CITY OF OPA-LOCKA

The City of Bright Opportunities

REGULAR COMMISSION MEETING
Agenda

Wednesday, June 12, 2024
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
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 12, 2024
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:

City Commission Workshop Meeting Minutes - May 8, 2024

Regular Commission Meeting Minutes - May 8, 2024

Regular Commission Meeting Minutes - May 22, 2024

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

10. PUBLIC PRESENTATIONS:

Adelina Gross, CIP Manager
City of Opa-locka
Update on Residential Flooding Mitigation

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

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

13. ADMINISTRATION:

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RENAMING PUBLIC WORKS WEEK IN MEMORY OF DECEASED CITY EMPLOYEE AND RESIDENT KENDRICK MCPHEE DURING THE MONTH OF MAY EACH YEAR; ESTABLISHING A BUDGET OF TWO THOUSAND DOLLARS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Commissioner Kelley*

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AWARDING THREE (3) ONE THOUSAND, SIX HUNDRED FIFTY DOLLAR ($1,650.00) SCHOLARSHIPS THROUGH THE CITY OF OPA-LOCKA'S EDUCATIONAL SCHOLARSHIP PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT 2 TO THE WW130301 LOAN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, RELATING TO THE STATE REVOLVING FUND (SRF) LOAN PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

4. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DECLARING CERTAIN CITY PROPERTY, IDENTIFIED AS A DONATED METAL DETECTOR, AS SURPLUS PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

5. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO REQUEST MIAMI-DADE COUNTY TO CONDUCT A FEASIBILITY STUDY TO INSTALL A HIGH VISIBILITY PEDESTRIAN CROSSWALK ON ALI-BABA AVENUE NEAR THE TRI-RAIL STATION, WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

6. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING STANDARD DEPARTMENTAL OPERATING PROCEDURES PURSUANT TO CITY OF OPA-LOCKA RESOLUTION #23-035; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

7. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ESTOPPEL**

CERTIFICATE REGARDING GPT NW 42ND AVE OWNER, LLC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

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

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT REGULATION, ORDINANCE 15-31, ARTICLE V, SECTION 22-142, TO CREATE A NEW DEFINITION FOR INDOOR SHOOTING RANGES AND PERMIT INDOOR SHOOTING RANGES IN THE I-3 ZONING DISTRICT AS A CONDITIONAL USE AND PROVIDE GENERAL REQUIREMENTS FOR ZONING, LOCATION AND DISTANCE, SITE PLAN, LICENSURE AND NUISANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

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

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL / DENIAL OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 7.58 ACRE PARCEL, LOCATED AT 1700 SERVICE ROAD AND IDENTIFIED BY FOLIO 08-2122-005-2170; AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY FROM LOW MODERATE DENSITY RESIDENTIAL TO AN INDUSTRIAL LAND USE DESIGNATION: PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on April 24, 2024).** *Sponsored by City Manager* **Deferred from 05/22/2024 RCM**

C. RESOLUTION(S):

17. CITY MANAGER'S REPORT:

18. OFFICIAL BOARD REPORTS:

19. FUTURE AGENDA ITEMS:

20. MAYOR/COMMISSION REPORTS:

Mayor John H. Taylor Jr.
Financial Oversight Update provided by City Manager Darvin Williams
Glorieta Apartments Update provided by City Manager Darvin Williams

Commissioner Joseph L. Kelley
City Payment Process for Vendors
City Liens on Homeowners Properties
Infrastructure Needs and Assessment
Evaluation Process for Charter Officials

Commissioner Veronica J. Williams
Evaluation Process for Charter Officials
Strategic Planning

21. OFFICIAL BOARD APPOINTMENTS:

Charter Review Board
1 Individual appointment (Commissioner Bass)
1 individual appointment (Commissioner Kelley)
2 at-large appointments

Civil Service Board
1 individual appointment (Commissioner Bass)
1 individual appointment (Commissioner Williams)

Historic Environmental Preservation Board
2 at-large appointments

Local Financial Oversight Board
1 at-large appointment

Planning & Zoning Board of Appeals
1 at-large appointment

Teen & Young Adult Advisory Board
1 individual appointment (Commissioner Bass)

22. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

1. **City of Opa-locka Mayor & Commission invite you to Commissioner Joseph L. Kelley's Meet Me Monday, June 10, 2024 at 6:00 PM, Helen L. Miller Center, 2331 NW 143rd Street, Opa-locka, Florida.**

2. **Please join the City of Opa-locka Mayor & Commission for Father's Day and Juneteenth Bingo Night, Friday, June 14, 2024, at 6:00 PM, Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.**

3. **City of Opa-locka Mayor & Commission presents Father's Day Picnic and Family Fishing Tournament, Saturday, June 15, 2024, Ingram Park, 2100 Burlington Street, Opa-locka, Florida. Father & Child Fishing Tournament from 9:30 a.m. - 11:30 a.m.; 11:00 a.m. Picnic & BBQ.** *Hosted by Mayor John H. Taylor Jr. and Commissioner Joseph L. Kelley*

4. **City of Opa-locka Mayor & Commission invites the community to a Monthly Free Food Distribution, Friday, June 21, 2024 from 10:00 AM - 1:00 PM, while supplies last, Segal Park, 2331 NW 143rd Street, Opa-locka, Florida.**

5. **City of Opa-locka Mayor and Commission along with the Parks & Recreation Department presents Juneteenth Community Celebration, Saturday, June 22, 2024 from 12:00 PM - 5:00 PM, Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.**

6. **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 3, 2024 from 10:00 A.M. - 1:00 P.M., first come, first served, at Sherbondy Park Pavilion, 777 Sharazad Boulevard, Opa-locka, Florida.**

7. **City of Opa-locka Mayor & Commission present Monthly Chess Community Challenge hosted by Commissioner Sherelean Bass, every first Saturday, July 6, 2024 from 12:00 PM - 1:30 PM, Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.**

8. **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, Florida.**

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"

CITY COMMISSION WORKSHOP
Wednesday, May 8, 2024
5:30 PM

1. CALL TO ORDER:

Mayor Taylor called the City Commission Workshop to order at 5:42 PM on Wednesday, May 8, 2024, at the City of Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Vice Mayor Natasha L. Ervin, Commissioner Joseph L. Kelley, Commissioner Veronica Williams, and Mayor John H. Taylor. Also, in attendance were City Manager Darvin Williams, Assistant City Manager Shamecca Lawson, Assistant City Attorneys Candice Cobb and Jordan Gary, and City Clerk Joanna Flores.

3. INVOCATION:

The invocation was delivered by Commissioner Kelley.

4. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited in unison.

5. PUBLIC INPUT:

Mayor Taylor opened Public Comments. No one came forth to speak. Mayor Taylor closed Public Comments.

6. DISCUSSION ITEMS:

- **Arabian Nights Festival**
- **Historic City Hall**
- **City of Opa-locka Birthday Celebration**
- **Monthly Bingo Event**
- **Juneteenth**
- **Special Events**

Commissioner Kelley discussed the Arabian Nights Festival, budget, and efforts to secure a vendor to manage. He added that has the potential to be a signature event for the City.

Commissioner Williams said the previously discussed goal was to hire a marketing company to hire the marketing and production. She noted the proposed budget is reasonable, when compared

to other productions. Commissioner Williams recommended soliciting ideas from both the City Commission and the Community Relations Board. She suggested a concert or show.

Mayor Taylor mentioned that he met with the City Manager three weeks ago, and they agreed on the need for a production company. He proposed selecting a production company now, securing sponsorship funding this year, and then reintroducing the Arabian Nights festival next year. However, he does not support the idea of a multi-day festival.

Vice Mayor Ervin asked if the budget would increase. Mayor Taylor reiterated the creation of a sponsorship deck in order to raise funding for a successful event.

Commissioner Kelley noted the importance of developing a timeline. He would support a two-day festival and wants to engage the community on ideas.

Mayor Taylor agreed a timeline was necessary. He asked City Manager Williams if a production committee could be procured by July, to which City Manager Williams affirmed. Mayor Taylor then suggested that the production company submit proposals for the festival to the City Commission in August.

Commissioner Williams recommended involving the City's newly hired marketing firm. She stated that proposing a timeline at this stage was premature. She suggested the public engagement could also be done by the marketing firm.

Commissioner Kelley reiterated the need for a timeline and immediately engagement of the new marketing firm. He asked when the marketing firm would be in place. City Manager Williams responded that a resolution for the selection of the marketing firm would be brought forth at the May 22, 2024 City Commission meeting. Commissioner Kelley asked Mayor Taylor to have the City Clerk disseminate any bullet points previously discussed between Mayor Taylor and the City Manager.

There was consensus to secure production company by July 2024 and review proposed plans by August 2024.

City Manager Williams introduced the Historic City Hall item and asked Ms. Gross to explain the paint color options.

Ms. Adelina Gross, CIP Manager, reviewed the paint color options for Historic City Hall.

Commissioner Williams expressed that she is not in favor of any of these options. Ms. Goss stated one of the requirements of the restoration was utilization of the same or similar historic colors.

Vice Mayor Ervin asked to see the colors on material other than paper.

Commissioner Williams stated the entire City Commissioner be polled for any items regarding Historic City Hall, including purpose, programs, save the date, and ribbon cutting.

Vice Mayor Ervin agreed and does not want to host a ribbon cutting until Historic City Hall was 100% completed.

Commissioner Kelley inquired about the plan for Historic City Hall.

Commissioner Williams concurred they need a plan prior to conducting a ribbon cutting.

City Manager Williams explained that the CDBG Block grant was intended for a museum, so a portion of the funds would need to be allocated accordingly. He added the second floor would likely be the best location, leaving the first and third floors open for discussion. He noted one suggestion was an event space.

Mayor Taylor clarified the conversation he had with City Manager Williams, with a request to poll the City Commission about availability on May 14th for the ribbon cutting, in collaboration with the City's birthday. City Clerk Flores made an effort to contact all City Commissioners, but unfortunately, could not reach everyone. She explained that she was just adhering to a directive.

Discussed ensued about the ribbon cutting.

Commissioner Kelley asked the City Manager to provide the City Commission will all ideas, plans, and recommendations concerning Historic City Hall.

The conversation shifted back to the color choices for Historic City Hall. Ms. Gross presented pictures that showcased the colors more accurately.

Vice Mayor Ervin brought up the City of Opa-locka Birthday Celebration, proposing a repeat of last year's plan, which featured activities like bingo, a pool party, karaoke, and gospel music over two days.

Commissioner Williams agreed with Vice Mayor Ervin's suggestion.

Discussion ensued about the Birthday Celebration and moving bingo.

Commissioner Kelley expressed concern regarding their conduct during the discussion on this item. Additionally, he emphasized the importance of adhering to the State's procedures for submitting invoices and completing procurement in a timely manner. City Manager Williams concurred and referenced Resolution 21-9859 for consideration at a future workshop.

Vice Mayor Ervin noted that Juneteenth was not recognized last year. City Manager Williams then requested direction from the City Commission regarding how to proceed. He asked if a member of the City Commission would like to take lead on a Juneteenth event. Commissioner Williams suggested an idea involving the youth, which typically draws attendance. Vice Mayor Ervin agreed to take lead for the Juneteenth event.

Mayor Taylor summarized his discussion with the State about streamlining Special Events for the City of Opa-locka. He requested to designate each event annually and allocate a budget for them. City Manager Williams requested a workshop to discuss the proposed events. Mayor Taylor proposed that each Commissioner provide a list of suggestions, which would then be summarized into a comprehensive list for consideration. City Manager Williams also asked each Commissioner to review the list of membership and travel opportunities and indicate interest.

7. ADJOURNMENT

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

_____
John H. Taylor Jr.
Mayor

_____
Joanna Flores, CMC
City Clerk

[Minutes prepared by T. Baclawski, Prototype-Inc.]

CITY OF OPA-LOCKA

"The City of Bright Opportunities"

REGULAR COMMISSION MEETING
Wednesday, May 8, 2024
7:00 PM

1. CALL TO ORDER:

Mayor Taylor called the meeting to order at 7:13 PM on Wednesday, May 8, 2024, at the City of Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Vice Mayor Natasha L. Ervin; Commissioner Joseph L. Kelley; Commissioner Veronica Williams; and Mayor John H. Taylor, Jr. Also, in attendance were City Manager Darvin Williams; Assistant City Manager Shamecca Lawson; Assistant City Attorneys Candice Cobb and Jordan Gary; and City Clerk Joanna Flores. Commissioner Sherelean Bass was not in attendance.

3. INVOCATION:

The invocation was delivered by Commissioner Kelley.

4. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited in unison.

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

Special Award Presentation by the Mayor & Commission, City Manager Darvin Williams and Chief Kenneth Ottley to the following Opa-locka Police Officers

Officer Daniel Kelly
Officer Rodney Jean-Baptiste
Officer Tiera Wooten
Officer Carlo Alexandre
Officer Dwayne Ramikie
Officer Kerby Nord

Chief Ottley provided background on the incident. Chief Ottley, City Manager Williams, and the City Commission presented two Lifesaving Awards to the officers. Officer Nord and Officer Ramikie accepted the awards.

Mayor Taylor presented a proclamation to City Clerk Flores in recognition of Municipal Clerks Week.

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

It was moved by Vice Mayor Ervin, seconded by Commissioner Williams, to approve the Consent Agenda (items 13-1, 13-2 and 13-3).

There being no additional discussion, the motion to approve the Consent Agenda passed by a 4-0 vote.

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

7. APPROVAL OF AGENDA:

City Clerk Flores stated there was one item to add under 14-1. She read the resolution into the record:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, SELECTING A PAINT COLOR FOR THE BUILDING KNOWN AS HISTORIC CITY HALL WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

City Manager Williams explained the emergency nature of the item.

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

There being no additional discussion, the motion to amend the agenda to include item 14-1 passed by a 4-0 vote.

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

There being no additional discussion, the motion to approve the agenda passed by a 4-0 vote.

Vice Mayor Ervin Yes
Commissioner Kelley Yes

Commission Williams Yes
Mayor Taylor Yes

8. APPROVAL OF MINUTES:

There were none.

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

There were no reports.

10. PUBLIC PRESENTATIONS:

Mr. Juan Fernandez-Barquin, Miami-Dade County Clerk of the Court and Comptroller, introduced himself and provided updates on initiatives included Operation Green Light, online payment plans for traffic tickets, property fraud alert system, and extended office hours.

Vice Mayor Ervin appreciated the property fraud alert system.

Commissioner Williams expressed gratitude to Mr. Fernandez-Barquin for attending.

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

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

City Clerk Flores stated there were no virtual public comments.

Mayor Taylor opened the Citizens' Forum.

Mr. Theophilus Williams, 1391 NW 95th Street, expressed concern about mental health issues and how the community needs to work together. He stated senior citizens and the community is suffering. He also noted that property taxes are out of control and developers are displacing people in the community. He said they are losing their schools to charter schools.

Ms. Audrey Dominguez, 1147 Jann Avenue, spoke about the cancelled bingo event and suggested better advertisement and communication. She commended the police officers for saving the two lives but noted the next day one of the victims passed away. She suggested someone from the Commission visit Ms. Mobley.

Ms. Chris Roberts asked what happened to the ARPA funds and expressed concern about why the demolition has not started yet on Ingram Park. She also noted a City employee who recently passed away and suggested someone more should have been done to acknowledge it.

Ms. Javannah Sawyer, 14536 NW 17th Path, said she was falsely arrested by a City police officer and described the situation. She asked for help resolving the issue.

Mayor Taylor suggested Ms. Sawyer connect with Chief Ottley.

Mayor Taylor closed the Citizens' Forum.

Commissioner Williams extended her condolences to the Mobley family.

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

There were none.

13. ADMINISTRATION:

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO CONDUCT A FEASIBILITY STUDY TO ALLOW FOR SINGLE-DIRECTION TRAFFIC IN SCHOOL ZONE AREAS DURING CERTAIN HOURS WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** ***Sponsored by Commissioner Bass***

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING THE CITY MANAGER'S DECISION TO CHANGE THE SCOPE OF WORK FOR THE POLICE DEPARTMENT DEMOLITION AND REBUILD/RELOCATION PROJECT AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH DIAMANTI CONSTRUCTION & DEVELOPMENT, INC. TO INCLUDE THE ADDITIONAL WORK ALREADY COMPLETED FOR THE INITIAL ENVIRONMENTAL REMEDIATION AND SOIL STABILIZATION OF THE OLD POLICE STATION LOCATED AT 2495 ALI BABA AVENUE, WITHIN THE CITY, IN THE AMOUNT OF FORTY-EIGHT THOUSAND, THREE HUNDRED EIGHTY DOLLARS ($48,380.00), AND IN A CONTRACT FORM TO BE APPROVED BY THE CITY ATTORNEY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE. DATE.** *Sponsored by City Manager*

3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT 2 TO THE PAYMENT PLAN AGREEMENT BETWEEN THE CITY OF OPA-LOCKA AND GLORIETA PARTNERS, LTD; RECOGNIZING NEW COMPANY OWNERSHIP, CLARIFYING SUCCESSOR LIABILITY AND SIGNATORIES RELATED TO AN OUTSTANDING WATER AND**

SEWER BILLS BALANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

Please note that vote taken on the Consent Agenda resolutions can be viewed under agenda item 6 – Approval of Consent Agenda and Pull List.

14. NEW ITEMS:

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, SELECTING A PAINT COLOR FOR THE BUILDING KNOWN AS HISTORIC CITY HALL WITHIN THE CITY ; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Cobb.

City Manager Williams introduced the item. He stated the options were limited by the Historic Preservation Board and historical records. He noted it takes approximately three weeks for the historic paint colors to be produced.

Discussion ensued about the Options B and C.

Commissioner Williams inquired whether the placement of the colors could be modified in Option C.

There was consensus to move forward with Option C with the caveat that the administration wing wall be the same color as the front. Ms. Gross confirmed Ms. Williams' suggestion could be accommodated.

It was moved by Vice Mayor Ervin, seconded by Commissioner Williams, to approve colors listed in Option C.

There being no additional discussion, the motion to approve the colors passed by a 4-0 vote.

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

It was moved by Vice Mayor Ervin, seconded by Commissioner Kelley, to approve Agenda Item 14-1.

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

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

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):

There was none.

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, 2023 AND ENDING SEPTEMBER 30, 2024, 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 April 10, 2024). *Sponsored by City Manager*

The above ordinance was read by Assistant City Attorney Cobb.

City Manager Williams introduced the item. He explained they have been back and forth with the vendor the last two years to receive interest payments.

Mayor Taylor opened the public hearing. No one came forth to speak. Mayor Taylor closed the public hearing.

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

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

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

C. RESOLUTION(S):

There were none.

17. CITY MANAGER'S REPORT:

City Manager Williams noted that they currently have only one applicant for the scholarship and reviewed the marketing efforts. He asked the Commission whether they wanted to move forward with one application or extend the deadline.

There was consensus to extend the deadline by two weeks.

Commissioner Kelley asked about the impact on the applicant who applied by the deadline. The Commission agreed if the current applicant meets the requirements, they should be awarded one of the scholarships.

18. OFFICIAL BOARD REPORTS:

There were none.

19. MAYOR/COMMISSION REPORTS:

1. **Mayor John H. Taylor Jr.**
   Financial Oversight Update provided by City Manager Darvin Williams
   Glorieta Gardens Update by City Manager Darvin Williams

City Manager Williams provided an update on Glorieta Gardens including meetings with HUD, the limited partner, and the general partner. He noted that HUD was moving forward with abatement but have run into challenges regarding continued payments on behalf of residents who may decide to remain. He said they are looking between 90 days and 6 months for rehabilitation.

Mayor Taylor asked for clarification about HUD. City Manager Williams explained that the contractor team responsible for HUD abatement recently contacted the City. One of the requirements is to meet with residents both individually and as a group to outline their rights. He confirmed that HUD continue to make payments on the residents' behalf.

City Manager Williams gave an update on the financial oversight. He said their 2023 audit would be submitted by December 2024, if not sooner, and the 2024 audit by June 2025.

Commissioner reports were done after Future Agenda Items.

Commissioner Williams asked for the update on the Summer Youth Internship Program. Ms. Mary Adams, Human Resources Director, reported that 26 applicants have applied for the program. She is currently in the process of reaching out to acknowledge their submissions. She noted that they will be meeting internally to match applicants' interests with available positions. She listed the applicants' high schools.

Commissioner Williams inquired about the number of interns they could accept. Ms. Adams responded that they could host 10 interns.

Commissioner Williams stated that Commissioner Bass would like to invite everyone to the Community Chess Challenge, hosted every first Saturday. The next program will be held May 11th from 12:00-1:30 PM at Sherbondy Village.

Commissioner Williams thanked everyone for participating in the National Day of Prayer.

Vice Mayor Ervin announced National Nurses Week, Haitian Heritage Month, and Mental Health Month. She extended her condolences to the McPhee Family, Hansfield Family, and any City employees experiencing difficult times. She corrected the misinformation and noted she announced the new May date at the previous bingo event. Vice Mayor Ervin also expressed that the City did reach out to the McPhee family.

City Manager Williams said Mr. McPhee was more than an employee, he was a family member. He noted they have been in touch with his widow and family and explained the City life insurance policy. He stated the City has also coordinated services for Mr. McPhee.

Commissioner Williams also announced Teacher Appreciation Week and shouted out all educators.

Commissioner Kelley echoed sentiments expressed to the McPhee family. He said they served approximately 300 families at the most recent farm share distribution. He noted the National Day of Prayer was a success and commended staff for their hard work. He stated the next Feeding South Florida would be held on May 16th and Meet me Monday would be held on May 13th. He attended this morning's groundbreaking for Wellspring apartments.

Mayor also expressed his condolences to the families. He announced the City's 99th Birthday Celebration on May 14th. He referenced a comment from the earlier workshop and expressed apologies if he had shown any disrespect towards his fellow Commissioners.

20. FUTURE AGENDA ITEMS:

It was moved by Commissioner Kelley, seconded by Vice Mayor Ervin, to add an item to rename the Public Works Week after Mr. McPhee.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 4-0 vote.

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

Mayor Taylor spoke about creating a Helping Hand ordinance to assist people financially when an employee has passed.

It was moved by Commissioner Williams, seconded by Vice Mayor Ervin, to add the item to Future Agenda.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 4-0 vote.

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

Commissioner Kelley requested to add the topic of mental health challenges to Future Agenda. Mayor Taylor would like to co-sponsor and asked to add recognizing May as Mental Health Month to the item.

Discussion ensued about the Social Services Department, EAP Program, and active outreach.

It was moved by Commissioner Kelley, seconded by Vice Mayor Ervin, to add the item to Future Agenda.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 4-0 vote.

Vice Mayor Ervin Yes
Commissioner Kelley Yes

Commissioner Williams Yes
Mayor Taylor Yes

21. OFFICIAL BOARD APPOINTMENTS:

There were none.

22. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Kelley, seconded by Vice Mayor Ervin to adjourn the meeting at 8:27p.m.

_____
John H. Taylor Jr.
Mayor

_____
Joanna Flores, CMC
City Clerk

[Minutes prepared by T. Baclawski, Prototype-Inc.]

CITY OF OPA-LOCKA

"The City of Bright Opportunities"

REGULAR COMMISSION MEETING
Wednesday, May 22, 2024
7:00 PM

1. CALL TO ORDER:

Mayor Taylor called the meeting to order at 7:07 PM on Wednesday, May 22, 2024, at the City of Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida.

2. ROLL CALL:

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

3. INVOCATION:

The invocation was delivered by Commissioner Bass.

4. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited in unison.

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

There were none.

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

Commissioner Kelley requested to pull Items 13-3 and 13-5.

Commissioner Williams asked to pull Item 13-2.

Assistant City Manager Lawson requested to defer Item 13-5.

It was moved by Commissioner Bass, seconded by Vice Mayor Ervin to approve the Consent Agenda, as amended.

There being no additional discussion, the motion to approve the Consent Agenda passed by a 5-0 vote (approved under Consent 13-1, 13-4, 13-6, 13-7, 13-8, 13-9, and 13-10).

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

7. APPROVAL OF AGENDA:

City Clerk Flores stated there was one item to add under 14-1. She read the resolution into the record:

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO ALLOCATE FIFTY THOUSAND DOLLARS ($50,000) FOR IMPLEMENTATION OF A SUMMER YOUTH JOBS PROGRAM AND ENTER INTO AN AGREEMENT WITH THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD PURSUANT TO THE TERMS AND CONDITIONS SET FORTH IN EXHIBIT A; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Taylor*

Mayor Taylor explained the emergency nature of the item.

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

There being no additional discussion, the motion to amend the agenda to include item 14-1 passed by a 5-0 vote.

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

It was moved by Commissioner Kelley, seconded by Commissioner Williams, to approve the agenda.

City Clerk Flores noted Attorney Robert Holland requested to defer Item 16-B.1 to the June 12, 2024 Regular Commission meeting, however, City Manager Williams would like to move forward with the item.

Mayor Taylor noted the City Manager is not in attendance to discuss the item.

There being no additional discussion, the motion to defer Item 16-B.1. passed by a 3-2 vote.

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

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

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

8. APPROVAL OF MINUTES:

City Commission Workshop Minutes – April 24, 2024

It was moved by Commissioner Kelley, seconded by Commissioner Williams, to approve Regular Commission Meeting Minutes from April 24, 2024.

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

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

Regular City Commission Meeting Minutes – April 24, 2024

It was moved by Commissioner Williams, seconded by Commissioner Bass, to approve City Commission Workshop Minutes from April 24, 2024.

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

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

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

There were no reports.

10. PUBLIC PRESENTATIONS:

ARPA Expenditures – Bob Anathan, Budget Administrator

Mr. Anathan, Budget Administrator, provided an update on the ARPA Expenditures. In total the city received $7.9M. He reviewed the projects that were selected to move forward including Artscape, improvements to Helen Miller Siegel Park, rental assistance program, commercial grants program, and restoration of the Fire Station Headquarters.

Commissioner Kelley asked how much has been expended in the rental assistance program. Mr. Anathan said approximately $150K has been expended from budgeted $250K. He clarified the deadline dates for encumbrance and expenditures and will bring forth a resolution.

Commissioner Kelley asked when they anticipate seeing the design of the Fire Station. Mr. Anathan said he would need to defer to the CIP Manager.

Mr. Anathan continued the presentation and reviewed additional projects and expenditures including; replacement and relocation of water mains; sewer smart covers and telemetry; rehabilitation or relation of pump stations; replacement of asbestos pipes; sewer relocation; pump station flow meetings; sewer system modeling; and consultants.

Mayor Taylor asked if items would come back in the form of the resolution. Assistant City Manager Lawson affirmed.

Commissioner Kelley asked about timelines for RFPs. Mr. Anathan said the two projects requiring RFPs will likely go out to bid in late summer.

Commissioner Kelley inquired about the timeline for the proposals already received. Mr. Anathan said a recommendation would be brought forth to the City Commission as the second meeting in June.

Commissioner Kelley asked about the accrued interest. Mr. Anathan stated it could be used for any general purpose and does not need to be encumbered.

City Attorney Norris-Weeks asked whether the eligible uses were checked against the federal guidelines. She noted the resolution should be brought forth prior to the RFP. Mr. Anathan replied that the consultants confirmed the funding follows the federal guidelines. Additionally, the resolutions will be for the one or two items that do not involve a purchase order. He clarified there will not be a resolution for each project. City Attorney Norris-Weeks recommended the projects should be approved by the City Commission. Mayor Taylor asked

Mr. Anathan to work with the City Attorney's Office. City Attorney Norris-Weeks expressed concern that she has not seen the list of projects prior and asked for further information.

Ms. Adelina Gross, CIP Manager, was available for questions. Commissioner Kelley reiterated his question about the design of the Fire Station. Ms. Gross said they anticipate receiving the complete plans within 60 days and then it will go out for RFP.

Hurricane Preparedness – Chief Kenneth Ottley, Chief of Police

Chief Ottley provided an update on the City's hurricane preparedness plan including the following: Saffir-Simpson Hurricane Wind Scale; supplies needed by residents and proper storage; first aid; tools; additional supplies; available Miami-Dade County shelters; and steps after the storm.

Commissioner Kelley inquired about the procedures for drain cleaning in anticipation of the upcoming hurricane season. Additionally, he sought information on the number of pumps available.

Commissioner Kelley asked if the office downstairs would serve as a command center during hurricane season, which was affirmed by Chief Ottley.

Mayor Taylor also sought an update on the progress of tree pruning.

Mr. Aria Austin, the Public Works Director, reported that drain cleaning operations are ongoing daily, with support from a subcontractor. He assured that there are a sufficient number of pumps available to manage storm events.

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

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

Mayor Taylor opened the Citizens' Forum.

City Clerk Flores stated there was one virtual public comment.

Ms. Charlotte Wright, 680 West Superior Street, said her church has been experiencing issues as a result of the road closures, including illegal dumping. She noted the church took the initiative to install No Dumping signage. She outlined improvements the church has made to the area.

Mayor Taylor said the City Manager's Office would reach out to Ms. Wright.

City Clerk Flores noted an additional virtual public comment from Mr. Emerson Harris but there was no response.

Mr. Michael Jones, 2110 Wilmington Street, brought attention to ongoing efforts in street cleanup. He presented photographic evidence highlighting instances of illegal dumping along with the associated addresses.

Mr. Don Wiggins, 11446 Coral Springs, described marketing and advertising opportunities through his firm, including celebrating Opa-locka's 99th birthday next year. He listed events and programs they highlighted for other cities.

Mr. Scott Martin, 4311 Buchanan Street, Hollywood, said his company, 2020 Media, has been working closely with the City on street furniture of bus benches and bus shelters. He anticipated they would receive a contract to replace every bus bench and bus shelters and asked for consideration.

Mayor Taylor asked Mr. Martin who he negotiated the contract with. Mr. Martin stated Mr. Aria Austin.

Chaplain Stanley Young shared his commitment to spending time with inmates, offering them a second chance at rehabilitation. He highlighted his collaboration with the Miami-Dade Department of Corrections to facilitate discussions on how inmates can make positive changes in their lives. Additionally, he addressed the challenges that individuals face upon their release from incarceration. He expressed interest in establishing a home within the community. He also spoke about homelessness and partnerships needed to address the issue.

Mr. Harv Lawson, 13059 SW 26th Street, Miramar, said he grew up in Opa-locka and proposed to create a media outlet to bring more exposure to the City. He recommended the creation of a tv station. He spoke about his foundation and opportunities to partner.

Mayor Taylor asked Mr. Lawson to leave his contact information.

Mr. Theophilus Williams, 1391 NW 91st Street, spoke about park and field improvements and importance of community input. He said taxes need to be reduced for senior citizens. He noted they need better services for the community and less development.

Mr. James Jacobs, 2161 Rollins Street, echoed Commissioner Kelley's concerns regarding the need for drain cleaning. He highlighted that despite raising the issue with the City, the drain in his neighborhood remains uncleared. He expressed frustration, indicating that he was directed to the County for responsibility, despite the ongoing problem persisting within the City limits.

Dr. Rativia Walden, 1860 Service Road, brought attention to a neighboring property that has been red tagged. She sought an update on the status of the property and emphasized that the owners are in violation of code enforcement regulations. She expressed concern about the structure during a hurricane event.

Mayor Taylor confirmed staff would connect with Dr. Walden.

Ms. Audrey Dominguez, residing at 1147 Jann Avenue, addressed the need for four-way signage on Jann Avenue following a recent accident. She urged residents to acquaint themselves with Senate Bill 290 and emphasized the importance of public records requests. She asked for an update on the public records request she submitted.

City Clerk Flores acknowledged receipt of Ms. Dominguez' public records request and would process in the morning.

Ms. Jeannette Matos, 2240 Service Road, reiterated the issues with drainage on their road.

