
56. Magnolia Gardens Consolidated Lot 13, Block 340, PB 50-5 08-2122-005-1250 P.A. N/A	M&N Property Investment Inc. 14566 NW 22 nd Ave. Opa Locka, FL 33054
57. Magnolia Gardens Consolidated Lot 14, Blk 340 & Lot 1, Blk 356, PB 50-5 08-2122-005-1260 P.A. 14460 NW 22 AVE	FT SB Ingram LLLP 703 Waterford Way 780 Miami, FL 33126
58. Magnolia Gardens Consolidated Lot 11, Block 340, PB 50-5 08-2122-005-1230 P.A. 2210 RUTLAND ST	Melanie Cozart 2210 Rutland St. Opa Locka, FL 33054
59. Magnolia Gardens Consolidated Lot 10, Block 340, PB 50-5 08-2122-005-1220 P.A. 2220 RUTLAND ST	Kathryn L. Williams LE 2220 Rutland St. Opa Locka, FL 33054
60. Magnolia Subdivision 2 nd Add. Lot 6, Block 1, PB 46-89 08-2122-004-0050 P.A. 2236 ALI BABA AVE	Roy De La Pena 841 NE 3 rd PL. Hialeah, FL 33010
61. Magnolia Subdivision 2 nd Add. Portion of Block 1, PB 46-89 08-2122-004-0040 P.A. 2222 ALI BABA AVE	Arturo Raboso 2222 Ali Baba Ave. Opa Locka, FL 33054
62. Magnolia Subdivision 2 nd Add. Portion of Block 1, PB 46-89 08-2122-000-0420 P.A. 2218 ALI BABA AVE	Arturo Raboso & Onasis Morris 671 E. 34 th St. Hialeah, FL 33013
63. Magnolia Subdivision 2 nd Add. Lots 1 & 2, Block 1, PB 46-89 08-2122-004-0020 P.A. 2216 ALI BABA AVE	Nestor J. Lopez & Diana M. Suarez 19284 SW 66 th St. Weston, FL 33332

AFA & COMPANY, INC.

Owner's List within 375-foot Radius Map

Folio # and Legal Description

64. Magnolia Subdivision
Lots 1-3, Block 12, PB 40-80
08-2122-003-1960
P.A. 2196 ALI BABA AVE

65. Magnolia Gardens Consolidated
Lot 19, Block 335, PB 50-5
08-2122-005-0190
P.A. 2241 RUTLAND ST

Owners

Amara Construction Group LLC
14201 SW 41st St.
Miramar, FL 33027

Michael Perrier & Shemika Carter
2241 Rutland St.
Opa Locka, FL 33054

List prepared by:

AFA & Company, Inc.

Professional Land Surveyors & Mappers

13050 SW 133rd Court, Miami, FL 33186

O. 305.234.0588

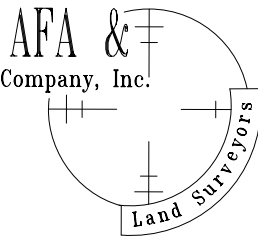
Email: afaco@bellsouth.net

The List hereon is true and accurate representation thereof to the best of my knowledge and belief.

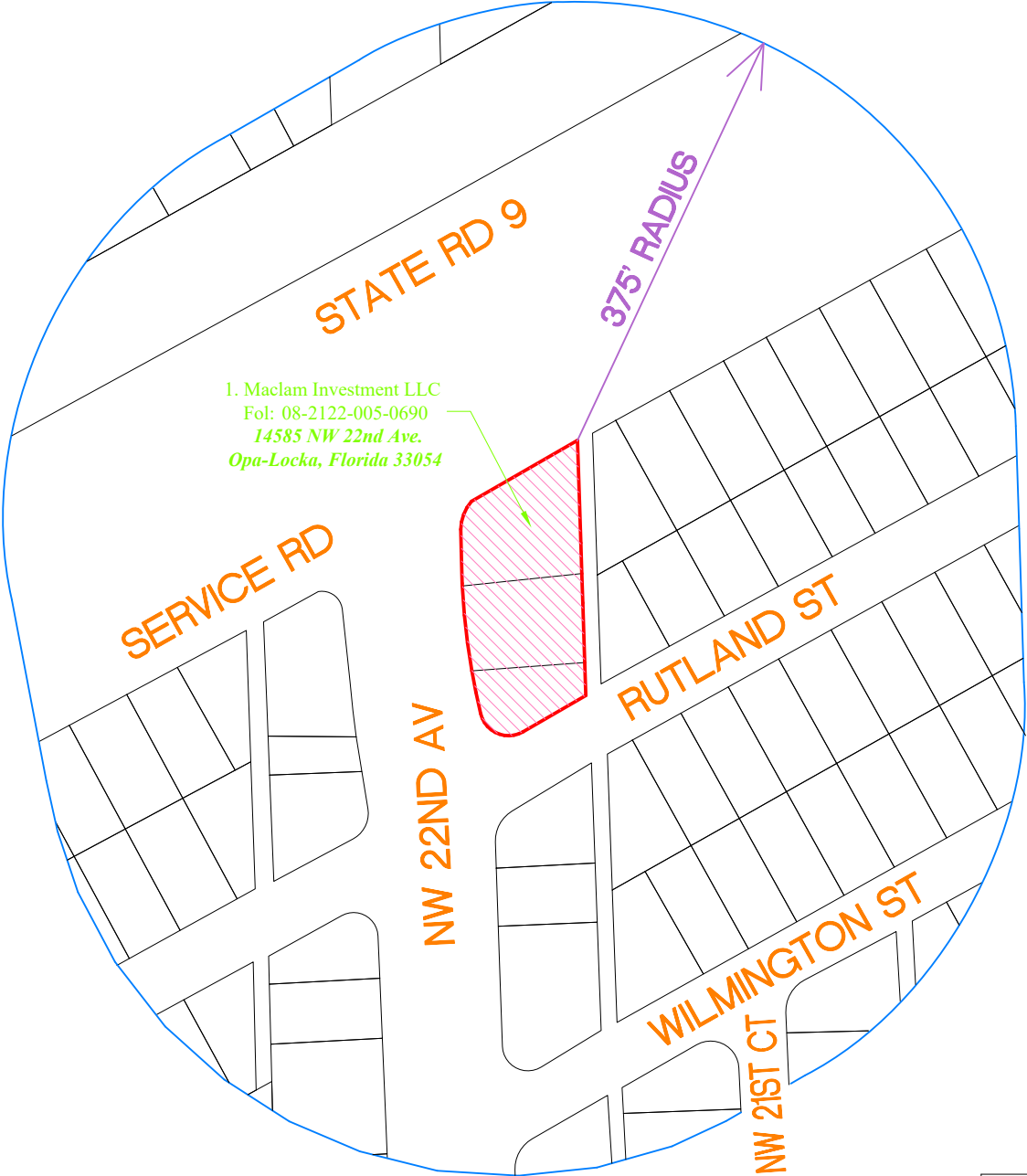
Armando F. Alvarez

Professional Surveyors & Mappers #5526

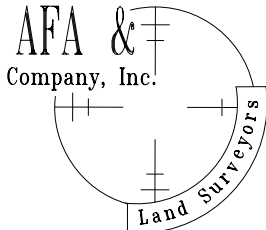
State of Florida



375' Radius Map
Sheet 1 of 1
Scale 1"= 150'



1. Maclam Investment LLC
Fol: 08-2122-005-0690
14585 NW 22nd Ave.
Opa-Locka, Florida 33054

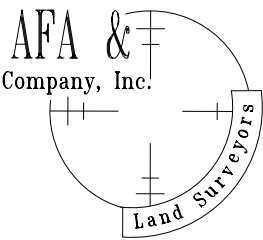


Professional
Surveyors & Mappers LB 7498
13050 S.W. 133rd Court
Miami Florida, 33186
E-mail: afaco@bellsouth.net
Ph. # (305) 234-0588
Fax # (206) 495-0778

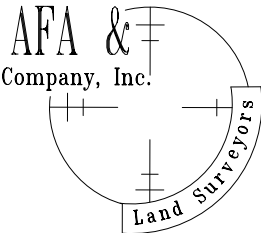
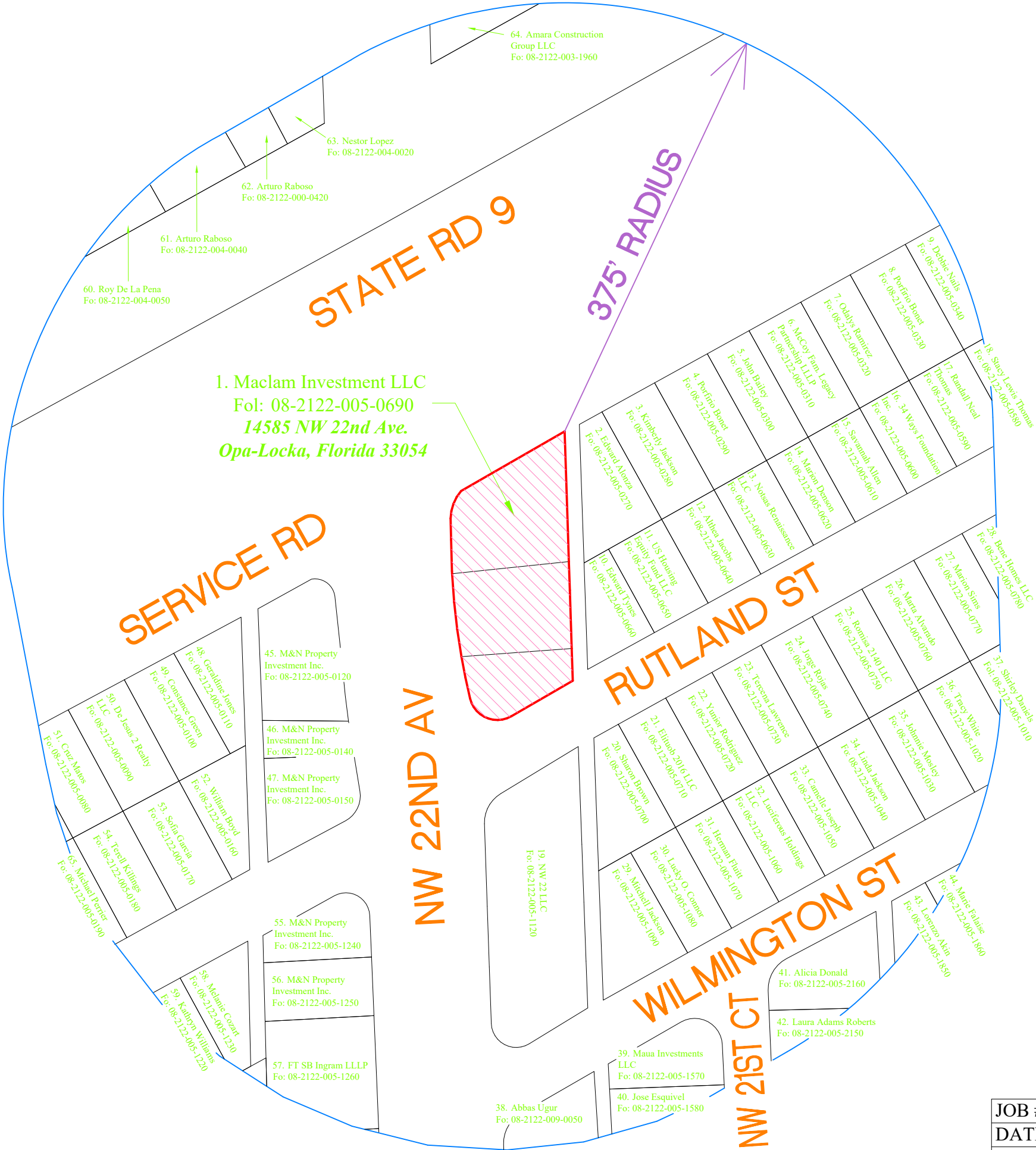
JOB #	21-695
DATE	05-28-2021
PB	50-5

The sketch hereon is a true and
Accurate representation thereof to the best
of my knowledge and belief, Subject to notes
and Notations shown hereon.

Armando F. Alvarez
Professional Surveyor & Mapper #5526
State of Florida
Not Valid unless Signed & Stamped with Embossed Seal



375' Radius Map
Sheet 1 of 1
Scale 1"=100'



Professional
Surveyors & Mappers LB 7498
13050 S.W. 133rd Court
Miami Florida, 33186
E-mail: afaco@bellsouth.net
Ph. # (305) 234-0588
Fax # (206) 495-0778

The sketch hereon is a true and
Accurate representation thereof to the best
of my knowledge and belief, Subject to notes
and Notations shown hereon.

Armando F. Alvarez
Professional Surveyor & Mapper #5526
State of Florida
Not Valid unless Signed & Stamped with Embossed Seal

JOB #	21-695
DATE	05-28-2021
PB	50-5

The Opa-locka Planning & Zoning Meeting

P&Z Clerk's Summary Minutes

P&Z Meeting

Tuesday, September 13, 2022

7:00 P.M.

• CALL TO ORDER:

Chairman Elio Guerrero called the Planning & Zoning Meeting to order at 7:05 p.m. on Tuesday, September 13, 2022.

An opportunity was given to the public to email the Planning & Zoning Clerk prior to the Planning & Zoning Meeting with any questions/comments/concerns on items we will hear on this evening's P&Z agenda.

I ROLL CALL:

The Planning & Zoning Board of the City of Opa-locka, Miami-Dade County, met in a session on Tuesday, September 13, 2022, at 7:05 p.m. The following members of the Planning & Zoning Meeting were present: Chairman Elio Guerrero, Board Member Germane Barnes, Board Member Dorothy Johnson, and Board Member Claudienne Hibbert-Smith.

Absent Board Member: Board Member Dawn Mangham

Also, in Attendance were Planning & Zoning Director, Gregory Gay, Zoning Official Gerald Lee, Planning & Zoning Board Clerk, Kinshannta Hall, and Attorney Pam Booker.

II INVOCATION AND PLEDGE:

Prayer was led by Board Member Johnson and the Pledge of Allegiance was stated after the Prayer.

III APPROVAL OF MINUTES: Discussion of Minutes from May 10, 2022, Meeting

Chairman Elio Guerrero asked if a motion could be made to have the minutes approved from May 10, 2022, meeting.