Ms. Carla Hibbert Latimer, 20580 NW 14th Place, Miami Gardens, proposed conducting a community needs assessment to better inform community development efforts. She volunteered her services for this endeavor. Furthermore, she advocated for increased resources and support, emphasizing the importance of advocacy. Lastly, she brought attention to the issue of human trafficking within the community.

Mayor Taylor asked Ms. Latimer to leave her contact information.

Mayor Taylor closed the Citizens' Forum.

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, DIRECTING THE CITY MANAGER TO CONDUCT AN INTERNAL FEASIBILITY STUDY TO ESTABLISH A FOOD PANTRY AT INGRAM PARK WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Commissioner Kelley*

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

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

Commissioner Kelley introduced the item and indicated that the City Commission would deliberate on it and reach a decision at a later date. He mentioned that Feeding South Florida is currently gathering data to determine the number of Opa-locka residents benefiting from the program.

Commissioner Williams mentioned that the food pantry located in North Miami Beach operates through their Social Services Department. She directed a question to Commissioner Kelley, inquiring about his vision for who would operate the pantry in Opa-locka.

Commissioner Kelley said he would defer to the information provided by the feasibility study, including addressing the question asked by Commissioner Williams.

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

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

2. **[13-3] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HIP ROCK STAR, LLC FOR PUBLIC RELATIONS AND MARKETING CONSULTANT SERVICES, IN AN AMOUNT NOT TO EXCEED EIGHTY-FOUR THOUSAND DOLLARS ($84,000.00) ANNUALLY, AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

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

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

Assistant City Manager Lawson introduced the item, stating that nine proposals had been received, and management recommended Hip Rock Star, LLC

Commissioner Kelley expressed concern about the process, questioning why the City Commission was considering only one vendor. He also raised issues regarding the evaluation and scoring process. He suggested the City Clerk Office and Parks and Recreation should have been part of the evaluation process.

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

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

13. ADMINISTRATION:

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO ISSUE A REQUEST FOR PROPOSALS FOR THE INSTALLATION OF BUS BENCHES AND/OR BUS SHELTERS, WHERE PRACTICABLE WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Mayor Taylor, Co-sponsored by Vice Mayor Ervin, Commissioner Bass and Commissioner Kelley*

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO CONDUCT AN INTERNAL FEASIBILITY STUDY TO ESTABLISH A FOOD PANTRY AT INGRAM PARK WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Commissioner Kelley*

3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HIP ROCK STAR, LLC FOR PUBLIC RELATIONS AND MARKETING CONSULTANT SERVICES, IN AN AMOUNT NOT TO EXCEED EIGHTY-FOUR THOUSAND DOLLARS ($84,000.00) ANNUALLY, AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

4. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE CITY OF MIAMI CONTRACT WITH H&R PAVING, INC. FOR QUALIFIED PROFESSIONAL SERVICES FOR PAVEMENT RESURFACING (CITY OF MIAMI IFB #1115382(28)), AND ENTER INTO AN AGREEMENT WITH H&R PAVING, INC FOR PAVEMENT RESURFACING, THROUGHOUT THE CITY, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY-THREE THOUSAND FIVE HUNDRED TWENTY-SIX DOLLARS ($263,526.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

5. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING A GRANT APPLICATION AND GRANT AGREEMENT AMENDMENTS FOR THE AFRICAN AMERICAN HISTORICAL AND CULTURAL GRANT FOR THE OPA-LOCKA CITY**

HALL PROJECT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

6. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE RECOMMENDATION OF THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD TO APPROVE THE ANNUAL REPORT FROM JANUARY 1, 2023 THROUGH DECEMBER 31, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR A CONFLICT AND REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

7. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND AUTHORIZING THE CITY OF OPA-LOCKA'S APPLICATION TO THE SURVEY AND REGISTRATION SECTION OF THE BUREAU OF HISTORIC PRESERVATION FOR THE CITY'S INCLUSION IN THE FLORIDA CERTIFIED LOCAL GOVERNMENT PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

8. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING THE HARRY HURT HOUSE LOCATED AT 305 DUNAD AVENUE WITHIN THE CITY AS A HISTORIC SITE, PURSUANT TO ORDINANCE 2022-02 HISTORIC PRESERVATION, PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

9. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING A GRANT APPLICATION FOR THE FISCAL YEAR 2024 UNITED STATES DEPARTMENT OF JUSTICE OFFICE ON VIOLENCE AGAINST WOMEN (OVW) TO PREVENT AND RESPOND TO THE DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND SEX TRAFFICKING AGAINST CHILDREN AND YOUTH PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

10. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION FOR THE US DEPARTMENT OF JUSTICE'S COPS HIRING GRANT PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

Please note that vote taken on the Consent Agenda resolutions can be viewed under agenda item 6 – Approval of Consent Agenda and Pull List.

14. NEW ITEMS:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA,DIRECTING THE CITY MANAGER TO ALLOCATE FIFTY THOUSAND DOLLARS ($50,000) FOR IMPLEMENTATION OF A SUMMER YOUTH JOBS PROGRAM AND ENTER INTO AN AGREEMENT WITH THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD PURSUANT TO THE TERMS AND CONDITIONS SET FORTH IN EXHIBIT A; 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 Bass, to discuss Agenda Item 14-1.

Mayor Taylor introduced the item. He wanted to ensure the youth were employed in a timely manner in order to experience the full summer opportunity.

Commissioner Kelley asked the number of youth employees. Mayor Taylor confirmed the South Florida Workforce Investment Board would shepherd the whole program.

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

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

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):

There was none.

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

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL / DENIAL OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 7.58 ACRE PARCEL, LOCATED AT 1700 SERVICE ROAD AND IDENTIFIED BY FOLIO 08-2122-005-2170; AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY FROM LOW MODERATE DENSITY RESIDENTIAL TO AN INDUSTRIAL LAND USE DESIGNATION: PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on April 24, 2024).** *Sponsored by City Manager*

This item was deferred to the June 12, 2024 Regular Commission Meeting.

C. RESOLUTION(S):

There were none.

17. CITY MANAGER'S REPORT:

Assistant City Manager Lawson stated she had no report but would share any concerns expressed during the meeting with the City Manager.

Mayor Taylor asked for a report demonstrating how the issues were cured.

Commissioner Williams requested that there be consistent consultation with the City Attorney on items presented to the City Commission. She emphasized the need for more timely communication and responses. Additionally, she noted that two items on the agenda required ratification and stressed the importance of the City Commission being more aware of such items. Finally, she addressed illegal dumping.

Assistant City Manager Lawson acknowledged the rise in illegal dumping and noted that 14 additional cameras had been installed to address the issue. She also expressed his willingness to provide a report to the City Commission on this matter.

Commissioner Williams spoke about the increase in recent break-ins.

Vice Mayor Ervin expressed concern about vicious dogs in a particular area that chased a group of children. Assistant City Manager Lawson said they will do their best to contact the County again for assistance.

Commissioner Kelley echoed Commissioner Williams' concerns regarding ratified items on the agenda. He highlighted a communication problem with the City Manager's Office and expressed concerns about road improvements and dips in the road. Additionally, he noted that the sprinkler system at Ingram Park was not functioning. Commissioner Kelley requested an update on the development on Ali Baba Avenue, which now has a for sale sign on the property. Lastly, he inquired about the status of the two Public Service Aides (PSA).

Chief Ottley described the PSA officers on staff, and they are still awaiting the vehicles for the officers. One PSA officer is going the redlight camera processing and the other is assisting with the accreditation process and preparing for the move downstairs.

Commissioner Kelley stated that the current situation is unacceptable. He emphasized that the Public Service Aides (PSA) officers were intended to be on the streets and actively engaging with the community. He asked for an update by the next meeting when those PSA officers would be on the streets.

18. OFFICIAL BOARD REPORTS:

There were none.

19. FUTURE AGENDA ITEMS:

Commissioner Williams requested a traffic study on Ahmad Street and Jann Avenue. Mayor Taylor asked to add 143rd Street and 17th Avenue to the study. Commissioner Kelley stated he asked for the Ahmad Street and Jann Avenue traffic study over a year ago.

Additionally, she asked for one additional Code Enforcement employee.

Ms. Gross stated they are currently conducting a city-wide traffic study through the Safer Streets grant program. She anticipated the results in September 2024.

Mr. Austin reported that they had contacted the County for crash data on Jann Avenue, but the information received was insufficient to conduct a thorough study and provide additional traffic control devices. He clarified that he had provided the available statistics.

Commissioner Kelley does not recall receiving the response prior and asked for it to be shared with the City Commission.

Commissioner Williams said the city should have their own accident data and should start with their own information.

Vice Mayor Ervin spoke about the installation of a device in the problem areas.

Commissioner Kelley emphasized that there should have been greater police presence in challenging areas until solutions could be found.

Mr. Austin confirmed that he would request temporary signage from the County until the traffic study is completed.

It was moved by Vice Mayor Ervin, seconded by Commissioner Williams, to direct staff to conduct a traffic study on Ahmad St., Jann Avenue and 17th and 143rd Streets.

The rest of the City Commission requested to co-sponsor the item.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 5-0 vote.

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

It was moved by Commissioner Williams, seconded by Vice Mayor Ervin, to increase code enforcement staffing.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 5-0 vote.

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

Mayor Taylor requested to decrease the City of Opa-locka millage rate. Additionally, he asked to create a city-wide home rehabilitation program, prioritizing seniors and families in need. He also requested to install playgrounds with coverings in every City of Opa-locka park.

It was moved by Commissioner Kelley, seconded by Commissioner Williams, to decrease the millage rate.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 5-0 vote.

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

It was moved by Commissioner Williams, seconded by Vice Mayor Ervin, to create a city-wide home rehabilitation program.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 5-0 vote.

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

Commissioner Kelley expressed that they presently have funding allocated for playgrounds and emphasized that he does not want to delay action until the budget process.

It was moved by Commissioner Williams, seconded by Commissioner Kelley, to install playgrounds with coverings at all city parks.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 5-0 vote.

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

Vice Mayor Ervin asked the City Manager to research benefits the City Commission used to receive. She also requested to have an attorney present at all Board meetings and Special Magistrate hearings.

It was moved by Commissioner Williams, seconded by Commissioner Bass, to research benefits the City Commission used to receive.

Commissioner Williams inquired about the current status of all boards being clerked. City Clerk Flores responded that not all boards are currently clerked, highlighting that the responsibility for assigning boards lies with the City Manager. She further mentioned that she believes the active boards are presently clerked.

City Attorney Norris-Weeks requested the fiscal impact be included with the item.

Vice Mayor Ervin asked who attends the Special Magistrate meetings. Mayor Taylor paused the conversation, noting they were simply voting on adding the item to future agenda.

There being no additional discussion, the motion to approve adding the item to Future Agenda passed by a 5-0 vote.

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

20. MAYOR/COMMISSION REPORTS:

Mayor John H. Taylor Jr.
Financial Oversight Update provided by City Manager Darvin Williams
Glorieta Gardens Update by City Manager Darvin Williams

Commissioner Kelley provided a summary of the recent Town Hall held at Siegel Park, expressing his commitment to aggressively address issues within the park system. He mentioned the successful monthly Feeding South Florida distribution and ongoing data collection efforts. Additionally, he highlighted the City's 98th Anniversary and the success of related events. Commissioner Kelley conveyed concerns raised at the most recent Meet Me Monday to the City Manager's Office. He also discussed plans for the upcoming Father's Day Fishing Tournament and BBQ, as well as efforts to schedule the Special Needs Back to School Fair. Lastly, he expressed concern about conflicting information regarding the date of the City's Back to School bookbag drive.

Vice Mayor Ervin celebrated the success of the Mother's Day fish fry, describing it as a significant achievement. She expressed gratitude to the volunteers and her colleagues for their support. Additionally, she noted the overwhelming participation of over 200 individuals at the 98th Birthday bingo event. While acknowledging the success of other recent events, she mentioned that there is always room for improved attendance. Vice Mayor Ervin then announced upcoming events, including a pool party sponsored by Parks, Father's Day and Juneteenth Bingo, a Juneteenth picnic, a 4th of July community picnic and fireworks, and a book bag giveaway. She informed the audience that cheer and football registration is currently open and highlighted the City's summer camp program starting on July 17th. Vice Mayor Ervin concluded by congratulating the U-10 and U-12 flag football teams for their championship victories and expressing gratitude to everyone who contributed to the success of the City's 98th Birthday. She concluded by recognizing Public Works Appreciation Week.

Commissioner Bass expressed gratitude to the City Manager's office and City Attorney for their support at chess club, which attracted 12 new players.

Commissioner Williams expressed gratitude to everyone who contributed to the success of the City's birthday celebration. She extended congratulations to the graduating seniors. Additionally, she expressed her intention to revive the Charter Review Board now that they have a quorum.

Assistant City Attorney Lawson stated the City Manager would provide updates on financial oversight and Glorieta Gardens via email.

Mayor Taylor informed the assembly that the evaluation deadline for charter officers is approaching, set for June 1st. He requested the City Clerk to email the City Commission the evaluation tool. Mayor Taylor agreed on the importance of establishing goals and expectations for the City Manager at a strategic planning session and urged for it to take place as soon as possible. Additionally, he reminded City Commissioners to provide their lists of events, initiatives, and memberships to the City Manager for inclusion in the budget. Mayor Taylor also noted the need for a clerk for the Charter Review Board. City Attorney Flores acknowledged a delay in receiving responses from Board members but assured she would reach out again.

Mayor Kelley also mentioned the plaque dedication ceremony for Mr. McPhee at the Public Works building, with lunch to follow.

21. OFFICIAL BOARD APPOINTMENTS:

Vice Mayor Ervin stated they must receive reports from their active boards.

There were no board appointments.

22. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Williams, seconded by Vice Mayor Ervin to adjourn the meeting at 9:34 p.m.

_____
John H. Taylor Jr.
Mayor

_____
Joanna Flores, CMC
City Clerk

[Minutes prepared by T. Baclawski, Prototype-Inc.]

Sponsored By: Commissioner Kelley

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RENAMING PUBLIC WORKS WEEK IN MEMORY OF DECEASED CITY EMPLOYEE AND RESIDENT KENDRICK MCPHEE DURING THE MONTH OF MAY EACH YEAR; ESTABLISHING A BUDGET OF TWO THOUSAND DOLLARS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on Saturday April 27th, 2024, the City of Opa-Locka's Public Works Department lost Building Maintenance employee Kendrick McPhee ("McPhee"). Before his death, McPhee was employed by the City for over two decades and was also a longtime resident. McPhee was often described as a gentle giant with an enormous heart and a warm smile. To know him was to know dependability, hard work, and integrity; and

WHEREAS, McPhee resembled the morals and mission of the Public Works Department, and the City was privileged to employ him; and

WHEREAS, annually, the City recognizes Public Works Week to highlight the unwavering dedication of its employees. In order to honor McPhee's memory and express the City's unmeasurable gratitude for his service, the City Commission desires to rename Public Works Week as *Kendrick McPhee Week* and recognize this week each year during the month of May; and

WHEREAS, the City Commission desires to allocate Two Thousand Dollars ($2,000.00) each year for celebratory expenses; and

WHEREAS, the City Commission finds it in the best interest of the City to rename Public Works Week in the memory of long-time City employee and resident Kendrick McPhee.

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

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

SECTION 2. AUTHORIZATION. The City Commission of the City of Opa-Locka, Florida hereby renames Public Works Week in the memory of long-time City employee and resident Kendrick McPhee. The City Commission further desires to allocate Two Thousand Dollars ($2,000.00) annually for celebratory expenses.

SECTION 3. SCRIVENER'S ERRORS. Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager following review by the City Attorney, without the need of a 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 _____, 2024.

_____
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	_____
Commissioner Kelley	_____
Commissioner Williams	_____
Vice Mayor Ervin	_____
Mayor Taylor	_____

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City of Opa-locka
Agenda Cover Memo

DocuSigned by:
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City Manager:	Darvin Williams		**CM Signature:**					
Commission Meeting Date:	*6.12.2024*		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**		**Other**	
				X				
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**		**2nd Reading**	
			Public Hearing: *(Enter X in box)*		**Yes**	**No**	**Yes**	**No**
						X		**X**
Funding Source: *Account#:*	*(Enter Fund & Dept)* Ex: See Financial Impact Section		**Advertising Requirement:** *(Enter X in box)*		**Yes**		**No**	
							X	
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**					
		X						
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ☐ **Public Safety** ☐ **Quality of Education** ☐ **Qual. of Life & City Image** ■ **Communication** ☐		**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*			
		X						
Sponsor Name	Commissioner Kelley		**Department:**		City Commission			

Short Title:

A resolution of the City Commission of the City of Opa-locka renaming Public Works Week in the memory of long-time City employee and resident Kendrick McPhee.

Staff Summary:

On Saturday April 27th, 2024, the City of Opa-locka's Public Works Department lost Building Maintenance employee Kendrick McPhee. He has been employed with the City for over two decades and was also a long-time resident. He was often described as a gentle giant with an enormous heart and a warm smile. To know him was to know dependability, hard work, and integrity. He resembled the morals and mission of the Public Works Department, and the City was privileged to employ him. Annually, the City recognizes Public Works Week to highlight the unwavering dedication of its employees. To honor his memory and to express their unmeasurable gratitude, the City Commission desires to rename Public Works Week as Kendrick McPhee

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Week to be recognized in the month of May. There shall an annual allocation of $2,000 for celebratory expenses.

Financial Impact: Public Works Week celebratory expenses are budgeted within the Human Resources Department account 13-513398; Employee Recognition in the amount of $2000. The cumulative budget for the Employee Recognition account 13-513398 has an FY 2025 budget of $20,200. A memorial plaque placed in the Public Works department will also be purchased in FY 2024 not to exceed $200 which will be expensed to account #32-541493 General Expense which has a current balance of $2,860.

Proposed Action:

Staff recommends the approval of the renaming of Public Works Week to Kendrick McPhee Week.

Attachment:

Sponsored by: City Administrator

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AWARDING THREE (3) ONE THOUSAND, SIX HUNDRED FIFTY DOLLAR ($1,650.00) SCHOLARSHIPS THROUGH THE CITY OF OPA-LOCKA'S EDUCATIONAL SCHOLARSHIP PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 21, 2024, Five (5) One Thousand ($1,000.00) educational scholarship opportunities were made available to graduating high school seniors through the City's Educational Scholarship Program, with an application deadline of May 3, 2024; and

WHEREAS, due to the low response, the City Commission desired to extend the deadline to May 22, 2024, with a total budgeted amount of Five Thousand Dollars ($5,000); and

WHEREAS, three (3) applications were received and reviewed by City staff and the City Administrator is recommending that all three applicants be eligible to receive an educational scholarship award in the amount of One Thousand, Six Hundred Fifty Dollars ($1,650.00); and

WHEREAS, the City Commission desires to award three scholarships in the amount of One Thousand, Six Hundred Fifty Dollars ($1,650.00) to the following three applicants who timely applied: Kristen Duron, Jermaine Harrell, and Kamron Kelly.

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

Section 1. Adoption of Representations. The above recitals are true and correct and are incorporated into this Resolution by reference.

Section 2. Approval of Scholarship Award. The City Commission of the City of Opa-Locka hereby approves the Educational Scholarship Program Awards to Kristen Duron, Jermaine Harrell, and Kamron Kelly in the amount of One Thousand, Six Hundred Fifty Dollars ($ 1,650.00) to each.

Section 3. Scrivener's Errors. Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors, which do not affect the intent of this Resolution may be authorized by the City Manager, 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 _____, 2024.

_____
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:	*06.12.2024*		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**		**Other**	
				X				
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**		**2nd Reading**	
	X		**Public Hearing:** *(Enter X in box)*		**Yes**	**No**	**Yes**	**No**
						X		
Funding Source: *Account#:*	*(Enter Fund & Dept)* Ex: See Financial Impact Section		**Advertising Requirement:** *(Enter X in box)*		**Yes**		**No**	
							X	
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**					
		X						
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ☐ **Public Safety** ☐ **Quality of Education** ■ **Qual. of Life & City Image** ■ **Communication** ☐		**Strategic Plan Obj./Strategy:** **(***list the specific objective/strategy this item will address)*			
	X							
Sponsor Name	City Manager		**Department:**		City Manager			

Short Title:

A resolution of the City Commission of the City of Opa-locka awarding One Thousand Six Hundred and Fifty Dollars ($1,650.00) scholarships to Kristen Duron, Jermaine Harrell, and Kamron Kelly through the City's Educational Scholarship Program.

Staff Summary:

On February 21st, 2024, five (5) $1,000.00 educational scholarship opportunities were made available to graduating high school seniors with an application deadline of May 3rd, 2024. Due to the low response, the City Commission desired to extend the deadline to May 22nd, 2024. There was a submission of three (3) applications that were reviewed by City Administration. It was determined that the three applicants were eligible to receive the educational scholarships. The annual allocation for the educational scholarship is $5,000. It is recommended to disburse $ 1650.00 to each scholar.

Financial Impact – There is a $5,000 budget established for this purpose in the Commission budget – 10-511545. These awards will result in $50 remaining in this budget.

Proposed Action:

It is recommended that three scholarships be awarded in the amount of $1,650.00 each to Kristen Duron, Jermaine Harrell, and Kamron Kelly as part of the City's Educational Scholarship Program.

Attachment:

Sponsored by: City Manager

RESOLUTION NO. 24-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT 2 TO THE WW130301 LOAN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, RELATING TO THE STATE REVOLVING FUND (SRF) LOAN PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Environmental Protection (FDEP) has issued Amendment #2 for State Revolving Fund (SRF) Loan WW 130301, rescinding a portion of the loan and requesting that it be approved by the City Commission of the City of Opa-Locka ("City Commission"); and

WHEREAS, in view of the State of Florida's indication that its position is irreversible, staff recommends the Commission approve the loan amendment; and

WHEREAS, on January 27, 2015, the City of Opa-Locka ("City") entered into loan agreement No. WW130301 with FDEP for Sixteen Million, Eight Hundred Ninety-Five Thousand, Eight Hundred Eighty-Five Dollars ($16,895,885.00); and

WHEREAS, the Loan was intended to fund major sewer rehabilitation and storm water management projects. The City was able to obligate funds for two projects against the SRF Loan, which were the Design Criteria Package for major sewer rehabilitation and stormwater management and the Design-Build Roadway & Drainage Improvement of Cairo Lane & NW 127th Street; and

WHEREAS, on February 13, 2018, the City adopted Resolution #18-9454 to amend the SRF Loan by reducing the total amount to Six Million, Five Hundred Thirty-One Thousand, One Hundred Eighty-Three Dollars ($6,531,183.00), which represented the total amount to fund the two projects that had been obligated; and

WHEREAS, because of difficulties encountered by the Contractor, the Contractor terminated the contract on August 21, 2019. Due to the financial pressures the City was under, the project remained dormant until 2021, at which time an assessment was initiated to determine what had been completed by the prior contractor. Once the assessment had been completed, design was begun again and is nearing completion; and

WHEREAS, of the total loan, Two Million, Six Hundred Sixty-Six Thousand, Two Hundred Thirty-Four Dollars ($2,666,234.00) was intended for the remaining portion of Cairo Lane project; and

WHEREAS, the State of Florida ("State") has made the decision that since construction still hasn't begun on this project, this portion of the loan will be rescinded and has provided Agreement Amendment 2 for City approval; and

WHEREAS, this amendment reduces the total loan by the amount intended to complete the Cairo Lane project and reduces the annual debt repayment schedule. The State has also provided guidance as to how the City can re-apply and compete again for these funds in August 2024; and

WHEREAS, execution of Amendment 2 will result in the annual debt repayment schedule being reduced from Three Hundred Thirty-Three Thousand, Ninety Dollars ($333,090.00) to One Hundred Thirty-Eight Thousand, Eight Hundred Thirty-Seven Dollars ($138,837.00); and

WHEREAS, the City Commission finds it is the best interest of the City to accept the terms of Amendment 2 to the WW130301 Loan Agreement, attached hereto as Exhibit "A".

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 authorizes the Interim City Manager to execute Amendment 2 to the WW130301 Loan Agreement with the Florida Department of Environmental Protection, relating to the State Revolving Fund (SRF) Loan Program, attached hereto as 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 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 _____, 2024.

_____
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 Manager:	Robert Anathan			**Department Manager Signature:**			
City Manager:	Darvin Williams			**CM Signature:**			
Commission Meeting Date:	June 12, 2024		**Item Type:** *(Enter X in the box)*	**Resolution**	**Ordinance**		**Other**
				X			
Fiscal Impact: *(Enter X in the box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in the box)*		**1st Reading**		**2nd Reading**
	X		**Public Hearing:** *(Enter X in the box)*		**Yes**	**No**	**Yes**	**No**
						X		**X**
Funding Source: *Account#:*	*(Enter Fund & Dept.)* See Financial Impact Section		**Advertising Requirement:** *(Enter X in the box)*		**Yes**		**No**
							X
Contract/P.O. Required: *(Enter X in the box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**		*N/A*		
	X						
Strategic Plan Related *(Enter X in the box)*	**Yes**	**No**	**Strategic Plan Priority Area:**		**Strategic Plan Obj./Strategy:** (*list the specific objective/strategy this item will address)*		
	X		Enhance Organization ☐ Bus. & Economic Development ■ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐				
Sponsor Name:	**City Manager**		**Department:**		Financial Support Services		

Short Title:

A resolution authorizing the City Manager to accept the proposed second amendment to the WW130301 Loan Agreement with the Florida Department of Environmental Protection relating to the State Revolving Fund.

Staff Summary:

Issue / Recommendation: The Florida Department of Environmental Protection (FDEP) has issued Amendment #2 for SRF Loan WW 130301, rescinding a portion of the loan and requesting that it be approved by the City Commission. In view of the State's indication that its position is irreversible, staff recommends the Commission approve the loan amendment.

The City entered into a loan agreement on January 27, 2015, with the Florida Department of Environmental Protection (FDEP), No. WW130301 for $16,895,885. The loan was intended to fund major sewer rehabilitation and stormwater management projects. The City was able to obligate two projects against the SRF Loan, which were the Design Criteria Package for major sewer rehabilitation and stormwater management and the Design-Build Roadway & Drainage Improvement of Cairo Lane & NW 127th Street.

On February 13, 2018, the City adopted Resolution #18-9454 to amend the SRF Loan by reducing the total amount to $6,531,183, which represented the total amount to fund the two projects that had been obligated.

Because of difficulties encountered by the Contractor, the Contractor terminated the contract on August 21, 2019. Due to the financial pressures the City was under, the project remained dormant until 2021, at which time an assessment was initiated to determine what had been completed by the prior contractor. Once the assessment had been completed, design was begun again and is nearing completion.

Of the total loan, $2,666,234 was intended for the remaining portion of Cairo Lane project. The State has made the decision that since construction still hasn't begun on this project, this portion of the loan will be rescinded and has provided Budget Amendment #2 for City approval. This amendment reduces the total loan by the amount intended to complete the Cairo Lane project and reduces the annual debt repayment schedule. The State has also provided guidance as to how the City can re-apply and compete again for these funds in August 2024.

Financial Impact: Execution of Amendment #2 will result in the annual debt repayment schedule being reduced from $333,090 to $138,837. If the City is successful in restoring the availability of these loan funds, the prior debt repayment will be reinstituted. If unsuccessful, alternate funding will be identified to complete the Cairo Lane project.

Proposed Action:

In view of the State's decision to rescind a portion of SRF Loan WW 130301, staff recommends approval of this item.

Attachment(s):

1. Agenda
2. SRF Loan WW130301 Executed Amendment #1 with Florida Department of Environmental Protection
3. SRF Loan WW130301 Amendment #2 with Florida Department of Environmental Protection

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD MS 3505
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

JAN 29 2015

FED EX DELIVERY - SIGNATURE REQUIRED

Mr. Mohammad Nasir
City Engineer/CIP Director
City of Opa-Locka
3400 NW 135th Street, Building-B
Opa-Locka, Florida 33054

RECEIVED
CITY CLERK
2015 FEB -6 AM 9:07

Re: WW130301 - Opa-Locka
Major Sewer Rehabilitation & Stormwater Management

Dear Mr. Nasir:

We are pleased to provide State Revolving Fund financial assistance for construction of your major sewer rehabilitation project and stormwater management project. One original of the fully executed loan agreement is enclosed. To draw money under the agreement, please call Carleen Pruyn at 850/245-8395 for assistance in completing a disbursement request. Please note that the Special Condition listed in Section 10.08 of the Agreement must be provided before any funds can be released.

We congratulate you and your staff on your efforts and are pleased that we can work with you on this project.

Sincerely,

Angela Knecht, Program Administrator
State Revolving Fund Management

AK/tw

Enclosure

cc: Kelvin Baker - City of Opa-Locka
Delia Rose Kennedy - City of Opa-Locka
Susan Liburd-Gooding - City of Opa-Locka
Charmaine Pachment - City of Opa-Locka

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AND

CITY OF OPA-LOCKA, FLORIDA

CLEAN WATER STATE REVOLVING FUND
DESIGN AND CONSTRUCTION LOAN AGREEMENT
WW130301

Florida Department of Environmental Protection
State Revolving Fund Program
Bob Martinez Center
2600 Blair Stone Road, MS 3505
Tallahassee, Florida 32399-2400

CLEAN WATER STATE REVOLVING FUND DESIGN AND CONSTRUCTION LOAN AGREEMENT

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CLEAN WATER STATE REVOLVING FUND DESIGN AND CONSTRUCTION LOAN AGREEMENT

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CLEAN WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT

WW130301

THIS AGREEMENT is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF OPA-LOCKA, FLORIDA, (Local Government) existing as a local governmental agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, pursuant to Section 403.1835, Florida Statutes, the Department is authorized to make loans to local government agencies to finance or refinance the design and construction of wastewater and stormwater pollution control facilities, the planning of which have been reviewed by the Department; and

WHEREAS, the Local Government has made application for the financing of the Project, and the Department has determined that such Project meets all requirements for a loan.

NOW, THEREFORE, in consideration of the Department loaning money to the Local Government, in the principal amount and pursuant to the covenants hereinafter set forth, it is agreed as follows:

ARTICLE I - DEFINITIONS

1.01. WORDS AND TERMS.

Words and terms used herein shall have the meanings set forth below:

(1) "Agreement,, or "Loan Agreement,, shall mean this design and construction loan agreement.

(2) "Authorized Representative,, shall mean the official of the Local Government authorized by ordinance or resolution to sign documents associated with the Loan.

(3) "Capitalized Interest,, shall mean a finance charge that accrues at the Financing Rate on Loan proceeds from the time of disbursement until six months before the first Semiannual Loan Payment is due. Capitalized Interest is financed as part of the Loan principal.

(4) "Depository,, shall mean a bank or trust company, having a combined capital and unimpaired surplus of not less than $50 million, authorized to transact commercial banking or savings and loan business in the State of Florida and insured by the Federal Deposit Insurance Corporation.

(5) "Financing Rate,, shall mean the charges, expressed as a percent per annum, imposed on the unpaid principal of the Loan. The Financing Rate shall consist of an interest rate component and a Grant Allocation Assessment rate component.

(6) "Grant Allocation Assessment,, shall mean an assessment, expressed as a percent per annum, accruing on the unpaid balance of the Loan. It is computed similarly to the way interest charged on the Loan is computed and is included in the Semiannual Loan Payment. The Department will use Grant Allocation Assessment moneys for making grants to financially disadvantaged small communities pursuant to Section 403.1835 of the Florida Statutes.

(7) "Gross Revenues,, shall mean all income or earnings received by the Local Government from the ownership or operation of its Water and Sewer Systems, including investment income, all as calculated in accordance with generally accepted accounting principles. Gross Revenues shall not include proceeds from the sale or other disposition of any part of the Water or Sewer System, condemnation awards or proceeds of insurance, except use and occupancy or business interruption insurance, received with respect to the Water or Sewer System.

(8) "Loan,, shall mean the amount of money to be loaned pursuant to this Agreement and subsequent amendments.

(9) "Loan Application,, shall mean the completed form which provides all information required to support obtaining design and construction loan financial assistance.

(10) "Loan Debt Service Account,, shall mean an account, or a separately identified component of a pooled cash or liquid account, with a Depository established by the Local Government for the purpose of accumulating Monthly Loan Deposits and making Semiannual Loan Payments.

(11) "Loan Service Fee,, shall mean an origination fee which shall be paid to the Department by the Local Government.

(12) "Monthly Loan Deposit,, shall mean the monthly deposit to be made by the Local Government to the Loan Debt Service Account.

(13) "Operation and Maintenance Expense,, shall mean the costs of operating and maintaining the Water and Sewer Systems determined pursuant to generally accepted accounting principles, exclusive of interest on any debt payable from Gross Revenues, depreciation, and any other items not requiring the expenditure of cash.

(14) "Pledged Revenues,, shall mean the specific revenues pledged as security for repayment of the Loan and shall be the Gross Revenues derived yearly from the operation of the Water and Sewer Systems after payment of the Operation and Maintenance Expense and the satisfaction of all yearly payment obligations on account of any senior obligations issued pursuant to Section 7.02 of this Agreement.

(15) "Project,, shall mean the works financed by this and future amendments consisting of furnishing all labor, materials, and equipment to design and construct the sewer rehabilitation and stormwater management project in accordance with the planning documents accepted by the Department for the following contracts:

(a) "Request for Design Build Proposal for Zone 1 & 2 Stormwater Project,,.

(b) "Zone 1 and 2 Wastewater Project,,.

(c) "Request for Design Build Proposal for Zone 6 Stormwater Project,,.

(d) "Zone 6 Wastewater Project,,.

The Project is in agreement with the conditional planning documentation accepted by the Department effective August 8, 2014. A Florida Categorical Exclusion Notification was published on July 8, 2014 and no adverse comments were received. This Project is a Capitalization Grant Project as defined in Chapter 62-503, Florida Administrative Code.

(16) "Semiannual Loan Payment,, shall mean the payment due from the Local Government to the Department at six-month intervals.

(17) "Sewer System,, shall mean all facilities owned by the Local Government for collection, transmission, treatment and reuse of wastewater and its residuals.

(18) "Stormwater System,, shall mean all devices and facilities owned by the Local Government for the collection, transmission, detention, retention, treatment, and management of stormwater.

(19) "Water System,, shall mean all facilities owned by the Local Government for supplying and distributing water for residential, commercial, industrial, and governmental use.

1.02. CORRELATIVE WORDS.

Words of the masculine gender shall be understood to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, the singular shall include the plural and the word "person,, shall include corporations and associations, including public bodies, as well as natural persons.

ARTICLE II - WARRANTIES, REPRESENTATIONS AND COVENANTS

2.01. WARRANTIES, REPRESENTATIONS AND COVENANTS.

The Local Government warrants, represents and covenants that:

(1) The Local Government has full power and authority to enter into this Agreement and to comply with the provisions hereof.

(2) The Local Government currently is not the subject of bankruptcy, insolvency, or reorganization proceedings and is not in default of, or otherwise subject to, any agreement or any law, administrative regulation, judgment, decree, note, resolution, charter or ordinance which would currently restrain or enjoin it from entering into, or complying with, this Agreement.

(3) There is no material action, suit, proceeding, inquiry or investigation, at law or in equity, before any court or public body, pending or, to the best of the Local Government's knowledge, threatened, which seeks to restrain or enjoin the Local Government from entering into or complying with this Agreement.

(4) All permits, real property interests, and approvals required as of the date of this Agreement have been obtained for construction and use of the Project. The Local Government knows of no reason why any future required permits or approvals are not obtainable.

(5) The Local Government shall undertake the Project on its own responsibility, to the extent permitted by law.

(6) To the extent permitted by law, the Local Government shall release and hold harmless the State, its officers, members, and employees from any claim arising in connection with the Local Government's actions or omissions in its planning, engineering, administrative, and construction activities financed by this Loan or its operation of the Project.

(7) All Local Government representations to the Department, pursuant to the Loan Application and Agreement, were true and accurate as of the date such representations were made. The financial information delivered by the Local Government to the Department was current and correct as of the date such information was delivered. The Local Government shall comply with Chapter 62-503, Florida Administrative Code, and all applicable State and Federal laws, rules, and regulations which are identified in the Loan Application or Agreement. To the extent that any assurance, representation, or covenant requires a future action, the Local Government shall take such action as is necessary for compliance.

(8) The Local Government shall maintain records using generally accepted accounting principles established by the Governmental Accounting Standards Board. As part of its bookkeeping system, the Local Government shall keep accounts of the Water and Sewer Systems separate from all other accounts and it shall keep accurate records of all revenues, expenses, and expenditures relating to the Water and Sewer Systems, and of the Pledged Revenues, Loan disbursement receipts, and Loan Debt Service Account.

(9) In the event the anticipated Pledged Revenues are shown by the Local Government's annual budget to be insufficient to make the Semiannual Loan Payments for such Fiscal Year when due, the Local Government shall include in such budget other legally available non-ad valorem funds which will be sufficient, together with the Pledged Revenues, to make the Semiannual Loan Payments. Such other legally available non-ad valorem funds shall be budgeted in the regular annual governmental budget and designated for the purpose provided by this Subsection, and the Local Government shall collect such funds for application as provided herein. The Local Government shall notify the Department immediately in writing of any such budgeting of other legally available non-ad valorem funds. Nothing in this covenant shall be construed as creating a pledge, lien, or charge upon any such other legally available non-ad valorem funds; requiring the Local Government to levy or appropriate ad valorem tax revenues; or preventing the Local Government from pledging to the payment of any bonds or other obligations all or any part of such other legally available non-ad valorem funds.

(10) Each year, beginning three months before the first Semiannual Loan Payment and ending with the year during which the final Loan repayment is made, the Local Government's Authorized Representative or its chief financial officer shall submit, pursuant to the schedule established in Section 10.07, a certification that: (a) Pledged Revenue collections satisfy, on a pro rata basis, the rate coverage requirement; (b) the Loan Debt Service Account contains the funds required; and (c) insurance, including that issued through the National Flood Insurance Program authorized under 42 U.S.C. secs. 4001-4128 when applicable, in effect for the facilities generating the Pledged Revenues, adequately covers the customary risks to the extent that such insurance is available; and (d) any given year in which Loan funds are received, the Local Government shall submit certification that the revenue generation system is in conformance with 2.01(14) and Chapter 62-503.700(2)(h)3, Florida Administrative Code.

(11) Pursuant to Section 216.347 of the Florida Statutes, the Local Government shall not use the Loan proceeds for the purpose of lobbying the Florida Legislature, the Judicial Branch, or a State agency.

(12) The Local Government agrees to construct the Project in accordance with the Project schedule. Delays incident to strikes, riots, acts of God, and other events beyond the reasonable control of the Local Government are excepted. If for any reason construction is not completed as scheduled, there shall be no resulting diminution or delay in the Semiannual Loan Payment or the Monthly Loan Deposit.

(13) The Local Government covenants that this Agreement is entered into for the purpose of constructing, refunding, or refinancing the Project which will in all events serve a public purpose. The Local Government covenants that it will, under all conditions, complete and operate the Project to fulfill the public need.

(14) The Local Government shall update the revenue generation system annually to assure that sufficient revenues are generated for debt service; operation and maintenance; replacement of equipment, accessories, and appurtenances necessary to maintain the system design capacity and performance during its design life; and to make the system financially self sufficient.

2.02. LEGAL AUTHORIZATION.

Upon signing this Agreement, the Local Government's legal counsel hereby expresses the opinion, subject to laws affecting the rights of creditors generally, that:

(1) This Agreement has been duly authorized by the Local Government and shall constitute a valid and legal obligation of the Local Government enforceable in accordance with its terms upon execution by both parties; and

(2) This Agreement specifies the revenues pledged for repayment of the Loan, and the pledge is valid and enforceable.

2.03. AUDIT AND MONITORING REQUIREMENTS.

The Local Government agrees to the following audit and monitoring requirements.

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

Federal Resources, Including State Match, Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
CS-12000114-0	EPA	66.458	Capitalization Grants for State Revolving Funds	$16,895,885	140131

(2) Audits.

(a) In the event that the Local Government expends $750,000 or more in Federal awards in its fiscal year, the Local Government must have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as revised. Subsection 2.03(1) of this Agreement indicates that Federal funds are awarded through the Department by this Agreement. In determining the Federal awards expended in its fiscal year, the Local Government shall consider all sources of Federal awards, including Federal resources received from the Department of Environmental Protection. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by OMB Circular A-133, as revised. An audit of the Local Government conducted by the Auditor General in accordance with the provisions of OMB Circular A-133, as revised, will meet the requirements of this part.

(b) In connection with the audit requirements addressed in the preceding paragraph (a), the Local Government shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133, as revised.

(c) If the Local Government expends less than $750,000 in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, is not required. The Local Government shall inform the Department of findings and recommendations pertaining to the State Revolving Fund in audits conducted by the Local Government in which the $750,000 threshold has not been met. In the event that the Local Government expends less than $750,000 in Federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from Local Government resources obtained from other than Federal entities).

(d) The Local Government may access information regarding the Catalog of Federal Domestic Assistance (CFDA) via the internet at www.cfda.gov/index?cck=1&au=&ck=.

(3) Report Submission.

(a) Copies of reporting packages for audits conducted in accordance with OMB Circular A-133, as revised, and required by Subsection 2.03(2) of this Agreement shall be submitted,

when required by Section .320 (d), OMB Circular A-133, as revised, by or on behalf of the Local Government directly to each of the following:

(i) The Department at the following address:

Valerie Peacock, Audit Director
Office of the Inspector General
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 41
Tallahassee, Florida 32399-3123

(ii) The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320 (d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse), at the following address:

Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132

Submissions of the Single Audit reporting package for fiscal periods ending on or after January 1, 2008, **must be** submitted using the Federal Clearinghouse's Internet Data Entry System which can be found at http://harvester.census.gov/fac/

(iii) Other Federal agencies and pass-through entities in accordance with Sections .320(e) and (f), OMB Circular A-133, as revised.

(b) Pursuant to Section .320(f), OMB Circular A-133, as revised, the Local Government shall submit a copy of the reporting package described in Section .320(c), OMB Circular A-133, as revised, and any management letters issued by the auditor, to the Department at the address listed under Subsection 2.03(3)(a) of this Agreement.

(c) Any reports, management letters, or other information required to be submitted to the Department pursuant to this Agreement shall be submitted timely in accordance with OMB Circular A-133, Florida Statutes, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

(d) Local Governments, when submitting financial reporting packages to the Department for audits done in accordance with OMB Circular A-133, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Local Government in correspondence accompanying the reporting package.

(4) Record Retention.

The Local Government shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued, and shall allow the Department, or its designee, Chief Financial Officer, or Auditor General access to

such records upon request. The Local Government shall ensure that audit working papers are made available to the Department, or its designee, Chief Financial Officer, or Auditor General upon request for a period of five years from the date the audit report is issued, unless extended in writing by the Department.

The Local Government is hereby advised that the Federal and/or Florida Single Audit Act Requirements may further apply to lower tier transactions that may be a result of this Agreement. For federal financial assistance, the Local Government shall utilize the guidance provided under OMB Circular A-133, Subpart B, Section ___.210 for determining whether the relationship represents that of a subrecipient or vendor.

The Local Government should confer with its chief financial officer, audit director or contact the Department for assistance with questions pertaining to the applicability of these requirements.

(5) Monitoring.

In addition to reviews of audits conducted in accordance with OMB Circular A-133, as revised (see audit requirements above), monitoring procedures may include, but not be limited to, on-site visits by Department staff, limited scope audits as defined by OMB Circular A-133, as revised, and/or other procedures. By entering into this Agreement, the Local Government agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department. In the event the Department determines that a limited scope audit of the Local Government is appropriate, the Local Government agrees to comply with any additional instructions provided by the Department to the Local Government regarding such audit. The Local Government further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer or Auditor General.

ARTICLE III - LOAN REPAYMENT ACCOUNT

3.01. LOAN DEBT SERVICE ACCOUNT.

The Local Government shall establish a Loan Debt Service Account with a Depository and begin making Monthly Loan Deposits no later than the date set forth for such action in Section 10.07 of this Agreement.

Beginning six months prior to each Semiannual Loan Payment, the Local Government shall make six Monthly Loan Deposits. The first five deposits each shall be at least equal to one-sixth of the Semiannual Loan Payment. The sixth Monthly Loan Deposit shall be at least equal to the amount required to make the total on deposit in the Loan Debt Service Account equal to the Semiannual Loan Payment amount, taking into consideration investment earnings credited to the account pursuant to Section 3.02.

Any month in which the Local Government fails to make a required Monthly Loan Deposit, the Local Government's chief financial officer shall notify the Department of such failure. In addition, the Local Government agrees to budget, by amendment if necessary, payment to the Department from other legally available non-ad valorem funds all sums becoming due before the same become delinquent. This requirement shall not be construed to

give superiority to the Department's claim on any revenues over prior claims of general creditors of the Local Government, nor shall it be construed to give the Department the power to require the Local Government to levy and collect any revenues other than Pledged Revenues.

3.02. INVESTMENT OF LOAN DEBT SERVICE ACCOUNT MONEYS.

Moneys on deposit in the Loan Debt Service Account shall be invested pursuant to the laws of the State of Florida. Such moneys may be pooled for investment purposes. The maturity or redemption date of investments shall be not later than the date upon which such moneys may be needed to make Semiannual Loan Payments. The investment earnings shall be credited to the Loan Debt Service Account and applied toward the Monthly Loan Deposit requirements.

3.03. LOAN DEBT SERVICE ACCOUNT WITHDRAWALS.

The withdrawal of moneys from the Loan Debt Service Account shall be for the sole purpose of making the Semiannual Loan Payment or for discharging the Local Government's obligations pursuant to Section 8.01.

3.04. ASSETS HELD IN TRUST.

The assets in all accounts created under this Loan Agreement shall be held in trust for the purposes provided herein and used only for the purposes and in the manner prescribed in this Agreement; and, pending such use, said assets shall be subject to a lien and charge in favor of the Department.

ARTICLE IV - PROJECT INFORMATION

4.01. PROJECT CHANGES.

Project changes prior to bid opening shall be made by addendum to plans and specifications. Changes after bid opening shall be made by change order. The Local Government shall submit all addenda and all change orders to the Department for an eligibility determination. After execution of all construction, equipment and materials contracts, the Project contingency may be reduced.

4.02. TITLE TO PROJECT SITE.

The Local Government shall have an interest in real property sufficient for the construction and location of the Project free and clear of liens and encumbrances which would impair the usefulness of such sites for the intended use. The Authorized Representative shall submit a clear site title certification by the date set forth in Section 10.07 of this Agreement.

4.03. PERMITS AND APPROVALS.

The Local Government shall have obtained, prior to the Department's authorization to award construction contracts, all permits and approvals required for construction of the Project or portion of the Project funded under this Agreement.

4.04. ENGINEERING SERVICES.

A professional engineer, registered in the State of Florida, shall be employed by, or under contract with, the Local Government to oversee construction.

4.05. PROHIBITION AGAINST ENCUMBRANCES.

The Local Government is prohibited from selling, leasing, or disposing of any part of the Water, Sewer, or Stormwater System which would materially reduce operational integrity or Gross Revenues so long as this Agreement, including any amendment thereto, is in effect unless the written consent of the Department is first secured.

4.06. COMPLETION MONEYS.

In addition to the proceeds of this Loan, the Local Government covenants that it has obtained, or will obtain, sufficient moneys from other sources to complete construction and place the Project in operation on, or prior to, the date specified in Article X. Failure of the Department to approve additional financing shall not constitute a waiver of the Local Government's covenants to complete and place the Project in operation.

4.07. CLOSE-OUT.

The Department shall conduct a final inspection of the Project and Project records. Following the inspection, deadlines for submitting additional disbursement requests, if any, shall be established, along with deadlines for uncompleted Loan requirements, if any. Deadlines shall be incorporated into the Loan Agreement by amendment. The Loan principal shall be reduced by any excess over the amount required to pay all approved costs. As a result of such adjustment, the Semiannual Loan Payment shall be reduced accordingly, as addressed in Section 10.05.

4.08. LOAN DISBURSEMENTS.

Disbursements shall be made only by the State Chief Financial Officer and only when the requests for such disbursements are accompanied by a Department certification that such withdrawals are proper expenditures. Disbursements shall be made directly to the Local Government for allowance costs and reimbursement of the incurred design and construction costs and related services. Disbursement of the allowance costs shall be made upon the Department's receipt of a disbursement request form. Up to seventy percent of the estimated allowance shall be disbursed after the Loan Agreement is signed. The remainder of the allowance shall be disbursed after all procurement contracts are executed and shall be adjusted to reflect as-bid costs. The entire estimated allowance may be disbursed after the Loan Agreement is signed if the local government agrees to an allowance adjustment after all contracts have been bid. Disbursements for materials, labor, or services shall be made upon receipt of the following:

(1) A completed disbursement request form signed by the Authorized Representative. Such requests must be accompanied by sufficiently itemized summaries of the materials, labor, or services to identify the nature of the work performed; the cost or charges for such work; and the person providing the service or performing the work.

(2) A certification signed by the Authorized Representative as to the current estimated costs of the Project; that the materials, labor, or services represented by the invoice have been satisfactorily purchased, performed, or received and applied to the project; that all funds received to date have been applied toward completing the Project; and that under the terms and provisions of the contracts, the Local Government is required to make such payments.

(3) A certification by the engineer responsible for overseeing design and construction stating that equipment, materials, labor and services represented by the contractor's invoices have been satisfactorily purchased, or received, and applied to the Project in accordance with design and construction contract documents; stating that payment is in accordance with the design and construction contract provisions; stating that design and construction, up to the point of the requisition, is in compliance with the contract documents; and identifying all additions or deletions to the Project which have altered the Project's performance standards, scope, or purpose since the issue of the Department construction permit.

(4) Such other certificates or documents by engineers, attorneys, accountants, contractors, or suppliers as may reasonably be required by the Department.

ARTICLE V - RATES AND USE OF THE WATER, SEWER, AND STORMWATER SYSTEMS

5.01. RATE COVERAGE. ✓

The Local Government shall maintain rates and charges for the services furnished by the Water and Sewer Systems which will be sufficient to provide, in each Fiscal Year, Pledged Revenues equal to or exceeding 1.15 times the sum of the Semiannual Loan Payments due in such Fiscal Year. In addition, the Local Government shall satisfy the coverage requirements of all senior and parity debt obligations.

5.02. NO FREE SERVICE. ✓

The Local Government shall not permit connections to, or furnish any services afforded by, the Water or Sewer System without making a charge therefore based on the Local Government's uniform schedule of rates, fees, and charges.

5.03. MANDATORY CONNECTIONS. ✓

The Local Government shall adopt, as necessary, and enforce requirements, consistent with applicable laws, for the owner, tenant or occupant of each building located on a lot or parcel of land which is served, or may reasonably be served, by the Sewer System to connect such building to the Sewer System.

5.04. NO COMPETING SERVICE.

The Local Government shall not allow any person to provide any services which would compete with the Water or Sewer System so as to adversely affect Gross Revenues.

5.05. MAINTENANCE OF THE WATER AND SEWER SYSTEMS.

The Local Government shall operate and maintain the Water and Sewer Systems in a proper, sound and economical manner and shall make all necessary repairs, renewals and replacements.

5.06. ADDITIONS AND MODIFICATIONS.

The Local Government may make any additions, modifications or improvements to the Water, Sewer, and Stormwater Systems which it deems desirable and which do not materially reduce the operational integrity of any part of the Water, Sewer, or Stormwater System. All such renewals, replacements, additions, modifications and improvements shall become part of the Water, Sewer, and Stormwater Systems.

5.07. COLLECTION OF REVENUES.

The Local Government shall use its best efforts to collect all rates, fees and other charges due to it. The Local Government shall establish liens on premises served by the Water or Sewer System for the amount of all delinquent rates, fees and other charges where such action is permitted by law. The Local Government shall, to the full extent permitted by law, cause to discontinue the services of the Water and Sewer Systems and use its best efforts to shut off water service furnished to persons who are delinquent beyond customary grace periods in the payment of Water and Sewer System rates, fees and other charges.

ARTICLE VI - DEFAULTS AND REMEDIES

6.01. EVENTS OF DEFAULT.

Each of the following events is hereby declared an event of default:

(1) Failure to make any Monthly Loan Deposit or to make any installment of the Semiannual Loan Payment when it is due and such failure shall continue for a period of 30 days.

(2) Except as provided in Subsections 6.01(1) and 6.01(7), failure to comply with the provisions of this Agreement or failure in the performance or observance of any of the covenants or actions required by this Agreement and such failure shall continue for a period of 60 days after written notice thereof to the Local Government by the Department.

(3) Any warranty, representation or other statement by, or on behalf of, the Local Government contained in this Agreement or in any information furnished in compliance with, or in reference to, this Agreement, which is false or misleading.

(4) An order or decree entered, with the acquiescence of the Local Government, appointing a receiver of any part of the Water or Sewer System or Gross Revenues thereof; or if such order or decree, having been entered without the consent or acquiescence of the Local Government, shall not be vacated or discharged or stayed on appeal within 60 days after the entry thereof.

(5) Any proceeding instituted, with the acquiescence of the Local Government, for the purpose of effecting a composition between the Local Government and its creditors or for the purpose of adjusting the claims of such creditors, pursuant to any federal or state statute now or hereafter enacted, if the claims of such creditors are payable from Gross Revenues of the Water or Sewer System.

(6) Any bankruptcy, insolvency or other similar proceeding instituted by, or against, the Local Government under federal or state bankruptcy or insolvency law now or hereafter in effect and, if instituted against the Local Government, is not dismissed within 60 days after filing.

(7) Failure of the Local Government to give immediate written notice of default to the Department and such failure shall continue for a period of 30 days.

6.02. REMEDIES.

Upon any event of default and subject to the rights of others having prior liens on the Pledged Revenues, the Department may enforce its rights by any of the following remedies:

(1) By mandamus or other proceeding at law or in equity, cause to establish rates and collect fees and charges for use of the Water and Sewer Systems, and to require the Local Government to fulfill this Agreement.

(2) By action or suit in equity, require the Local Government to account for all moneys received from the Department or from the ownership of the Water and Sewer Systems and to account for the receipt, use, application, or disposition of the Pledged Revenues.

(3) By action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the Department.

(4) By applying to a court of competent jurisdiction, cause to appoint a receiver to manage the Water, Sewer, and Stormwater Systems, establish and collect fees and charges, and apply the revenues to the reduction of the obligations under this Agreement.

(5) By certifying to the Auditor General and the Chief Financial Officer delinquency on loan repayments, the Department may intercept the delinquent amount plus a penalty from any unobligated funds due to the Local Government under any revenue or tax sharing fund established by the State, except as otherwise provided by the State Constitution. The Department may impose a penalty in an amount not to exceed an interest rate of 18 percent per annum on the amount due in addition to charging the cost to handle and process the debt. Penalty interest shall accrue on any amount due and payable beginning on the 30th day following the date upon which payment is due.

(6) By notifying financial market credit rating agencies and potential creditors.

(7) By suing for payment of amounts due, or becoming due, with interest on overdue payments together with all costs of collection, including attorneys' fees.

(8) By accelerating the repayment schedule or increasing the Financing Rate on the unpaid principal of the Loan to as much as 1.667 times the Financing Rate for a default under Subsection 6.01(1).

6.03. DELAY AND WAIVER.

No delay or omission by the Department to exercise any right or power accruing upon event of default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised as often as may be deemed expedient. No waiver or any default under this Agreement shall extend to or affect any subsequent event of default, whether of the same or different provision of this Agreement, or shall impair consequent rights or remedies.

ARTICLE VII - THE PLEDGED REVENUES

7.01. SUPERIORITY OF THE PLEDGE TO THE DEPARTMENT.

From and after the effective date of this Agreement, the Department shall have a lien on the Pledged Revenues, which along with any other Department State Revolving Fund liens on the Pledged Revenues, on equal priority, will be prior and superior to any other lien, pledge or assignment with the following exception. All obligations of the Local Government under this Agreement shall be junior, inferior, and subordinate in all respects in right of payment and security to any additional senior obligations issued with the Department's consent pursuant to Section 7.02. Any of the Pledged Revenues may be released from the lien on such Pledged Revenues in favor of the Department if the Department makes a determination, based upon facts deemed sufficient by the Department, that the remaining Pledged Revenues will, in each Fiscal Year, equal or exceed 1.15 times the debt service coming due in each Fiscal Year under the terms of this Agreement.

7.02. ADDITIONAL DEBT OBLIGATIONS.

The Local Government may issue additional debt obligations on a parity with, or senior to, the lien of the Department on the Pledged Revenues provided the Department's written consent is obtained. Such consent shall be granted if the Local Government demonstrates at the time of such issuance that the Pledged Revenues, which may take into account reasonable projections of growth of the Water and Sewer Systems and revenue increases, plus revenues to be pledged to the additional proposed debt obligations will, during the period of time Semiannual Loan Payments are to be made under this Agreement, equal or exceed 1.15 times the annual combined debt service requirements of this Agreement and the obligations proposed to be issued by the Local Government and will satisfy the coverage requirements of all other debt obligations secured by the Pledged Revenues.

ARTICLE VIII - GENERAL PROVISIONS

8.01. DISCHARGE OF OBLIGATIONS.

All payments required to be made under this Agreement shall be cumulative and any deficiencies in any Fiscal Year shall be added to the payments due in the succeeding year and all

years thereafter until fully paid. Payments shall continue to be secured by this Agreement until all of the payments required shall be fully paid to the Department. If at any time the Local Government shall have paid, or shall have made provision for the timely payment of, the entire principal amount of the Loan, and as applicable, Loan Service Fee, interest, and Grant Allocation Assessment charges, the pledge of, and lien on, the Pledged Revenues to the Department shall be no longer in effect. Deposit of sufficient cash, securities, or investments, authorized by law, from time to time, may be made to effect defeasance of this Loan. However, the deposit shall be made in irrevocable trust with a banking institution or trust company for the sole benefit of the Department. There shall be no penalty imposed by the Department for early retirement of this Loan.

8.02. PROJECT RECORDS AND STATEMENTS.

Books, records, reports, engineering documents, contract documents, and papers shall be available to the authorized representatives of the Department and the U.S. Environmental Protection Agency's Inspector General for inspection at any reasonable time after the Local Government has received a disbursement and until five years after the final amendment date.

8.03. ACCESS TO PROJECT SITE.

The Local Government shall provide access to Project sites and administrative offices to authorized representatives of the Department at any reasonable time. The Local Government shall cause its engineers and contractors to cooperate during Project inspections, including making available working copies of plans and specifications and supplementary materials.

8.04. ASSIGNMENT OF RIGHTS UNDER AGREEMENT.

The Department may assign any part of its rights under this Agreement after notification to the Local Government. The Local Government shall not assign rights created by this Agreement without the written consent of the Department.

8.05. AMENDMENT OF AGREEMENT.

This Agreement may be amended in writing, except that no amendment shall be permitted which is inconsistent with statutes, rules, regulations, executive orders, or written agreements between the Department and the U.S. Environmental Protection Agency. This Agreement may be amended after all design and construction contracts are executed to re-establish the Project cost, Loan amount, Project schedule, and Semiannual Loan Payment amount. A final amendment establishing the final Project costs and the Loan Service Fee based on actual Project costs shall be completed after the Department's final inspection of the Project records.

8.06. ANNULMENT OF AGREEMENT.

The Department may unilaterally annul this Agreement if the Local Government has not drawn any of the Loan proceeds within eighteen months after the effective date of this Agreement. If the Department unilaterally annuls this Agreement, the Department will provide written notification to the Local Government.

8.07. SEVERABILITY CLAUSE.

If any provision of this Agreement shall be held invalid or unenforceable, the remaining provisions shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

8.08. COMPLIANCE VERIFICATION. ✓ Law Changed

(1) The Local Government shall periodically interview 10% of the work force entitled to Davis-Bacon prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. Local Governments shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. As provided in 29 CFR 5.6(a)(5) all interviews must be conducted in confidence. The Local Government must use Standard Form 1445 or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from EPA on request.

(2) The Local Government shall periodically conduct spot checks of a representative ✓ sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The Local Government shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with Davis-Bacon posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable, the subrecipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date of the contract or subcontract. Local Governments must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with Davis-Bacon. In addition, during the examinations the Local Government shall verify evidence of fringe benefit plans and payments thereunder by contractors and subcontractors who claim credit for fringe benefit contributions.

(3) The Local Government shall periodically review contractors and subcontractors use of apprentices and trainees to verify registration and certification with respect to apprenticeship and training programs approved by either the U.S Department of Labor (DOL) or a state, as appropriate, and that contractors and subcontractors are not using disproportionate numbers of laborers, trainees, and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in items (1) and (2) above.

(4) Local Governments must immediately report potential violations of the Davis-Bacon prevailing wage requirements to the EPA Davis-Bacon contact Sheryl Parsons at Parsons.Sheryl@epamail.epa.gov and to the appropriate DOL Wage and Hour District Office listed at http://www.dol.gov/whd/america2.htm.

8.09. AMERICAN IRON AND STEEL REQUIREMENT.

The Local Government's subcontracts must contain requirements that all of the iron and steel products used in the Project are in compliance with the American Iron and Steel Requirement as described in H. R. 3547, "Consolidated Appropriations Act, 2014,, unless the

Local Government has obtained a waiver pertaining to the Project or the Department has advised the Local Government that the requirement is not applicable to the Project.

8.10. FISCAL SUSTAINABILITY PLAN (FSP).

The Federal Water Pollution Control Act (FWPCA) requires a recipient of a Loan for a project that involves the repair, replacement, or expansion of a treatment works to develop and implement a Fiscal Sustainability Plan (FSP) or certify that it has developed and implemented such a plan.

Under Section 603(d)(1)(E0(i) of that act, the Local Government shall (i) develop and implement a Fiscal Sustainability Plan that includes: an inventory of critical assets that are a part of the treatment works; an evaluation of the condition and performance of inventoried assets or asset groupings; a certification that the recipient has evaluated and will be implementing water and energy conservation efforts as part of the plan; and a plan for maintaining, repairing, and, as necessary, replacing the treatment works and a plan for funding such activities; or (ii) certify that the recipient has developed and implemented a plan that meets the requirements under (i).

At a minimum, the FSP shall include: an inventory of critical assets that are part of the Project funded by this agreement; an evaluation of the condition and performance of these assets; a certification that the assistance recipient has evaluated and will be implementing water and energy conservation efforts as part of the plan; and a plan for maintaining, repairing, and, as necessary, replacing the treatment works and a plan for funding such activities.

An FSP certification is a certification by the Local Government that the FSP has been developed and is being implemented. For systems that self-certify under Section 603(d)(1)(E)(ii), certification is due at the time of loan closing. For systems developing an FSP under Section 603(d)(1)(E)(i), the requirement to develop and implement an FSP is a condition of the Loan Agreement and is due before the final disbursement is approved.

ARTICLE IX - DESIGN AND CONSTRUCTION CONTRACTS AND INSURANCE

9.01. AUTHORIZATION TO AWARD DESIGN AND CONSTRUCTION CONTRACTS.

The following documentation is required to receive the Department's authorization to award construction contracts:

(1) Proof of advertising.

(2) Award recommendation, bid proposal, and bid tabulation (certified by the responsible engineer).

(3) Certification of compliance with the conditions of the Department's approval of competitively or non-competitively negotiated procurement, if applicable.