Board Member Dorothy Johnson made a motion to approve the minutes. Board Member Claudienne Hibbert Smith second the motion. *Board Member Germane Barnes abstained from voting on the reading minutes due to his temporary absent/leave from the board.

There being no discussion, the motion passed by a 3-0.

Claudienne Hibbert Smith	Yes
Elio Guerrero	Yes
Dorothy Johnson	Yes

IV. PUBLIC HEARING:

A) A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA RECOMMENDING APPROVAL OF THE SPECIAL EXCEPTION SITE PLAN REVIEW REQUEST FOR THE OPERATION OF A PLACE OF RELIGIOUS WORSHIP AT 2560 SERVICE ROAD AND IDENTIFIED BY FOLIO 08-2122-000-0130 IN THE B-2 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

On the record, Mr. Gay stated that the applicant decided to withdraw their application. The applicant was under a time constraint of getting certain things approved and will not be moving forward. The item was withdrawn from this Planning & Zoning Board meeting.

Board Member Johnson: I noticed that it has been withdrawn. This application was not in our May package. We were not here June or July. In addition to that I really have reservation when I see a registered agent application dated September 10, 1996. Staff get it together if I recall it is an annual renewal, so before any applications are presented before the board it needs to be current. I want this on the record.

B.) A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA RECOMMENDING APPROVAL OF THE FINAL SITE PLAN REQUEST FOR THE CONSTRUCTION AND OPERATION OF CONVENINENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

My name is Mauricio Falla and I'm the project manager for this project. This application was previously approved with one item pending the traffic impact study. Based on the result of the study we modified the proposed the site plan.

***Staff Presentation (For Item B & Item C on the agenda)**

Mr. Lee: The subject property is currently owned by Maclam Investment, LLC C/O Mauricio Falla according to Miami-Dade County Property Appraiser's website. The property site is currently vacant pending the review and approval of this site plan review request which would allow the demolition and construction of the convenience store, service station, two retail spaces and a hand car wash in this B-2 zoning district. The applicant proposes to construct a 3,579 sq ft building with 1,975 sq ft allocated for the Convenience Store and two 802 sq ft section for new retail spaces and provide 9 vehicle parking spaces. Provide 22 new trees, 359 shrub plants, and appropriate landscaped open space. Use is permitted after special exception review in this zoning district. Use will not adversely affect the general character of the neighborhood. Use will not generate or create unfavorable vehicular traffic or circulation problems. Staff recommend approval of this revised Site Plan with any conditions that may be imposed by the Planning & Zoning Board.

Chairman Guerrero: What was the change?

Mr. Lee: Orientation of property change.

Board Member Johnson: Did we reach out to the neighbors? I'm concerned of the entry and drainage that area holds a lot of water.

Mr. Lee: Regarding drainage it's a part of the application.

Mr. Gay: It will be reflected in the Development Agreement.

Board Member Dorothy Johnson made a motion to approve Item B on the agenda and Board Member Germane Barnes second the motion.

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

Claudienne Hibbert Smith	Yes
Elio Guerrero	Yes
Germane Barnes	Yes
Dorothy Johnson	Yes

C.) A RESOLUTION OF THE PLANNING & ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA RECOMMENDING APPROVAL OF THE DEVELOPMENT AGREEMENT REQUEST FOR THE CONSTRUCTION AND OPERATION OF CONVENINENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lee: Staff recommend approval of the revised Development Agreement with any conditions that may be imposed by the Planning & Zoning Board.

Board Member Germane Barnes made a motion to approve Item C with modifications applied on the agenda and Board Member Johnson second the motion.

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

Claudienne Hibbert Smith	Yes
Elio Guerrero	Yes
Germane Barnes	Yes
Dorothy Johnson	Yes

D.) A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING SITE PLAN REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL AND COMMERCIAL MIXED-USE RETAIL AND WAREHOUSE DISTRIBUTION FACILITY ON THE PROPERTY LOCATED AT 12691 NW 42ND AVENUE AND 12705 NW 42ND AVENUE, OPA-LOCKA, FLORIDA 33054, IDENTIFIED BY FOLIOS 08-2129-000-0050 AND 08-2129-000-0064, IN THE B-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Public Comments:

Brian Dennis-2140 York Street

Let's get some equality in this City. We need to give the residents a voice before you go before this project. We need to have where residents are being hired by these companies moving in our city.

Board Member Barnes: I would like to thank the resident. We will do the best we can and make sure this happens.

Brian Dennis: Use your attorney an ordinance is already in place.

Board Member Johnson: I'm very familiar with ordinance 95-6 and it can be integrated. There is a lack of knowledge, research needs to be done. We must make sure the commission is informed. The ordinance has more weight. How can we do this in good faith. We need the resources.

Chairman Guerrero: We must enforce this and make it happen.

Alex Van Mechl: Two warehouses expertise paying attribute to our community. I would like for our community to look like "Opa-locka" not "Doral." I inspire everyone to look like Opa-locka.

*** Public Comments Closed**

Attorney Robert Holland spoke on behalf of the applicants and made a presentation as well.

Attorney Robert Holland: I plan to give you, my commitment. Retail is on the decline. This project is considered light industrial. Cities like Miramar and Doral are built on light industrial. A video presentation was presented. There will be entry level positions clean logistic jobs that will be created for residents. No other city can compete with Opa-locka. You would be creating a lane that eliminates the competition. There will be 1,000 jobs and 765 permanent jobs. I spoke with Mr. Beasley with Florida Memorial. There will be retail space and a show room. I

want to know if there is a PR firm in place. I want to follow up before the next City Commission.

Goldstein: There are six buildings and opportunity for more logistics. There is commercial uses movement and proposed commercial logistics.

***Staff Presentation (For Item D & Item E on the agenda)**

Mr. Lee: The subject properties are currently owned by GPT NW 42nd Avenue Owner II & III LLC c/o Gramercy Property Trust according to Miami-Dade County Property Appraiser website. The property site is currently the location of the Opa-locka Flea Market, assorted retail uses and truck parking operations; Assorted Special Events-The review and approval of this site plan review request would allow the demolition and construction of six new commercial mixed-use buildings for retail, warehouse, and distribution facilities to operate from the property at 12691 NW 42nd Avenue and 12705 NW 42nd Avenue in this B-3 zoning district. The Land Use for 12691 NW 42nd Avenue is Commercial and the Land Use for 12705 NW 42nd Avenue is Industrial. The Applicant proposes to construct six buildings that total 741,837 square feet to accommodate both retail and industrial warehouse & distribution uses and provide 74,182 square feet of office space. The site plan provides that it complies with the required landscaping and parking for this 43.76 +/- acre combined site. The uses proposed are permitted through property zoning and incorporation of uses permitted by the Corridor Mixed Use Overlay.

As a mixed-use development there must be clear indications of retail, sales and service uses and distinct indicators of where those uses will be located.

The MXUOD District permits Retail and Service Uses as well as Hotels, Movie Theaters, Health Spas, and Medical and Business Offices. The commercial mixed use also includes Recreational Facilities that include recreation buildings for indoor sports, i.e., indoor soccer, swimming pools, parks, (which could include a water park) open space and recreational area for tennis courts, basketball courts, etc. The site plan provides for the location of smaller businesses with office / showroom / retail spaces for commercial business uses.

For horizontal Mixed-Use with multiple buildings, each building may be a separate use, however there must be clear indicators as to the area designated for retail/commercial uses and those for industrial uses. The site plan provides for shallower depths on bldgs. Facing LJD/LJ

Staff recommends an Economic and Fiscal Impact Analysis, and a Market Feasibility Study are provided, and the Final Site Plan is modified accordingly and with the conditions listed in the staff report and conditions that may be imposed by the Planning & Zoning Board.

Chairman Guerrero: There is two lot covered under the overlay?

Mr. Lee: Yes

Board Member Johnson: It allows future growth?

Mr. Lee: Yes. Based on the requirement code they are complying. We are in support.

Board Member Dorothy Johnson made a motion to approve Item D on the agenda and Board Member Germane Barnes second the motion.

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

Claudienne Hibbert Smith	Yes
Elio Guerrero	Yes
Germane Barnes	Yes
Dorothy Johnson	Yes

E.) A RESOLUTION OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT REVIEW APPROVAL FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL AND COMMERCIAL MIXED-USE RETAIL AND WAREHOUSE DISTRIBUTION FACILITY ON THE PROPERTY LOCATED AT 12691 NW 42ND AVENUE AND 12705 NW 42ND AVENUE, OPA-LOCKA, FLORIDA 33054, IDENTIFIED BY FOLIOS 08-2129-000-0050 AND 08-2129-000-0064, IN THE B-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Lee: Staff recommend approval of the Development Agreement with any modifications of the site plan as a result of an Economic and Fiscal Impact Analysis and a Market Feasibility Study and any conditions that may be imposed by the Planning & Zoning Board.

Board Member Dorothy Johnson made a motion to approve Item E on the agenda and Board Member Claudienne Hibbert Smith second the motion.

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

Claudienne Hibbert Smith	Yes
Elio Guerrero	Yes
Germane Barnes	Yes
Dorothy Johnson	Yes

F.) AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, TO RECOMMEND THE ADOPTION OF A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATION, ORDINANCE 15-31, TO PERMIT TRACTOR TRAILER TRUCK AND / OR MAJOR VEHICLE (10,000 LBS OR GREATER) PARKING IN THE I-4 ZONING DISTRICT; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Public Comments:

Attorney Hope Calhoun: This ordinance is beneficial to the city. I'm in support of this Ordinance.

Public Comments Closed.

Board Member Johnson: In compliance very much needed take it to the next step.

***Staff Presentation (For Item F on the agenda)**

Mr. Lee: This use is permitted two industrial zoning districts which includes I-2 Industrial Planned District and I-3 Liberal Industrial District. The I-4 Liberal Industrial District for junkyard, salvage/scrap metal and storage. There is great need for this use in South Florida. This use is less intensive than the current permitted uses of the I-4 district. Staff recommend approval of the amendment to Ordinance 15-31, land development regulations with any conditions that may be imposed by the Planning & Zoning board.

Board Member Dorothy Johnson made a motion to approve Item F with modification applied on the agenda and Board Member Claudienne Hibbert Smith second the motion.

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

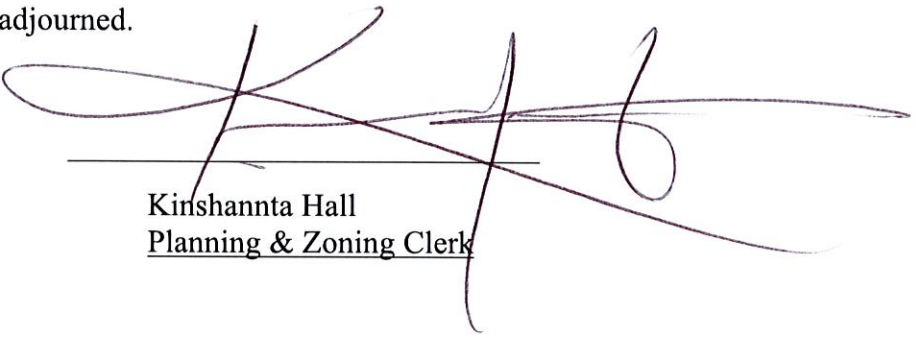
Claudienne Hibbert Smith	Yes
Elio Guerrero	Yes
Germane Barnes	Yes
Dorothy Johnson	Yes

STAFF UPDATE

VI ADJOURNMENT

The meeting was adjourned.

Submitted by



Kinshannta Hall
Planning & Zoning Clerk

ATTEST:



Elio Guerrero
Chairman

RESOLUTION NO. 22-083

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT REQUEST FOR THE CONSTRUCTION AND OPERATION OF A CONVENIENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Mauricio Falla, on behalf of property owner, Maclam Investment, LLC, has submitted an application for site plan approval for a Project located at 14585 NW 22nd Avenue, Opa-Locka, Florida and identified by folio 08-2122-005-0690 in the B-2 Zoning District; and

WHEREAS, the applicant intends to re-develop the site into a new convenience store, with two retail spaces and a service station with a hand car-wash in the east section of the City of Opa-Locka ("City"); and

WHEREAS, the Project will consist of the demolition of the current building and the new construction and operation of an convenience store, retail spaces and a service station with a hand car-wash; and

WHEREAS, the redevelopment of this site is intended to provide two new retail spaces, a new convenience store and a service station with a hand car-wash at this location; and

WHEREAS, the development will also include 9 car parking spaces, 19 new assorted trees, 359 shrub plants and landscaped open space; and

WHEREAS, the Planning & Zoning Board reviewed this request on September 13, 2022, for development agreement approval and recommended approval by a 4-0 vote; and

WHEREAS, after the applicant, Mauricio Falla presented this request to the Planning & Zoning Board he obtained a traffic study that conveyed the site plan must be modified and this site plan reflects those changes; and

WHEREAS, the request for site plan approval meets the review criteria set forth in the Land Development Regulations, Section 22-55 H; and

WHEREAS, the City Commission of the City of Opa-Locka finds that it is in the best interest of the City and its residents to approve the development agreement of Applicant within the City, as provided herein and attached hereto as Exhibit "A".

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

SECTION 1. Recitals.

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

SECTION 2. Approval/Denial.

Approval/Denial of Development Agreement. The City Commission of the City of Opa-Locka has reviewed the recommendation of the Planning & Zoning Board and hereby **approves** / denies the Development Agreement request for the demolition of the current building and the new construction and operation of a convenience store, with two retail spaces and a service station with a hand car- wash located at 14585 NW 22nd Avenue, Opa-Locka, Florida and identified by folio 08-2122-005-0690 in the B-2 Zoning District. A copy of the Development Agreement with a copy of the approved Site Plan is attached hereto and incorporated herein as composite Exhibit" A".

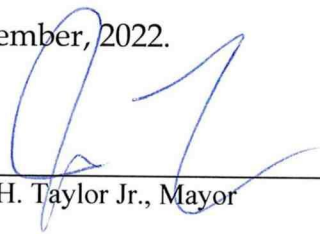
SECTION 3. SCRIVENER'S ERRORS.

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 and without need of public hearing, by filing a corrected copy of same with the City.

SECTION 4. EFFECTIVE DATE.

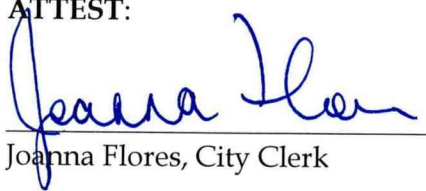
This Resolution shall, upon adoption, become effective as specified by the City of Opa-Locka Code of Ordinances and the City of Opa-Locka Charter.