(4) Certification Regarding Disbarment, Suspension, Ineligibility and Voluntary Exclusion.

(5) Certification by the Authorized Representative that affirmative steps were taken to encourage Minority and Women's Business Enterprises participation in Project construction.

(6) Current certifications for Minority and Women's Business Enterprises participating in the contract. If the goals as stated in the plans and specifications are not met, documentation of actions taken shall be submitted.

(7) Assurance that the Local Government and contractors are in compliance with Section 1606 with labor standards, including prevailing wage rates established for its locality by the U.S. Department of Labor under the Davis-Bacon Act for Project construction.

(8) Certification that all procurement is in compliance with Section 8.09 which states that all iron and steel products used in the Project must be produced in the United States unless (a) a waiver is provided to the Local Government by the Environmental Protection Agency (EPA) or (b) compliance would be inconsistent with United States obligations under international agreements.

9.02. SUBMITTAL OF DESIGN AND CONSTRUCTION CONTRACT DOCUMENTS.

After the Department's authorization to award design and construction contracts has been received, the Local Government shall submit:

(1) Contractor insurance certifications.

(2) Executed Contract(s).

(3) Notices to proceed with construction.

9.03. INSURANCE REQUIRED.

The Local Government shall cause the Project, as each part thereof is certified by the engineer responsible for overseeing design and construction as completed, and the Water, Sewer, and Stormwater Systems (hereafter referred to as "Revenue Producing Facilities") to be insured by an insurance company or companies licensed to do business in the State of Florida against such damage and destruction risks as are customary for the operation of Revenue Producing Facilities of like size, type and location to the extent such insurance is obtainable from time to time against any one or more of such risks.

The proceeds of insurance policies received as a result of damage to, or destruction of, the Project or the other Revenue Producing Facilities, shall be used to restore or replace damaged portions of the facilities. If such proceeds are insufficient, the Local Government shall provide additional funds to restore or replace the damaged portions of the facilities. Repair, construction or replacement shall be promptly completed.

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ARTICLE X - DETAILS OF FINANCING

10.01. PRINCIPAL AMOUNT OF LOAN.

The estimated principal amount of the Loan is $16,895,885, which consists of $16,895,885 to be disbursed to the Local Government and $0 of Capitalized Interest.

Capitalized Interest is not disbursed to the Local Government, but is amortized via periodic Loan repayments to the Department as if it were actually disbursed. Capitalized Interest is computed at the Financing Rate, or rates, set for the Loan. It accrues and is compounded annually from the time when disbursements are made until six months before the first Semiannual Loan Payment is due. Capitalized Interest is estimated prior to establishing the schedule of actual disbursements.

This project is a Segmented Project. Additional State Revolving Fund financing for the Project is dependent upon the availability of additional funds. The current funding limitations and future funding priority entitlement for Segmented Projects are set forth in the Chapter 62-503 of the Florida Administrative Code.

10.02. LOAN SERVICE FEE.

The Loan Service Fee is estimated as $337,918 for the Loan amount authorized to date. The fee represents two percent of the Loan amount excluding Capitalized Interest amount; that is, two percent of $16,895,885. The Loan Service Fee is estimated at the time of execution of the loan agreement and shall be revised with any increase or decrease amendment. The Loan Service Fee is based on actual Project costs and assessed in the final loan amendment. The Local Government shall pay the Loan Service Fee from the first available repayments following the final amendment.

Capitalized Interest is computed on the assessed Loan Service Fee at the Financing Rate, or rates and included in the final amendment. It accrues and is compounded annually from the final amendment date until six months before the first Semiannual Loan Payment is due. A service fee assessed in a final amendment occurring later than six months before the first Semiannual Loan Payment date would not accrue Capitalized Interest charges.

10.03. FINANCING RATE.

The Financing Rate on the unpaid principal of the Loan amount specified in Section 10.01 is 0 percent per annum. The Financing Rate equals the sum of the interest rate and the Grant Allocation Assessment Rate. The interest rate is 0 percent per annum and the Grant Allocation Assessment rate is 0 percent per annum.

10.04. LOAN TERM.

The Loan shall be repaid in 40 Semiannual Loan Payments.

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10.05. REPAYMENT SCHEDULE.

The Semiannual Loan Payment shall be computed based upon the principal amount of the Loan plus the estimated Loan Service Fee and the principle of level debt service. The Semiannual Loan Payment amount may be adjusted, by amendment of this Agreement, based upon revised information. After the final disbursement of Loan proceeds, the Semiannual Loan Payment shall be based upon the actual Project costs, the actual Loan Service Fee and Loan Service Fee capitalized interest, if any, and actual dates and amounts of disbursements, taking into consideration any previous payments. Actual Project costs shall be established after the Department's inspection of the completed Project and associated records. The Department will deduct the Loan Service Fee and any associated interest from the first available repayments following the final amendment.

Each Semiannual Loan Payment shall be in the amount of $430,845 until the payment amount is adjusted by amendment. The interest and Grant Allocation Assessment portions of each Semiannual Loan Payment shall be computed, using their respective rates, on the unpaid balance of the principal amount of the Loan, which includes Capitalized Interest. Interest (at the Financing Rate) also shall be computed on the estimated Loan Service Fee. The interest and Grant Allocation Assessment on the unpaid balance shall be computed as of the due date of each Semiannual Loan Payment.

Semiannual Loan Payments shall be received by the Department beginning on July 15, 2018 and semiannually thereafter on January 15 and July 15 of each year until all amounts due hereunder have been fully paid. Funds transfer shall be made by electronic means.

The Semiannual Loan Payment amount is based on the total amount owed of $17,233,803, which consists of the Loan principal and the estimated Loan Service Fee.

10.06. PROJECT COSTS.

The Local Government and the Department acknowledge that the actual Project costs have not been determined as of the effective date of this Agreement. Project cost adjustments may be made as a result of construction bidding or mutually agreed upon Project changes. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. If the Local Government receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Loan. The Department shall establish the final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Local Government's Project audit or a Department audit. The Local Government agrees to the following estimates of Project costs:

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PROJECT COSTS

CATEGORY	COST($)	AUTHORIZED LOAN AMOUNT($) TO DATE
Planning	512,806	*Line items*
Design	1,369,000	*may vary*
Design and Construction	29,883,022	*based on*
Technical Services	900,000	*actual*
Less Planning provided in WW130300	(512,806)	*disbursements*
SUBTOTAL (Disbursable Amount)	32,152,022	16,895,885
Capitalized Interest	0	0
TOTAL (Loan Principal Amount)	32,152,022	16,895,885

10.07. SCHEDULE.

The Local Government agrees by execution hereof:

(1) This Agreement shall be effective on November 12, 2014. Invoices submitted for work on or after this date shall be eligible for reimbursement.

(2) Completion of Project construction is scheduled for January 15, 2018.

(3) The Loan Debt Service Account shall be established and Monthly Loan Deposits shall begin no later than January 15, 2018.

(4) A clear site title certification shall be submitted before any construction funds are disbursed.

(5) The initial annual certification required under Subsection 2.01(10) of this Agreement shall be due April 15, 2018. Thereafter the certification shall be submitted no later than September 30 of each year until the final Semiannual Loan Payment is made.

(6) The first Semiannual Loan Payment in the amount of $430,845 shall be due July 15, 2018.

10.08. SPECIAL CONDITION.

No construction funds will be disbursed until the Department receives the appropriate permit(s) and site certification(s).

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ARTICLE XI - EXECUTION OF AGREEMENT

This Loan Agreement WW130301 shall be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this Agreement to be executed on its behalf by the Program Administrator and the Local Government has caused this Agreement to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this Agreement shall be as set forth below by the Program Administrator.

for

CITY OF OPA-LOCKA

City Manager

Attest:

City Clerk

I attest to the opinion expressed in Section 2.02, entitled Legal Authorization.

City Attorney

SEAL

for

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Program Administrator
State Revolving Fund

JAN 27 2015
Date

STATE REVOLVING FUND
AMENDMENT 1 TO LOAN AGREEMENT WW130301
CITY OF OPA-LOCKA

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF OPA-LOCKA, FLORIDA, existing as a local government agency (Local Government) under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as "Parties,, or individually as a "Party,,.

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW130301, authorizing a Loan amount of $16,895,885, excluding Capitalized Interest; and

All contracts have been awarded for this Project and the Semiannual Loan Payment, the Loan amount, and Project costs need revision based on final bid amounts as provided in Section 10.06.

The Parties hereto agree as follows:

1. Subsection 1.01(15) of the agreement is deleted and replaced as follows:

(15) "Project,, shall mean the works financed by this Loan and shall consist of furnishing all labor, materials, and equipment to design and construct the sewer rehabilitation and stormwater management project in accordance with the planning documents accepted by the Department for the "Cairo Lane and NW 127th Stormwater, Wastewater and Drinking Water Project,, contract.

2. The Loan amount authorized for disbursement is hereby reduced by $10,364,702. The revised Loan amount is $6,531,183.

3. The estimated Loan Service Fee is reduced $207,294, and the adjusted total service fee for this Loan is $130,624.

4. The estimated principal amount of the Loan is hereby revised to $6,531,183, which consists of $6,531,183 authorized for disbursement to the Local Government and $0 of Capitalized Interest at an interest rate of 0 percent per annum .

5. The Semiannual Loan Payment amount, is hereby revised and shall be in the amount of $166,545. Such payment shall be received by the Department on July 15, 2018 and semiannually thereafter on January 15 and July 15 until all amounts due hereunder have been fully paid.

6. The Semiannual Loan Payment amount is based on the total amount owed of $6,661,807, which consists of the Loan principal plus the estimated Loan Service Fee and its capitalized interest, if any.

7. Section 2.03 is hereby deleted and replaced as follows:

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

Federal Resources, Including State Match, Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
CS-12000114-0	EPA	66.458	Capitalization Grants for State Revolving Funds	$6,531,183	140131

(2) Audits.

(a) In the event that the Local Government expends $750,000 or more in Federal awards in its fiscal year, the Local Government must have a Federal single audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F. In determining the Federal awards expended in its fiscal year, the Local Government shall consider all sources of Federal awards, including Federal resources received from the Department. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F. An audit of the Local Government conducted by the Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F, will meet the requirements of this part.

(b) In connection with the audit requirements addressed in the preceding paragraph (a), the Local Government shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR Part 200, Subpart F.

(c) If the Local Government expends less than $750,000 in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F, is not required. The Local Government shall inform the Department of findings and recommendations pertaining to the State Revolving Fund in audits conducted by the Local Government. In the event that the Local Government expends less than $750,000 in Federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from Local Government resources obtained from other than Federal entities).

(d) The Local Government may access information regarding the Catalog of Federal Domestic Assistance (CFDA) via the internet at www.cfda.gov/index?cck=1&au=&ck=.

(3) Report Submission.

(a) Copies of reporting packages for audits conducted in accordance with 2 CFR Part 200, Subpart F, and required by Subsection 2.03(2) of this Agreement shall be submitted, when required by 2 CFR Part 200, Subpart F, by or on behalf of the Local Government directly to each of the following:

(i) The Department at one of the following address:

By Mail:

Audit Director
Florida Department of Environmental Protection
Office of the Inspector General, MS40
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-30000

or

Electronically:
FDEPSingleAudit@dep.state.fl.us

(ii) The Federal Audit Clearinghouse designated in 2 CFR &200.501(a) at the following address:

https://harvester.census.gov/facweb/

(iii) Other Federal agencies and pass-through entities in accordance with 2 CFR &200.512.

(b) Pursuant to 2 CFR Part 200, Subpart F, the Local Government shall submit a copy of the reporting package described in 2 CFR Part 200, Subpart F, and any management letters issued by the auditor, to the Department at the address listed under Subsection 2.03(3)(a)(i) of this Agreement.

(c) Any reports, management letters, or other information required to be submitted to the Department pursuant to this Agreement shall be submitted timely in accordance with 2 CFR Part 200, Subpart F, Florida Statutes, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

(d) Local Governments, when submitting financial reporting packages to the Department for audits done in accordance with 2 CFR Part 200, Subpart F, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Local Government in correspondence accompanying the reporting package.

(4) Record Retention.

The Local Government shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date of the final amendment, and shall allow the Department, or its designee, Chief Financial Officer, or Auditor General access to such records upon request. The Local Government shall ensure that working papers are made available to the Department, or its designee, Chief Financial Officer, or Auditor General upon request for a period of five years from the date of the final amendment, unless extended in writing by the Department.

(5) Monitoring.

In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F, as revised (see audit requirements above), monitoring procedures may include, but not be limited to, on-site visits by Department staff, limited scope audits as defined by 2 CFR Part 200, Subpart F., and/or other procedures. By entering into this Agreement, the Local Government agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department. In the event the Department determines that a limited scope audit of the Local Government is appropriate, the Local Government agrees to comply with any additional instructions provided by the Department to the Local Government regarding such audit. The Local Government further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer or Auditor General.

8. Section 8.09 of the Agreement is deleted and replaced as follows:

8.09. AMERICAN IRON AND STEEL REQUIREMENT.

The Local Government's subcontracts must contain requirements that all of the iron and steel products used in the Project are in compliance with the American Iron and Steel Requirement as described in Section 608 of the Federal Water Pollution Control Act unless the Local Government has obtained a waiver pertaining to the Project or the Department has advised the Local Government that the requirement is not applicable to the Project.

9. The following four sections are added to the Agreement as follows:

8.11. SIGNAGE.

The Local Government agrees to comply with signage guidance in order to enhance public awareness of EPA assistance agreements nationwide. A copy of this guidance is listed on the Department's webpage at http://www.dep.state.fl.us/water/wff/index.htm as "Signage Guidance for Capitalization Grant Projects,,.

8.12. PUBLIC RECORDS ACCESS.

(1) The Local Government shall comply with Florida Public Records law under Chapter 119, F.S. Records made or received in conjunction with this Agreement are public records under Florida law, as defined in Section 119.011(12), F.S. The Local Government shall keep and maintain public records required by the Department to perform the services under this Agreement.

(2) This Agreement may be unilaterally canceled by the Department for refusal by the Local Government to either provide to the Department upon request, or to allow inspection and copying of all public records made or received by the Local Government in conjunction with this Agreement and subject to disclosure under Chapter 119, F.S., and Section 24(a), Article I, Florida Constitution.

(3) **IF THE LOCAL GOVERNMENT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE LOCAL GOVERNMENT'S DUTY TO PROVIDE**

PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE DEPARTMENT'S CUSTODIAN OF PUBLIC RECORDS AT (850) 245-2118, by email at public.services@dep.state.fl.us, or at the mailing address below:

Department of Environmental Protection
ATTN: Office of Ombudsman and Public Services
Public Records Request
3900 Commonwealth Blvd, MS 49
Tallahassee, FL 32399

8.13. SCRUTINIZED COMPANIES.

The Local Government certifies that it and any of its affiliates are not scrutinized companies as identified in Section 287.135, F.S. In addition, the Local Government agrees to observe the requirements of Section 287.135, F.S., for applicable sub-agreements entered into for the performance of work under this Agreement. Pursuant to Section 287.135, F.S., the Department may immediately terminate this Agreement for cause if the Local Government, its affiliates, or its subcontractors are found to have submitted a false certification; or if the Local Government, its affiliates, or its subcontractors are placed on any applicable scrutinized companies list or engaged in prohibited contracting activity during the term of the agreement. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions then they shall become inoperative.

8.14. SUSPENSION.

The Department may suspend any or all of its obligations to Loan or provide financial accommodation to the Local Government under this Agreement in the following events, as determined by the Department:

(1) The Local Government abandons or discontinues the Project before its completion,

(2) The commencement, prosecution, or timely completion of the Project by the Local Government is rendered improbable or the Department has reasonable grounds to be insecure in Local Government's ability to perform, or

(3) The implementation of the Project is determined to be illegal, or one or more officials of the Local Government in responsible charge of, or influence over, the Project is charged with violating any criminal law in the implementation of the Project or the administration of the proceeds from this Loan.

The Department shall notify the Local Government of any suspension by the Department of its obligations under this Agreement, which suspension shall continue until such time as the event or condition causing such suspension has ceased or been corrected, or the Department has re-instated the Agreement.

Local Government shall have no more than 30 days following notice of suspension hereunder to remove or correct the condition causing suspension. Failure to do so shall constitute a default under this Agreement.

Following suspension of disbursements under this Agreement, the Department may require reasonable assurance of future performance from Local Government prior to re-instating the Loan. Such reasonable assurance may include, but not be limited to, a payment mechanism using two party checks, escrow or obtaining a Performance Bond for the work remaining.

Following suspension, upon failure to cure, correct or provide reasonable assurance of future performance by Local Government, the Department may exercise any remedy available to it by this Agreement or otherwise and shall have no obligation to fund any remaining Loan balance under this Agreement.

10. Section 10.06 PROJECT RELATED COSTS is revised as follows:

The Local Government and the Department acknowledge that the actual Project costs have not been determined as of the effective date of this agreement. Project cost adjustments may be made as a result of Project changes agreed upon by the Department. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. If the Local Government receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Loan. The Department shall establish the final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Local Government's Project audit or a Department audit.

Funds disbursed in accordance with Section 4.08 of this Agreement shall be disbursed in the order in which they have been obligated without respect to budgetary line item estimates. All disbursements shall be made from the original Loan amount until that amount has been disbursed; the Financing Rate established for the original Loan amount shall apply to such disbursements for the purpose of determining the associated Capitalized Interest and repayment amount. The Financing Rate established for any additional increment of Loan financing shall be used to determine the Capitalized Interest and repayment amount associated with the funds disbursed from that increment.

The estimated Project costs are revised as follows:

CATEGORY	COST ($)
Design Activities costs	1,369,000
Construction and Demolition	4,850,206
Contingencies	311,977
TOTAL (Loan Principal Amount)	6,531,183

11. All other terms and provisions of the Loan Agreement shall remain in effect.

This Amendment 1 to Loan Agreement WW130301 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
CITY OF OPA-LOCKA

City Manager

Attest:

City Clerk

SEAL

Approved as to form and legal sufficiency:

City Attorney

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

2/13/18
Date

STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT WW130301
CITY OF OPA-LOCKA

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF OPA-LOCKA, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as "Parties" or individually as "Party".

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW130301, as amended, authorizing a Loan amount of $6,531,183, excluding Capitalized Interest; and

The Loan Amount, Semiannual Loan Payment amount, Loan Service Fee, and Project costs need adjustment to reflect actual costs; and

Certain provisions of the Agreement need to be revised.

The Parties hereto agree as follows:

1. The total amount awarded is reduced by $2,666,234. The revised total amount awarded is $3,864,949.

2. The Loan Service Fee is $77,299. The fee represents two percent of the Loan amount excluding Capitalized Interest; that is, two percent of $3,864,949.

3. The total amount of the Loan to be repaid is $3,942,248. This consists of $3,864,949 disbursed to the Local Government, plus service fee charges of $77,299.

4. The total amount remaining to repay, which amount accounts for the Department's receipt of 12 Semiannual Loan Payments is $1,943,708, consisting of unpaid principal of the Loan of $1,866,409 and an unpaid service fee charge of $77,299.

5. The Semiannual Loan Payment amount, adjusted to account for repayments received to date, is hereby revised and shall be in the amount of $69,418.14. Such payments shall be received by the Department on July 15, 2024, and semiannually thereafter on January 15 and July 15 of each year until all amounts due hereunder have been fully paid.

6. Subsection 2.03(1) of the Agreement is deleted and replaced as follows:

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

Federal Resources, Including State Match, Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
CS-12000114-0	EPA	66.458	Capitalization Grants for State Revolving Funds	$3,864,949	140131

7. Section 8.02 of the Agreement is deleted and replaced as follows:

Books, records, reports, engineering documents, contract documents, and papers shall be available to the authorized representatives of the Department for inspection at any reasonable time after the Local Government has received a disbursement and until five years after the Final Amendment date.

8. Project Costs are revised as follows:

The Local Government and the Department acknowledge that changes in Project costs may occur as a result of an audit. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COSTS ($)
Design Activities Costs	1,079,054
Construction and Demolition	2,785,895
SUBTOTAL (Total Disbursed)	3,864,949
Capitalized Interest	0
TOTAL (Loan Principal Amount)	3,864,949

9. All other terms and provisions of the Loan Agreement shall remain in effect.

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This Amendment 2 to Loan Agreement WW130301 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
CITY OF OPA-LOCKA

_____
City Manager

Attest: Approved as to form and legal sufficiency:

_____ _____
City Clerk City Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

_____ _____
Secretary or Designee Date

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Opa-Locka
Funding Number: CW-130301

Loan Number	Payment #	Payment	Date	Rate	Principal	Interest	GAA Fees	Service Fee	SF Int	Total to Pay
CW-130301	1	$166,545.00	Jul 15, 2018	0.000 %	$166,545.00					$3,864,949.00
	2	$166,545.00	Jan 15, 2019	0.000 %	$166,545.00					$3,698,404.00
	3	$166,545.00	Jul 15, 2019	0.000 %	$166,545.00					$3,531,859.00
	4	$166,545.00	Jan 15, 2020	0.000 %	$166,545.00					$3,365,314.00
	5	$166,545.00	Jul 15, 2020	0.000 %	$166,545.00					$3,198,769.00
	6	$166,545.00	Jan 15, 2021	0.000 %	$166,545.00					$3,032,224.00
	7	$166,545.00	Jul 15, 2021	0.000 %	$166,545.00					$2,865,679.00
	8	$166,545.00	Jan 15, 2022	0.000 %	$166,545.00					$2,699,134.00
	9	$166,545.00	Jul 15, 2022	0.000 %	$166,545.00					$2,532,589.00
	10	$166,545.00	Jan 15, 2023	0.000 %	$166,545.00					$2,366,044.00
	11	$166,545.00	Jul 15, 2023	0.000 %	$166,545.00					$2,199,499.00
	12	$166,545.00	Jan 15, 2024	0.000 %	$166,545.00					$2,032,954.00
	13	$235,963.14	Jul 15, 2024	0.000 %	$166,545.00			$69,418.14		$1,866,409.00
	14	$69,418.14	Jan 15, 2025	0.000 %	$61,537.28	$0.00	$0.00	$7,880.86	$0.00	$1,804,871.72
	15	$69,418.14	Jul 15, 2025	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,735,453.58
	16	$69,418.14	Jan 15, 2026	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,666,035.44
	17	$69,418.14	Jul 15, 2026	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,596,617.30
	18	$69,418.14	Jan 15, 2027	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,527,199.16
	19	$69,418.14	Jul 15, 2027	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,457,781.02
	20	$69,418.14	Jan 15, 2028	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,388,362.88
	21	$69,418.14	Jul 15, 2028	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,318,944.74
	22	$69,418.14	Jan 15, 2029	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,249,526.60
	23	$69,418.14	Jul 15, 2029	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,180,108.46
	24	$69,418.14	Jan 15, 2030	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,110,690.32
	25	$69,418.14	Jul 15, 2030	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,041,272.18

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Opa-Locka
Funding Number: CW-130301

Loan Number	Payment #	Payment	Date	Rate	Principal	Interest	GAA Fees	Service Fee	SF Int	Total to Pay
CW-130301	26	$69,418.14	Jan 15, 2031	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$971,854.04
	27	$69,418.14	Jul 15, 2031	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$902,435.90
	28	$69,418.14	Jan 15, 2032	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$833,017.76
	29	$69,418.14	Jul 15, 2032	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$763,599.62
	30	$69,418.14	Jan 15, 2033	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$694,181.48
	31	$69,418.14	Jul 15, 2033	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$624,763.34
	32	$69,418.14	Jan 15, 2034	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$555,345.20
	33	$69,418.14	Jul 15, 2034	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$485,927.06
	34	$69,418.14	Jan 15, 2035	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$416,508.92
	35	$69,418.14	Jul 15, 2035	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$347,090.78
	36	$69,418.14	Jan 15, 2036	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$277,672.64
	37	$69,418.14	Jul 15, 2036	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$208,254.50
	38	$69,418.14	Jan 15, 2037	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$138,836.36
	39	$69,418.14	Jul 15, 2037	0.000 %	$69,418.14	$0.00	$0.00	$0.00	$0.00	$69,418.22
	40	$69,418.22	Jan 15, 2038	0.000 %	$69,418.22	$0.00	$0.00	$0.00	$0.00	$0.00
CW-130301 Totals					**$4,031,494.00**	**$0.00**	**$0.00**	**$77,299.00**	**$0.00**	

Combined

Date	Payment #	Payment	Principal	Interest	GAA Fees	Service Fee	SF Int	Left To Pay
7/15/2018	1	$166,545.00	$166,545.00					$3,864,949.00
1/15/2019	2	$166,545.00	$166,545.00					$3,698,404.00
7/15/2019	3	$166,545.00	$166,545.00					$3,531,859.00
1/15/2020	4	$166,545.00	$166,545.00					$3,365,314.00
7/15/2020	5	$166,545.00	$166,545.00					$3,198,769.00

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Opa-Locka
Funding Number: CW-130301

Combined								
Date	**Payment #**	**Payment**	**Principal**	**Interest**	**GAA Fees**	**Service Fee**	**SF Int**	**Left To Pay**
1/15/2021	6	$166,545.00	$166,545.00					$3,032,224.00
7/15/2021	7	$166,545.00	$166,545.00					$2,865,679.00
1/15/2022	8	$166,545.00	$166,545.00					$2,699,134.00
7/15/2022	9	$166,545.00	$166,545.00					$2,532,589.00
1/15/2023	10	$166,545.00	$166,545.00					$2,366,044.00
7/15/2023	11	$166,545.00	$166,545.00					$2,199,499.00
1/15/2024	12	$166,545.00	$166,545.00					$2,032,954.00
7/15/2024	13	$235,963.14	$166,545.00			$69,418.14		$1,866,409.00
1/15/2025	14	$69,418.14	$61,537.28	$0.00	$0.00	$7,880.86	$0.00	$1,804,871.72
7/15/2025	15	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,735,453.58
1/15/2026	16	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,666,035.44
7/15/2026	17	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,596,617.30
1/15/2027	18	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,527,199.16
7/15/2027	19	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,457,781.02
1/15/2028	20	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,388,362.88
7/15/2028	21	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,318,944.74
1/15/2029	22	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,249,526.60
7/15/2029	23	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,180,108.46

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Opa-Locka
Funding Number: CW-130301

Combined								
Date	**Payment #**	**Payment**	**Principal**	**Interest**	**GAA Fees**	**Service Fee**	**SF Int**	**Left To Pay**
1/15/2030	24	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,110,690.32
7/15/2030	25	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$1,041,272.18
1/15/2031	26	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$971,854.04
7/15/2031	27	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$902,435.90
1/15/2032	28	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$833,017.76
7/15/2032	29	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$763,599.62
1/15/2033	30	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$694,181.48
7/15/2033	31	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$624,763.34
1/15/2034	32	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$555,345.20
7/15/2034	33	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$485,927.06
1/15/2035	34	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$416,508.92
7/15/2035	35	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$347,090.78
1/15/2036	36	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$277,672.64
7/15/2036	37	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$208,254.50
1/15/2037	38	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$138,836.36
7/15/2037	39	$69,418.14	$69,418.14	$0.00	$0.00	$0.00	$0.00	$69,418.22
1/15/2038	40	$69,418.22	$69,418.22	$0.00	$0.00	$0.00	$0.00	$0.00
Total		**$4,108,793.00**	**$4,031,494.00**	**$0.00**	**$0.00**	**$77,299.00**	**$0.00**	

Sponsored by: City Manager

RESOLUTION NO. 24-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DECLARING CERTAIN CITY PROPERTY, IDENTIFIED AS A DONATED METAL DETECTOR, AS SURPLUS PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Opa-Locka ("City") owns certain property not in use for a public benefit; and

WHEREAS, Section 274.05, Florida Statutes and Resolution 08-7317 grants the City Commission the authority to declare property that has become inadequate for public purposes as surplus, and

WHEREAS, the City has an existing surplus Resolution 08-7317 which serves as the standard for how property is to be declared surplus within the City; and

WHEREAS, when deemed in the best interest of the City, such property is subject to lease, sale or otherwise disposal in a manner beneficial; and

WHEREAS, the City Manager has determined that the property identified as a metal detector donated by the South Florida School of Excellence should be declared as Surplus Property; and

WHEREAS, the City Manager has confirmed that all conditions precedent to Resolution 08-7317 have been met prior to the City Commission's consideration; and

WHEREAS, the City Commission finds it is the best interest of the City to declare certain City-owned property, identified as a metal detector donated by the South Florida School of Excellence, as surplus property.

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 declares certain City-owned property, identified as a metal detector donated by the South Florida School of Excellence, as surplus property.

SECTION 3. SCRIVENER'S ERRORS.
Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors, which do not affect the intent of this Resolution may be authorized by the City Manager, 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 _____, 2024.

_____
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)

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City of Opa-locka
Agenda Cover Memo

DocuSigned by:
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City Manager:	Darvin Williams			**CM Signature:**				
Commission Meeting Date:	*06.12.2024*		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**		**Other**	
				X				
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**		**2nd Reading**	
			Public Hearing: *(Enter X in box)*		**Yes**	**No**	**Yes**	**No**
						X		**X**
Funding Source: *Account#:*	*(Enter Fund & Dept)* Ex: See Financial Impact Section		**Advertising Requirement:** *(Enter X in box)*		**Yes**		**No**	
							X	
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**					
	X							
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ☐ **Public Safety** ■ **Quality of Education** ☐ **Qual. of Life & City Image** ■ **Communication** ☐		**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*			
	X							
Sponsor Name	City Manager		**Department:**		City Manager			

Short Title:

A resolution of the City Commission of the City of Opa-locka declaring certain city property identified as an aerial drone and a metal detector as surplus property.

Staff Summary:

Pursuant to Resolution No, 08-7317, the City Commission is granted the authority to declare city property that has been inadequate for public purposes as surplus property. When deemed in the best interest of the City, such property is subject to lease, sale or otherwise disposal in a manner beneficial to the community. The City Administration expresses the desire to declare an aerial drone previously purchased by the former Information Technology Director on August 29, 2022. In addition, the city is in possession of a metal detector assigned to the Police Department that should also be declared as surplus.

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The aerial drone is not licensed, and staff were never trained to utilize the equipment. The drone was manufactured in China, and according to the National Defense Authorization Act (NDAA), those drones are prohibited due to potential data breaches and cyber-attacks. This is outlined in Part A of Section 889 of the NDAA. Part A became effective on August 13, 2019. This act prohibits the government from obtaining (through a contract or other instrument) certain telecommunications equipment (including video surveillance equipment) or services from a list of entities and their subsidiaries. Part has been added to the Federal Acquisition Regulation (FAR) at subpart 4.21. DJI is the manufacturer of the drone and is one of the entities or subsidiaries listed on the Department of Defense's website (www.defense.gov).

The Department of Defense (DOD) position is that systems produced by Da Jiang Innovations (DJI) pose potential threats to national security.

It is believed the items have become inadequate and should be disposed of.

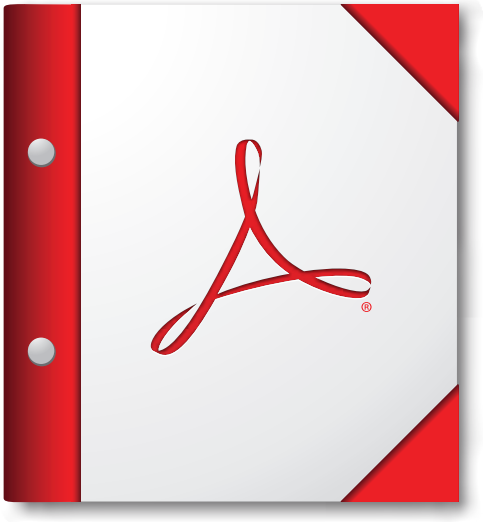
Financial Impact: There is no financial impact.

Proposed Action:

Staff recommends the City Commission declares certain city property identified as an aerial drone and a metal detector as surplus property.

Attachment:

Photo of aerial drone
Photo of metal detector



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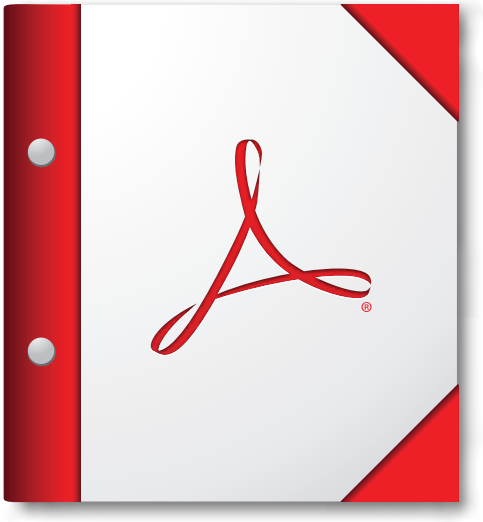
Get Adobe Reader Now!



For the best experience, open this PDF portfolio in Acrobat X or Adobe Reader X, or later.

Get Adobe Reader Now!

Sponsored by: City Manager

RESOLUTION NO. XX-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO REQUEST MIAMI-DADE COUNTY TO CONDUCT A FEASIBILITY STUDY TO INSTALL A HIGH VISIBILITY PEDESTRIAN CROSSWALK ON ALI-BABA AVENUE NEAR THE TRI-RAIL STATION, WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Opa-Locka recommends that the City Commission authorize a request to be made to the Miami-Dade County's Traffic Section to perform all necessary traffic surveys to determine the need for and feasibility related to installing a High Visibility pedestrian crosswalk on Ali-Baba Avenue near the Tri-Rail Station, within the City of Opa-Locka ("City"); and

WHEREAS, the City Manager has determined that if the traffic study confirms the need for a High Visibility pedestrian crosswalk on Ali-Baba Avenue near the Tri-Rail Station within the City, the various cost options for installation of a crosswalk will be included as part of the traffic study report; and

WHEREAS, the City Commission of the City of Opa-Locka finds that it is in the best interests of the City and its residents to approve a request to Miami-Dade County to conduct a feasibility study for the potential installation of a High Visibility pedestrian crosswalk on Ali-Baba Avenue near the Tri-Rail Station, within the City.

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 authorizes the City Manager to submit a request to the appropriate Miami-Dade County department(s) requesting that a feasibility study be conducted pertaining to a High Visibility pedestrian crosswalk on Ali-Baba Avenue near the Tri-Rail Station, within the City.

SECTION 3. SCRIVENER'S ERRORS.
Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the 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 take effect immediately upon adoption and is subject to the approval of the Governor or his designee.

PASSED and **ADOPTED** this _____ day of _____, 2024.

_____
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	_____
Commissioner Kelley	_____
Commissioner Williams	_____
Vice Mayor Ervin	_____
Mayor Taylor	_____

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City of Opa-locka
Agenda Cover Memo

Department Director:	Airia Austin			**Department Director Signature:**	DocuSigned by:			
City Manager:	Darvin Williams			**CM Signature:**	C40C07C1E8DE492...			
Commission Meeting Date:	*06/12/2024*		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**		**Other**	
				X				
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**		**2nd Reading**	
		X	**Public Hearing:** *(Enter X in box)*		**Yes**	**No**	**Yes**	**No**
						X		X
Funding Source: *Account#* **:**	*(Enter Fund & Dept.)* Ex: See Financial Impact Section		**Advertising Requirement:** *(Enter X in box)*		**Yes**		**No**	
							X	
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**					
		X						
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ☐ **Public Safety** ■ **Quality of Education** ☐ **Qual. of Life & City Image** ☐ **Communication** ☐		**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*			
	X							
Sponsor Name	City Manager		**Department:**		City Manager			

Short Title:

A resolution of the City Commission of the City of Opa-locka authorizing the City Manager to conduct a feasibility study for high visibility at the pedestrian crosswalk on Ali-Baba Avenue near the Tri-Rail Station.

Staff Summary:

A resolution of the City Commission of the City of Opa-locka, Florida, directing the City Manager to request Miami-Dade County conduct a Feasibility study to install a High Visibility pedestrian crosswalk on Ali Baba Avenue in front of Tri-Rail Station as determined by the traffic study. Current conditions present a danger for pedestrians crossing Ali-Baba Avenue.

Financial Impact: There is no cost associated with the County conducting a traffic study . If the study confirms the need for a High Visibility Crosswalk on Ali Baba Avenue, the cost of various installation options for a crosswalk will be included as part of the traffic study report.

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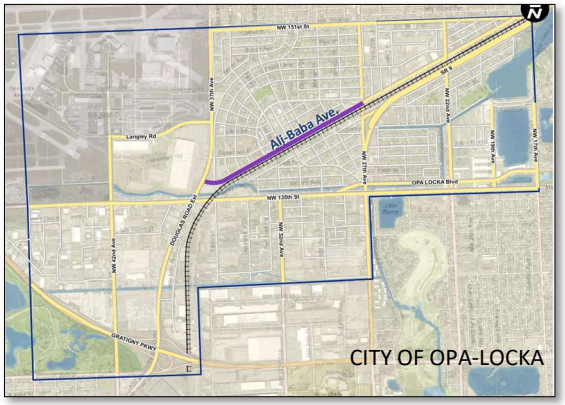
Proposed Action:

Staff recommends the City Manager be authorized to submit a request to the Miami-Dade County traffic section to perform all necessary traffic surveys, to determine the feasibility of installing a high Visibility Pedestrian Crosswalk on Ali Baba Avenue in front of Tri-Rail Station.

Attachment:

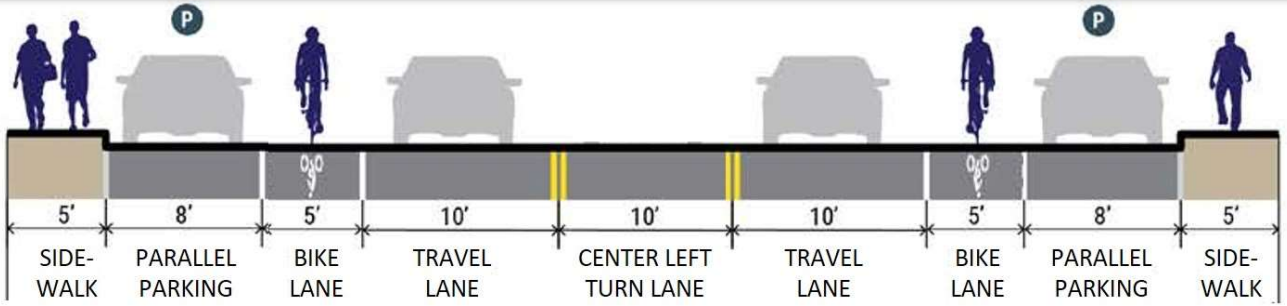
1. Agenda
2. Location and Proposed Improvements



ALI-BABA AVE.

(from NW 37th Ave. to NW 27th Ave.)

EXISTING CONDITIONS



TYPICAL SECTION
APPX. 70' RW

PROPOSED SIGNALIZED CROSSWALK AND GREEN COLORED BIKE LANE

Sponsored by: City Manager

RESOLUTION NO. 24-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING STANDARD DEPARTMENTAL OPERATING PROCEDURES PURSUANT TO CITY OF OPA-LOCKA RESOLUTION #23-035; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka ("City") is in need of various Standard Operating Procedures (SOPS) to address various aspects of City Operations; and

WHEREAS, pursuant to Article III, Section 3.1 of the City Charter, the City Manager is the chief administrative officer of the City who shall be responsible for the administration of all City affairs and for carrying out City policies and procedures; and

WHEREAS, pursuant to Resolution 23-035, the City Manager was required to develop policies and procedures for all departments of the City, as well as citywide policies; and

WHEREAS, standard operating procedures (SOPs) are known as step-by-step instructions compiled by a city to assist management and employees in carrying out operations. SOPs aim to achieve efficiency, quality output and uniformity of performance while reducing miscommunication and failure to comply with set standards and regulations; and

WHEREAS, passage of Resolution 23-035 required the then Interim City Manager to conduct a comprehensive review, compile information, create and implement SOPs for each City Department and Citywide and further review and update annual polices not later than December 31st of each year; and

WHEREAS, the City Manager has appropriately reviewed departments and desires to present certain policies and procedures for consideration by the City Commission; and

WHEREAS, upon City Commission approval, the new departmental and City protocol shall be effective and immediately implemented Citywide; and

WHEREAS, the City Commission finds it in the best interests of the City and its residents to approve the Departmental Standard Operating Procedures for the Departments of Police, Code Compliance, Planning and Community Development, Information Technology and Parks and Recreation, attached hereto as Composite Exhibit "A."

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 approves the Departmental Standard Operating Procedures for the City Departments of the Departments of Police, Code Compliance, Planning and Community Development, Information Technology and Parks and Recreation, attached hereto 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 City Manager, following review and approval 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 _____, 2024.

_____
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:	*6.12.2024*		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**		**Other**	
				X				
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**		**2nd Reading**	
			Public Hearing: *(Enter X in box)*		**Yes**	**No**	**Yes**	**No**
						X		**X**
Funding Source: *Account#:*	*(Enter Fund & Dept)* Ex: See Financial Impact Section		**Advertising Requirement:** *(Enter X in box)*		**Yes**		**No**	
							X	
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**					
		X						
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ☐ **Public Safety** ☐ **Quality of Education** ☐ **Qual. of Life & City Image** ■ **Communication** ☐		**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*			
		X						
Sponsor Name	City Manager		**Department:**		City Manager			

Short Title:

A resolution of the City of Opa-locka authorizing the City Commission to review and approve the City's departmental operating and citywide standard policies and procedures.

Staff Summary:

During an Operational Audit, the City's policies and procedures were found to be antiquated and required significant revisions. The creation of a standard operating manual is intended to establish efficiency, quality output and uniformity of performance while reducing miscommunications of regulations. Pursuant to Resolution No. 23-035, City Administration has drafted the policies and procedures for the following departments and are prepared to present them to the City Commission for review.

- Capital Improvement Projects

- Police
- Code Compliance
- Planning and Community Development
- Information Technology
- Parks and Recreation

Upon approval, the new departmental and city protocol shall be effective immediately and implemented Citywide.

Financial Impact-

Proposed Action:

Staff recommends the approval of the City's departmental operating and citywide standard policies and procedures.

Attachment:

Capital Improvement Program (CIP)
Each year, the City of Opa-locka staff will create a long-range capital improvement plan (CIP). The CIP included for budget consideration will define and prioritize the capital projects that the City of Opa-locka plans to take on in the next five years. Project appropriation will be for the current budget year (1 year), and the 5-year CIP will demonstrate the current priorities and intentions for the 5-year period. Years 2-5 are for illustrative/planning purposes. It is understood that circumstances and priorities may change.

- **Definition of a capital project.** ***Capital Improvement Project -*** *A permanent addition to the city's assets of major importance and cost*. As defined by the City of Opa-locka, a capital improvement project is an investment of public/and or private funds totaling $25,000 or more for a project with a three or more-year useful life. Examples of capital projects include the construction of a new structure, the reconstruction of an existing structure, or the renovation of a structure that extends its useful life. The costs of planning, design and engineering, land acquisition, construction, renovation, demolition, equipment, and studies are all considered when calculating capital expenditures. Additionally, ongoing operating and maintenance costs will be considered during project evaluation and prioritization, and included in the annual capital improvements program. [This will demonstrate the TOTAL project cost].

- **Needs assessments.** All projects in the CIP, with minor and few exceptions, should be based on needs assessments performed by City Staff to determine the benefit of the asset compared to its cost. (Sample Format is provided in Attachment A)

Policy
Any single capital item costing $25,000 or more or twice this threshold ($50,000) for a capital project consisting of multiple line items costing less than $25,000 each shall be included in the CIP. Any capital item funded from a fund other than the general fund. The capital item should have a useful life of five years or longer.

Capital projects shall be undertaken in order to satisfy documented needs or demands of the City. All capital projects shall be evaluated in terms of their estimated impact on the annual operating budget.

Capital improvement projects shall meet one or more of the following criteria:
- Ensure compliance with state or federal law or administrative regulation or decree.
- Enhance the protection of public health and safety.
- Reduce and/or stabilize operating budget costs.
- Prolong the functional life of a capital asset of the City by more than 10 years.
- Enhance the City's tax base.

CIP Project Identification

Each year during the annual budget cycle, after Council Priorities are established, City of Opa-locka staff with recommendations from Boards and Commissions and public input will recommend projects for the CIP. At a minimum, identified projects include the following information:

- **Needs Assessment**
- **A summary of the project scope**
- **Long-term operating and maintenance costs.** A plan will identify the cost to operate and maintain the asset over its life cycle.
- **Funding source.** Project proposals will describe where the funding is expected to come from to acquire, operate, and maintain the asset.
- **Project timing.** Project proposals will identify the proposed schedule for planning, bidding, construction, and other milestones in acquiring the asset.
- **How the CIP Projects support City Commission goals and objectives and Strategic Plan**

CIP Review

During the annual budget cycle, the City Manager, Managing Directors, Finance Department staff, Department Directors, Interdepartmental Review Team and applicable department personnel will review project proposals, determine project phasing, and review and evaluate the CIP section for the proposed budget.

CIP Budget Appropriations

The City's annual CIP appropriation is based on the projects designated by City Commission through the adoption of the annual budget. If new projects are identified or additional resources are necessary throughout the fiscal year they will be brought to Council for review and approval If, after adopting the budget and making appropriations, City Management deems it necessary, it may transfer appropriated moneys between funds or between spending agencies within a fund, as determined by the original appropriation level.

CIP Carryforward Projects

There are cases where a CIP project is a multi-year effort and other projects that are not completed or have no progress. A summary of such projects will be submitted as part of the annual budget process for review and approval.

CIP Project Procedures:

a. The CIP and other City departments will assess and propose projects based on needs assessments, departmental requests for capital improvements, and any other City programs that include improvements to public infrastructure, buildings, assets, and public works and significant capital equipment expenditures.

b. The CIP Department shall then review, assess, prioritize, and recommend a five-year capital improvement plan based on the needs assessments, financing capabilities, and capital policies. The proposed plan shall include recommended financing alternatives and specific project timetables.

The projects to be presented shall include the following information and be presented to the Budget Department, City Management, and City Commission for approval (Guidelines for each section of the Project Presentation Format are provided in Attachment B).:

- Project Title
- Cost Estimate by year and the basis for the estimate
- Estimated useful life of the capital project
- Priority area as defined in the criteria above
- Description of the project
- Estimated annual impact on the operating budget
- Benefits of the project
- Other information including possible funding sources
- Estimated implementation schedule and completion date

Attachment A
Needs Assessment Project Prioritization (Sample):

Financial Information Assessment

1. What is the total budget appropriation request for the current year (this should include any prior year funding that is needing to carry forward)
2. Does the project leverage any non-city funding?
    a. How much funding is leveraged?
    b. What is the source?
    c. Is the leveraged funding committed?
3. How have ongoing operations and maintenance been evaluated?
    a. What are the assumptions behind the ongoing operational costs included?
    b. What are the project maintenance costs?
    c. Will the project need to be replaced at the end of its useful life? How will it be paid for?

Project Timetable

What is the expected timetable for the project? This should include and identify timeframes for plan development, bidding, construction, and project closeout.

Goal Attainment

Please provide a narrative and reference specifically how the project contributes toward the attainment of the Strategic Plan.

Prioritization

The following items should be answered by evaluating each scoring area on a five-point scale with a rating of "1" for "No" or if the item is not applicable, to a rating of "5" for "Yes" unequivocally or that the project fully addresses that item directly.

1. Is the project legally required or in response to a legal mandate by Charter, State of Florida or Federal Government?
2. Does the project help address health, life and safety concerns of the citizenry?
3. Is the project necessary to provide a minimum level of service to the community and address needs in under-served population?
4. Was there significant public engagement in the development of the project?
5. Does the Project fit within the Strategic Plan?
6. Does the project leverage non-City funding (grants, loans, bonds)?
7. Has the project been developed as part of a larger scale asset plan?
8. If this project moves forward, will it inhibit other priority projects from moving ahead?
9. Fulfill an unmet need?

10. Complete a vision?
11. What is the economic impact?
12. Are there more efficient, effective ways to achieve the goal?
13. Does this project have a long-term effect on reducing operating or maintenance costs?

Attachment B
Project Presentation Format

Guidelines for each section of the Project Presentation Format are provided below.

Contact Information – Contact information, including name, address, phone number and email address, for the person submitting the Project should be provided.

Project Name – A name should be designated for the purpose of reference. It should be brief but should provide enough information to allow readers to distinguish between other similar projects. For instance, "Opa-locka Boulevard Traffic Signal" would be better than "Traffic Signal Improvement."

Total Project Cost – The total project costs should include all costs for the project.

Type – To categorize the projects, select an option (equipment, improvement, maintenance or unassigned) from the drop-down menu.

Project Description – The description should provide sufficient detail to permit a full understanding of the nature and scope of the project by someone with little to no knowledge of the project. If the project is the construction of a facility, the square footage and/or number of stories should be provided. A more detailed description of the location of the project and its relation to existing facilities or other proposed projects should also be provided.

Project Justification – Detailed reasons and rationale for the project should be provided. Statements of inadequacy must be supported by comparison with accepted standard practice. For instance, "…construction of fire station at this location will increase area of City reachable within IAFF standard response time of 6 minutes or less."

Expenditure Schedule – The various components* (planning/design, land acquisition, construction/maintenance, equip/vehicles/furnishings) of project implementation should be listed as well as the total cost each year. Estimate as closely as possible all costs necessary to complete the project. Estimates are to be on the basis of present costs and should be reassessed each year.

*Planning/Design costs include research or planning/feasibility studies, preliminary and final design and engineering plans for the project.

Construction/Maintenance costs should include all landscaping and inspections. Equipment costs reflect all miscellaneous equipment/furnishings to initially equip and furnish a facility.

Operational/Budget Impact – An attempt should be made to identify and quantify any net impact of the project on the operating budget for the year of the project and years following completion of the project.

Operational/Budget Schedule – The various anticipated operational/budget components (maintenance, staff costs, supplies/materials, other) of the project should be listed as well as the total cost each year.

CODE COMPLIANCE

POLICIES AND PROCEDURES

CODE COMPLIANCE OPERATING PROCEDURES

The City of Opa-locka's Code Compliance department is made up of a team of experienced and dedicated Code Compliance officers determined to help the city become a safe and healthy municipality. The Code Compliance department consists of the following positions: 1) Code Compliance Manager 2) Code Compliance Supervisor 3) Code Compliance Officers 4) Administrative support and their duties and responsibilities are as follows:

1) ***Code Compliance Manager:*** Manage and oversee daily tasks, Act as liaison between the City and respondents in all code related issues and challenges. Coordinate with Police & Public Works Director on special assignments to ensure a high level of code compliance, nuisance abatement and public safety. Work in conjunction with other City departments, i.e. Community Development, and Building & License to assure compliance with site plans, permits and appropriate uses throughout the city. Work with outside entities, i.e. DERM and Miami Dade county to address environmental violations. Prepare amnesty requests for the City Manager's review and approval.

2) ***Code Compliance Supervisor:*** Supervise field inspections of applicable state laws, local laws, codes, and ordinances pertaining to code compliance. Provide directives and guidance to Code Compliance Officers in educating and achieving compliance throughout the community. Assist with issuing notices/citations if necessary. Work in conjunction with other city departments on addressing illegal dumping, homeless encampments, and illegal businesses, including special task force for field operations.

3) ***Code Compliance Officers:*** Patrol entire city within individual zones 1- 4, East and West side of the city. Identify code violations of commercial and residential properties. Work in conjunction with housing inspector on illegal construction and unpermitted violations. Notify residents and businesses of code violations by sharing information on City ordinances for educational purposes. Issue notices and/or citations to repeat violators or respondents that fail to comply after warning notice is issued. Hearing scheduled if violation is not abated after 30-60 days. Work with various departments on special task force for compliance.

4) ***Administrative Support:*** Prepare reports for lien search and other code-related requests and updated requests from various title companies, property owners, realtors, etc. Responsible for recording and release of liens. Prepare for pre and post special master monthly hearings. Prepare monthly collection and hearing notices. Assist customers with code related issues, i.e. notices, citations, liens, reports, court orders, etc. Prepare department requisitions.

To promote, protect, and improve the health, safety, and welfare of the citizens of the counties and municipalities of this state by authorizing the creation of administrative boards or magistrate with authority to impose administrative fines and other noncriminal penalties

to provide an equitable, expeditious, effective, and inexpensive method of enforcing any codes and ordinances in force in counties and municipalities where a pending, or repeated violation continues to exist.

Always act in a courteous manner while promoting education of our city code of ordinances through communication, notices, literature, and workshops.

As of July 1, 2021, Code Compliance Officers in Florida can no longer investigate anonymous complaints. Under the new Florida law, all tipsters making a complaint must leave at the minimum their name and address, otherwise, code compliance departments cannot investigate. However, we do encourage everyone to submit their complaints and our staff will determine whether Florida law would support us initiating an investigation. Officers, still have authority to investigate anonymous complaints they deem to be an "imminent" threat to public safety, health, or welfare, or imminent destruction of habitat or sensitive resources."

ENFORCEMENT PROCEDURE

Notice of Violation and Notice of Hearing

Pursuant to Section 8-1-2 of the City of Opa Locka Code, The Code Inspector hereby gives notice of an uncorrected violation of the City of Opa Locka code, as particularly described, and requests a Public Hearing before the Code Enforcement Special Master.

Unless Respondent corrects the violation described herein by the date set for said hearing(s) and contacts the undersigned Code Inspector to verify compliance with City Code cited herein, notice hereby given pursuant to 8-1-20 of the City's Code of the City of Opa Locka, a PUBLIC HEARING will be conducted before the Code Enforcement Special Master and whereas the City of Opa Locka, Florida, pursuant to 162.09 F.S. (2003) imposes court cost as part of costs associated with enforcement of code violation.

(1) It shall be the duty of the code inspector to initiate enforcement proceedings of the various codes; however, no member of a board shall have the power to initiate such enforcement proceedings.

(2) Except as provided in subsections (3) and (4), if a violation of the codes is found, the code inspector shall notify the violator and give him or her a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the code inspector shall notify an enforcement board and request a hearing. The code enforcement board, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be hand delivered or mailed as provided in s. 162.12 to said violator. At the option of the code enforcement board, notice may additionally be served by publication or posting as provided in s. 162.12. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement board even if the violation has been corrected prior to the board hearing, and the notice shall so state.

(3) If a repeat violation is found, the code inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation. The code inspector, upon notifying the violator of a repeat violation, shall notify an enforcement board and request a hearing. The code enforcement board, through its clerical staff, shall schedule a hearing and shall provide notice pursuant to s. 162.12. The case may be presented to the enforcement board even if the repeat violation has been corrected prior to the board hearing, and the notice shall so state. If the repeat violation has been corrected, the code enforcement board retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the code enforcement board.

(4) If the code inspector has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety, and welfare or if the violation is irreparable or irreversible in nature, the code inspector shall make a reasonable effort to notify the violator and may immediately notify the enforcement board and request a hearing

(5) If the owner of property that is subject to an enforcement proceeding before an enforcement board, special magistrate, or court transfers ownership of such property between the time the initial pleading was served and the time of the hearing, such owner shall:

(a) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.

(b) Deliver to the prospective transferee a copy of the pleadings, notices, and other materials relating to the code enforcement proceeding received by the transferor.

(c) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.

(d) File a notice with the code enforcement official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within 5 days after the date of the transfer.

A failure to make the disclosures described in paragraphs (a), (b), and (c) before the transfer creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided with a reasonable period to correct the violation before the hearing is held.

NOTICES

1. All notices must be provided to the alleged violator by:

(a) Certified mail, and at the option of the local government return receipt requested, to the address listed in the tax collector's office for tax notices or the address listed in the county property appraiser's database. The local government may also provide an additional notice

to any other address it may find for the property owner. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation.

(b) If any notice sent by certified mail is not signed as received within 30 days after the postmarked date of mailing, notice may be provided by posting of the property. This paragraph does not apply if the code enforcement officer has reason to believe that the violation presents an imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources.

(c) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15years of age and informing such person of the contents of the notice; of

(d) In the case of commercial premises, leave the notice with the manager or other person in charge.

2. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and place of its posting.

3. A code enforcement officer may not initiate an investigation of a potential violation of a duly enacted code or ordinance by way of an anonymous complaint. A person who reports a potential violation of a code or an ordinance must provide his or her name and address to the respective local government before investigation may occur. This paragraph does not apply if the code.

ISSUANCE OF CITATION

(a) A code enforcement officer is authorized to issue a citation to a person when, based upon personal investigation, the officer has reasonable cause to believe that the person has committed a civil infraction in violation of a duly enacted code or ordinance.

(b) Prior to issuing a citation, a code enforcement officer shall provide notice to the person that the person has committed a violation of a code or ordinance and shall establish a reasonable time within which the person must correct the violation. Such time shall be no longer than 30 days. If, upon personal investigation, a code enforcement officer finds that the person has not corrected the violation within the time period, a code enforcement officer may issue a citation to the person who has committed the violation. A code enforcement officer does not have to provide the person with a reasonable time period to correct the violation prior to issuing a citation and may immediately issue a citation and may immediately issue a citation if a repeat violation is found or if the code enforcement officer has reason to believe the violation presents a serious threat to the public health, safety, or welfare or if the violation is irreparable or irreversible.

(c) A citation issued by a code enforcement officer shall be in a form prescribed by the county or the municipality and shall contain:

1. The date and time of issuance.
2. The name and address of the person to whom the citation is issued.
3. The date and time the civil infraction was committed.
4. The facts constituting reasonable cause.
5. The number or section of the code or ordinance violated.
6. The name and authority of the code enforcement officer.
7. The procedure for the person to follow to pay the civil penalty or to contest the citation.
8. The applicable civil penalty if the person elects to contest the citation.

9. The applicable civil penalty if the person elects not to contest the citation.
10. A conspicuous statement that if the person fails to pay the civil penalty within the time allowed or fails to appear in court to contest the citation, the person shall be deemed to have waived his or her right to contest the citation and that, in such case, judgement may be entered against the person for an amount up to the maximum civil penalty.

4. After issuing a citation to an alleged violator, a code enforcement officer, a certified copy shall be mailed to the respondent and a copy of citation documented in office file or scan document.
5. A county or municipality is authorized to enforce codes and ordinances under the provisions of this section and may enact an ordinance establishing procedures for the implementation of such provisions, including a schedule of violations and penalties to be assessed by code enforcement officers. If a county or municipality chooses to enforce codes or ordinances under the provisions of this section, each code or ordinance or the ordinance enacted by the county or municipality establishing procedures for implementation of this section shall provide:
    - That a violation of a code or an ordinance is a civil infraction.
    - A maximum civil penalty not to exceed $500.
    - A maximum civil penalty or less than the maximum civil penalty if the person who has committed the civil infraction does not contest the citation.
    - For the issuance of a citation by a code enforcement officer who has reasonable cause to believe that a person has committed an act in violation of a code or an ordinance.
    - For the contesting of a citation in county court.
    - Such procedures and provisions are necessary to provide for the enforcement of a code or ordinance under the provisions of this section.

6. Any person who willfully refuses to sign and accept a citation issued by a code enforcement officer shall be guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or section 775.083.

7. The provisions of this part shall not apply to the enforcement pursuant to section 553.79 and 553.80 of the Florida Building Code adopted pursuant to section 553.73 as applied to construction, provided that a building permit is either not required or has been issued by the county or the municipality.

Designation of enforcement methods and penalties for violation of municipal ordinances. – The governing body of a municipality may designate the enforcement methods and penalties to be imposed for the violation of ordinances adopted by the municipality. These enforcement methods may include, but are not limited to, the issuance of a citation, a summons, or a notice to appear in county court or arrest for violation of municipal ordinances as provided for in chapter 901. Unless otherwise specifically authorized and provided for by law, a person convicted of violating a municipal ordinance may be sentenced to pay a fine, not to exceed $500, and may be sentenced to a definite term of imprisonment, not to exceed 60 days, in a municipal detention facility or other facility as authorized by law.

NOTICE TO APPEAR

(1) A code enforcement officer, designated pursuant to section 162.21(1) and (2), may issue a notice to appear at any hearing conducted by a county court if the officer, based upon personal investigation, has reasonable cause to believe that the person has violated a code or ordinance. A notice to appear means a written order issued by a code enforcement officer in lieu of physical arrest requiring a person accused of violating the law to appear in a designated court or governmental office at a specified date and time. If a person issued a notice to appear under this section refuses to sign such notice, the code enforcement officer has no authority to arrest such person.
(2) Prior to issuing a notice to appear, a code enforcement officer shall provide written notice to the person that the person has committed a violation of a code or ordinance and shall establish a reasonable time within which the person must correct the violation. Such time shall be no fewer than 5 days and no more than 30 days. If, upon personal investigation, a code enforcement officer finds that the person has not corrected the violation within the prescribed time, a code enforcement officer may issue a notice to appear to the person who has committed the violation. A code enforcement officer may immediately issue notice to appear if a repeat violation is found, or if the code enforcement officer has reason to believe that the violation presents a serious threat to the public health, safety, or welfare or that the violator, or if the violation is irreparable or irreversible.

CONDUCT OF HEARING

The Special Magistrate shall proceed to hear the cases on the agenda for that day. All testimony shall be under oath and shall be recorded. The Special Magistrate shall take testimony from the code inspector and alleged violator. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

Should a respondent not show up at the hearing their case will still be heard in absence, declared as default, and the Special Master will make a final judgement.

(1) Each case before an enforcement board shall be presented by the Special Magistrate or local governing body attorney or by a member of the administrative staff of the local governing body. If the local governing body prevails in prosecuting a case before the Special Magistrate or enforcement board, it shall be entitled to recover all costs incurred in prosecuting the case before the board and such costs may be included in the lien authorized under section 162.09(3).

(2) At the conclusion of the hearing, the Special Magistrate shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with powers granted herein. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed and, under the conditions specified in the **section. 162.09(1),** the cost of repairs may be included along with the fine if the order is not complied with by said date. A certified copy of such order may be

recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If an order is recorded in the public records pursuant to this subsection and the order is complied with by the date specified in the order, the enforcement board shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

ADMINISTRATIVE FINES, COST OF REPAIRS, LIENS

(1) An enforcement board or Magistrate, upon notification by the code inspector that an order of the enforcement board or Magistrate has not been complied with by the set time or upon finding that a repeat violation has been committed, may order the violator to pay a fine in an amount specified in this section for each day the violation continues past the date set by the enforcement board for compliance or, in the case of a repeat violation, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code inspector. In addition, if the violation is a violation described in section 162.06(4), the enforcement board or Magistrate shall notify the local governing body, which may make all reasonable repairs which are required to bring the property into compliance and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this section. Making such repairs does not create such a continuing obligation on the part of the local governing body to make further repairs or to maintain the property and does not create any liability against the local governing body for any damages to the property if such repairs were completed in good faith. If a finding of a violation or a repeat violation has been made as provided in this part, a hearing shall not be necessary for issuance of the order imposing the fine. If, after due notice and hearing, a code enforcement board or Magistrate finds a violation irreparable or irreversible in nature, it may order the violator to pay a fine as specified in paragraph (2)(a)

(2)(a) A fine imposed pursuant to this section shall not exceed $250 per day for a first violation and shall not exceed $500 per day for a repeat violation, and in addition, may include all costs of repairs pursuant to subsection

(1). However, if a code enforcement board or Magistrate finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed $5,000 per violation.