PASSED and ADOPTED this 14th day of December, 2022.



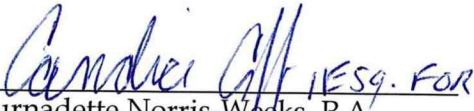
John H. Taylor Jr., Mayor

ATTEST:



Joanna Flores, City Clerk

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


Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: Commissioner Williams

Seconded by: Commissioner Bass

VOTE: 5-0

Commissioner Bass	YES
Commissioner Kelley	YES
Commissioner Williams	YES
Vice Mayor Ervin	YES
Mayor Taylor	YES



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

Department Director:	Gregory D. Gay		Department Director Signature:																		
City Manager:	Darvin Williams		CM Signature:																		
Commission Meeting Date:	December 14, 2022		Item Type:	<table border="1"> <tr> <td>Resolution</td> <td>Ordinance</td> <td>Other</td> </tr> <tr> <td align="center">X</td> <td></td> <td></td> </tr> </table>		Resolution	Ordinance	Other	X												
Resolution	Ordinance	Other																			
X																					
Fiscal Impact: (Enter X in box)	Yes	No	Resolution Reading: (Enter X in box)	<table border="1"> <tr> <td colspan="2">1st Reading</td> <td colspan="2">2nd Reading</td> </tr> <tr> <td align="center" colspan="4">X</td> </tr> <tr> <td>Yes</td> <td>No</td> <td>Yes</td> <td>No</td> </tr> <tr> <td align="center">X</td> <td></td> <td></td> <td align="center">X</td> </tr> </table>		1st Reading		2nd Reading		X				Yes	No	Yes	No	X			X
1st Reading		2nd Reading																			
X																					
Yes	No	Yes	No																		
X			X																		
Funding Source: Account# :	(Enter Fund & Dept) Ex: N/A See Financial Impact section below		Advertising Requirement: (Enter X in box)	<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td align="center" colspan="2">X</td> </tr> </table>		Yes	No	X													
Yes	No																				
X																					
ILA Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:																		
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)																	
	X		Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐																		
Sponsor Name	City Manager		Department: Planning & Community Development	City Manager																	

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT REQUEST FOR THE CONSTRUCTION AND OPERATION OF CONVENIENCE STORE, TWO RETAIL SPACES AND A SERVICE STATION WITH A HAND CAR-WASH AT 14585 NW 22 AVENUE AND IDENTIFIED BY FOLIO 08-2122-005-0690 IN THE B-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The applicant, Mauricio Falla has submitted an application for site plan approval to demolish the current building at 14585 NW 22nd Avenue, Opa-locka, Florida and identified by folio 08-2122-005-0690 in the B-2 Zoning District and within the Corridor Mixed Use Overlay. The applicant intends to develop this site into a new convenience store and service station with two separate retail spaces with a hand car-wash. The development will also include nine parking spaces and 19 assorted trees and 359 shrub plants and landscaped open space.

Background

This property is located in the southeast section of the City at the intersection of Service Road and NW 22nd Avenue. The property owner, Maclam Investment, LLC, according to Maimi-Dade County Property Appraiser's website obtained this vacant, unused (and no licensed business occupies this space) 20,886 square foot parcel and has submitted a formal request for site plan review approval and development agreement approval to construct a service station/fueling facility and convenience store and include two retail spaces and a hand car-wash. According to the applicant's site plan the redevelopment of this site will provide a 3,579 square foot building with 1,975 square feet allocated for the Convenience Store and two 802 square foot sections for new retail spaces. This use, Auto Service Station is permitted in the B-2 zoning district. The outside had car wash is permitted as an accessory use for any Auto Service Station. The City of Opa-locka 's Comprehensive Plan, Future Land Use map provides that the property has a future land use designation of "Commercial" and the zoning map provides that the property is zoned Commercial Liberal (B-2) and is within the "Corridor Mixed Use Overlay".

This proposed operation is adjacent to Single-Family homes on the eastside of this parcel. According to the site plan a 6-foot concrete wall will be built on the eastside of this property to buffer the use from the single-family residential properties. For additional buffering there is a 12-foot dedicated alley between the service station/convenience store and the single-family residential properties.

The subject property is generally surrounded by residential properties to the east and commercial and residential properties to the west and south of this site and State Road #9 to the north of this site. The proposed use of Auto Service with two retail spaces and a hand car wash will provide an opportunity for retail services as well as auto services to this community, which are in harmony with the general characteristics of the surrounding neighborhood for commercial and residential uses.

Financial Impact

Approval of this site plan and development agreement will not provide any negative financial impact.

Proposed Action:

Staff recommended approval of this Resolution

Attachment:

DRAFT Resolution
P&Z Application Package
P&Z Board Meeting Minutes 9-13-22

DEV.

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

**PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS
FY 2020-2021**

TOTAL FEES: \$ 500 New Fees as of October 1, 2015 #1089

FY 2020-2021 Meeting Dates
1st Tuesday of Each Month

Date Application Found Sufficient

October 5, 2021
November 2, 2021
December 7, 2021
January 4, 2022
February 1, 2022
March 1, 2022
April 5, 2022
May 3, 2022
June 7, 2022
July 5, 2022
August 2, 2022
September 6, 2022

August 20, 2021
September 17, 2021
October 15, 2021
November 19, 2021
December 17, 2021
January 14, 2022
February 18, 2022
March 18, 2022
April 15, 2022
May 20, 2022
June 17, 2022
July 22, 2022

1. All individuals seeking to appear before the Planning & Zoning Board must submit a complete Planning & Zoning Board application, with the required documents and fees totaling (as established by ordinance), paid by check or money order to the City of Opa-locka. Failure to submit all documents and fees will result in your case not being scheduled to be heard at a meeting.
2. If the applicant seeking to appear before the Planning & Zoning Board is not the property owner he must provide an affidavit of authorization from the property owner.
3. All regular meetings are held on the first Tuesday of each month at the City of Opa-locka City Commission Chambers, Meeting Time 7:00 P.M. *(time and location are subject to change, please check with the Planning and Community Development Department for exact time and location of the meetings).*
4. Application package must include all required documents per checklist and fees of The City of Opa-locka. The application will be reviewed by the Department and will be scheduled for the next P&Z meeting upon finding of sufficiency.
5. You are required to complete and return this application along with all the information and documentation (see page 2 check list) requested to the:

City of Opa-locka
Planning & Community Development Department
780 Fishermen Street 4th floor
Opa-locka, FL 33054
Telephone: 305-953-2868, Ext. 1503
Facsimile: 305-953-3060

Reference to Ordinance 15-13
Land Development Regulations/ Zoning Code: Ordinance 15-31

" THE GREAT CITY "



City of
OPA-LOCKA
Florida

PLANNING & ZONING BOARD APPLICATION

APPLICATION NUMBER: _____ CHECK NUMBER: _____ DATE RECEIVED: _____

PROPERTY OWNER'S NAME: Maclam Investment LLCPROPERTY OWNER'S ADDRESS: 10773 NW 58th ST #140 DOral, FL 33178
Number/Street City State/Zip CodeAPPLICANT'S NAME: Mauricio FallaAPPLICANT'S ADDRESS: 10773 NW 58th ST #140 Doral, FL 33178
Number/Street City State/Zip CodePHONE NUMBER: OFFICE 786-797-6086 CELLHOME _____ OTHER _____SUBJECT PROPERTY ADDRESS: 14585 NW 22 Ave
Number/StreetTAX FOLIO NUMBER: 08-2122-005-0690 PRESENT ZONING: _____LEGAL DESCRIPTION: Magnolia Gardens Consolidated

PB 50-5 lots 41 thru 44 BLK 336 LESS BEG NW COR of 525 FT of lot 43 TH SELY AD 119.46
FT SELY AD 49.29 FT SWLY

Please check specific request:

- ☐ Tentative Plat
☐ Final Plat
☐ Comprehensive Plan Amendment: ☐ Small Scale; ☐ Large Scale (please specify type of amendment below)
☐ Rezoning
☐ Drainage Plan
☐ Fill Permit Request
☐ Preliminary Site Plan Review
☐ Final Site Plan Review
☐ Conditional Use Permit – No Plans
☐ Conditional Use Permit – With Plans
☐ Special Exception – No Plans
☐ Special Exception – With Plans
☒ Development Agreement
☐ Restrictive Covenant
☐ Other – Please specify: _____

Add any additional information that may be of importance to this request:

Development Agreement Modification

Reference to Ordinance 15-13
Land Development Regulations/ Zoning Code: Ordinance 15-31

PLANNING & ZONING BOARD APPLICATION (Checklist)

Applications will not be accepted without the following data. For a public hearing, all items below are necessary and must be submitted.

- _____ Completed application form
- _____ Application fee payable to the City of Opa-locka by check or money order
- _____ Copy of property owner's and/or applicant's driver license/photo I.D. & Incorporation Documents (Inc., LLC, ...)
- _____ Affidavit (see below), and power of attorney of the property owner (page 3) (Both must be Notarized)
- _____ A completed Neighborhood Petition form (attached) with the signature of each property owner in front, in the rear, to the left and to the right of the subject property, indicating his or her support for the proposed project. (Must include name, address, folio and phone number).
- _____ All preliminary and final site plans, along with property survey, signed and notarized application(s) must be submitted on flash drive in PDF format.
- _____ Fifteen (15) certified boundary and topographic surveys of the property (size 36 x 24 inches). (The submitted property survey must not exceed a maximum of two (2) years from date created in order to be considered acceptable by the City of Opa-locka)
- _____ Fifteen (15) copies of Site Development Plan showing all drainage, water, sewer, structures, landscaping and parking in accordance with the City's zoning ordinance; (size 36 x 24 & at least 7 Sealed Copies)
- _____ Map showing parcel to be considered and all properties' legal descriptions thereof, within 375' radius of said parcel. Map to be 1" = 100' scale. Owner's name, address, folio number and legal description on each parcel (Original and 2 copies size of document to accommodate scale)
- _____ Narrative concept must be submitted with application

AFFIDAVIT

I, Mauricio Falla, being first duly sworn, depose and say that I am the **OWNER** of the property, and I understand that this application must be complete and accurate before a public hearing can be advertised.

[Signature]
Signature

May 18, 2022
Date

Sworn to and subscribed before me:

This 18th day of May, 2022

[Signature]
Notary Public

Attach copy of identification



My commission expires _____



Received:
By:
Date:

PLANNING & ZONING BOARD APPLICATION POWER OF ATTORNEY

This form is to be attached to all applications, and to be returned with the application. No application will be honored or persons heard by the Planning & Zoning Board unless a notarized copy of this Power of Attorney is submitted.

To: City of Opa-locka
From: Mauricio Falla, Maclam Investment LLC

1) Jorge Fiallo Fiallo's MEP Design Inc. 10010 SW 83rd ST Miami, FL 33173 305-877-1845 jfiallo@fiallomepdesign.com	2) Sonia Gonzalez The Permit Shop 4100 N. 58th Ave #109 Hollywood, FL 33021 305-796-0141 thepermitshop@gmail.com
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Subject: Power of Attorney (authorization for a person, other than the property owner, to speak in the property owner's behalf).

I, Mauricio Falla, being first duly sworn, depose and say that I am the owner of the property legally described as:

Magnolia Gardens Consolidated
PB 50-5 lots 41 thru 44 BLK 336 LESS BEG NW COR of 525 FT of lot 43 TH SELY AD 119.46
FT SELY AD 49.29 FT SWLY

I do give to Jorge Fiallo / Sonia Gonzalez the power of Attorney and authority to speak in my behalf in reference to the above described property. Further, by affixing my notarized signature to this document, I also authorize Jorge Fiallo / Sonia Gonzalez to negotiate and commit to the City Commission and City Administration in my behalf. I will abide by all final determinations of the City Commission and City Administration.

Signature

05/17/2022
Date

Sworn to and subscribed before me:

This 17th day of May, 2022

Gabriela Perez
Notary Public



GABRIELA PEREZ
Commission # HH 230207
Expires February 17, 2026

My commission expires: Feb 17-2026

Attach copy of identification



**PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION**

RE: PROPERTY ADDRESS: 14585 NW 22 Ave

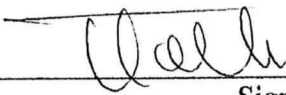
LEGAL DESCRIPTION: Magnolia Gardens Consolidated
PB 50-5 lots 41 thru 44 BLK 336 LESS BEG NW COR of 525
FT of lot 43 TH SELY AD 119.46 FT SELY AD 49.29 FT SWLY

I SUPPORT THIS DEVELOPMENT REQUEST _____

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Mauricio Falla PHONE: 786-797-6086

ADDRESS (If different): 10773 NW 58th ST #140 Doral, FL 33178


Signature

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

Developers Attorney
(NEEDED)

This Instrument Prepared by:

Law Offices of Burnadette Norris-Weeks, P.A.
CITY ATTORNEY
City of Opa-locka
780 Fisherman Street
Opa-locka, Florida 33054

SPACE ABOVE THIS LINE FOR RECORDING DATA

**DEVELOPMENT AGREEMENT BETWEEN THE GREAT CITY OF OPA-LOCKA, FLORIDA;
AND MACLAM INVESTMENT, LLC**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into this ____ day of _____, 2021 ("Execution Date") by and between **the Owner, Maclam Investment, LLC**, a Florida Corporation, with the mailing address of 10773 NW 58th Street No. 140, Doral, Florida 33178 and the City of Opa-Locka, Florida, a municipal corporation and a political subdivision of the State of Florida ("City"), with a mailing address of 780 Fishermen Street, 4th Floor, Opa-locka Florida 33054.