(b) In determining the amount of the fine, if any, the enforcement board or magistrate shall consider the factors:

1. The gravity of the violation;
2. Any actions taken by the violator to correct the violation; and
3. Any previous violations committed the by the violator;

(c) An enforcement board may reduce a fine imposed pursuant to be this section

(3) A certified copy of an order imposing a fine or a fine plus repair costs, may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the circuit court, such order shall be enforceable in the same manner as a court judgement by the sheriffs of this state, including execution and levy against the personal property of the violator, but such order shall not be deemed to be a court judgement except for enforcement purposes. A fine imposed pursuant to this part shall continue to accrue until

the violator comes into compliance or until judgement is rendered in a suit filed pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this section runs in favor of the local governing body, and the local governing body may execute a satisfaction or release of lien entered pursuant to this section. **After 3 months from the filing of any such lien which remains unpaid, the enforcement board or magistrate may authorize the local governing body attorney to foreclose on the lien or to sue to recover a money judgement for the lien plus accrued interest.**

DURATION OF LIEN

No lien provided under the Local Government Code Enforcement Boards Act shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action is commended pursuant to section 162.09(3) in a court of competent jurisdiction. In an action to foreclose on a lien or for a money judgment, the prevailing party is entitled to recover all costs, including a reasonable attorney fee, that it incurs in the action. The local governing body shall be entitled to collect all costs incurred in recording and satisfying a valid lien.

APPEALS

An aggrieved party, including the local governing body, may appeal a final administrative order of an enforcement board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the enforcement board. **An appeal shall be filed within 30 days of the execution of the order to be appealed.**

USE OF CODE ENFORCEMENT VEHICLES

It is an inherent knowledge that the vehicle used by the staff of Code Enforcement belongs to the City of Opa-Locka; and the use of Code Enforcement vehicles are solely for City Business only. This internal policy applies to all staff working in the Code Enforcement Department.

• All adjustment, changes and use of Code Enforcement Vehicles require the prior approval from the Manager of Code Enforcement. No other Department Manager may override this process without prior written approval from the City Manager.

• It is against City of Opa-locka Policy for any vehicle owned by the City to be used for personal matters.

• No vehicle may be assigned or change-out without prior written approval of the Code Enforcement Manager.

• If the Code Enforcement vehicle to which you are assigned requires service, the Code Enforcement Manager must be notified in writing, i.e., email, or by filling out the vehicle notification form.

Additionally, please adhere to the following policy:

• No smoking in the City vehicle.

● You cannot allow any other City employee to operate your assigned vehicle without prior written approval.

● The vehicle cannot be operated by anyone other than the assigned employee without approval.

● You must lock vehicle when parked or conducting inspections.

● You must always maintain a valid Florida Driver's License.

● You cannot operate the City vehicle under the influence of alcohol, illegal drugs or prescribed medication that can impair your judgement to operating a City vehicle safely.

● You should inspect your vehicle daily to ensure gas, and tire pressure are suitable for vehicle operation. Once a week check to ensure all fluids, i.e., coolant, windshield and brakes are at appropriate levels.

ACCIDENTS

• If you are involved in an accident the Manager of Code Enforcement must be notified after contacting 911 or law enforcement. Never accept responsibility for an accident without approval from the City Manager, Code Enforcement Manager, or City of Opa-locka Law Enforcement.
• Never guarantee payment or repair of another vehicle (if applicable). The City Manager or her/his designee with handle the matter on behalf of the City.

PARKING

• Code Enforcement vehicles are to be parked in the designated areas at the conclusion of your assigned work shift/schedule unless you are paying for a take home vehicle.

• The City of Opa-locka will not assume any liability for theft, vandalism for personal belongings left in City vehicle.

Failure to follow this policy and guidelines can result in disciplinary action including but not limited to written warning, counseling statement suspension with or without pay or termination.

I have read and understand my responsibilities for using a City of Opa-locka Code Enforcement Vehicle.

_____ _____

Employee Signature Date

_____ _____

Manager of Code Enforcement Signature Date

_____ _____

Witness Date

Information Technology Policy Manual As of May 1, 2019

Updated September 26, 2022
V1.2(2)

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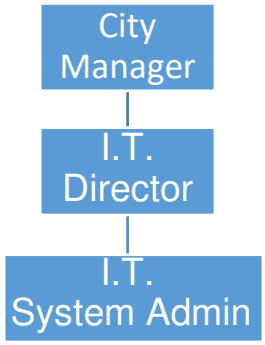
Policy 1.0 - Governance Policy

1.1 Policy

The purpose of Information Technology (IT) Department governance is to align the roles and responsibilities of the I.T. Department with the roles and responsibilities of all the City's departments.

1.2 Management and Organization

The Information Technology Department reports to the City Manager.



1.3 Vision

Enabling access to City Government, making it available to anyone, at any time, from anywhere.

1.4 Mission

The I.T. Department is committed to delivering technological solutions to provide citizens, businesses, and city employees with convenient access to information and services in the most cost-effective manner.

1.5 Responsibilities

I.T. Department –
The primary responsibility of the I.T. Department is to align I.T. with business goals, implement new technology, control I.T. costs, increase efficiencies, ensure confidentiality, integrity, availability and provide systems and end-user support for all information technology functions in Opa-locka Government. The majority of the tasks performed fall into three programs; Support, Research & Development, and Training.

Technical Support: Most of the work performed by the I.T. Department falls under this program. It encompasses all helpdesk activities, hardware replacement and upgrades, software installation and upgrades, system administration, and support of communication systems such as the IP Telephony phone systems, cellular phones, and analog devices.

1.5 Responsibilities – (CONTINUED)

Research & Development: Through this program new technology is evaluated, purchased, and implemented. As technology changes, and the role technology plays in our government's daily activities change, we need to continuously assess the application of that technology, insuring that we implement solutions that improve job efficiency and meet all regulatory requirements. Through this program the I.T. Department works with other City departments to find the technology solutions that best meet their needs.

Training: As technology changes so do the skills required to support and use it. This program provides for the ongoing skills training of I.T. Department staff and assists other departments in providing end-user training tailored to the needs of their staff. The I.T. Department will sponsor in-house training on applications and systems specific to the needs of our City, as well as outsource training where necessary.

City Manager
Provide oversight to the I.T. Department

1.6 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 2.0 - Computer Hardware

2.1 Policy

All computer hardware purchased for use within the City shall be authorized by the I.T. Department.

2.2 Purpose/Description

I.T. will authorize all purchases and installation of all computer hardware to ensure conformance to City technical standards, to meet computer security requirements, and to interface properly with other computerized equipment at the City. Employee-owned hardware may not be connected to the City network without prior authorization by the I.T. Department Manager.

2.3 Enforcement

The Purchasing Department will reject all requests for computer hardware that are not approved by the I.T. Department. Any computer hardware found to be in use without I.T. approval will be disconnected immediately. The incident will be reported to the violator's Department Head and may result in disciplinary action.

2.4 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Work with I.T. to determine hardware needs and to develop an appropriate annual budget. Obtain I.T. approval to purchase any hardware prior to doing so.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

Purchasing Department – Ensure that the I.T. Department has authorized all requests for computer hardware.

I.T. Department - I.T. must authorize all purchases and installation of all computer hardware. I.T. will maintain and periodically inventory all hardware within the City to confirm policy enforcement and to provide for verification of fixed asset tracking for insurance purposes.

2.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 3.0 - Computer Software

3.1 Policy

All computer software purchased or downloaded for use within the City shall be authorized and installed by the I.T. Department. I.T. will also provide for the maintenance of any packaged software and upgrade that software as needed. This policy applies to all operating system software as well as application software.

3.2 Purpose/Description

I.T. will authorize and install city-owned computer software to ensure conformance to City technical standards, to meet computer security requirements, and to interface properly with other computerized hardware and/or software within the City as required. Employee-owned software may not be connected to the City network.

3.3 Software Acquisition

It is the policy of the City of Opa-locka to always purchase packaged software unless there is an overwhelming business need to create a custom package. The I.T. Department does not have the resources to develop or maintain custom software packages.

All proprietary software purchases must provide for escrowing of software source code.

All software packages must be purchased with software maintenance agreements that will be maintained by the I.T. Department.

Acquiring software is a joint responsibility between the I.T. Department and the using department. The using department is responsible for ensuring the software will meet their functional needs. I.T. will ensure the software can technically operate in the City's environment and provide cost and budget information into the decision making process.

3.4 Enforcement

The Purchasing Department will reject all requests for computer software that is not authorized by I.T.. Any computer software found to be in use without I.T. approval will be removed immediately. The incident will be reported to the violator's Department Head and may result in disciplinary action.

3.5 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Work with I.T. as an equal partner in the acquisition process. The using department will provide a primary and secondary liaison to the software vendor for direct application support. The I.T. Department will assist the using department with unresolved support issues.

3.5 Responsibilities (CONTINUED)

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

Purchasing Department – Ensure that the I.T. Department has authorized all requests for computer software.

I.T. Department – Work with using department as an equal partner in the acquisition process. Maintain the software in an operational state, including software upgrades, patches, and fixes. Ensure renewal of all support agreements. Assist the end-user with application support issues when the end-user is unable to resolve issues directly with the software vendor.

3.6 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 4.0 - E-mail

4.1 Policy

The City encourages the business use of e-mail as a productivity enhancement tool. E-mail access will be granted to all City employees unless specifically denied by the employee's Department Head and/or the City Manager.

4.2 Purpose/Description

The purpose of this policy is to clearly define the acceptable use of the City's e-mail system and what actions are prohibited.

4.3 Ownership of the E-mail System

The City's e-mail system belongs to the City of Opa-locka and the contents of all e-mail communication are accessible at all times by the City, with or without advance notice. Although an employee may have a personal password, the City Manager or his designee, without the employee's knowledge or consent, can access e-mail on the City's e-mail system whether business related or personal. Nothing in or on the e-mail system should be considered confidential. The employee has no right to privacy of e-mail.

4.4 Acceptable Use

Use of the City's e-mail system is intended for City related business. All employees are to use e-mail as they would any other type of official City communications tool. When any e-mail is transmitted, both the reader and sender should consider if the communication falls within ethical guidelines. No communication should contain confidential information. Communication by e-mail is encouraged when it results in the most efficient and/or effective means of communication.

City employees are permitted incidental and occasional personal use of the e-mail system, and such use will be treated the same as other business related e-mail messages. The following are guidelines when using the City's e-mail system for personal use:

- Personal incoming or outgoing e-mail must be kept to a minimum so that it does not consume more than a trivial amount of system resources
- Personal incoming or outgoing e-mail must not interfere with an employee's productivity

4.5 Prohibited Uses

The following uses are prohibited:

- Charitable or fundraising campaigns unless specifically approved in advance by the City Manager
- Solicitations or proselytization for commercial ventures, chain letters, religious or personal causes, or outside organizations or other similar, non job-related solicitations

4.5 Prohibited Uses (CONTINUED)

- E-mails that may be seen as insulting, disruptive, or offensive by other persons, or harmful to morale. Examples of forbidden transmissions include sexually-explicit messages, gambling, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message that may be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, religious or political beliefs

- Use of e-mail to send copies of documents in violation of copyright laws

- Use of the e-mail system to compromise the integrity of the City or its business in any way

- Use of e-mail to offer for sale non-City related items. The Employee Newsletter, which provides a “For Sale” section and is distributed internally via City e-mail, is excluded.

- Do not forward suspicious emails to the IT department or other users.

4.6 Retention of E-mail

The IT Department maintains an email archival system. All incoming and outgoing email is archived on the archiving server and is searchable by the Information Technology for public records requests. User mailboxes will have a mailbox quota to limit the amount of email retained on the email server in order to improve performance, since users can search their email from the archive server instead of from their mailbox.

4.7 Mailbox Limits

The I.T. Department will set mailbox and message size limits that are appropriate to the stability and adequate performance of the e-mail system.

4.8 Enforcement

The I.T. Department will provide for the enforcement of these policies through the use of monitoring technology and report violations to the Department Head of the offending employee for disciplinary action, if necessary.

4.9 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Must maintain e-mails in accordance with State of Florida Public Records Laws. Must coordinate long-term storage with the I.T. Department, when necessary.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Manage mailbox limits. Monitor and report violations.

4.10 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 5.0 - Internet

5.1 Purpose and Description

The City encourages the business use of Internet access as a productivity enhancement tool. Internet access will be granted to all City employees unless specifically denied by the employee's Department Head and/or City Manager.

5.2 Acceptable Use

Use of the City's Internet access is intended for City related business. All employees are to use Internet as they would any other type of official City tool. Users should consider ethical guidelines.

City employees are permitted incidental and occasional personal use of the City's Internet system, and such use will be treated the same as any other legitimate business access. The following are guidelines when using the City's Internet system for personal use:

- Personal usage must be kept to a minimum so that it does not consume more than a trivial amount of system resources
- Personal usage must not interfere with an employee's productivity

5.3 Prohibited Use

Any use of the Internet for "moonlighting", soliciting for commercial ventures, gambling, religious or personal causes, or outside organizations, or for other similar non job-related solicitations is strictly prohibited. Use of the City's Internet to access any site or material that is sexually explicit, pornographic, obscene, that may be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, or religious or political beliefs, or has the potential to cause the City public harm or disrepute is strictly prohibited.

Users shall not install any browser plug-in or "enhancement applications" such as Flash, Real Media, Quick Time, Shock Wave, browser toolbars, etc., without permission by the I.T. Department. This includes, but is not limited to: pop-up blockers, anti-spyware programs, screen savers, background changers, or any other item that is not provided by the I.T. Department as part of the original system configuration or added by IT.

5.4 Security and Blocked Access

The I.T. Department will provide for Internet security that includes, but is not limited to, firewall protection, specific routing, profiles, and passwords. Web sites that have no legitimate business purpose may be blocked from access. All web traffic with the exception of HTTP may be blocked from access until a specific business use is demonstrated. An audit trail of access to sites may be maintained by the I.T. Department to investigate possible violation of City policy or breach of security.

5.5 Public Representation

No media advertisement, Internet home page, electronic bulletin board posting, electronic mail message, or any other public representation about the City of Opa-locka may be issued unless appropriate management has granted approval.

5.6 Enforcement

The I.T. Department will monitor Internet access through the use of technology tools. Violations will be reported to the Department Head and/or the City Manager of the offending employee for disciplinary action, if necessary.

5.7 Responsibilities

End-Users – Must be aware of these policies and ensure compliance.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Manage Internet security. Monitor and report violations.

5.8 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 6.0 - Access to Computer Systems

6.1 Policy

It is the policy of the City of Opa-locka to only grant access to systems and programs that are required in the performance of an individual's job. Temporary access will be granted to individuals on a temporary basis when filling in for someone on vacation or other leaves of absence, and to outside parties for the purposes of fulfilling their obligations to the City. Department Heads must authorize access to systems and software under their control.

6.2 Purpose/Description

The purpose of this policy is to ensure that individuals only have access to the software and systems that are required to perform their duties. This minimizes the risk of internal security violations.

6.3 Enforcement

Access authorization documentation will be generated for each individual indicating what software and/or systems are to be accessed and what privileges (read, write, etc.) are permitted. I.T. will ensure that only authorized rights and privileges are granted to the employee. Violations will be reported to the Department Head of the offending employee for disciplinary action, if necessary.

6.4 Responsibilities

End-Users - Must be aware of these policies and ensure compliance.

Department Heads – Provide written authorization for access rights and privileges to the I.T. Department on Form 7-1 - I.T. Authorization Form (see Appendix A). Annually review and reconfirm accuracy of access rights and privileges. Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Grant rights and privileges for system access based upon submission of Form 7-1 from an authorized individual. Manage and audit user access rights.

6.5 Policy History

Created April 14, 2019

Updated: September 26, 2022

Policy 7.0 - Password Security

7.1 Policy

All City computer systems are user identification (UID) and password protected to identify who is using the system and what rights and privileges they may have within the system. Multi-factor authentication will be implemented in phases starting in January 2023.

7.2 Purpose/Description

All City computer systems are protected by UID and passwords. City computer systems may monitor access by UID and records can show such information as who logged in, when they logged in, and what they accessed on the system.

It is the responsibility of the user to protect his/her password as they would any other identification number such as social security number, credit card number or other such personal information. Passwords shouldn't be shared, with the exception of providing them to the I.T. Department staff for support purposes; however, should users share their passwords with others, the users assume full responsibility. In the event passwords are written, they must be kept in a secure location.

7.3 General Requirements

Passwords must meet Microsoft's complexity requirements. Passwords must be at least ten characters long, must not contain any part of the user's name, must include three of the following four categories: uppercase characters, lowercase characters, numbers, non-alphanumeric, (special) characters such as ~!@#$%^&*_-+=`|\(){}[]:;"'<>,.?/. Password requirements for applications may vary.

Passwords for network access login must not be duplicated any other accounts outside of the city network (i.e. Apple ID, department specific applications, vendor website, etc.)

Passwords must not be duplicated on personal computers systems and personal accounts.

Passwords must not be inserted into email messages and other forms of electronic communication.

Do not reveal a password over the phone to ANYONE.
Do not reveal a password in an email message.
Do not reveal a password in front of others.
Do not reveal a password on questionnaires or security forms or other documents.
Do not share a password with family members.
Do not reveal a password to co-workers.

If someone demands a password, refer them to this document or have them call the IT Department. If an account or password is suspected to have been comprised, report the incident to the IT Department staff and change all passwords.

Password cracking or guessing may be performed on a periodic or random basis by the IT Department staff or its delegates. If a password is guessed or cracked during one of these scans, the user will be required to change it or the account may be disabled.

Passphrases are not the same as passwords. A passphrase is a longer version of a password and is, therefore, more secure against "dictionary attacks". A good passphrase is relatively long and contains a combination of upper and lowercase letters, numeric, punctuation and special characters. All of the rules above that apply to passwords apply to passphrases.

7.4 Password Expirations

Network logon passwords will expire on a 90-day basis and must be changed. Users may not reuse the last 24 network logon passwords.

7.5 Enforcement

I.T. will monitor the use of UID and passwords to ensure only authorized users access the system and to determine that passwords have not been written down and left in unsecured locations. Violations of this policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

7.6 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Follow password policy requirements and maintain confidentiality of UID and passwords.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Issue passwords with proper authorization and monitor compliance of the policy.

7.7 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 8.0 – Data File Storage

8.1 Policy

End-users shall store data files on the City's network servers in designated locations.

8.2 Purpose/Description

The purpose of this policy is to ensure that individuals save data files in designated locations to ensure daily backup of files to tape or other media for purposes of restoration in the event of a disaster or other unforeseen circumstance.

8.3 Enforcement

Should the I.T. Department find City data files on an end-user's computer, I.T. staff will assist end-users with relocating files to a network server. Continued violations of this policy will be reported to the Department Head for disciplinary action, if necessary.

8.4 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Must save all data files in designated locations on network file servers.

Department Heads –Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Assist end-users with relocating files to network servers. Report violations to Department Heads.

8.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 9.0 - Public Records Request

9.1 Policy

It is the policy of the City of Opa-locka to direct all computer system public records requests to the Information Technology Department pursuant to the City of Opa-locka Records Management Plan.

9.2 Purpose/Description

Although much of the information generated by a City is subject to public records requests, there are a number of exceptions that are provided for in Chapter 119 of the Florida State Statutes. Disseminating information that is subject to these exceptions is a serious violation of State law. All public records requests for electronic records should be forwarded to the City Clerk, or designee, for proper handling. No end-user should provide electronic information to any individual without first obtaining authorization from the City Manager or designee.

9.3 Enforcement

Employees are expected to follow this policy. Violations of this policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

9.4 Responsibilities

End-Users - Must be aware of these policies and ensure compliance. Redirect

electronic public records request to the City's Clerks office.

City Clerk – Receive and process request in accordance with Florida State Statutes and the City of Opa-locka Records Management Plan. Designate fulfillment duties for the request to the appropriate department staff member if desired.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Assist City Clerk or designee with compiling electronic public records requests when needed.

9.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 10.0 - Instant Messaging/Chat

10.1 Policy

Instant Messaging and all related tools (voice chat, file transfer and sharing, etc.) are prohibited on City computers, with the exception of authorized messaging software for internal use only.

10.2 Purpose/Description

External instant messaging/chat is prohibited due to the inherent security risks associated with these programs. The I.T. Department may provide messaging software for internal use only. All internal Instant Messaging chat sessions will be logged for the sole purpose of accommodating public record requests. The messages will be retained for a period of time in accordance with the State of Florida General Records Schedules. Employees are to assume there is no right to privacy for electronic communications on the City's communication devices.

10.3 Enforcement

Any instant messaging/chat software found to be in use without I.T. approval will be immediately removed. Instant messaging/chat websites may be blocked. The incident will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

10.4 Responsibilities

End Users – Must be aware of these policies and ensure compliance. Shall not install or utilize instant messaging/chat programs, websites, etc.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Monitor activity, remove and confiscate unauthorized instant messaging/chat software, block access to instant messaging/chat websites, and report violations.

10.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 11.0 - Importing External Data

11.1 Policy

Importing data files for currently supported applications on City owned computers is permitted under certain conditions. Data files for applications not currently supported must be reviewed by the I.T. Department prior to importing.

11.2 Purpose/Description

This policy relates to the importing or copying of any file that does not already reside on a City computer. Importing files of any currently supported application is permitted via the following methods: CD, USB drive, or e-mail. Images (photos) on digital camera media may be imported to City computers.

All other files must be authorized by the I.T. Department prior to importing.

Supported applications include, but are not limited to, Microsoft Word (.doc, .dot, .rtf, .txt), Microsoft Excel (.xls), Microsoft PowerPoint (.ppt), Microsoft Access (.mdb), Microsoft Publisher (.pub), Microsoft Outlook (.eml, .pst), Adobe Acrobat (.pdf), and Adobe Photoshop (.psd, .bmp, .gif, .jpg).

Other file types may pose a significant threat to the City's computer system and are not permitted to be imported without authorization from the I.T. Department. These file types include, but are not limited to, the following:

- Archives/Compressed - .cab, .gz, .gzip, .jar, .rar, .rpm, .tar, .tgz, .z, .zip
- Executables - .bat, .chm, .class, .cmd, .com, .dll, .drv, .exe, .lnk, .ocx, .pif, .reg, .scr, .sys, .vxd
- Scripts - .asp, .hta, .htx, .js, .php, .php3, .vb, .vbs, .ws, .wsc, .wsf, .wsh, .wst

All imported files must be manually scanned for viruses using the local anti-virus software by the end-user before accessing the files.

11.3 Enforcement

It is expected that employees will adhere to the policy. Violations of this policy will be reported to the Department Head for disciplinary action, if necessary.

11.4 Responsibilities

End-Users - Must be aware of these policies and ensure compliance. When necessary, work with I.T. to import non-supported data files and ensuring manual virus scans are completed prior to access.

11.4 Responsibilities (CONTINUED)

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Work with employees who have a need to import data files that have potential hazards. Report violations.

11.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 12.0 – Digital Data Backup and Recovery

12.1 Policy

Data files maintained on the network servers will be routinely backed up to electronic media located offsite of the data center, for the sole purpose of restoration, not preservation.

12.2 Purpose/Description

Information Technology will conduct backups of critical data on a Daily basis. Backups will be conducted on a more frequent schedule when possible. Disk backup appliance and media will be stored offsite for the designated period of time stated below and will be used for restoration in the event of a disaster.

12.3 Backup Audit Logs

The I.T. Department will maintain a log of all backup jobs within the backup software.

12.4 Backup Job Schedule

Disk Backups will be performed as frequently as possible throughout the day while limiting the impact on system performance.

No backup job shall be kept on disk for more than three months. Backups of servers with limited changes shall only be kept on disk for 30 days. In the event of a disaster requiring system restoration from backup media, information processed that day, or since the last good backup, may be lost and will be the responsibility of the user to re-process.

12.5 Enforcement

The I.T. Director will periodically audit the backup logs to ensure the backups are properly maintained and stored off-site by I.T. staff. Continued violations of this policy will result in disciplinary action.

12.6 Responsibilities

End Users – Must be aware of these policies and ensure compliance. Responsible for notifying the I.T. Department immediately upon determining that data may be lost and need to be restored from backup media.

Department Head – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Provide for backup of network data, maintain appropriate electronic logs, and store backup media offsite. Report any user violations to the Department Head for action.

12.7 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 13.0 – Remote/Mobile Network Access

13.1 Policy

The City will only grant remote access to end-users for systems and programs that are required in the performance of their job.

13.2 Purpose/Description

The policy provides a secure means for end-users to access programs and data from outside of the City's network. It also ensures integrity and security of network and systems by minimizing threats and vulnerabilities associated with access to systems via external networks.

13.3 Enforcement

Department Heads must authorize all remote access in writing on Form 14-1 I.T. Authorization Form (Appendix A). The I.T. Department will provide for the enforcement of these policies through the use of mobility management software and other technology tools.

13.4 Responsibilities

End Users – Must be aware of these policies and ensure compliance. Shall not utilize any mobile technology device without authorization by the Department Head and the I.T. Department. Shall maintain physical security of remote/mobile devices and protect them from physical intrusion, theft, loss, fire, hazardous materials, flood, and other damages. Shall report and all incident to the IT Department immediately.

Department Heads – Provide written authorization for access rights and privileges to the I.T. Department on Form 14-1 - I.T. Authorization Form (see Appendix A). Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Procure, configure, and install authorized remote/mobile devices with latest security measures as determined necessary for connectivity to the City network. Monitor remote access to the City network to thwart attempts of unauthorized access and to ensure access control methods are effective.

13.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 14.0 – Voice Mail

14.1 Policy

The City provides voice mail access to all City employees with desk phone and/or cell phone access unless specifically denied by the employee's Department Head and/or City Manager. Voice Mail is an enhanced feature of desk phones and cell phones and should be utilized as any other communications tool.

14.2 Purpose/Description

The purpose of this policy is to clearly define the acceptable use of the City's voice mail systems, and establish voice mail storage and retrieval guidelines. Employees are to assume there is no right to privacy for electronic communications on City communication devices.

14.3 Acceptable Use

Use of the City's voice mail system is intended for City related business. All employees issued voice mail boxes are to use them as they would any other type of official City communications tool. No communication should contain confidential information. Communication by voice mail is encouraged when it results in the most efficient and/or effective means of communication.

Incidental and occasional personal use of the voice mail system is permitted by the City employees but these communications will be treated the same as other business related communications. The following are guidelines when using the City's voice mail systems for personal use:

- Personal incoming or outgoing cell calls must be kept to a minimum so that it does not result in additional cost to the City above the normal monthly telephone operational expense.

- Storage and management of personal incoming or voice mail calls must not interfere with an employee's productivity and must not utilize any more than a nominal amount of storage space on the City's voice mail system.

14.4 Prohibited Uses

The following uses are prohibited:

- Charitable or fundraising campaigns unless specifically approved in advance by the City Manager

- Solicitations or proselytizations for commercial ventures, religious or personal causes, or outside organizations or other similar, non job-related solicitations

14.4 Prohibited Uses (CONTINUED)

- Communications that may be seen as insulting, disruptive, or offensive by other persons, or harmful to morale. Examples of forbidden voice mail communications include sexually-explicit messages; inappropriate jokes; unwelcome propositions; ethnic or racial slurs; or any other communication that can be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, religious or political beliefs

- Use of the City's voice mail in any way that compromises the integrity of the City or its business

- Use of voice mail to offer for sale non-City related items

14.5 Abusive Use

All City voice mail boxes are subject to internal and external audits. Abusing the use of City voice mail will result in the suspension of voice mail box privileges and may lead to other disciplinary actions.

14.6 Storage

The IT Department will determine the amount of voice mail system storage necessary to adequately meet the needs of the users while balancing the impact of the storage on the phone system.

14.7 Access and Retention

End-users may access their voice mail messages through Avaya IP Office. Voice mail messages are typically considered as transitory messages under Chapter 119 of the State of Florida public records laws. Transitory records are created primarily to communicate information of short-term value, and they are not intended to formalize or perpetuate knowledge and do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt.

Should end-users determine that a voice mail record does indeed meet retention requirements under the public records law, they will need to contact the Information Technology Department for retention until destruction date is reached.

14.8 Enforcement

The I.T. Department will provide for the enforcement of these policies through monitoring voice mail box usage and reporting violations to the Department Head for disciplinary action, if necessary.

14.9 Responsibilities

End-Users – Store voice mails that have retention requirements within their user folders outside of the voice mail system. Must be aware of these policies and ensure compliance.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

14.9 Responsibilities (CONTINUED)

I.T. Department - Monitor usage and report violations.

14.9a Policy History

Created: April 14, 2019

Updated: September 26, 2022

Policy 15.0 – Security Incident Response

15.1 Policy

The I.T. Department will respond to computer security incidents, which may occur within the City of Opa-locka government.

15.2 Purpose/Description

The purpose of this policy is to clearly define the roles, responsibilities, and communications procedures for responding to computer security incidents, and to detail the incident classifications.

15.3 Scope

Computer security incident response policy is applicable to all City information and infrastructure computing resources, at all levels of sensitivity, whether owned and operated by the City or operated on behalf of the City.

15.4 Leadership Role

Computer security incident response management shall be provided by the I.T. Manager, and support members may include the System Administrator, Human Resources Director, Police Chief, City Manager and others as deemed necessary.

Computer security incident response management is for the purpose of investigating an apparent information security incident and to minimize damage to the City's computer systems.

The role of the I.T. Director or designee is to respond rapidly to any suspected security incident by identifying and controlling the suspected incident, notifying end-users of proper procedures to preserve evidence, and report all findings to the City Manager.

15.5 Computer Security Incident Classification

15.5.1 Identifying Computer Security Incidents

A security incident is any event resulting in the City's computer systems, networks, or data being viewed, manipulated, damaged, destroyed, or made inaccessible by any unauthorized activity.

15.5.2 Notification of Computer Security Incidents

Successful incident handling requires employees to immediately contact the I.T. Department to report incidents. Contact should be made by phone or in person without delay.

15.5.3 Classification of Computer Security Incidents

It is the responsibility of the I.T. Department to classify security incidents into two classes based on the severity of incident: Class 1 and Class 2.

Class 1 Incidents: Localized and/or Minor.

Examples of Class 1 incidents are:

- Localized virus attacks
- Internet abuse, excluding criminal behavior
- Incidents traceable to user error or system failure
- Minor attempts at intrusion, scanning, or pinging
- Missing I.T. devices or equipment
- Theft of I.T. devices

Class 2 Incidents: City-wide and/or High Impact.

Examples of Class 2 incidents are:

- Coordinated, distributed attacks
- Any attacks which cause denial of service
- Financial fraud involving computers
- Unauthorized activity involving a file server or host
- Theft of proprietary information
- Unauthorized activity involving any sensitive system (Financials, Public Safety, IT, etc.)
- Internet abuses which violate either Federal or State law
- Web defacement
- Customer data compromised

15.6 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Report any suspicious activity to the I.T. Department by phone or in person without delay. Document actions taken prior to awareness of suspicious activity.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department –

- Evaluate incident to make initial determination of classification/severity and notify City Manager of Class 2 events.
- Inform all other users who are affected by the security incident of the necessary actions to control the incident.
- Determine if criminal investigation support is needed.
- Perform appropriate back tracing, technical analysis and other tasks required by the review.
- Report periodic status of the Class 2 incidents to the City Manager.
- Conduct a debriefing of lessons learned. Prepare subsequent report including root causes, actions taken to resolve incident, and recommendations for prevention of similar incidents. Submit report to the City Manager.

15.7 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 16.0 - Architectural Standards

16.1 Policy

This policy establishes the City of Opa-locka's Architecture as the primary source for providing information technology technical requirements which govern the acquisition, use and management of information technology resources by City staff.