WITNESSETH:

WHEREAS, the Owner is the fee simple owner of approximately **20,886** acres of land located at **14585 NW 22nd Avenue**, Opa-Locka, FL 33054, within the municipal boundaries of the City and identified by Miami-Dade County Tax Folio No. **08-2122-005-0690** (the "Property"), the legal description of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the City's Commission adopted Resolution Number _____ approving a Master Site Plan for the **Convenience Store, Service Station with Metal Canopy for fuel pumps, two separate retail sales units and a hand carwash** accommodated within approximately **5,827** square feet; and

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

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

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

WHEREAS, the City Commission pursuant to Resolution No. _____, adopted on _____, 2021, authorizes the City Manager to execute this Agreement upon the terms and conditions set forth by the City Commission and listed below, and the Owner have authorized the Owner/Manager to execute this Agreement upon the terms and conditions set forth by the City Commission and as listed below; and

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

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated herein by reference. All exhibits to this Agreement are hereby deemed a part hereof.
2. **Consideration.** The Parties hereby agree that the consideration and obligations recited and provided for under this Agreement constitute substantial benefits to both parties and thus adequate consideration for this Agreement.
3. **Definitions.**
 - (a) "Additional Term" means anyone or more additional term(s) approved by mutual consent of the parties pursuant to a public hearing pursuant to Section 163.3225, F.S.
 - (b) "Agreement" means this Chapter 163, F.S., Development Agreement between the City and Owners/Owners.
 - (c) "City" means the City of Opa-Locka, a municipal corporation and a political subdivision of the State of Florida, and all departments, agencies and instrumentalities subject to the jurisdiction thereof.
 - (d) "Comprehensive Plan" means the plan adopted by the City pursuant to Chapter 163, F.S.
 - (e) "Owner" means the persons or entities undertaking the development of the Property, defined in the preamble to this Agreement, **Maclam Investment, LLC.**, with the address of 14585 NW 22nd Avenue, Opa-locka, Florida, 33054 and/or any of its respective successors, assigns, or heirs thereof.
 - (f) "Development" means the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels and such other activities described in Section 163.3221(4), F.S.
 - (g) "Development Permit" includes any building permit, zoning or subdivision approval, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.
 - (h) "Effective Date" is the date this Agreement is recorded with the clerk of the Circuit Court in and for Miami-Dade County,
 - (i) "Entire Term" is the total term of this Agreement, combining the Initial Term (thirty (30) years) and the Additional Term, as defined herein.

- (j) "Execution Date" is the date that all parties have affixed their signatures to this Agreement.
- (k) "Existing Zoning" means (a) all entitlements associated with the City's approval of the Maclam Investment, LLC., Site Plan, and (b) the provisions of the Charter, Comprehensive Plan and Laws of the City of Opa-Locka, including the City of Opa-Locka's Unified Land Development Regulation Code and the Ordinance, as amended through the Effective Date.
- (l) "Final Site Plan" means the Site Plan approved by the City Commission via Resolution No. _____ for a **Convenience Store & Service Station with two additional retail units and a carwash at 14585 NW 22nd Avenue, Opa-locka, FL 33054.**
- (m) "Governing Body" means the City of Opa-Locka's City Commission.
- (n) "Initial Term" is thirty (30) years commencing on the Effective Date.
- (o) "Land" means the earth, water, and air, above, below, or on the surface and includes any improvements or structures customarily regarded as land, except as provided herein.
- (p) "Land Development Regulations" means ordinances, rules and policies enacted or customarily implemented by the City for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulation or any other regulations controlling the development of or construction upon land in effect as of the Effective Date.
- (q) "Laws" means all ordinances, resolutions, regulations, comprehensive plans, Land Development Regulations, and rules adopted by the City of Opa-Locka affecting the development of land in effect as of the Effective Date, including Opa-Locka's Unified Land Development Regulation Code, the Ordinance and the Resolution Number 15-31.
- (r) "Parties" means the City and the Owner
- (s) "Project" is the **Maclam Investment, LLC's Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054** as described in the plans prepared by **Flallo's MEP Design, Inc.**, and dated February 2, 2021, which proposed the development of approximately a 1,976 square foot building and 9 parking spaces with related employee and customer parking
- (t) "Property" means the approximately 0.5 acre of land located at 14585 NW 22nd Avenue, Opa-Locka, FL. 33054 and identified by Miami-Dade County Tax Folio No.08-2122-005-0690, the legal description of which is attached hereto and made a part hereof as Exhibit "A."
- (u) "Public Facilities" means major capital improvements, including, but not limited to transportation, transit, sanitary sewer, solid waste, drainage, potable water, educational facilities, parks and recreational, and health systems and facilities for which the City's Comprehensive Plan sets forth required levels of service.

- (v) "Resolution" means the resolution defined in the preamble to this Agreement, City of Opa-Locka Resolution Number _____ approving Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054 and Resolution Number _____ approving the Maclam Investment, LLC project Development Agreement.
4. **Intent.** It is the intent of the Owner and the City that this Agreement shall be construed and implemented as a development agreement among the parties pursuant to the Florida Local Government Development Agreement Act, Section 163.3220 through 163.3243, F.S., ("Act"), in compliance with Article V, Section 22-112 of the City of Opa-locka's Land Development Regulation, the Code of Ordinance and the Resolution.
5. **Effective Date.** Immediately upon approval by the City and execution by all parties, the City shall record, with recording fees paid by the Owner, the Agreement with the clerk of the Circuit Court for Miami-Dade County. This Agreement shall become binding on the Effective Date. Notwithstanding the Effective Date provided herein and required by Section 163.3239, P.S., the City and the Owner shall act in good faith to carry out the intent of the Agreement upon the Execution Date.
6. **Term of Agreement and Binding Effect.** This Agreement shall run with the land, remain in full force and effect, and be binding on all Parties (including the Owner) and all persons claiming under it for an Initial Term of thirty (30) years from the Effective Date, and may be extended for one or more Additional Term(s) thereafter by mutual consent of the parties subject to two public hearings pursuant to Section 163.3225, F.S. Consent to any extension of this Agreement requires approval of both parties to this Agreement. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement. The obligations imposed pursuant to this Agreement upon the parties and upon the Property shall run with and bind the Property as covenants running with the Property, and this Agreement shall be binding upon and enforceable by and against the parties hereto, their personal representatives, heirs, successors, grantees and/or assigns.
7. **Termination.** No notice of termination shall be required by either Party upon the expiration of this agreement and thereafter the Parties hereto shall have no further obligations under this agreement.
8. **Expiration / Termination / Default.** Upon the expiration of the agreement, the city shall have ability and the rights under its police power to adopt Zoning Regulations not inconsistent with the rights granted hereunder. In the event of termination or default, no further rights under this agreement shall exist, whether brought under a claim of vested right, equitable estoppel or otherwise.
9. **Development Conditions.** In accordance with Section 163.3227(c), F.S., the Owner agrees as follows:
- (a) All impacted Public Facilities shall be adequate to serve the Property at an acceptable level of service prior to the issuance of a Certificate of Occupancy for the Project, and shall be served by water and sanitary sewer main extensions as required by the city in accordance with Miami-Dade County permitting requirements

- (b) All Public Facility improvements required by the City, by Miami-Dade County, Florida, or voluntarily proposed by the Owner to be installed by Owner shall be constructed in accordance with applicable governmental regulations prior to the issuance of a Certificate of Occupancy of the Project.
- (c) All signage shall comply with all city sign code ordinance requirements.
- (d) Owner will abide by and not deviate from the terms of its graphic and verbal representation submitted to the City Commission in order to receive approval of the approving Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054. Such items include, but are not specifically limited to:
 - 1. Design of all physical structures, water bodies, private and public improvements; and
 - 2. The color and dimensional characteristics of all building materials.
 - 3. All landscaping, bay, loading and parking spaces must be provided and maintained as shown on the site plan.
- (e) Owners guarantees to preserve and maintain all buildings and structures consistent with the Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054, free of all liens and encumbrances, for the entire period in which the Owners own the land or control 51% ownership of the Property, or control 5% of any entity to which his agreement has been assigned, sold or otherwise transferred. Any new owner must abide by the terms of this agreement until the expiration of the Term of this Agreement as provided in paragraph 6 above. In the event of a force majeure or in the event of a casualty, the then owner has the option but is not obligated to rebuild, provided that the Property is cleared and maintained in accordance with City Code requirements. It is expressly understood by the Owner that the development of a project that is not substantially in accordance with the Final Site Plan shall require new approvals in accordance with City Code requirements. In addition, Owner shall maintain the Property in a manner consistent with Section 14-2 of the City Code. The landscaping and common areas of the Property shall be maintained by the Owner, its successors or assigns, or by a property owners' association pursuant to reciprocal easement agreement(s) ("REAs"), and /or a combination thereof. The entity or entities responsible for such maintenance shall be determined by the Owner at its discretion. Owner shall provide the City with contact information of the entities or persons responsible for maintenance of the Property pursuant to this Paragraph. Any new owner must abide by the terms of this agreement until July 2052.
- (f) At the request of the City, Owner shall submit or cause the submittal of an annual report and shall provide additional documentation to the City as required by the Resolution to verify

continuing compliance with the Resolution and this Agreement. A copy of the City's form of annual report is attached as Exhibit "B".

- (g) The Owner will not physically alter or substitute the design of structures, materials and colors included in the Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054 except as approved by the City in the City's sole discretion. In the event that building materials or colors are no longer available, the burden shall be on Owners to prove that said materials or colors are in fact unavailable.
- (h) Owner agrees that the City may enter onto the Property to confirm compliance with the terms of this Agreement.
- (i) Owner agrees to use commercially reasonable efforts to encourage its tenants to:
 - 1. Cooperate with the City on any City-initiated efforts with area economic development and educational organizations, including the Beacon Council, The Meek Foundation, Miami-Dade County Public Schools, and Miami-Dade College or other organizations acceptable to the parties, to expand vocational and technical training programs for residents within the City through December 31, 2024; and
 - 2. Recruit and employ qualified applicants who are City residents through the assistance of the Career Source South Florida office in coordination with the City of Opa-locka, and encourage all contractors retained to develop the Project to do the same, as follows:
 - a) Prepare and provide the City with an outreach plan that outlines the Owner's anticipated commercially reasonable efforts to provide construction-related and permanent jobs to Opa-locka residents, prior to the issuance of the first building permit for vertical construction within the Property ("Outreach Plan"). Said Outreach Plan, at a minimum, shall require that local job fair(s) ("local" shall mean within the municipal boundaries of the City of Opa-locka; hereinafter "Local Job Fair") be held as described herein and shall outline job training opportunities within the Project.
 - b) Host or require its general contractor(s) to host a Local Job Fair and provide a list of construction job openings to the City to post on the City's website, prior to

the issuance of the first building permit for vertical construction. The general contractor shall advise the City of any local new hires following its Local Job Fair(s).

- (j) All trash and garbage containers shall comply with all city dumpster enclosure requirements.
 - (k) The following timelines shall be complied with by Owner, Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054, which applies immediately upon approval of this Development Agreement: Violation of this timeline may result in; the revocation of any approved Development Permit and/or any actions deemed necessary by the City of Opa-locka:
 - 1. Apply for building permits: within 6 months from the execution of the Development Agreement. The City Manager may grant a single 6 month extension for good cause shown.
 - 2. Must start construction: within 18 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause shown.
 - 3. Must complete project: within 24 months following issuance of permits. The City Manager may grant a single 12 month extension for good cause.
10. **Development Permits.** In accordance with Section 163.3227(f), F.S., the City need to approve the following additional development permits upon proper submission of all requirements, and City review or inspections, in order for the Owner to develop the Project:
- (a) Site plan approvals;
 - (b) Modifications to existing approvals and permits, including the Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054
 - (c) Water, sewer, paving and drainage permits;
 - (d) Building permits;
 - (e) Sign permits;
 - (f) Certificate of occupancy;
 - (g) Business License and Certificates of use;
 - (h) Any other official action of the City and/or Miami-Dade County, Florida or other applicable regulatory agencies having the effect of permitting the development of land or providing permits required for the development of Property.

- (i) Any liens, fees, code violations or unpaid assessments shall be satisfied prior to the execution of this agreement for this property or any other property in the City of Opa-locka owned by Maclam Investment, LLC.
 - (j) All currently non-compliant building, physical structures or vehicles at 14585 NW 22nd Avenue, Opa-locka, FL 33054 shall be removed prior to the execution of this agreement.
11. **Public Services and Facilities; Concurrence.** In accordance with Section 163.3227(d), F.S., the City and the Owners/Owners anticipate that the Property and the Project will be served by those public services and facilities currently in existence as provided by the State of Florida, Miami-Dade County, the City, and/or as contemplated in the Maclam Investment, LLC's Site Plan for a Convenience Store and Service Station at 14585 NW 22nd Avenue, Opa-locka, FL 33054. The Property and the Project will also be served by any and all public facilities provided in the City's Comprehensive Plan, specifically including but not limited to, those public facilities described in the Comprehensive Plan's Capital Improvements Element. For the purposes of concurrency, the City hereby agrees to provide, reserve, and allocate sufficient public facility capacity, including but not limited to water, sanitary sewer, solid waste, drainage, fire and police to serve the development of the Project on the Property. All development orders or permits sought to be issued for the Project pursuant to this Agreement must be able to meet concurrency standards set forth in the Comprehensive Plan (concurrency regulations) and to be consistent with Land Development Regulations, so long as the Owners/Owners constructs the Property in compliance with the City's Laws, Comprehensive Plan and Land Development Regulations in existence as of the Effective Date. Owners/Owner shall be bound by the City impact fees and assessments in existence as of the Effective Date of this Agreement. Nothing in this paragraph shall relieve the Owners/Owner of the requirement to pay impact fees and assessments.
12. **Consistency with Comprehensive Plan.** In accordance with Section 163.3227(g), F.S., the City hereby finds and declares that the Owners development of the Project on the Property complies with the Laws, ordinances, regulations and policies of the City of Opa-Locka, and is consistent with the City's Laws, Comprehensive Plan and Land Development Regulations.
13. **Reservation of Development Rights.** Except as otherwise provided in the Act for the Entire Term of this Agreement, the City hereby agrees that it shall permit the development of the Project in accordance with the Laws of the City of Opa-Locka, including the City's Comprehensive Plan and Land Development Regulations, as of the Effective Date of this Agreement, subject to the conditions of this Agreement. Except as otherwise provided in the Act, the City's Laws and policies governing the development of the Property as of the Effective Date of this Agreement shall govern the development of the Property for the Entire Term of this Agreement unless terminated. Development of the Property as outlined herein shall not be subject to any future changes to the Laws of the City, including the City's Land Development Regulations and Comprehensive Plan designation after the Effective Date and during the Entire Term of this Agreement, except to the extent that Owners consent to such changes and except as otherwise provided in the Act. The City may apply subsequently adopted laws or policies to the Property only as permitted or required by the Act or as provided above or upon this agreement being terminated or having expired

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

If to the City at:

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

With a copy to:

Law Offices of Burnadette Norris-Weeks, P.A.
City Attorney
City of Opa-locka
780 Fisherman Street

Opa-locka, Florida 33054
And
401 North Avenue of the Arts
Ft. Lauderdale, FL 33311

If to the Owners/Owners at:

Maclam Investment, LLC C/O
Mauricio Fallo
10773 NW 58th Street, No. 140
Doral, Florida 33178

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

Agreement, this Agreement may be revoked or modified by the City.

DRAFT

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

CITY

CITY OF OPA-LOCKA FLORIDA

ATTEST: _____
City Clerk

By: _____
City Manager

Dated: _____ day of _____, 20____

Approved for form and legal sufficiency:

City Attorney: _____

DRAFT

OWNERS/OWNERS

Maclam Investment, LLC.

WITNESS:

Signature

Print Name

Signature

Print Name

By: _____

Name:

Title: Manager

STATE OF FLORIDA)

:

COUNTY OF MIAMI-DADE)

The foregoing instrument acknowledged before me this _____ day of _____, 20__ by Mauricio Falla of Maclam Investment, LLC, who is personally known to me or has produced _____ as identification, and acknowledged that she/he did execute this instrument freely and voluntarily for the purposes stated herein.

Notary Public, State of Florida at Large

Print Name

My Commission Expires:

**EXHIBIT A- PROPERTY LEGAL DESCRIPTION/SURVEY/SITE PLAN
(CONFIRM LEGAL DESCRIPTION BY PROPERTY SURVEY)**

MAGNOLIA GARDENS CONSOLIDATED PB- 50-5, LOTS 41 THRU 44 BLK 336 LESS
BEG NW COR OF S25FT OF LOT 43 TH SELY AD 119.46FT SELY AD 49.29FT SWLY AD
4.23FT NWLY AD 50.90FT NLY 119.67FT TI OIB FIR R/W LOT SIZE 20886 SQ FT
FOLIO NO: 08-2122-005-0690

DRAFT

1st Reading/Public Hearing:
2nd Reading/Public Hearing:
Adopted:
Effective Date:
Sponsored by: Interim City Manager

ORDINANCE NO. 23-~~XXX~~

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka, FL adopted its 2022-2023 Fiscal Year General, Proprietary and Special Revenue Funds budgets by passage of Ordinance 22-17, amended by Ordinance 23-04, Ordinance 23-05 and Ordinance 23-07; and

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

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

WHEREAS, pursuant to 4.7(c) of the City of Opa-Locka Charter, entitled "Appropriation Amendments During the Fiscal Year", the City Commission may otherwise amend the annual budget from time to time during the year, by ordinance, as it deems necessary to do so; and

WHEREAS, the City Commission desires to amend its 2022-2023 Fiscal Year General, Proprietary and Special Revenue Funds budgets as set forth in Exhibit "A".

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

SECTION 1. RECITALS ADOPTED

The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

Pursuant to Article IV, Section 4.5 of the City Charter, the City Manager has recommended proposed Amended General, Proprietary and Special Revenue Funds Budgets to the City Commission for the Fiscal Year retroactive to October 1, 2022, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein.

The City Commission of the City of Opa-Locka hereby approves, adopts and ratifies the proposed Amended General, Proprietary and Special Revenue Funds Budgets for the Fiscal Year 2022-2023, and hereby appropriates the budgeted expenditures and revenues as set forth in the attached Exhibit "A".

The City Manager is authorized to expend or contract for expenditures, pursuant to the City of Opa-Locka Charter and the adopted Code of Ordinances in accordance with the adopted Amended General, Proprietary and Special Revenue Funds Budgets for Fiscal Year 2022-2023.

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

Any and all outstanding encumbrances as of September 30, 2022, shall not lapse at that time and appropriations have been hereby provided for those outstanding encumbrances that have been incurred prior to September 30, 2022, but are not expected to be paid until after then. Receipts from sources not anticipated in the attached budget may be appropriated and expensed by Ordinance duly enacted by the City Commission in accordance with the applicable law. Adjustments within the same fund to departmental appropriations made in the attached Budget may be approved, from time to time, in the

appropriate lawful manner. The City Manager is authorized to approve adjustments to the expenditure code allocations, within the limit of department appropriations made in the attached Budget and as otherwise consistent with the City of Opa-Locka's Code of Ordinances.

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

SECTION 3. SCRIVENER'S ERRORS.

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

SECTION 4. EFFECTIVE DATE.

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

SECTION 5. EFFECTIVE DATE.

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

PASSED FIRST READING this ____ day of _____, 2023.

PASSED SECOND READING this ____ day of _____, 2023.

John Taylor, 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 Kelley	_____ (Yes)	_____ (No)
Commissioner Williams	_____ (Yes)	_____ (No)
Vice Mayor Ervin	_____ (Yes)	_____ (No)
Mayor Taylor	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Robert Anathan			Department Director Signature:			
City Manager:	Darvin Williams			CM Signature:			
Commission Meeting Date:	June 26, 2023		Item Type: (Enter X in box)	Resolution	Ordinance	Other	
Fiscal Impact: (Enter X in box) N/A	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading		2nd Reading	
	X		Public Hearing: (Enter X in box)	Yes	No	Yes	No
				X		X	
Funding Source: Account# :	(Enter Fund & Dept) See Attachments		Advertising Requirement: (Enter X in box)	Yes		No	
				X			
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bid#:				
		X					
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)			
		X	Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐				
Sponsor Name	City Manager		Department: City Manager's Office	City Manager			

Short Title:

FY 23 Budget Amendment #4 – Second Hearing

Staff Summary:

Issue/Recommendation: A budget amendment is required to align the City budget with current requirements. Staff recommends the City Commission approve FY 23 Budget Amendment #4 on second hearing.

History: The City Commission adopted the City FY 23 Budget on October 5, 2022 (Ordinance 2022-17) which was subsequently approved by the State. This budget was composed of \$64.3 million of expenditures and \$20.6 million of funding being transferred between various Funds, resulting a total budget of \$84.9 million.

On February 8, 2023, the City Commission approved FY 23 Budget Amendment #1 on second hearing. The primary function of this amendment was to bring into FY 23 those projects, and their associated funding, that

had been approved in FY 22 but hadn't been completed by the end of FY 22. Consequently, \$5.4 million of expenditures and associated funding were added, as well as another \$3.7 million of interfund transfers, reflecting movement of funds from where they resided, e.g., the General Fund, to where the projects would be managed and completed, e.g., the Safe Neighborhood CIP Fund. This resulted in an amended budget of \$69.7 million of expenditures plus another \$24.3 million of interfund transfers reflecting movement of funds from one Fund to another.

On March 22, 2023, the Commission approved FY 23 Budget Amendment #2 on second hearing. The primary purpose of this amendment was to bring in five community-selected projects funded by \$1.0 million of ARPA funds and \$250,000 of an anticipated grant. Additionally, three CIP projects were reprioritized, freeing up \$47,275 of Stormwater Fund Balance. Three additional items included the rental of mobile office trailer, an irrigation truck, the carving out of a small Community Policing Budget and a relocation assistance grant program, all funded with either vacancy savings or grants. The net impact of Budget Amendment #2 was an expenditure increase of \$1,242,725, all funded with either grants or use of ARPA Fund Balance.

On April 26, the Commission approved FY 23 Budget Amendment #3, increasing expenditures by \$1,072,892 to \$72,083,483, excluding interfund transfers, primarily related to capital projects.

Current Activity: With the development of the proposed FY 24 budget, department heads have prepared a current FY 23 forecast for all accounts. As is normal at year-end, some of these accounts are forecasted to exceed their current budgets while many others are forecasted to be less than their budgets. The primary purpose of this budget amendment is to bring these "overs" and "unders" into balance to allow operations to proceed smoothly through year-end without disruptions caused by lack of available funding.

As indicated in the following Financial Impact, there is a recommended increase of Expenditure of \$724,958 which will be funded by an increase of Revenue, Loans and Grants of \$1,163,461, with the surplus, \$438,503, improving the Available Fund Balance of several Funds.

Most of the 39 proposed amendment line items reflect normal year-end activity of adjusting the "overs" and "unders" to bring into balance division budgets. Following is a discussion of the three largest recommended amendment line items as reflected on the second page of the Overview attachment.

\$621,000 - Police Division – This is a function of several factors.

- Overtime – Due to continuing vacancies, Overtime is recommended to be increased by \$125,000
- Straight-Time - Recommended to be increased by \$475,000 due to the following.
 - Retroactive (FY 21 & FY 22) compensation resulting from the recently approved PBA contract. This was originally anticipated to be booked in FY 22, but is now being booked for this year.
 - All Officer Off-Duty compensation now passes through the City payroll rather than being a direct payment to the Officers, which didn't appear as a City expense. This expense increase is more than offset by an increase in the payments now received by the City to now cover the full expense of these Officers, rather, than as previously, on the administrative expense in making these Officers available for this duty.

- Under the PBA contract, Officers receive an additional day of pay for each City holiday. Under the old contract, the Officers were permitted to take all holiday pay as a lump sum payment in December each year, which most did. Under the new contract, the Officers must be paid concurrently with each holiday. For this year, this has resulted in Officers receiving lump sum payments in December as well as now receiving payments for each new holiday as it occurs. As a result, for this year only, most Officers will receive holiday payments for the equivalent of one and three-quarter years since, in addition to the annual holiday payment received in December, they will now be receiving concurrent payments for each holiday for the remainder of this fiscal year.

\$421,400 – Sewer Collection and Transmission Division – The primary cause of this recommended increase is due to the volume of City wastewater being processed by the County is forecasted to exceed the volume processed last year and also this year’s budget, resulting in a forecasted budget overspend.

\$405,667 – Miami-Dade County Debt Service – The City had been working with the County to lengthen the schedule for the repayment of the debt owed to the County to improve the financial liquidity of this Fund in the near term. This new repayment schedule has been brought into the budget with Budget Amendment #1. However, it now appears that this will not occur this year, and this budget amendment resets the repayment schedule back to the original schedule.

Financial Impact: This budget amendment can be summarized financially as follows:

Funding

Revenue / Loans / Grants	\$ 1,163,461
(Addition To) Fund Balance	<u>(438,503)</u>
Total Funding – Excluding Transfers-In	724,958
Transfers-In	<u>54,693</u>
Total Funding	\$ 779,651

Expenditure

Expenditure – Excluding Transfers-Out	\$ 724,958
Transfers-Out	<u>54,693</u>
Total Expenditure	\$ 779,651

Additional details on the above are presented in the Overview and Summary By Line Item attachments. In addition to these details, greater detail is presented in the attachments, Summary By Fund and Detail By Line Item, which contain detailed accounting information for the State review.

Proposed Action:

Staff recommends the City Commission approve the proposed budget amendments on second hearing.

Attachment:

1. Budget Amendment Overview
2. Budget Amendment Summary By Line Item
3. Budget Amendment Summary By Fund
4. Budget Amendment Detail By Line Item
5. Ordinance

FY 23 Budget Amendment #4 Overview - Second Hearing

Summary		
<u>Funding</u>		Notes
Revenue / Loans / Grants	\$ 1,163,461	(a)
Use Of Fund Balance	(438,503)	(b)
Total Funding – Excluding Transfers-In	724,958	
Transfer-In	54,693	
Total Funding	\$ 779,651	
<u>Expenditure</u>		
Expenditure – Excluding Transfers-Out	\$ 724,958	(c)
Transfers-Out	54,693	
Total Expenditure	\$ 779,651	

Notes			
	Adopted Bgt	Incr/(Decr)	Bgt. Amend #1
(a) <u>Revenue / Loans / Grants</u>			
General Fund		\$ 261,696	
Safe Neighborhood CIP		47,000	
Debt Service		255,000	
Special Law Enforcement		240,000	
Water-Sewer Ops Fund		198,000	
Stormwater Ops Fund		353,376	
Town Center Rent		(191,611)	
Total Revenue / Loans / Grants		\$ 1,163,461	
(b) <u>Use Of/(Addition To) Fund Balance</u>			
General Fund	\$ 7,497,463	\$ 16,867	\$ 7,514,330
Water-Sewer Operating Fund	881,748	-	881,748
Stormwater Operating Fund	2,640,490	(208,376)	2,432,114
Safe Neighborhood CIP Fund	73,129	(73,129)	0
Special Law Enforcement Fund	-	(173,865)	(173,865)
Law Enforcement Training Fund	49,000	-	49,000
American Recovery Plan Act (ARPA)	8,000,000	0	8,000,000
Total Use Of / (Addition To) Fund Balance	\$ 19,141,830	\$ (438,503)	\$ 18,703,327

FY 23 Budget Amendment #4 Overview - Second Hearing

(c) **Expenditures**

Police Division Year-End Adjustments	\$ 621,000
Sewer Division Year-End Adjustments	421,500
Miami-Dade County Debt Service	405,667
Stormwater Penalties	145,000
Legal Case Settlement	140,000
Debt Service Fund Payment To General Fund	123,133
Water Division Year-End Settlement	119,100
Beautification & Maintenance Division Year-End Adjustments	114,000
Finance Division Year-End Adjustments	80,000
Vehicle Leases & Sergeant Exam	66,135
Building & Licenses Division Year-End Adjustments	65,000
Code Enforcement Division Year-End Adjustments	62,400
Historic City Hall Renovation	47,000
Utility Fleet Maintenance Division Year-End Adjustments	37,000
City Manager's Office Year-End Adjustments	36,000
Vehicle Accident Repair	35,000
Utility Service Line Maintenance Division Year-End Adjustments	32,500
Roads & Sidewalks Division Year-End Adjustments	32,500
Stormwater Operations Division Year-End Adjustments	29,000
Community Development Division Year-End Adjustments	26,100
Solid Waste Division Year-End Adjustments	24,000
Former Police Station Demolition	24,000
Risk Management Division Year-End Adjustments	21,500
Other	32,205
Expenditures - Gross	\$ 2,739,740
Savings	(1,855,702)
Contingency	(159,080)
Expenditures - Net	\$ 724,958