16.2 Purpose/Description

The City of Opa-locka's Enterprise Architecture is a strategic asset used to manage and align the City's business processes and I.T. infrastructure/solutions with the City's overall strategy.

It is the intent to standardize and simplify the many technologies and products used in order to ensure continuity of operations, reduce staffing cost, and to build a reliable computer environment.

16.3 Hardware and Software Standards

16.3.1 Server Operating Systems

The I.T. Department will continually evaluate the newest release of the Microsoft server operating systems for compatibility, functionality and business need. Upgrades will be implemented as determined feasible by the I.T. Department within the constraints of the budget and available resources.

16.3.2 Desktop Client Operating Systems

The I.T. Department will continually evaluate the newest release of the Microsoft desktop operating systems for compatibility, functionality and business need. Upgrades will be implemented as determined feasible by the I.T. Department within the constraints of the budget and available resources.

16.3.3 Productivity Applications

The I.T. Department will continually evaluate the newest release of the Microsoft productivity applications for compatibility, functionality and business need. Upgrades will be implemented as determined feasible by the I.T. Department within the constraints of the budget and available resources.

16.3.4 Network Infrastructure

The I.T. Department will continually standardize the network infrastructure on industry accepted, high performance, best of breed infrastructure products and protocol standards. The uniformity of this type of equipment will provide stability to the City's network infrastructure as well as Internet accessibility and connectivity.

16.3.5 Security as a Platform Decision Factor

The I.T. Department will consider business security requirements up front when making decisions for all platforms from personal computing devices to enterprise servers.

16.3.6 Remote Administration Platforms

The I.T. Department shall acquire platforms designed for ease of remote administration, diagnosis, and systems management.

16.3.7 Cabling Standards

The City will utilize Information Transport Standards (ITS) for all new facility information and communications cabling installations to ensure compatibility and integrity.

16.3.8 Personal Computing

16.3.8.1 Centralized Personal Computing Decisions

The I.T. Department shall centralize personal computing decisions regarding what shall be procured, how frequently devices may be refreshed, how agency support is to be provided, what security methods are acceptable, and what methods of access may be used.

16.3.8.2 Personal Computing Security Software

The I.T. Department shall establish the minimum requirements for the base image to be used on personal computers, to include the latest best of breed antivirus/malware/spyware software.

16.3.8.3 Personal Computing Desktop Displays

Since desktop displays have a longer lifecycle than the computers they support, their replacement shall not be automatic at the time of a desktop replacement. Display replacement decisions for all City computers must be based on business needs, support considerations, cost-of-ownership data, and hardware compatibility considerations.

16.3.8.4 Personal Computing Processors

When establishing the minimum requirements for PC Processors and components, the I.T. Department will take in to consideration the need for the components to cost-effectively meet anticipated processing needs for the proposed productivity software, typical business needs, special needs of the mobile worker, and/or needs related to lifecycle requirements such as future availability of various memory options.

16.3.8.5 Personal Computing Optical Drives

Minimum requirements for Optical Drives shall include the ability to read and write CDs and DVDs when there is a business need.

16.3.8.6 Lifecycle for Personal Computers

The I.T. Department shall use a lifecycle range goal of three to four years for desktop computers and three years for laptop computers.

16.3.8.7 Surge Protection and Battery Power Backup

To protect computing equipment all computers shall be powered through a battery backup power supply (UPS) and all peripherals shall be powered through a surge protector.

16.3.8.9 Workstation Security

Appropriate measures must be taken when using network computers and mobile devices to ensure the confidentiality, integrity, and availability of information. The IT Department will implement security measures to include Microsoft group policies restrictions to enforce device security to protect user data and network infrastructure. All security settings will be determined and implemented by the IT Manager to include by not limited to the following:

- **Password protected screensaver after a period of 30 minutes of inactivity. A shorter period of inactivity may be implemented at the direction of the IT Manager or the Department Head.**
- **Restricted access to USB ports based on an as-needed bases as determined by the IT Manager.**
- **Strong password policy implementation (see Password Security Policy 8.0).**
- **Remotely rebooting devices on a daily or as-needed basis to ensure the proper operation and integrity of the devices. Users must close and save all open files at the end of each work shift to avoid loss of data. The IT Department highly recommends that users reboot their PC daily at the end of their work shift to improve device performance and avoid file corruption.**

16.4 Responsibilities

End-Users – Must be aware of these policies and ensure compliance.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Periodically review industry standards and update as needed.

16.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 17.0 – Social Networking and Media

17.1 Purpose and Description

The City of Opa-locka recognizes that Social media, professional networking sites, sites, and personal Web sites are all useful technologies, and provide ways to build a sense of community as rapidly communicate directly to stakeholders and the general public. This policy will set forth guidelines that employees shall follow for all online communications in reference to the City of Opa-locka and address the fast-changing landscape of the Internet and the way people receive their information. Social Media provides opportunities for participating departments to attract a broader audience, in addition to creating a social network allowing for residents, consumers and visitors to receive information and participate in their government in an innovative and creative way. These services are intended to enhance communications but not to diminish or circumvent existing processes. The demographic profile of the intended target audience combined with the purpose and goal of the social media initiative are the primary considerations on which to determine the appropriate use of social media. At all times, the social media initiative must align with the City's business goals and objectives.

17.2 Usage Guidelines

17.2.1 Relevant Technologies

This policy includes, but is not limited to, the following specific technologies:

- Facebook
- Google
- Instagram
- LinkedIn
- Snapchat
- TikTok
- Tumblr
- Reddit
- Twitter
- Yahoo
- Personal Blogs
- Personal Web Sites

City of Opa-locka employees are encouraged to use the following guidelines in social networking practices:

- Be relevant to your area of expertise
- Do not be anonymous
- Do not use the City's computing devices to access TikTok's platform
- Maintain professionalism, honesty, and respect
- Apply a "good judgment" test for every activity related to the City of Opa-locka: Could you be guilty of leaking information, customer data, or upcoming announcements? Is it negative commentary regarding the City of Opa-locka? Activity showing good judgment would include statements of fact about the City of Opa-locka and its services, facts about already-public information, or information on the City's official website. Further, if any employee becomes aware of social networking activity that would be deemed distasteful or fail the good judgment test, please contact the Human Resources Department.

17.2.3 City of Opa-locka Assets

The use of City of Opa-locka assets (computers, Internet access, email, etc.) is intended for purposes relevant to the responsibilities assigned to each employee. Social

networking sites are not deemed a requirement for most positions. For those employees that are permitted to access these services, a reasonable and limited amount of use of company assets are permitted for social networking services.

17.2.4 Inaccurate or Defamatory Content

Employees who participate in online communication deemed not to be in the best interest of the City of Opa-locka will be subject to disciplinary action. This online communication can include but is not limited to the following:

- Company information or data leakage
- Inaccurate, distasteful, or defamatory commentary about the company
- Racial slurs, sexual content, or discriminatory content

Disciplinary action can include termination or other intervention deemed appropriate by Human Resources.

17.2.5 Off-Limits Material

This policy sets forth the following items which are deemed off-limits for social networking:

- Intellectual property (data and/or software programs)
- Customer Data

The City of Opa-locka's intellectual property and customer data are strictly forbidden from any online discourse except through mechanisms managed by Senior Management.

17.2.6 Online Recommendations

Some sites, such as LinkedIn, allow members to "recommend" current or former co-workers. The City of Opa-locka employees shall not participate in employee recommendations of current or former employees for reasons of liability. All communication of this type should be referred to the Human Resources Department for verification.

17.2.7 Sensitive Matters

Any online communication regarding proprietary information, such as layoffs, strategic decisions, or other announcements deemed inappropriate for uncoordinated public exchange is not permitted unless specific permission has been granted by the employee's Department Head. State of Florida Public Records laws and Federal Copyright laws must be strictly adhered to.

17.3 Personal Usage

City employees are permitted incidental and occasional personal use of social networking via the Internet. Such use will be treated the same as other business related communication. The following are guidelines when using the City's Internet access for social networking *personal* use:

- Personal use of social networking media as defined above must be kept to a minimum so that it does not consume more than a trivial amount of system resources
- Personal use of social networking media as defined above must not interfere with an employee's productivity
- Accessing TikTok, games, sponsored content, and advertising content on social networking sites is strictly prohibited. Such activity has high potential for introducing malware and spyware on the City networked computers.

17.4 Expectations of Online City Authorized Spokespeople

Just as with traditional media, we have an opportunity, and a responsibility, to effectively manage the City's reputation online and to selectively engage and participate in the online conversations every day. The following principles guide how an authorized City Online Spokesperson(s) should represent the City in an online, official capacity, when they are speaking "on behalf of the City of Opa-locka":

1. Code of Conduct and Other Policies: Follow the City's Code of Conduct and all other City policies. As an official representative of the City, you must act with honesty and integrity in all matters. This commitment is true for all forms of social media. In addition, several other policies may govern your behavior as an authorized City spokesperson in the online social media space.

2. Representing the City: As a City representative, it is important that your posts convey the same positive, optimistic spirit that the City installs in all of its communications. Be respectful of all individuals, races, religions, and cultures; how you conduct yourself in the online social media space not only reflects on you, it is a direct reflection on the City.

3. Don't Post Anonymously: You should identify yourself as an employee of the City, name, and when relevant, role at the City, as to not mislead readers or viewers. Employees should not use aliases or otherwise engage in covert activities.

4. Keep Records: It is critical that you keep records of our interactions in the online social media space and monitor the activities of those with whom we engage. Because online conversations are often fleeting and immediate, it is important for you to keep track of them when you're officially representing the City. Remember that online City statement can be held to the same legal standards as the traditional media communications. Keep records of any online dialogue pertaining to the City. The IT Department will assist with implementing an automated solution to archive communications when possible.

5. When in doubt, Do Not Post: Official spokespeople are personally responsible for their words and actions, wherever they are. As online spokespeople, you must ensure that your posts are completely accurate and not misleading, and that they do not reveal non-public information of the City. Exercise sound judgment and common sense, and if there is any doubt, DO NOT POST IT. In any circumstance in which you are uncertain about how to respond to a post, contact your Department Head or the City Manager.

6. Respect Copyrights: DO NOT claim authorship of something that is not yours. If you are using another party's content, make certain that they are approving of you utilizing their content, and make certain that they are credited for it in your post. Do not use the copyrights, trademarks, publicity rights, or other rights of others without the necessary permission of the rights holder(s).

7. Be responsible for your work: The City understands that employees engage in online social media activities at work for legitimate City purposes and that these activities may be helpful for City affairs. However, the City encourages all employees to exercise sound judgment and common sense to prevent online social media sites from becoming a distraction at work.

8. Remember that your local posts can have a global significance: The way that you answer an online question might be accurate in some parts of the world, but inaccurate (or even illegal) in others. Keep that "world view" in mind when you are participating in online conversations.

9. Know the Internet is permanent: Once information is published online, it is essentially part of a permanent record, even if you "remove/delete" it later or attempt to make it anonymous. If your complete thought, along with its context, cannot be squeezed into a character-restricted space (such as Twitter), provide a link to an online space where the message can be expressed completely and accurately.

10. Drive the public to the City's website: Use the City's social media communications to drive the public to the City's website whenever possible. Use links with the social media sites to link to articles, forms, postings, etc., on the City's website.

17.5 City Sponsored Social Media Procedures

1. The City Manager or designee will approve the creation of all new social media sites, and the IT Department will establish the naming and accounts for all social media sites, to ensure the name is appropriate for the City of Opa-locka as a government entity and is consistent with other department names and the City of Opa-locka brand.

2. The City Manager or designee will designate staff to manage the content and security of the City's social media sites. It is important to ensure that the public's trust of the City of Opa-locka's presence on social media sites is preserved and maintained. Since imitation sites may exist, the content and information must be monitored on a regular basis. Visual elements of the social media sites must be approved by the City's website master to reflect the public website brand of the City of Opa-locka. This will ensure the visual consistency and creditability of the page(s).

3. Login information, including user IDs and passwords, will be created by the IT Department and are not permitted to be changed, altered, or modified. Passwords must be secure and adhere to all IT policies with regard to password protections. A user's social media password cannot be the same password used to log on to the City network.

4. Designated staff must provide information to the IT Department to be posted on the City website prior to posting on the social media sites. Once information is posted on the City website, then a link can be included in the social media post. An exception will be made for disseminating immediate emergency information to the public, in which case the information can be posted on social media sites first and then provided to the IT Department to post on the City website.

5. Designated staff will be responsible for publishing, monitoring and updating their pages on all social media sites. Although departments will be responsible for maintaining their content, the IT Department will work together to monitor social media content based on the best practices and industry norms.

6. All City staff that use social media are responsible for complying with applicable federal, state, county, and city laws, regulations, and policies. Applicable laws include, but are not limited to, Public Records Law, Sunshine Law, records retention and records schedules laws, copyright laws, First Amendment, Privacy laws, and Information Technology policies established by the City of Opa-locka.

7. Designated staff must put forth their best effort to archive all social media sites in order to adhere to the Public Records Law and records retention schedules. The City understands that the public may post a comment and then delete the comment before the next archive is made.

8. Social media sites that allow for correspondence with the public must be monitored on a daily basis by designated employees. Sites that do not allow for patron interactions must be monitored on a weekly basis.

9. All messages must be consistent with other City of Opa-locka content.

10. The frequency of messaging should be very regular and without significant time lapses (at least weekly or more often), and the content should include relevant information. Outdated information

11. Social media sites allowing public comment must be monitored by designated staff daily during working hours to ensure the comments meet certain criteria. Some social media sites, such as Facebook, allow instant commenting, while others, like YouTube, allow for a moderated/approved process. City-created social media forums must be structured narrowly to focus discussions on a particular interest of the City of Opa-locka rather than creating a "public forum". Designated staff is only allowed to remove postings that do not meet the narrow focus of the City's media forum, including foul language.

12. Designated staff shall use only images to which the City retains the copyright or that have otherwise been authorized for use as related to the use of social media networks.

13. All social media sites that allow comments must include either a link to the following disclaimer, or the disclaimer should be published on the social media site:

"The purpose of this site is to present matters of public interest in the City of Opa-locka, including its many residents, businesses, and visitors. We encourage you to submit your questions, comments, and concerns, but please note this is a moderated online discussion site and not a public forum. Once posted, the City reserves the right to delete submissions that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, or religious group. Further, the City also reserves the right to delete content or links determined to: (i) be off topic; (ii) advocate illegal activity; (iii) promote particular services, products, or political organizations; or (iv) infringe on copyrights or trademarks. Please note that the comments expressed on this site do not reflect the opinions and position of the City government or its officers and employees. If you have any questions concerning the operation of this online moderated discussion site, please contact the "webmaster@ci.mount-dora.fl.us". E-mail addresses are public record under Florida Law and are not exempt from public records requirements. If you do not want your comments or e-mail address to be subject to being released pursuant to a public records request, do not send electronic mail or make comments to this entity. Instead, contact this office by telephone or in writing, via the United States Postal Service, City of Opa-locka, 780 Fisherman Street, 4th Floor, Opa-locka, FL 33054."

17.6 Security Standards

1. Accountability: Full responsibility for the City's social media presence and associated security risk in the social network will be specifically assigned in the City.

2. Content: Limit the information uploaded to the social network to the bare minimum required to meet business objectives. All content (text, photography, video, graphics and links) must be approved by the content owner. Refresh content regularly, label copyrighted content, and, where possible, include embedded copyright indicators. Scan uploaded and downloaded content for viruses and other inappropriate code.

3. Staff Use: Staff working in the social network on behalf of the City of Opa-locka must abide by City policies regarding public and media relations. Staff should not place City content on personal pages. Content developed by staff for City government is a City asset and does not belong to the employee.

4. Messaging: Conversations with the social network messaging system must comply with City policies regarding harassment and offensive speech. Messages directed to customers, other employees, and citizens must comply with relevant laws and regulations (for example, disclaimers). Do not send messages that contain sensitive personal information through the system.

5. Monitoring: Monitor City content on a regular basis to detect unauthorized alterations, where possible. The using staff should monitor every time they post content to the site(s) or more often if necessary. IT staff should manually review the City's social media content on a weekly basis to identify visual and other performance problems.

17.7 Look and Feel Standards

In all possible cases, the look and feel of social networking accounts should follow the color-scheme of the City's Visual Identity Standards and Communications Style Guide. If no customization is offered, for example in applications such as Facebook, uploading a City of Opa-locka logo should suffice.

17.8 Enforcement

The I.T. Department will monitor social networking access through the use of technology tools. Violations will be reported to the Department Head and/or the City Manager of the offending employee for disciplinary action, if necessary.

17.9 Responsibilities

End-Users – Must be aware of these policies and ensure compliance.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Manage Internet Social Networking security. Monitor and report violations.

17.10 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Updated: December 5, 2022

Policy 18.0 – Electronic Communication Logging

18.1 Policy

It is the policy of the City of Opa-locka to log all electronic communications pursuant to the City of Opa-locka Records Management Plan and the State of Florida public records laws.

18.2 Purpose/Description

In response to the findings of the Attorney General's Technology Team that Instant Messages, VoIP, Text, and Pin-to-Pin messages are not transitory in nature and could be retained by governments, the City shall log all electronic communications where we currently have the technology in place to capture this information, and shall retain the records in accordance with the General Records Schedules published by the State of Florida.

These electronic communication records are subject to public records requests including the various exemptions that are provided for in Chapter 119 of the Florida State Statutes. All public records requests for electronic records, whether related to communication transactions or not, should be forwarded to the City Clerk, or designee, for proper handling.

Employees are to assume there is no right to privacy for electronic communications on City communication devices.

18.3 Enforcement

Employees are expected to follow this policy. Violations of this policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

18.4 Responsibilities

End-Users – Must be aware of these policies and ensure compliance.

City Clerk – Receive and process request in accordance with Florida State Statutes and the City of Opa-locka Records Management Plan. Designate fulfillment duties for the request to the appropriate department staff member if desired.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Maintain communication logs in accordance with the State of Florida Public Records laws and assist the City Clerk or designee with compiling electronic public records requests when needed.

18.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 19 – Cell Phone

19.1 Policy

As a productivity enhancement tool, the City encourages the business use of cellular telephones. Cellular telephones will be granted by the employee's Department Head

19.2 Purpose/Description

The purpose of this policy is to clearly define the acceptable use of the City's cellular telephones and what actions are prohibited.

19.3 Ownership of the Cellular Service/Equipment

The City's cellular telephones belong to the City of Opa-locka and the call logs of any cellular communications, as well as text messages, are accessible at all times by the City for business related or other purposes. Employees are to assume there is no right to privacy for cellular communications on City cell telephones.

Upon approval by the Department Head and Finance Director, a monthly stipend may be issued in lieu of a city cellular phone. Information sent or received in connection with the transaction of official city business on a personal cellular device is subject to Florida Public Records laws.

19.4 Acceptable Use

Use of the City's cellular phones is intended for City related business. All employees are to use cellular phones as they would any other type of official City communications tools. Communications should fall within ethical guidelines and should not contain confidential information. Communication by cellular telephone is encouraged when it results in the most efficient and/or effective means of communication.

Incidental and occasional personal use of the City's cellular telephones is permitted by the City employees but these communications will be treated the same as other business related communication messages. The following are guidelines when using the City's cellular telephones for personal use:

- Personal incoming or outgoing calls must be kept to a minimum so that it does not consume more than a trivial amount of time.
- Personal incoming or outgoing calls must not interfere with an employees work during working hours.

19.5 Prohibited Use

- Employees may not use the City's cellular telephones in any way that may be seen as insulting, disruptive, or offensive by other persons, or harmful to morale.
- Employees may not use the City's cellular telephones in any way that compromises the integrity of the City or its business.
- Employees may not use the City's cellular telephones for excessive personal use as determined by the Department Head or their designee.
- Employees may not use the City's cellular telephones in any manner that creates an unsafe environment to the employee or to others. Safety is a priority.
- Employees shall not use the City's cellular telephones to access TikToks social media's platform.

19.6 Enforcement

All employees are expected to follow this policy. Violations of this policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

19.7 Responsibilities

End-Users – Must be aware of these policies and ensure compliance.

City Clerk – Receive and process request in accordance with Florida State Statutes and the City of Opa-locka Records Management Plan. Designate fulfillment duties for the request to the appropriate department staff member if desired.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department –

- Monitor call usage and report suspected or known violations such as non-business use to the Department Head or their designee.
- Maintain communication logs in accordance with the State of Florida Public Records laws and assist the City Clerk or designee with compiling electronic public records requests when needed.
- Maintain a detailed master list which identifies all City owned mobile devices and who they are issued to
- Evaluate monthly billing statement and report suspected billing irregularities (high use of data or talk time) to the Department Head or their designee.
- Periodically use a competitive selection process to identify and select wireless devices and the associated communication services
- Perform a documented comparison of devices per master list to the devices shown on the billing statements
- Enroll all cell phones in a Mobile Device Management system prior to distribution

19.8 Wireless Communication within the Local Area Network

The wireless communication shall be divided into separate LANs. A Guest network will provide users with Internet access but no access to the production network. A restricted Wireless LAN will provide access to the production network if deem necessary by management and the IT department. A Wireless controller shall monitor and provide auditing logs tracked by the device hardware address.

19.9 Personal Cell Phone use for official City Business

The use of a personal cell phone to conduct official City business is prohibited. If an employee conducts any type of City business on his/her personal cell phone the device, messages, logs, and content automatically become subject to any public records request. If an employee conducts any City business on their personal cell phone he/she will be responsible to archive the content pursuant to Florida Statute and the State of Florida general records schedule GS1-SL for State and Local Governments Agencies.

19.10 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Updated: December 5, 2022

Policy 20.0 – Operating System Patch Policy

20.1 Policy

It is the policy of the City of Opa-locka to provide and maintain up-to-date operating system critical and security patches on all laptops, desktops, servers, and mobile devices installed to protect the asset from known vulnerabilities.

20.2 Purpose/Description

Operating system patch management ensures confidentiality, integrity, and availability of data on our network systems. The IT Department has an obligation to provide appropriate protection against malware threats, such as viruses, Trojans, and worms, which could adversely affect the security of the system or its data entrusted on the system. Effective implementation of this policy will limit the exposure and effect of common malware threats to the systems within this scope.

20.3 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all City employees. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

20.4 Responsibilities

End Users – Must be aware of these policies and ensure compliance. Shall apply approved patches by observing system notifications and rebooting computers when necessary.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Manage patching needs of all workstations and servers on the network, and routinely assess compliance with the patching policy.

20.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 21.0 – Public Key Infrastructure

22.1 Policy

It is the policy of the City of Opa-locka to provide secure electronic transfer of information through digital certificates where simple passwords are an inadequate authentication method and ore rigorous proof is required to confirm the identity of the parties involved in the communication and to validate the information being transferred.

21.2 Purpose/Description

Digital certificates provide a method for allowing exchange of information securely over the Internet using the public key infrastructure. Digital certificates provide identifying information, are forgery resistant, and can be verified. The certificate contains the name of the certificate holder, a serial number, expiration dates, a copy of the certificate holder's public key and the digital signature of the certificate-issuing authority (CA) so that a recipient can verify that the certificate is real.

21.3 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all City employees. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

21.4 Responsibilities

End Users – Must be aware of these policies and ensure compliance. Upon issuance of the certificate, end-users provide a secure password separate from any other passwords, and utilize such password for remote access to network resources. Report any connectivity and/or certificate issues to the IT Department.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Manage the Public Key Infrastructure for creating, managing, distributing, using, storing, approving, and revoking digital certificates. Enforce the utilization of passwords when certificates are issued. Maintain functionality of the radius authentication server and compliance of the PKI policy.

21.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 22.0 – Bluetooth

22.1 Policy

It is the policy of the City of Opa-locka to allow use of Bluetooth devices in an acceptable use scenario.

22.2 Purpose/Description

Bluetooth enabled devices enhance the user experience and are allowed for use within the City of Opa-locka IT infrastructure with exceptions. Insecure Bluetooth connections can introduce a number of potential serious security issues; hence, there is a need for a minimum standard for connecting Bluetooth enabled device to ensure sufficient protection of Personally Identifiable information (PII) and confidential data.

22.3 Acceptable Use

1. No Bluetooth Device shall be deployed on City of Opa-locka equipment that does not meet a minimum of Bluetooth v2.1 specification without written authorization from the IT Department. Any Bluetooth equipment purchased prior to this policy must comply with all parts of this policy unless approved by the IT Department (i.e. Older versions of equipment may be grandfathered in by the IT Department).

2. When pairing your Bluetooth unit to your Bluetooth enabled equipment (i.e. phone, laptop, etc.), ensure that you are not in a public area where your PIN can be compromised. If your Bluetooth enabled equipment asks for you to enter your pin after you have initially paired it, you must refuse the pairing request and repair your device when you are in a secure area.

3. All Bluetooth devices shall employ ‘security mode 3’ which encrypts traffic in both directions, between your Bluetooth device and its paired equipment.

4. All Bluetooth devices shall use a minimum PIN length of 4 characters. A longer PIN provides more security.

5. All Bluetooth devices shall be in hidden mode (non-discoverable).

6. Only activate Bluetooth when it is needed.

7. Ensure device firmware is up-to-date.

22.4 Unauthorized Use

1. Eavesdropping, device ID spoofing, DoS attacks, or any form of attacking other Bluetooth enabled devices.
2. Using City of Opa-locka owned Bluetooth equipment on non-City of Opa-locka owned Bluetooth enabled devices.
3. Unauthorized modification of Bluetooth devices for any purpose.

22.5 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all City employees. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

22.6 Responsibilities

End Users – Must be aware of these policies and ensure compliance. Bluetooth mode must be turned off when not in use. PII and/or City of Opa-locka confidential or sensitive data must not be transmitted or stored on Bluetooth enabled devices. Bluetooth users must only access City of Opa-locka information systems using Bluetooth device hardware, software, solutions, and connections *approved* by the IT Department. Bluetooth users must act appropriately to protect information, network access, passwords, cryptographic keys, and Bluetooth equipment. Bluetooth users are required to report any misuse, loss, or theft of Bluetooth devices or systems immediately to the IT Department.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Periodically review industry Bluetooth standards and update as needed. Report violations to Department Heads.

22.7 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 23.0 – Change Management

23.1 Policy

It is the policy of the City of Opa-locka to provide documented change management whenever possible to ensure that information resources are protected against improper modification before, during, and after system implementation.

23.2 Purpose/Description

The City of Opa-locka technology infrastructure is continuously becoming more complex, and increasingly more staff are dependent on the network, computers, and application programs to perform their daily tasks. As the interdependency between the IT Department's resources grow, the need for a strong change management policy is essential. From time to time, each element requires an outage for planed upgrades, maintenance, or fine-tuning. Additionally, unplanned outages may occur with may result in upgrades, maintenance, or fine-tuning. Managing these changes is a critical part of providing a robust and valuable IT infrastructure. The purpose of the policy is to manage changes in a rational and predictable manner so that staff and clients can plan accordingly. Changes require serious forethought, careful monitoring, and follow-up evaluation to reduce negative impact to the user community and to increase the value of information resources.

23.3 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all IT Department staff. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

23.4 Responsibilities

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Where at all possible, document all installations, upgrades, modifications, and changes, of server, networking, security hardware or software, patches, interim fixes, and Firewall changes, in the IT Department work order system.

23.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 24.0 – Network Account Management

24.1 Policy

It is the policy of the City of Opa-locka to provide documented network account management to ensure that information resources are protected against improper use and modification and access is given on a least privilege, as authorized basis.

24.2 Purpose/Description

A user account is a set of credentials consisting of both a username and password that allows access to a system's resources. Management of all user accounts is essential is protecting the network resources from unauthorized access.

24.3 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all IT Department staff. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

24.4 Responsibilities

Department Heads – Provide an IT Authorization form to the IT Department in a timely manner to document the hiring and termination of all employee for purposes of enabling and deactivating system access to network resources. Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Ensure all new user account creation and terminations have been authorized by the appropriate Department Head with approval by the Human Resources Department via the submission of a completed IT Authorization form. Document all new account creations, changes, and modifications, to all network and local machine user accounts via the IT Department work order system.

24.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 25.0 – Wireless

25.1 Policy

It is the policy of the City of Opa-locka to provide wireless access for specific uses as determined by the IT Department.

25.2 Purpose/Description

The purpose of the policy is to secure and protect the information assets owned by the City of Opa-locka. Wireless connectivity improves the end-user experience as it aids in accomplishing tasks and increasing productivity.

25.3 Acceptable Use

All wireless access rights must be authorized by the IT Department. All wireless infrastructure devices that connect to a City of Opa-locka network, or provide access to City of Opa-locka information must adhere to the following:

1. Be installed, supported, and maintained by the IT Department
2. Use approved authentication protocols and infrastructure
3. Use approved encryption protocols
4. Maintain a hardware address (MAC address) that can be registered and tracked.
5. Not interfere with wireless access deployments maintained by other support organizations.

25.4 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all IT Department staff. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

25.5 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Obtain authorization from the IT Department for wireless access. Report any rogue wireless access devices, or any known attempts for unauthorized access via wireless access devices, to the IT Department immediately.

Department Heads – Provide an IT Authorization form to the IT Department in a timely manner to document the hiring and termination of all employee for purposes of enabling and deactivating system access to network resources. Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Verify compliance to this policy through various methods to include but limited to periodic walk-thru, business tool reports, and auditing. Report violations to Department Head.

25.6 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 26.0 – Vendor Access

26.1 Policy

It is the policy of the City of Opa-locka to provide vendor access to information resources for specific uses as determined by the IT Department.

26.2 Purpose/Description

The purpose of the policy is to establish the rules for vendor access to City of Opa-locka resources and support services (A/C, UPS, etc.). The policy applies to all individuals who are responsible for the installation of new IT assets, and the operations and maintenance of existing IT assets, and who do or may allow vendor access for maintenance, monitoring, and troubleshooting purposes.

26.3 Requirements

Vendors must provide specific details of what they need access to. Vendor access accounts will be disabled except for when in use for authorized maintenance or as deemed necessary by the IT Department for the proper functioning of the systems. Vendor access methods will be approved by the IT Department. Departments are prohibited from providing vendor access to network resources without authorization by the IT Department.

26.4 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all City of Opa-locka staff. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

26.5 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Obtain authorization by the IT Department to provide vendor access to network resources. Report any known unauthorized vendor access to the IT Department immediately.

Department Heads – Provide an IT Authorization form to the IT Department in a timely manner to document the hiring and termination of all employee for purposes of enabling and deactivating system access to network resources. Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Verify compliance to this policy through various methods to include network monitoring, business tool reports, and auditing. Report violations to Department Head.

26.6 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 27.0 – Media Destruction

27.1 Policy

It is the policy of the City of Opa-locka to properly dispose/sanitize/destroy physical and/or electronic IT related media.

27.2 Purpose/Description

The purpose of the policy is to outline the proper disposal/sanitization/destruction of IT related media (physical or electronic). These rules are in place to protect sensitive and classified information, employees, and the City of Opa-locka.

27.3 Requirements

When no longer usable, hard drives, diskettes, tape cartridges, CDs, and other similar items used to process, store and/or transmit data shall be properly disposed of in accordance with measures established below:

1. Surplus through the use of electronic recycling with an approved vendor that meets industry standard certifications.
2. Physical destruction of the media resulting in 100% unreadability.

27.4 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all IT Department staff. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

27.5 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Obtain authorization by the IT Department to dispose of network resources. Report any known unauthorized destruction to the IT Department immediately.

Department Heads – Provide an IT Authorization form to the IT Department in a timely manner to document the hiring and termination of all employee for purposes of enabling and deactivating system access to network resources. Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Verify compliance to this policy through various methods to include network monitoring, business tool reports, and auditing. Report violations to Department Head.

27.6 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 28.0 – Security Alerts & Advisories

28.1 Policy

It is the policy of the City of Opa-locka to monitor and disseminate to staff security alerts and advisories as appropriate.