FY 23 Budget Amendment #4 Summary By Line Item
Second Hearing

#	Amount	Purpose	Funding Source
1	\$405,667	Reset Miami-Dade Debt Service Repayment Schedule Due To Not Obtaining Anticipated Timing Improvements	Vacancy Savings And Contingency
2	(\$191,611)	Town Center Revenue Reduction Due To Reduction In Rentable Space	Vacancy Savings
3	\$2,000	Additional City Clerk Copier Expense	Vacancy Savings
4	-	Movement Of Budget To Correct Account	NA
5	-	Not Used	
6	\$13,800	Miscellaneous Small Adjustments In Ten Divisions	Fuel Savings
7	\$123,133	Debt Service Fund Payment To General Fund	Increased Debt Service Fund Pledged Revenue
8	\$47,000	Historic City Hall Renovation Cost	Cultural Grant
9	\$1,500	Special Events	Donation
10	\$35,000	Vehicle Accident Repair Cost	Insurance Reimbursement
11	\$140,000	Employee Legal Case Settlement	Fund Balance
12	\$3,800	Uniform Rental / Laundry Expense	Savings – Vehicle Lease, Legal Counsel and Health Plan
13	-	Burlington Canal Funding Source	Change Of Funding From Stormwater Fund To Existing State Loan
14	\$5,500	Beautification Maintenance Supplies	Savings – Health Insurance
15	\$66,135	Vehicle Leases & Sergeant Exam Services	Federal Seizure Funds
16	\$12,000	Adjustment Of Code Enforcement Accounts To Address Year-End Forecast	Savings – Other Contracted Services
17	\$119,100	Adjustment Of Water Distribution Division Accounts, Primarily Increased Fire Hydrant Maintenance, To Address Year-End Forecast	Savings – Reduced Cost Of Water Purchased From County As Part Of City's Utility Services
18	\$421,500	Adjustment Of Sewer Division Accounts, Primarily Increased County Wastewater Processing Cost, To Address Year-End Forecast	Saving – Vacancies, Machinery & Equipment And Cost Of Purchased Water. Also Impact Fee Revenue.
19	\$16,500	Adjustment Of CIP Management Division Accounts, Primarily Compensation, To Address Year-End Forecast	Impact Fee Revenue
20	\$32,500	Adjustment Of Utility Service Line Maintenance Division Accounts, Primarily Contracted Services, To Address Year-End Forecast	Savings – Vacancies And Repair & Maintenance Costs
21	\$29,000	Adjustment Of Stormwater Operations Division Accounts To Address Year-End Forecast	Savings – Vacancies, Rentals And Leases, And Tipping Fees
22	\$7,000	Adjustment Of Public Works Administrative Division Accounts To Address Year-End Forecast	Savings – Vacancies

FY 23 Budget Amendment #4 Summary By Line Item
Second Hearing

23	\$32,500	Adjustment Of Roads And Sidewalks Division Accounts To Address Year-End Forecast	Savings – Vehicle Leases
24	\$21,500	Adjustment Of Risk Management Division Accounts, (Insurance Premiums And Legal Services), To Address Year-End Forecast	Savings – Insurance Deductibles
25	\$37,000	Adjustment Of Fleet Maintenance Division Accounts, (Contract Services, Tires And Machinery & Equipment), To Address Year-End Forecast	Saving – Vacancies And Parts & Repairs
26	\$24,000	Adjustment Of Solid Waste Division Accounts, Primarily Solid Waste Tipping Fees, To Address Year-End Forecast	Savings - Vacancies
27	\$114,000	Adjustment Of Beautification & Maintenance Division Accounts, Primarily Compensation And Contracted Services, To Address Year-End Forecast	Savings – Vacancies, Solid Waste Tipping Fees, Rentals, General Expense, Operating Expense, Building Improvements And Machinery & Equipment
28	\$26,100	Adjustment Of Community Development Division Accounts, Primarily Compensation, To Address Year-End Forecast	Savings – Professional Services, Contract Services And Historic Property Grant Awards
29	\$145,000	Stormwater Penalties	Fund Balance
30	\$621,000	Adjustment Of Police Division Accounts, Primarily Compensation, To Address Year-End Forecast. Compensation Increases Due To Retroactive Contract Payments Recorded In Current Year, Payment Of Officers For Off Duty Work Through The Payroll System And Revised Treatment Of Holiday Pay	Savings – Vacancies, Contracted Services And Automotive Equipment. Also Increase In City's Officer's Off-Duty Revenue
31	\$65,000	Adjustment Of Building & Licenses Division Accounts, Primarily Part-Time Compensation, To Address Year-End Forecast	Savings - Vacancies
32	\$20,000	Adjustment Of Town Center Division Accounts, Primarily Building Repair And Maintenance, To Address Year-End Forecast	Savings – Operating Expense
33	\$62,400	Adjustment Of Code Enforcement Division Accounts, Primarily Compensation, To Address Year-End Forecast	Savings – Vacancies, Contracted Services
34	\$80,000	Adjustment Of Finance Division Accounts, (Auditing And Contract Services), To Address Year-End Forecast	Savings – Office Renovation, Training and Roads & Sidewalks Contracted Services
35	\$5,000	Parks & Recreation Overtime	Savings - Vacancies
36	\$10,000	HR Contract Services	Savings - Vacancies

FY 23 Budget Amendment #4 Summary By Line Item
Second Hearing

37	\$36,000	Adjustment Of City Manager's Office Accounts, (Compensation), To Address Year-End Forecast	Savings – Contracted Services
38	\$24,000	Police Station Demolition	Savings – Deferral Of Sesame Bridge Repair Project
39	\$5,000	Park Fences	Savings – Deferral Of Sesame Bridge Repair Project

FY 23 Budget Amendment #4 - Summary By Fund - Second Hearing

Total City				
	Governmental Funds	Enterprise Funds	ARPA Fund	Total
<u>Budget Thru Amendment #3</u>				
<u>Funding</u>				
Revenue/Loans	29,329,803	23,611,850	-	52,941,653
Use Of / (Add To) Fund Bal	7,619,592	3,522,238	8,000,000	19,141,830
Total Funding Ex Trans-In	36,949,395	27,134,088	8,000,000	72,083,483
Transfer-in	16,146,159	9,989,023	-	26,135,182
Total Funding	53,095,554	37,123,111	8,000,000	98,218,665
<u>Expenditure</u>				
Expenditure - Ex Trans-Out	39,070,984	32,237,498	775,000	72,083,483
Transfer-Out	14,024,569	4,885,613	7,225,000	26,135,182
Total Expenditure	53,095,554	37,123,111	8,000,000	98,218,665
<u>Amendment #4</u>				
<u>Funding</u>				
Revenue/Loans	612,085	551,376	-	1,163,461
Use Of / (Add To) Fund Bal	(230,127)	(208,376)	-	(438,503)
Total Funding Ex Trans-In	381,958	343,000	-	724,958
Transfer-in	408,069	(353,376)	-	54,693
Total Funding	790,027	(10,376)	-	779,651
<u>Expenditure</u>				
Expenditure - Ex Trans-Out	381,958	343,000	-	724,958
Transfer-Out	408,069	(353,376)	-	54,693
Total Expenditure	790,027	(10,376)	-	779,651
<u>Budget Thru Amendment #4</u>				
<u>Funding</u>				
Revenue/Loans	29,941,888	24,163,226	-	54,105,114
Use Of / (Add To) Fund Bal	7,389,465	3,313,862	8,000,000	18,703,327
Total Funding Ex Trans-In	37,331,353	27,477,088	8,000,000	72,808,441
Transfer-in	16,554,228	9,635,647	-	26,189,875
Total Funding	53,885,581	37,112,735	8,000,000	98,998,316
<u>Expenditure</u>				
Expenditure - Ex Trans-Out	39,452,942	32,580,498	775,000	72,808,441
Transfer-Out	14,432,638	4,532,237	7,225,000	26,189,875
Total Expenditure	53,885,581	37,112,735	8,000,000	98,998,316

FY 23 Budget Amendment #4 - Summary By Fund - Second Hearing

General Fund

Funding

Revenue/Loans
 Use Of / (Add To) Fund Bal
 Total Funding - Ex Transfer-In
 Transfer-In
 Total Funding

Budget Thru Amend #3	Amendment #4	Budget Thru Amend #4
20,303,122	261,696	20,564,818
7,497,463	16,867	7,514,330
27,800,585	278,563	28,079,148
4,172,304	123,133	4,295,437
31,972,889	401,696	32,374,585

Expenditure

Div

Commission 10
 City Manager 12
 General Fund Non-Depart - Ex Trans Out 19
 Human Resources 13
 Clerk 16
 Attorney 28
 Finance 17
 Planning & Community Dev 37
 Building & Licenses 30
 Parks & Recreation 72
 Police 26
 Code Enforcement 23
 Building & Grounds Maintenance 38
 Public Works - Admin 32
 Public Works - Streets 41
 Public Works - Trash 50
 Public Works - Vehicle Maintenance 49
 Total Expenditure - Ex Transfer-Out
 Transfer-Out 19
 Total Expenditure

176,478	3,000	179,478
838,771	37,000	875,771
2,463,265	1,500	2,464,765
394,188	(29,600)	364,588
487,628	(49,600)	438,028
442,000	140,000	582,000
1,393,675	(186,311)	1,207,364
621,461	-	621,461
716,738	500	717,238
1,443,653	1,000	1,444,653
7,575,499	552,000	8,127,499
489,588	50,400	539,988
1,319,373	(234,900)	1,084,473
585,356	(18,800)	566,556
1,755,156	(121,500)	1,633,656
57,400	24,000	81,400
793,422	21,200	814,622
21,553,651	189,889	21,743,540
10,419,238	211,807	10,631,045
31,972,889	401,696	32,374,585

FY 23 Budget Amendment #4 - Summary By Fund - Second Hearing

Governmental Funds										
	General Fund	Safe Neighborhood Capital Fund	People's Transportation Plan Fund	Town Center Fund	Debt Service Fund	Special Law Enforcement Fund	Law Enforcement Training Trust Fund	Insurance Service Fund	Information Technology Service Fund	Total Gov Funds
Budget Thru Amendment #3										
Funding										
Revenue/Loans	20,303,122	2,836,278	1,193,119	480,384	4,515,900	-	1,000	-	-	29,329,803
Use Of / (Add To) Fund Bal	7,497,463	73,129	-	-	-	-	49,000	-	-	7,619,592
Total Funding Ex Trans-In	27,800,585	2,909,407	1,193,119	480,384	4,515,900	-	50,000	-	-	36,949,395
Transfer-in	4,172,304	6,060,980	-	480,412	121,133	-	-	3,579,139	1,732,191	16,146,159
Total Funding	31,972,889	8,970,387	1,193,119	960,796	4,637,033	-	50,000	3,579,139	1,732,191	53,095,554
Expenditure										
Expenditure - Ex Trans-Out	21,553,651	8,897,258	1,193,119	808,593	1,257,033	-	50,000	3,579,139	1,732,191	39,070,984
Transfer-Out	10,419,238	73,129	-	152,203	3,380,000	-	-	-	-	14,024,569
Total Expenditure	31,972,889	8,970,387	1,193,119	960,796	4,637,033	-	50,000	3,579,139	1,732,191	53,095,554
Amendment #4										
Funding										
Revenue/Loans	261,696	47,000	-	(191,611)	255,000	240,000	-	-	-	612,085
Use Of / (Add To) Fund Bal	16,867	(73,129)	-	-	-	(173,865)	-	-	-	(230,127)
Total Funding Ex Trans-In	278,563	(26,129)	-	(191,611)	255,000	66,135	-	-	-	381,958
Transfer-in	123,133	73,129	-	211,611	196	-	-	-	-	408,069
Total Funding	401,696	47,000	-	20,000	255,196	66,135	-	-	-	790,027
Expenditure										
Expenditure - Ex Trans-Out	189,889	47,000	-	20,000	58,934	66,135	-	-	-	381,958
Transfer-Out	211,807	-	-	-	196,262	-	-	-	-	408,069
Total Expenditure	401,696	47,000	-	20,000	255,196	66,135	-	-	-	790,027
Budget Thru Amendment #4										
Funding										
Revenue/Loans	20,564,818	2,883,278	1,193,119	288,773	4,770,900	240,000	1,000	-	-	29,941,888
Use Of / (Add To) Fund Bal	7,514,330	-	-	-	-	(173,865)	49,000	-	-	7,389,465
Total Funding Ex Trans-In	28,079,148	2,883,278	1,193,119	288,773	4,770,900	66,135	50,000	-	-	37,331,353
Transfer-in	4,295,437	6,134,109	-	692,023	121,329	-	-	3,579,139	1,732,191	16,554,228
Total Funding	32,374,585	9,017,387	1,193,119	980,796	4,892,229	66,135	50,000	3,579,139	1,732,191	53,885,581
Expenditure										
Expenditure - Ex Trans-Out	21,743,540	8,944,258	1,193,119	828,593	1,315,967	66,135	50,000	3,579,139	1,732,191	39,452,942
Transfer-Out	10,631,045	73,129	-	152,203	3,576,262	-	-	-	-	14,432,638
Total Expenditure	32,374,585	9,017,387	1,193,119	980,796	4,892,229	66,135	50,000	3,579,139	1,732,191	53,885,581

FY 23 Budget Amendment #4 - Summary By Fund - Second Hearing

Enterprise Funds										
	Water-Sewer Operating Fund						Storm Water Op	Water Sewer CIP	Storm Water CIP	Total
	Water-Sewer Operating Divisions (Expense)					Total Water-Sewer Op Fund	Storm Water Op Fund	Total Water-Sewer CIP Fund	Storm Water CIP Fund	Total Enterprise Funds
	Water Division	Sewer Division	Water-Sewer Finance Division	Water Lines Division	Water-Sewer CIP Division					
<u>Budget Thru Amendment #3</u>										
<u>Funding</u>										
Revenue/Loans						10,590,507	1,926,000	4,095,343	7,000,000	23,611,850
Use Of / (Add To) Fund Bal						881,748	2,640,490	-	-	3,522,238
Total Funding Ex Trans-In						11,472,255	4,566,490	4,095,343	7,000,000	27,134,088
Transfer-in						183,284	-	5,080,228	4,725,511	9,989,023
Total Funding	-	-	-	-	-	11,655,539	4,566,490	9,175,571	11,725,511	37,123,111
<u>Expenditure</u>										
Expenditure - Ex Trans-Out	2,053,940	4,537,299	2,796,621	319,498	255,227	9,962,585	1,373,831	9,175,571	11,725,511	32,237,498
Transfer-Out	-	-	1,692,954	-	-	1,692,954	3,192,659	-	-	4,885,613
Total Expenditure	2,053,940	4,537,299	4,489,575	319,498	255,227	11,655,539	4,566,490	9,175,571	11,725,511	37,123,111
<u>Amendment #4</u>										
<u>Funding</u>										
Revenue/Loans						198,000	353,376	-	-	551,376
Use Of / (Add To) Fund Bal						-	(208,376)	-	-	(208,376)
Total Funding Ex Trans-In						198,000	145,000	-	-	343,000
Transfer-in						-	-	-	(353,376)	(353,376)
Total Funding	-	-	-	-	-	198,000	145,000	-	(353,376)	(10,376)
<u>Expenditure</u>										
Expenditure - Ex Trans-Out	(164,500)	224,500	187,200	(65,700)	16,500	198,000	145,000	-	-	343,000
Transfer-Out	-	-	-	-	-	-	(353,376)	-	-	(353,376)
Total Expenditure	(164,500)	224,500	187,200	(65,700)	16,500	198,000	(208,376)	-	-	(10,376)
<u>Budget Thru Amendment #4</u>										
<u>Funding</u>										
Revenue/Loans						10,788,507	2,279,376	4,095,343	7,000,000	24,163,226
Use Of / (Add To) Fund Bal						881,748	2,432,114	-	-	3,313,862
Total Funding Ex Trans-In						11,670,255	4,711,490	4,095,343	7,000,000	27,477,088
Transfer-in						183,284	-	5,080,228	4,372,135	9,635,647
Total Funding	-	-	-	-	-	11,853,539	4,711,490	9,175,571	11,372,135	37,112,735
<u>Expenditure</u>										
Expenditure - Ex Trans-Out	1,889,440	4,761,799	2,983,821	253,798	271,727	10,160,585	1,518,831	9,175,571	11,725,511	32,580,498
Transfer-Out	-	-	1,692,954	-	-	1,692,954	2,839,283	-	-	4,532,237
Total Expenditure	1,889,440	4,761,799	4,676,775	253,798	271,727	11,853,539	4,358,114	9,175,571	11,725,511	37,112,735

FY 23 Budget Amendment #4 - Detail - Second Hearing

<u>#</u>	<u>Amendment Details</u>			<u>Budget</u>	<u>Adj</u>	<u>Revised</u>
1	<u>Miami Dade Debt Service</u>					
WS-Finance	Exp	61-535542	Miami Dade Debt- Principal	995,528	352,272	1,347,800
WS-Finance	Exp	61-533720	Miami Dade Debt- Interest	36,692	52,808	89,500
Water Distr	Exp	64-533120	Salaries - Regular	162,263	(60,000)	102,263
Water Distr	Exp	61-533220	Retirement	22,064	(5,000)	17,064
Water Distr	Exp	61-533230	Life And Health Insurance	28,824	(10,000)	18,824
Sewer	Exp	35-535120	Salaries - Regular	342,592	(11,000)	331,592
Sewer	Exp	35-535210	FICA	26,710	(5,000)	21,710
Sewer	Exp	35-535220	Retirement	41,577	(10,000)	31,577
Sewer	Exp	35-535230	Life And Health Insurance	58,694	(22,000)	36,694
WS-Finance	Exp	61-513120	Salaries - Regular	245,277	(45,000)	200,277
WS-Finance	Exp	61-513210	FICA	19,076	(2,000)	17,076
WS-Finance	Exp	61-513220	Retirement	29,697	(4,000)	25,697
WS-Finance	Exp	61-513230	Life And Health Insurance	36,183	(6,000)	30,183
Srv Line Mnt	Exp	63-533120	Salaries - Regular	170,455	(50,000)	120,455
Srv Line Mnt	Exp	63-533210	FICA	13,226	(2,000)	11,226
Srv Line Mnt	Exp	63-533220	Retirement	20,587	(4,000)	16,587
Srv Line Mnt	Exp	63-533230	Life And Health Insurance	29,630	(10,000)	19,630
WS-Finance	Exp	61-513992	Contingency	420,481	(159,080)	261,401
Stormwater	Exp	43-535542	Miami Dade Debt- Principal	115,742	158	115,900
Stormwater	Exp	43-533720	Miami Dade Debt- Interest	4,267	233	4,500
Stormwater	Exp	43-538120	Salaries - Regular	166,447	(391)	166,056
Debt Svc	Exp	83-517722	Miami Dade Debt- Principal	46,297	103	46,400
Debt Svc	Exp	83-517723	Miami Dade Debt- Interest	1,707	93	1,800
Debt Svc	Trf-In	230-381001	Trf-In From General Fund	48,004	196	48,200
Gen Fund	Trf-Out	19-581927	Trf-Out To Debt Service Fund	48,004	196	48,200
Gen Fund	Rev	001-351100	Court Fines - County	267,800	196	267,996

Anticipated revised debt payment schedule not achieved. Added \$405,080 for Water-Sewer Fund, \$391 for Stormwater Fund and \$196 for General Fund. Funded primarily from vacancy savings and contingency

FY 23 Budget Amendment #4 - Detail - Second Hearing

#	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
2	<u>Town Center Rent Reduction</u>							
	Twn Center	Rev	490-371001	Rent -SF Workforce	41,612	(41,612)	-	Reduction in Town Center rental revenue due to City utilizing additional space, requiring additional General Fund funding. Offset by vacancy savings.
	Twn Center	Rev	490-37109	Rent - Other	149,999	(149,999)	-	
	Twn Center	Trf-In	490-381001	Trf-In From General Fund	480,412	191,611	672,023	
	Non-Dept	Trf-Out	19-581926	Trf-Out To Town Center	480,412	191,611	672,023	
	Finance	Exp	17-513120	Salaries - Regular	534,503	(160,000)	374,503	
	Finance	Exp	17-513210	FICA	50,880	(8,000)	42,880	
	Finance	Exp	17-513220	Retirement	79,217	(12,000)	67,217	
	Finance	Exp	17-513230	Life And Health Insurance	66,080	(11,611)	54,469	
3	<u>City Clerk Copier</u>							
	Clerk	Exp	16-512440	Rentals & Leases	7,708	2,000	9,708	High volume of color copying. Fund by vacancy savings
	Clerk	Exp	16-512120	Salaries - Regular	163,639	(2,000)	161,639	
4	<u>Parks & Rec - Move Budget To Correct Account</u>							
	Parks & Rec	Exp	72-572630	Improvements Other Than Bldg	80,273	8,100	88,373	Project incorrectly charged to Professional Services when should have been charged to capital account. Budget moved to correspond.
	Parks & Rec	Exp	72-572312	Other Professional Services	83,028	(8,100)	74,928	
5	<u>Not Used</u>							
6	<u>Miscellaneous Small Adjustments</u>							
	Comm	Exp	10-511493	General Expenses	2,000	1,500	3,500	Miscellaneous minor adjustments funded by fuel savings
	City Mgr	Exp	12-512642	Furniture & Fixtures	1,500	1,000	2,500	
	Non-Dept	Exp	19-519997	Tax Payments	21,836	1,500	23,336	
	Clerk	Exp	16-512420	Postage	306	100	406	
	Clerk	Exp	16-521521	Clothing	500	300	800	
	Finance	Exp	17-513420	Postage	3,000	300	3,300	
	HR	Exp	13-515530	Advertising	1,970	400	2,370	
	Bldg & Lic	Exp	30-524470	Printing & Binding	1,000	500	1,500	
	Parks & Rec	Exp	72-572540	Pubs/Subscriptions/Memberships	2,500	1,000	3,500	
	Police	Exp	26-521440	Rentals & Leases	14,588	2,500	17,088	
	Police	Exp	26-521547	Special Supplies	-	2,500	2,500	
	Police	Exp	26-521493	General Expenses	4,000	1,000	5,000	
	Admin	Exp	32-541420	Postage	300	200	500	
	Admin	Exp	32-541493	General Expenses	2,000	1,000	3,000	
	Veh Mnt	Exp	49-541450	Gas, Oil, Grease	405,400	(13,800)	391,600	

Exhibit "A"

FY 23 Budget Amendment #4 - Detail - Second Hearing

<u>#</u>	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
7	<u>Bond Debt Service Adjustment</u>							
	Debt Svc	Exp	83-513710	FY 11 Bond Principal	603,000	59,320	662,320	Bank account closed in Safe Neighborhood with \$73,129 which by bank covenant required to be transferred to Debt Service Fund to pay down debt. Debt Service required to pay back funds to Safe Neighborhood. Additionally, increase in pledge revenue over budget permits increased transfer of surplus pledge revenue to General Fund
	Debt Svc	Exp	83-513720	FY 11 Bond Interest	82,817	(582)	82,235	
	Debt Svc	Trf Out	83-581320	Trf-Out To Safe Neighborhood	-	73,129	73,129	
	Safe Neigh	Trf In	320-381230	Trf-In From Debt Service	-	73,129	73,129	
	Safe Neigh	Fund Bal	320-383010	Use Of / (Add To) Fund Balance	73,129	(73,129)	-	
	Debt Svc	Trf Out	83-513910	Trf-Out To Gen Fund	3,380,000	123,133	3,503,133	
	Debt Svc	Rev	230-335120	State Revenue Sharing	775,000	30,000	805,000	
	Debt Svc	Rev	230-335180	Local Gov 1/2 Sales Tax	1,650,000	150,000	1,800,000	
	Debt Svc	Rev	230-314100	Utility Tax - FPL	1,452,300	130,000	1,582,300	
	Debt Svc	Rev	230-314500	Telecom Tax	638,600	(55,000)	583,600	
	Gen Fund	Trf In	001-381230	Trf-In From Debt Service	3,380,000	123,133	3,503,133	
	Gen Fund	Fund Bal	001-383010	Use Of / (Add To) Fund Balance	7,497,463	(123,133)	7,374,330	
8	<u>Historic City Hall Grant</u>							
	Save Neigh	Exp	44-541823	Historic City Hall	1,574,636	47,000	1,621,636	Increased cost offset by increased grant
	Save Neigh	Rev	320-331689	Cultural Facilities Grant - HCH	453,000	47,000	500,000	
9	<u>Special Events Contribution</u>							
	Gen Fund	Rev	001-366915	Special Events Donations	-	1,500	1,500	Ray of Hope Foundation contribution for Special Events
	Comm	Exp	10-572403	Special Events	57,000	1,500	58,500	
10	<u>Vehicle Accident Insurance Reimbursements</u>							
	Gen Fund	Rev	001-369942	Insurance Reimbursements	-	35,000	35,000	Insurance firm now reimburse City for repair expense rather than paying vehicle repair company. Changes accounts impacted but no change to City's bottom line
	Flt Mnt	Exp	49-541466	Vehicle Repair - Accidents	28,000	35,000	63,000	
11	<u>Retroactive Compensation Settlement</u>							
	Legal	Exp	28-514380	Settlement Fees	-	140,000	140,000	Employee settlement involving two years of back pay, including fringe costs
	Gen Fund	Fund Bal	001-383010	Use Of Fund Balance	7,374,330	140,000	7,514,330	

FY 23 Budget Amendment #4 - Detail - Second Hearing

<u>#</u>	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
12	<u>Uniform Rental / Laundry Adjustment</u>						-	
	Beaut & Mnt	Exp	39-541341	Uniform Rental/Laundry	2,561	1,000	3,561	Minor adjustments to uniform rental/laundry expense
	Roads & Side	Exp	41-541341	Uniform Rental/Laundry	3,539	500	4,039	
	Roads & Side	Exp	41-541648	Vehicle Lease/Purchase	115,000	(1,500)	113,500	
	Sewer	Exp	35-535341	Uniform Rental/Laundry	1,300	1,000	2,300	
	Svc Line	Exp	63-533341	Uniform Rental/Laundry	1,200	300	1,500	
	Water	Exp	64-533341	Uniform Rental/Laundry	1,650	500	2,150	
	WS-Fin	Exp	61-514370	Legal Counsel	25,000	(1,800)	23,200	
	Storm	Exp	43-538341	Uniform Rental/Laundry	700	500	1,200	
	Storm	Exp	43-538230	Life And Health Insurance	27,449	(500)	26,949	
13	<u>Burlington Canal - Change Of Funding Source</u>						-	
	STM-CIP	Loan	455-384130	SRF Loan - Burlington Canal	-	353,376	353,376	Change Funding Source from Stormwater Ops To SRF Loan
	STM-CIP	Trf-In	455-381450	Trf-In From Stormwater Ops	2,855,511	(353,376)	2,502,135	
	STM-Ops	Trf-Out	43-513917	Trf-Out To Stormwater CIP	2,855,511	(353,376)	2,502,135	
	STM-Ops	Fund Bal	450-383010	Addition To Fund Balance	2,640,490	(353,376)	2,287,114	
14	<u>Beautification & Maintenance Supplies</u>						-	
	Beaut & Mnt	Exp	39-541551	Maintenance Supplies	12,000	5,500	17,500	Additional requirement for supplies as part of beautification
	Roads & Side	Exp	41-541210	FICA	26,158	(5,500)	20,658	
15	<u>Special Law Enforcement Funding</u>						-	
	Sp Law Enf	Rev	165-338100	Court Forfeiture	-	240,000	240,000	Leasing of five additional police vehicles and Sergeant's Exam with newly received seizure funds
	Sp Law Enf	Exp	65-521648	Vehicle Lease/Purchase	-	44,135	44,135	
	Sp Law Enf	Exp	65-521312	Other Professional Services	-	22,000	22,000	
	Sp Law Enf	Fund Bal	165-383010	Addition To Fund Balance	-	(173,865)	(173,865)	
16	<u>Adjustments To Various Code Enforcement Operating Accounts</u>						-	
	Code	Exp	23-521312	Other Professional Services	7,200	3,000	10,200	Minor adjustments to Code Enforcement accounts to adjust for forecasted overspends
	Code	Exp	23-521420	Postage	12,500	3,000	15,500	
	Code	Exp	23-521440	Rentals & Leases	-	1,000	1,000	
	Code	Exp	23-521648	Auto Lease	21,800	5,000	26,800	
	Code	Exp	23-521340	Other Contracted Services	35,078	(12,000)	23,078	
17	<u>Adjustments To Water Distribution Division</u>						-	
	Water	Exp	64-533340	Other Contracted Services	40,000	16,100	56,100	Adjustment to Water Distribution Division to adjust for forecasted overspends
	Water	Exp	64-541542	Parts & Repairs	-	2,000	2,000	
	Water	Exp	64-5336309	Fire Hydrants	93,000	69,000	162,000	
	Water	Exp	64-533640	Machinery & Equipment	13,000	32,000	45,000	
	Water	Exp	64-533433	Purchase Of Water	1,579,465	(119,100)	1,460,365	

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#	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
18	<u>Adjustments To Sewer Division</u>							
	Sewer	Exp	35-535120	Salaries - Regular	331,592	(110,000)	221,592	Adjustment to Sewer Division to adjust for forecasted overspends
	Sewer	Exp	35-535140	Salaries - Overtime	8,000	1,000	9,000	
	Sewer	Exp	35-535312	Other Professional Services	445,000	48,500	493,500	
	Sewer	Exp	35-535340	Other Contracted Services	160,000	50,000	210,000	
	Sewer	Exp	35-535430	Electric, Gas, Water	99,100	9,000	108,100	
	Sewer	Exp	35-535432	Sewage Disposal	3,117,826	308,000	3,425,826	
	Sewer	Exp	35-535440	Rentals & Leases	10,000	5,000	15,000	
	Sewer	Exp	35-535640	Machinery & Equipment	192,000	(40,000)	152,000	
	Water	Exp	64-533433	Purchase Of Water	1,460,365	(90,000)	1,370,365	
	WS Fund	Rev	440-341210	Impact Fees	-	181,500	181,500	
19	<u>Adjustments To CIP Management Division</u>							
	WS CIP Mgmt	Exp	75-535120	Salaries - Regular	186,316	8,000	194,316	Adjustment to CIP Management Division to adjust for forecasted overspends
	WS CIP Mgmt	Exp	75-535210	FICA	14,253	700	14,953	
	WS CIP Mgmt	Exp	75-535220	Retirement	22,191	1,000	23,191	
	WS CIP Mgmt	Exp	75-535230	Life And Health Insurance	18,417	6,000	24,417	
	WS CIP Mgmt	Exp	75-535540	Pubs/Subs/Memberships	-	600	600	
	WS CIP Mgmt	Exp	75-535541	Educational Cost	3,000	200	3,200	
	WS Fund	Rev	440-341210	Impact Fees	181,500	16,500	198,000	
20	<u>Adjustments To Service Line Division</u>							
	Svc Ln Mnt	Exp	63-533120	Salaries - Regular	120,455	(5,000)	115,455	Adjustment to Service Line Maintenance Division to adjust for forecasted overspends
	Svc Ln Mnt	Exp	63-533140	Salaries - Overtime	2,400	2,600	5,000	
	Svc Ln Mnt	Exp	63-533340	Other Contracted Services	-	28,000	28,000	
	Svc Ln Mnt	Exp	63-533440	Rentals & Leases	500	500	1,000	
	Svc Ln Mnt	Exp	63-533521	Clothing & Uniform Expense	500	200	700	
	Svc Ln Mnt	Exp	63-533555	Small Tools Minor Equipment	3,500	1,200	4,700	
	Svc Ln Mnt	Exp	63-533462	Repair And Maintenance	55,000	(27,500)	27,500	

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21	<u>Adjustments To Stormwater</u>							
	STM Ops	Exp	43-538340	Other Professional Services	83,000	1,500	84,500	Adjustment to Stormwater Division to adjust for forecasted overspends
	STM Ops	Exp	43-538521	Clothing & Uniform Expense	500	2,000	2,500	
	STM Ops	Exp	43-538523	Special Supplies	17,000	9,000	26,000	
	STM Ops	Exp	43-538541	Educational Costs	2,300	9,000	11,300	
	STM Ops	Exp	43-538648	Vehicle Lease	225,876	6,500	232,376	
	STM Ops	Exp	43-538120	Salaries - Regular	166,056	(21,000)	145,056	
	STM Ops	Exp	43-538440	Rentals And Leases	12,000	(6,000)	6,000	
	STM Ops	Exp	43-541431	Tipping Fees	9,000	(2,000)	7,000	
	STM Ops	Exp	43-538640	Machinery & Equipment	14,000	1,000	15,000	
22	<u>Adjustments To Public Works - Admin</u>							
	PW Admin	Exp	32-541110	Salaries - Executive	110,543	2,500	113,043	Adjustment to Public Works Administrative Division to adjust for forecasted overspends
	PW Admin	Exp	32-541642	Furniture & Equipment	-	1,500	1,500	
	PW Admin	Exp	32-541646	Computers	-	3,000	3,000	
	PW Admin	Exp	32-541120	Salaries - Regular	300,466	(7,000)	293,466	
23	<u>Adjustments To Roads & Sidewalks Division</u>							
	Roads & Sdw	Exp	41-541140	Salaries - Overtime	16,000	4,000	20,000	Adjustment to Public Works Administrative Division to adjust for forecasted overspends
	Roads & Sdw	Exp	41-541430	Electricity, Gas & Water	181,000	13,000	194,000	
	Roads & Sdw	Exp	41-541521	Clothing & Uniform Expense	400	500	900	
	Roads & Sdw	Exp	41-541640	Machinery & Equipment	72,000	15,000	87,000	
	Roads & Sdw	Exp	41-541648	Automotive Lease	113,500	(32,500)	81,000	
24	<u>Adjustments To Risk Management Division</u>							
	Risk Mgmt	Exp	84-513312	Other Professional Services	10,000	5,000	15,000	Adjustment to Risk Management Division to adjust for forecasted overspends
	Risk Mgmt	Exp	84-513392	Motor Vehicle - Deductible	15,450	(7,000)	8,450	
	Risk Mgmt	Exp	84-513451	Insurance Premium	648,507	16,500	665,007	
	Risk Mgmt	Exp	84-513452	General Liability - Deductible	100,960	(14,500)	86,460	
25	<u>Adjustments To Fleet Maintenance Division</u>							
	Flt Mnt	Exp	49-541340	Other Contracted Services	59,000	10,000	69,000	Adjustment to Fleet Maintenance Division to adjust for forecasted overspends
	Flt Mnt	Exp	49-541543	Tires & Wheels	16,000	7,000	23,000	
	Flt Mnt	Exp	49-541640	Machinery & Equipment	5,000	20,000	25,000	
	Flt Mnt	Exp	49-541120	Salaries-Regular	161,849	(22,000)	139,849	
	Flt Mnt	Exp	49-541542	Parts & Repairs	50,000	(15,000)	35,000	

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#	<u>Amendment Details</u>				<u>Budget</u>	<u>Adj</u>	<u>Revised</u>	
26	<u>Adjustments To Solid Waste Division</u>							
	Solid Waste	Exp	50-535440	Rentals & Leases	-	4,000	4,000	Adjustment to Solid Waste Division to adjust for forecasted overspends
	Solid Waste	Exp	50-541431	Tipping Fees	5,000	20,000	25,000	
	Beaut & Mnt	Exp	39-541120	Salaries-Regular	401,973	(24,000)	377,973	
27	<u>Adjustments To Beautification & Maintenance Division</u>							
	Beaut & Mnt	Exp	39-541120	Salaries - Regular	377,973	42,500	420,473	Adjustment to Beautification & Maintenance Division to adjust for forecasted overspends
	Beaut & Mnt	Exp	39-541130	Salaries - Part-Time	42,863	(18,000)	24,863	
	Beaut & Mnt	Exp	39-541140	Salaries - Overtime	4,500	500	5,000	
	Beaut & Mnt	Exp	39-541340	Other Contracted Services	155,000	66,000	221,000	
	Beaut & Mnt	Exp	39-541431	Solid Waste Disposal Fees	37,417	(5,000)	32,417	
	Beaut & Mnt	Exp	39-541440	Rentals & Leases	35,000	(5,000)	30,000	
	Beaut & Mnt	Exp	39-541493	General Expense	16,000	(8,000)	8,000	
	Beaut & Mnt	Exp	39-541520	Operating Expense	22,422	(13,000)	9,422	
	Beaut & Mnt	Exp	39-541648	Vehicles - Leased	11,200	5,000	16,200	
	Beaut & Mnt	Exp	39-541620	Building Improvement	236,000	(55,000)	181,000	
	Beaut & Mnt	Exp	39-541640	Machinery & Equipment	40,000	(10,000)	30,000	
28	<u>Adjustments To Community Development Division</u>							
	Comm Dev	Exp	37-515120	Salaries - Regular	174,599	20,000	194,599	Adjustment to Community Development Division to adjust for forecasted overspends
	Comm Dev	Exp	37-515210	FICA	20,205	1,500	21,705	
	Comm Dev	Exp	37-515220	Retirement	31,453	2,000	33,453	
	Comm Dev	Exp	37-515420	Postage	300	100	400	
	Comm Dev	Exp	37-515540	Memberships	500	2,500	3,000	
	Comm Dev	Exp	37-515312	Other Professional Services	119,500	(10,000)	109,500	
	Comm Dev	Exp	37-515340	Other Contract Services	28,000	(6,100)	21,900	
	Comm Dev	Exp	37-515531	Community Historic Grant	100,000	(10,000)	90,000	
29	<u>Stormwater MS4 Penalties</u>							
	STM Ops	Exp	43-TBDxxx	Penalties	-	145,000	145,000	Penalty for Stormwater regulation violations.
	STM-Ops	Fund Bal	450-383010	Use Of Fund Balance	2,287,114	145,000	2,432,114	

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30	<u>Adjustments To Police Division</u>							
	Police	Exp	26-521120	Salaries - Regular	3,921,230	475,000	4,396,230	Adjustment to Police Department adjust for forecasted overspends
	Police	Exp	26-521140	Salaries - Overtime	210,000	125,000	335,000	
	Police	Exp	26-521467	Repair & Maint - Mach & Equip	10,000	5,000	15,000	
	Police	Exp	26-521510	Office Supplies	5,000	2,000	7,000	
	Police	Exp	26-521521	Clothing & Uniform Expense	18,000	4,000	22,000	
	Police	Exp	26-521648	Vehicle Lease/Purchase	457,000	10,000	467,000	
	Police	Exp	26-521641	Automotive Equipment	30,000	(15,000)	15,000	
	Police	Exp	26-521340	Other Contracted Services	209,900	(60,000)	149,900	
	Beaut & Mnt	Exp	39-541120	Salaries - Regular	420,473	(191,000)	229,473	
	Finance	Exp	17-513120	Salaries - Regular	374,503	(50,000)	324,503	
	Roads & Sdw	Exp	41-541340	Other Contracted Services	591,500	(50,000)	541,500	
	HR	Exp	13-513120	Salaries - Regular	128,633	(30,000)	98,633	
	Gen Fund	Rev	001-342120	Off Duty Revenue	108,150	225,000	333,150	
31	<u>Adjustments To Building & Licenses Division</u>							
	Bld & Lic	Exp	30-524120	Salaries - Regular	284,289	(60,000)	224,289	Adjustment to Building & Licenses Department to adjust for forecasted overspends
	Bld & Lic	Exp	30-524130	Salaries - Part Time	85,484	60,000	145,484	
	Bld & Lic	Exp	30-524312	Other Professional Services	6,500	5,000	11,500	
	Bld & Lic	Exp	30-524210	FICA	50,273	(5,000)	45,273	
32	<u>Adjustments To Town Center Municipal Complex Division</u>							
	Town Cntr	Exp	62-519430	Electric, Gas, Water	146,979	5,000	151,979	Adjustment to Building & Licenses Department to adjust for forecasted overspends
	Town Cntr	Exp	62-519461	Repair & Maintenance - Building	33,500	15,000	48,500	
	Town Cntr	Trf-In	490-381001	Trf-In From General Fund	672,023	20,000	692,023	
	Non-Dept	Trf-Out	19-581926	Trf-Out To Town Center	672,023	20,000	692,023	
	PW Admin	Exp	32-541520	Operating Expense	30,000	(20,000)	10,000	
33	<u>Adjustments To Code Enforcement</u>							
	Code	Exp	23-521110	Salaries - Regular	290,628	55,000	345,628	Adjustment to Code Enforcement to adjust for forecasted overspends
	Code	Exp	23-521210	FICA	22,347	5,000	27,347	
	Code	Exp	23-521646	Computer Equipment	-	2,400	2,400	
	Code	Exp	23-521340	Other Contracted Services	-	(12,000)	(12,000)	
	Beaut & Mnt	Exp	39-541120	Salaries - Regular	229,473	(50,400)	179,073	

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34	<u>Adjustments To Finance Department</u>							
	Finan	Exp	17-513320	Accounting & Auditing	80,000	40,000	120,000	Adjustment to Finance to adjust for forecasted overspends
	Finan	Exp	17-513340	Other Contracted Services	35,000	40,000	75,000	
	Finan	Exp	17-513462	Office Renovation Supplies	10,000	(8,000)	2,000	
	Finan	Exp	17-513542	Training	20,000	(17,000)	3,000	
	Roads & Sdw	Exp	41-541340	Other Contracted Services	541,500	(55,000)	486,500	
35	<u>Parks & Recreations Overtime</u>							
	Parks & Rec	Exp	72-572140	Salaries - Overtime	20,000	5,000	25,000	Additional overtime due to vacancies
	Parks & Rec	Exp	72-572130	Salaries - Part Time	219,538	(5,000)	214,538	
36	<u>HR Contract Services</u>							
	HR	Exp	13-513340	Other Contracted Services	25,800	10,000	35,800	Adjustment of HR Contract Services
	HR	Exp	13-513110	Salaries - Executive	78,535	(10,000)	68,535	
37	<u>City Manager</u>							
	Mgr	Exp	12-512110	Salaries - Executive	364,558	30,000	394,558	Adjustment to City Manager to adjust for forecasted overspends
	Mgr	Exp	12-512210	FICA	44,558	3,000	47,558	
	Mgr	Exp	12-512220	Retirement	100,995	3,000	103,995	
	Roads & Sdw	Exp	41-541340	Other Contracted Services	486,500	(36,000)	450,500	
38	<u>Demolition - Police Station Decontamination Expense</u>							
	Safe Neigh	Exp	44-541822	Demolition	302,000	24,000	326,000	Additional decontamination expense
	Safe Neigh	Exp	44-541840	Sesame Street Bridge	1,172,458	(24,000)	1,148,458	
39	<u>Park Fences</u>							
	Safe Neigh	Exp	44-541838	Park Fences	220,440	5,000	225,440	Minor additional expense for Park Fences Project
	Safe Neigh	Exp	44-541840	Sesame Street Bridge	1,148,458	(5,000)	1,143,458	