28.2 Purpose/Description

The purpose of the policy is to outline the procedures for monitoring and disseminating information related to security alerts and advisories to staff.

28.3 Requirements

Security alerts and advisories shall be obtained via various agencies such as US-CERT, MS-ISAC. Alerts deemed appropriate shall be disseminated to City staff.

28.4 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all IT Department staff. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

28.5 Responsibilities

End-Users – Must be aware of these policies and ensure compliance. Must review all security alerts and advisories received.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Verify compliance to this policy through various methods to include network monitoring, business tool reports, and auditing. Report violations to Department Head.

28.6 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Policy 29.0 – Log Review

29.1 Policy

It is the policy of the City of Opa-locka to collection and review logs relating to the information system security in accordance with various agency, local, state, and federal requirements.

29.2 Purpose/Description

Information regarding an incident may be recorded in several places, such as firewalls, routers, and application logs. Logs are generated, collected, and monitored for inappropriate activity and security breaches.

29.3 General Requirements

Logs generated by systems are to be maintained and reviewed according to various agency, local, state and federal requirements.

29.4 Enforcement

Implementation and enforcement of this policy is ultimately the responsibility of all IT Department staff. Information security and internal audits may be conducted randomly to ensure compliance with policy without notice. Any system found in violation of this policy shall require immediate corrective action. Violations shall be noted in the IT Department's work order tracking system and shall be dispatched to remediate the issue. Repeated failures to follow policy will be reported to the violator's Department Head and may result in disciplinary action, if necessary.

End-Users – Must be aware of these policies and ensure compliance. Be aware that activity on the City network is monitored.

Department Heads – Ensure enforcement of the policies through disciplinary actions, if necessary, for those violating the policy.

I.T. Department – Maintain and monitor logs in compliance with various agency, state and federal requirements.

29.5 Policy History

Created: April 4, 2019

Updated: September 26, 2022

Appendix A

IT Authorization Form

(the form is available in a fillable .pdf format and can be submitted via email)

Reset

Employee Equipment Request Form

Date of Request:_____

General Information			
Employee Name:		Hire/Separation Date:	
Department:		Position:	
Type of Request:	☐ Add	☐ Remove/Return	

Items Requested			
	General Equipment		User Access Needed
☐	PC	☐	Email Account Set-up
☐	*Laptop	☐	ADP Access
☐	City ID Card	☐	Sungard Access
☐	Phone/*Cellphone	☐	Computer Log-in
☐	Printer	☐	ADP Time-clock Biometrics
☐	Badge/Access Card		
☐	Office Keys		
☐	*Vehicle Usage		
Special Phone Needs			Software Needs

Additional Requests

_____ Department Director

_____ Human Resources Director

_____ IT Representative

*Subject to City Manager Approval

Please return this form to the Human Resources Department by _____

CITY OF OPA-LOCKA

PARKS AND RECREATION DEPARTMENT

POLICIES AND PROCEDURES

INTRODUCTION

Welcome to the City of Opa-locka Parks and Recreation Department. Staff constantly strive to provide quality recreation and leisure opportunities by offering a comprehensive program base, well maintained and user-friendly facilities, as well as clean and safe park spaces.

Towards that end, this manual shall serve as a reference guide by outlining the policies, procedures, rules, and regulations relating to the Department's day-to-day operations.

LIGHTNING POLICY

It is mandatory to leave the facility immediately once the lightning is present. Play should be suspended until lightning has left the area (within 10 miles) for 30 minutes. Coaches/Officials/Parents will be held responsible for their participants or children. No party, game play, session, or practice is worth getting someone hurt so when in doubt, get out of the weather.

Chapter 1 – Mission and Administration

Chapter 2 – Customer Service Policy

Chapter 3 - Requests

Chapter 4 – General Policies and Procedures

Chapter 5 – Rental Policies and Procedures

Chapter 6- Program Policy and Procedures

Chapter 7 – Priority Use Guidelines

Chapter 8 – Parks Policies and Procedures

Chapter 9 – Community Center Policies and Procedures

Chapter 10 – Gym Policies and Procedures

Chapter 11 – Parks and Facilities

Appendix A

Appendix B

Appendix C

Chapter 1 – Mission and Administration

The City of Opa-locka Parks and Recreation Department will adhere to its mission and core values when making all decisions.

Vision Statement – Enhance Quality of Life with Quality Recreation Activities.

Mission Statement – The Parks and Recreation Department's mission is to provide exceptional recreational spaces and opportunities for a sustainable future that best serves the evolving needs of our community.

Core Values – The City of Opa-locka Parks and Recreation Department is comprised of a dedicated team of professionals who believe in and are guided by the following core values.

1. Community Health and Wellness – We strive to provide recreational, educational, and cultural experiences that encourage healthy living and human development for residents of all ages and backgrounds.
2. Quality Park System – We believe that the core of any Parks and Recreation Department is the park system that offers public health and wellness to the community. We shall make every effort to provide a well-maintained, safe, family-friendly environment that will be enjoyed by all residents.
3. Environmental Staff – We will make every effort to be good Park Staff of the environment including protecting natural resources and focusing on sustainability.
4. Innovation – We remain open to possibilities, seek out creative and dynamic solutions to opportunities and issues and utilize our ever-changing environment as a mechanism to achieve higher levels of service to our patrons.
5. Customer Service – We have the goal of providing excellent customer service, making each customer contact, whether its internal or external, a positive experience.
6. Requests – Any request from City Officials and other department regarding Park Staff or the Senior's Program must submit the request to the City Manager office first and the Manager office will forward request with approval to the Parks and Recreation Director to implement.
7. Professionalism – We value professionalism from all employees. We develop our staff to perform their work with expertise, dedication, and care, while continually seeking opportunities to improve through innovative training.

Advisory Committee – This seven-members committee serves in an advisory capacity to the City Commissioners, in addition to other cities related functions, in matters pertaining to parks and the public.

1. The City Commissioners appoint the members of the advisory committee.
2. The Director of Parks and Recreation serves as the Parks and Recreation staff liaison to the advisory.

Policies and Procedures Administration – The Director of Parks and Recreation will administer the policies and procedures outlined in this document. Under the director of the City Manager, policy changes will be brought to the City Commissioners for discussion, recommendation, and review.

Customer Service Policy

The City of Opa-locka Parks and Recreation Department will provide high quality services and programs to its residents and visitors. The Department staff has the goal of providing excellent customer service, and making each customer contact, whether internal or external, and a positive experience.

Customer Service – Staff of the City of Opa-locka Parks and Recreation Department will implement customer service tools to ensure comments and suggestions are solicited from all patrons and users of the City's facilities and

1. Communication with our Patrons – will be a priority and staff will have appropriate interactions skills to provide accurate information to all questions and inquiries from patrons.
2. Staff Training – the guest experience concept will be introduced during staff training and be reinforced throughout employment. Additional customer service training will take place throughout the year at staff meetings.
3. Moments of Truth – occurs any time a patron encounters the Parks and Recreation Department and gets an impression of the service provided. Staff will identify and address moments of truth.
4. Customer Service – will not compromise the safety of patrons at any time.
5. Satisfaction of Service and Programs – is the priority of the Parks and Recreation Department. Patrons dissatisfied with programs or services are encouraged and invited to approach the staff with their concern. The staff will respond in a timely manner to all customers.
6. Evaluations of Services – will be performed regularly by providing patrons with an opportunity to complete a program or facility survey at the conclusion of each program or facility season. In addition, patrons are encouraged to give comments and suggestions to any staff member to help the department.
7. Achieving Solutions – will be the goal of the staff whenever comments or concerns are identified. The department will strive to achieve necessary results and solutions.

Chapter 4 – General Policies and Procedures

The City of Opa-locka Parks and Recreation Department has general policies and procedures that will guide staff when making decisions. All decisions will be made by the City Manager, Parks and Recreation Director with patrons and staff safety in mind, to provide a family-friendly environment.

Proof of Residency – Current City of Opa-locka Residents are entitled to resident rates on all admissions, rentals, and programs. The City of Opa-locka has instituted the following procedure for residents to establish.

1. A patron must provide one of the following identifications to receive the resident rate.
   a. Unexpired driver's license
   b. Unexpired state identification card
   c. Current month's utility bill showing address.
   d. Most recent Property Tax receipt

Inclusion Services – The City of Opa-locka Parks and Recreation Department encourages people with disabilities to participate in our programs and events. The City of Opa-locka Parks and Recreation will comply with the Americans with Disabilities Act in Providing reasonable.

1. The City of Opa-locka Parks and Recreation will contract with any organization that will provide any assistance with residents with a disability.
2. The City of Opa-locka Parks and Recreation will have a grievance process available to address ADA concerns if needed.

Safety – The safety of our patrons and staff members is a paramount concern of the Parks and Recreation Department.

1. In the event of an injury, accident, illness or uncomfortable situation, a staff member should be notified immediately.
2. If blood or bodily fluid is involved, participation shall be halted until the area is properly cleaned and an accident report is filed by the staff of Parks and Recreation.
3. In the event a staff member is programming with youth or working in the field and the temperature is very hot immediately drink plenty of water to keep hydrated go to a cool area out of the heat to avoid a heat stroke.

Language – The City of Opa-locka facilities and programs are intended to be family-oriented. In appropriate language will not be tolerated. Patrons warned more than once may be asked to leave the premises.

Lost and Found – Any items found in the City of Opa-locka Parks and Recreation will be brought to

The Director's office.

1. Valuables will be stored in the safe at the Director's office. After thirty days, lost and found valuables will be given to the Police Department.
2. Lost and found items not considered "valuable" are stored or two weeks before being donated to.

Solicitation – Solicitation, including the distribution of literature or the seeking of any contributions, is not allowed in Parks and Recreation unless authorize by the City Manager office or the Parks and Recreation Director.

1. Facilities may be the collection site for food/ toy drives with the approval of the Director of Parks or the City Manager.
2. Violations will be reported to the City of Opa-locka Police Department to

Signage/ Flyers – Outside flyers of program/ events, from not-for-profit organizations, that are not in direct competition with programs offered through the City of Opa-locka Parks and Recreation Department will be considered for

1. The Director of Parks and Recreation shall approve flyers / banners at least two weeks prior to being posted.
2. Flyers should look professional.
3. Flyers may be posted immediately after being approved by the City Manager for programs and events.
4. All materials will be discarded following publicized event unless otherwise.

Vandalism – Violations will be reported to the City of Opa-locka Police Department for investigation. Vandals will be prosecuted to the full extent of the

Violators – Rules violators create an unsafe and friendly recreation environment. Rule violators shall be dealt with in a reasonable and courteous manner. When dealing with rule violators, staff will make every attempt to be consistent, explain the rules and resolve any situation. Repeat rule violators or those refusing to abide by department rules will be reported to the City of Opa-locka Police Department. When dealing with rule violators, staff will follow these guidelines.

1. Staff will always enforce rules consistently and fairly.
2. Staff will understand and be able to explain rules.
3. Staff will have a positive attitude when dealing with violations.
4. Staff will refer problems to the Supervisors or the Director.

Chapter 5 – Rental Policies and Procedures

The City of Opa-locka Parks and Recreation Department will follow its mission when making decisions on rentals of City's facilities. Every effort shall be made to rent areas that generate additional revenue in an efficient and manageable manner, while balancing the needs of the citizens.

Facility Bookings – All activities shall be booked in advance based upon availability after City's events and programs have been.

1. recreational opportunities and City's activities
2. Each of the City's facilities will have a pre-determined lead time for
   a. Athletic Fields may be booked commencing the first business day in
   b. Auditorium may be booked commencing the first business day in
   c. Gyms may be booked commencing the first business day in January.
   d. Shelters may be booked commencing the first business day in
3. Reservations that take place during normal hours of operation shall be made a minimum of four hours.
4. Reservations that take place after business hours of operations and large events shall be made a minimum of thirty days
5. Rental fees are established by comparative study and reviewed annually. The current rental rate for the City of Opa-locka Parks and Recreation facilities can be found in the appendix of this.
6. If there is not a rental fee assigned to a facility, the facility is not available to
7. For a reservation to be considered valid, all terms of the application shall be completed.
   a. A signed rental application shall be made and given to the executive secretary.
   b. A deposit shall be paid to reserve a date.
   c. Payment shall be received one month in advance, or at the time of booking if less than one month in

Facility Rental Reservation Guidelines – Renters may book facilities according to the following guidelines.

1. Rental fees are calculated per hour.
2. Rentals that stay past their scheduled time will be charged an hourly rate for additional time. If possible, this will be taken out of their deposit and will not be allowed to rent in the future.
3. Facilities cannot be rented for events that are open to the public and involve an admission charge at the
4. The Director of Parks and Recreation of his/ her designee may make exceptions to these guidelines when it is deemed to be in the best interest of

Rental Reservations – Staff will ensure an accurate and efficient registration process for all rentals. All reservations shall be made during normal business hours of

1. All rentals shall be reserved in the following:
   a. In person at the City of Opa-locka Parks and Recreation Department
   b. By Money Order only
2. Forms of payment

Deposit – All public rentals shall require a damage/ security deposit at the time of booking. The deposit shall be returned in full if all terms and regulations of the rental agreement have been adhered to.

1. Deposit shall be retained if excessive cleanup is needed or for any.
2. Deposit shall be refunded within 30 days after

Cancellations – Reservation may be canceled up to fourteen days

1. Cancellations shall be made in writing to the staff person responsible for the facility in which the activity was to be.
2. A full refund will be given for any reservation canceled at least fourteen days in advance.
3. Cancellations received less than fourteen days will not be eligible for a refund.
4. Rental fees shall be retained by the City for any booking that does not show.
5. In the case of inclement weather, every effort shall be made to reschedule the activity. If this is not possible, a full refund of both the deposit and rental fee shall be offered.
6. In those cases where 75% of the rental time has passed, the event will not be rescheduled due to inclement weather and no refund shall be given.
7. Refunds nay not be given on the threat of inclement.
8. Rentals made less than fourteen days in advance shall have a twenty-four- hour period in which to cancel and be eligible for a full refund of deposit and rental.

Refunds, Replacements and Fee Accommodations – All adjustments to rental contract fees shall be approved by the Director of Parks and Recreation or his/ her.

1. Requests for fee adjustments shall be made by the renter in writing and addressed to the Director of Parks and Recreation of his/ her.
2. Deposit guidelines and cancellation deadlines shall be followed when determining eligibility for a refund.
3. No refunds will be considered if a renter or event participants are asked to leave for noncompliance with Community Center
4. In the event the Community Center must cancel or alter the contracted parameters of an event, management shall determine whether to offer a future rental at no charge, or a partial/ full refund.
5. Refund of fees and/ or deposits will be processed within thirty days of the rentals.

Staff – For all rentals staff will be assigned one hour before every event and one hour after

1. If there are more than 50 peoples two staff will be assigned and renter must pay for a police officer.
2. If you having DJ's there is a fee for music
3. Any rentals that run over the schedule time will forfeit their refund
4. Any rentals that staff must do excessive cleaning after event will also forfeit refund
5. Renters will be responsible for staff time working events.

Catering and Food – The City of Opa-locka Parks and Recreation allows outside food and beverages to be brought in for

1. Renters shall be responsible for contacting caters and making all food.
2. Alcoholic beverages are not permitted at the City of Opa-locka Recreation Center or Opa-locka Parks without prior approval from the Director of Parks and Recreation or his/ her designee, as well as a special use permit approved by Planning and Community Development
3. Renters wishing to use a food truck at their rental will need a mobile food vendor permit from the City of Opa-locka Department of Planning and Community Development.
4. Specialized trailers, grills and any other catering equipment must receive permission for site access and placement by coordinating in advance with the Director of Parks and Recreation.
5. Caterers are not allowed into this facility until the reservation start time stated on the contract.

Chapter 6 – Program Policy and Procedures

The City of Opa-locka Parks and Recreation Department strives to offer programming that meets the needs of the community. This includes a wide array of programs, leagues, and wellness opportunities for people of all ages and abilities. Staff will maintain current programming trends to enhance the health, fitness, wellness, and quality of life of our residents.

New Programs – New programs will be reviewed by staff, to coincide with the preparation of each brochure. The following procedure will be used by staff to propose a new

1. Staff will complete a new Program Submittal Sheet and submit it to them.
2. The Supervisor will review the Program Submittal Sheet. If approved, the Supervisor will submit the sheet to the programmer with his/ her signature. If denied, the Supervisor will discuss the program with
3. Once the program has been approved, programmer will add the program to

Program Fees – Staff will review all program costs and set fees during the budget Program fees are based on the following guidelines:

1. Recreation program fees are expected to, at a minimum; recover costs associated with the program along with insurance.
2. Resident fees shall be set at a rate below non-resident.

3. Staff will factor in whether the program is a core service versus a specialty program when determining.

Program Dates and Times – Program dates and times will be set by staff to maximize class participation and facility.

Program Registration Deadlines – Registration deadlines are designed to encourage early registration. To coincide with the cancelation and refund policies, all programs will have a registration deadline of a minimum of seven calendar days prior to the start of

Program Registration – Staff will ensure accurate and efficient registrations for all Parks and Recreation

1. All Registrations shall be completed in accordance with the program enrollment of choice.
   a. In person at the Welcome Desk at the City of the Opa-locka Parks and Recreation Department
   b. By phone with a credit
2. Forms of payment
   a. Money order only

Program Refund Policy – Full-time staff will administer program refunds that are fair and consistent with the policies of the City of Opa-locka Parks and Recreation Department and do not jeopardize the financial well-being of the

1. A full refund will be given for programs canceled by the City of Opa-locka Parks and Recreation or if a registrant is restricted from participating in a program due to medical issues.
2. No refunds will be given for registration if the child has been practicing or conditioning during that time of the activities. A written refund request must be submitted with a physician's statement.
3. Please allow thirty days for refunds
4. League refunds will not be given for any reason.
5. Senior trips will not be refunded due to monies being paid directly to the vendor by the City of Opa-locka Parks and Recreation Department.
6. All refunds must be approved by the park Director and the City Manager.

Cancellation Policy – Outlined below is the procedure to follow when staff is determining to cancel programs.

1. City of Opa-locka Parks and Recreation reserves the right to cancel program due severe storm approaching.
2. City of Opa-locka Parks and Recreation reserves the right to cancel due to Covid-19 viruses.

3. Programming or Rentals shall not be scheduled on those dates when the facility is closed for the holidays.

Program Location – Staff will ensure that programs will be conducted in a safe, pleasing environment for participants. Staff reserves the right to cancel the program location if a location becomes unsafe.

1. Before a program begins staff will inspect the facilities and grounds to ensure it is clean and safe.
2. If any of the Parks and Recreation locations are dean unsafe the facility will close until the issue is resolved.

    a. Ingram Park – 2100 Burlington Street Opa-Locka, Fl 33054
    b. Sherbondy Village – 215 N Perviz Avenue Opa-Locka, Fl 33054
    c. Sherbondy Park- 380 Bahman Avenue Opa-Locka, Fl 33054
    d. Segal Park/Helen L. Miller- 2331 NW 143rd Street Opa-Locka, Fl 33054

3. During the program staff will cancel a program if in their opinion the locations become unsafe for participants. Staff will try to move the program to another park.

Weather Cancellations – Staff will adhere to the following procedures to handle severe weather conditions. If a program has been canceled, youth program participants will be taken to the closest operating Parks and Recreation facility if their parent is not at the park.

1. Extreme Temperatures:

    a. Youth programs- will be canceled if the heat index exceeds 100 degrees Fahrenheit.
    b. Adult programs- a decision will be made by staff for programs where the heat index exceeds 100 degrees Fahrenheit.
    c. Special events- a decision will be made by staff for programs where the heat index exceeds 100 degrees Fahrenheit.

2. Hail- all outdoor programs will be cancelled.
3. Lightning- if lightning is spotted, all program participants will be evacuated to the city vehicle or facility with the windows and doors secured safely for 30 minutes or until it is clear. Avoid metal fences, gates, tall light poles, power poles or taking shelter under a pavilion.
4. Rain- Programs will continue if staff determines the program participants are safe.
5. Severe Thunderstorms- all outdoor activities will be canceled. Indoor programs will continue in a secure area of the gym.
6. Thunder- if thunder is heard, outdoor activities will be suspended until we get clearance that the thunder is far from the location. All participants will evacuate from outside into

the parks facilities.

7. Tornado Warning- all outdoor programs will be canceled, and indoor activities will continue.
8. Wind Advisory- All programs will be evacuated to a predetermined location until the end of the wind advisory.

Program Evaluation – Program evaluations will be conducted by staff at the conclusion of each.

1. A paper copy of the program evaluation form will be available at the front desk.
2. An electronic survey will be emailed to

Chapter 7 – Priority Use Guidelines

The facilities of the City of Opa-locka Parks and Recreation Department shall be used primarily to serve the recreational and leisure needs of the residents of the great City of Opa-locka. Each facility within the City of Opa-locka shall maintain a balance for the public usage, programming, rentals, schools within city limits and other city events.

General Priority Use Guidelines – Each area within the City of Opa-locka Parks and Recreation Department shall establish a schedule of Operations that balances public usage, programming, rentals, schools within city limits and other city events.

1. Athletic Fields
   a. Programming – primarily scheduled from the hours of 6:00pm – 8:00pm. Saturday from 8:00am – 8:00pm. Closed on Sundays
   b. Rentals- available open time after programs,
   c. Public usage – any time there is no programming,
2. Community Center Rooms
   a. Rentals- available open time after programs have been.
   b. Programming – top priority is to keep programming in rooms.
   c. City of Opa-locka Parks and Recreation – the department will try to accommodate any City of Opa-locka .
3. Gym's
   a. Programming – primarily scheduled before public hours of operations. Limited scheduling during public
   b. Public usage- top priority during all public hours of
   c. Rentals- available open time after programs and Affiliated Users have been scheduled.
4. Basketball Courts
   b. Programming- primarily scheduled from the hours of 6:00p.m.-8:00 p.m. on Saturday from 11:00am – 5:00pm.
   c. Affiliated User Groups- available open time after programs have been scheduled. Priority scheduling, with requests for usage taken prior to other rentals.
   d. Rentals- available any open time after programs and Affiliated Users have been.

scheduled.

e. Public usage – any time there is no programming or

5. Tennis Courts
   a. Public usage – top priority during all public hours of the Parks and Recreation Department.
   b. Programming – primarily scheduled from the hours of 6:00 – 8:00p.m. on weekdays and 8:00a.m. -12:00p.m. on weekends.
   c. Affiliated User Groups – available open time after programs have been scheduled. Priority scheduling, with requests for usage taken prior to other rentals.
   d. Rentals – available open time after programs and Affiliated Users have been scheduled.
   e. City of Opa-locka School District- usage of courts for after school sport practices 3:00 p.m.- 6:00p.m. Limited use for weekend matches.
      User Group Definitions - the City of Opa-locka Parks & Recreation Department recognizes its responsibility to serve all residents of the community. While it is important to ensure the financial viability of the department, it is equally important to provide access to those who expand the offerings of the department. The procedures outlined provide a guideline for access to facilities. User groups have been divided into four categories based on their level of affiliation with the City of Opa-locka.
      1. Internal User Groups- Reservations made by the City of Opa-locka Park and Recreation Department to serve programs and special events for the community. Other activities for groups directly sponsored by these departments will be considered internal users.
      2. City of Opa-locka - Reservations made by the City of Opa-locka Park Departments or City official must fill out rental application.
      3. Dade County School/Private- Reservations made by Dade County school/ Private must fill out application and turn in to the office of Parks and Recreation Department activities and events for the school.
      4. General Public User Groups – Anyone who does not fall into the other three.

Procedures for Rental of Facilities for the User Group Categories – The following procedures should be used when booking facilities.

1. Internal User Group Reservations – Internal Groups will be scheduled seasonally as possible. Internal reservation requests will be honored in order of the priorities established by the Priority Use Guidelines. Requests for reservation outside of the priorities established by the Priority Use Guideline will be handled on an individual basis. A reservation will be allowed if space is available and that user with priority gives consent.
   1.Damage Deposit Required: yes.
   2. Reservation Fee: yes

CITY OF OPA-LOCKA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

POLICIES AND PROCEDURES

MAY 2024

DEPARTMENT MISSION

The mission of the Department of Planning and Community Development [PCD] is:

- To handle the City of Opa-locka's current and long-range planning needs, including site plan, plat and zoning reviews for proposed residential, commercial and industrial development and redevelopment projects in the city.
- Services to utilize the grant funds from Federal, State and Local government sources to aid in the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income.
- Carry out a wide range of community development activities directed towards neighborhood revitalization, economic development, improved community facilities and services, and assisting those least likely to benefit from the economic growth and prosperity projected for the City.

Planning and Zoning responsibilities include:

- Administrative Site Plan Review
- Administrative Variances
- Group Homes Applications and Verification Letters
- Landscape Plan Review
- Plats and Subdivision Reviews
- Zoning Review Certificates of Use/Licenses
- Zoning Review of Building Permits
- Banners/Sign Plans
- Substantial Compliance
- Variances and Zoning Changes (Public Hearings)
- Zoning Inspections
- Zoning Verification Letters

Community Development

- Improve the quality of life for the residents, property owners and business owners within the City municipal boundaries.
- Promote employment and job development.
- Promote Business Attraction, Expansion, and Retention.
- Maintain a balanced economic, educational, social, recreational and entertainment environment.

Historic Preservation

- Manage and preserve the 30+ registered historic properties in the City and seek to preserve an additional 40+ properties which potentially qualify as historic structures/sites.

Economic Development

- Promote Opa-locka as a destination.
- Promote the development of affordable housing for all.
- Promote business assistance and employment for residents.
- Improvement economic opportunities and activities.
- Develop partnerships and collaboration with outside agencies.
- The primary City contact on economic development and urban renewal issues. Manage the City's role in promoting reinvestment, revitalization of commercial, manufacturing, and industrial districts.
- Promote the establishment of a Chamber of Commerce for Opa-locka businesses.

Department of Planning & Community Development

Procedures and Processes

1. Certificate of Use and Business Tax Receipt
2. Building Permit Review Process
3. Zoning Verification
4. Site Plan Review Checklist
5. Site Plan Review Process
6. Site Plan Review (Administrative Approval) Process
7. Development Agreements [process, approval and execution/annual reports]
8. Special Exception Process
9. Variance Review Process
10. Plat Review Process
11. Land Use and Rezone Process
12. Special Event Application Review Process
13. Annexation Review Process
14. Abandonment Review Process
15. Sign and Landscaping Inspection
16. Fee Processing

CERTIFICATE OF USE, BUSINESS TAX RECEIPT AND SPECIAL EVENT

Standard Procedures

1. Preliminary Zoning Verification
a. Applicant must receive written verification (in the form of the Zoning Verification Sheet) from the Planning and Community Development Department prior to submitting a Certificate of Use, Business Tax Receipt or Special Event Application (hereinafter "application") to the Office of Building and Licensing (hereinafter "B&L") for the departmental review process. This ensures that the proposed use complies with zoning codes. No application will be accepted by the B&L Office without this approval.
NOTE Zoning verification does not constitute final zoning approval.
2. Once zoning is verified, the B&L Office intakes the application and fees, along with any required documentation associated with the application.
a. The B&L Office then scans the application packet and emails it only to the Planning and Zoning Administrator for review.
3. The Zoning Administrator then reviews the application packet and approves or denies it.

a. If denied, the applicant will be contacted by the B&L Office and/or PCD in order to resolve any outstanding comments.
b. If approved, the Zoning Administrator will email the scanned application to the Sales Tax Email Group to continue the review process.
4. Once emailed to the Sales Tax Group, approvals generated from departmental reviews from Police, Code Enforcement, Fire, Building and possibly Utilities, Public Works and Parks and Recreation. will be returned to the B&L Office via Sales Tax Group email reply.

a. If a department denies or requires clarification on any application, then that department is responsible for contacting the applicant directly. Issues raised by various departments will be resolved with the applicant by the department raising specific issues. The B&L Office is not responsible for resolving issues raised by various departments; however, they may provide information and keep track of responses sent via the Sales Tax System Email Group.

5. Once the B&L Office receives positive feedback from all required departments, the application applied for may be issued when fees are collected depending on the use proposed and fee schedule approved via Ord. 3061 and similar as amended.

BUILDING AND LICENSING PERMIT REVIEW PROCEDURES

1. Receive Plans from Building and Licensing Department

2. Identify the type of permit: Sign, Fence, Landscape, etc.

3. Review Plans to comply with the subject properties Zoning

4. Review Plans to comply with type of permit: Sign, Fence, Landscape, etc.
5. If the Plans meet all of Code requirements:
   - Stamp Plans with "Zoning Approved" stamp; Sign: Name and Date
   - Sign and date routing slip and return to Building Department: 'Reviewed Plans Box'

6. If the Plans have minor issues regarding the Code, call the applicant for further clarification
   - Request revised plans
   - Return plans to Building Dept in 'Pending Plans Box' with Comment on routing slip "waiting for revised plan"

7. If the Plans have major issues to comply with Code, Disapprove the plans
   - Do not stamp plans
   - Sign and date routing slip; provide Comments on routing slip identifying the inconsistencies with Code
   - Return to Building Department: 'Disapproved Plans Box'

Note: Most of the large site plans have been through the Planning & Community Development Site Plan procedures; review the Construction/ Permit Plans to match the Site Plans.

SITE PLAN REVIEW CHECKLIST

File Name: File No.:
- Received site plan file with application and fee payment receipt.
- Sent copies out for departmental comments.
- Sent Public Notice Advertisement for Special Exception Application

- Yellow sign of Notification set on property affected (RZ, LU, SE, AX, AB)
- Reviewed plan for compliance with zoning
- Received departmental comments and forwarded to applicant.
- Received second set of plans addressing staff comments and distributed to departments for further comment.
- Received additional comments and forwarded to applicant, if necessary
- Received final set of plans addressing staff comments
- Completed staff report and resolution/ordinance
- Submitted to Planning and Zoning Board. Packet included:
  - Staff Report

− Departmental Comments
− Applicant Response
− Original Letter from Applicant
− Application and owner authorization
− Location Map
−Submitted to City Commission. Packet included:
− Agenda Item
− Resolution
− Reduced Site Plan (11x17)
− Location Map
− Application
− Owner Authorization
− Staff Report
− Close Project
− Prepare and transmit approval letter requesting additional copies of the site plan (include signed resolution).
− Update file with signed approved resolution, and a copy of the City Commission Agenda summary for that item.
− Stamp approved site plan with City Commission - Write resolution number on the plan and file the site plan after B&L signs the plan.
− Send additional copies that are provided later to City Departments (that reviewed the plan) Notify them that enclosed is the approved site plan.

SITE PLAN (SP) REVIEW POLICIES AND PROCEDURES

Week 1:

• Receive Plans with Fees
• Log project into Logbook
• Write a Memo to Billing & Collection Division, and include account numbers
• Write a Memo to Department Heads for 1st review of site plan. Allow 2 weeks for returned comments.
• Write a letter to Miami-Dade County Traffic Division for Traffic Concurrency
• If Residential: Write a letter to Miami-Dade School District for Concurrency
• Review plans to comply with Zoning Code

Week 1 – 2:

• Schedule Site Plan for Planning & Zoning Board (about 2 months from submittal)
• Collect comments from each department. Collaborate into one letter to the applicant, include Zoning comments. Ask to have revised comments within 2 weeks to maintain scheduling.

Week 2-4:

• Receive revised plans from applicant
• Write a Revised Memo to Department Heads for 2nd review of plans. Allow 2 weeks for returned comments.
• Review plans to comply with Zoning Code

Week 4:

• Collect comments from each department. Collaborate into one letter to the applicant; include Zoning comments. Ask to have revised comments within 2 weeks to maintain scheduling.
• If all issues have been addressed, request 15 sets of the site plan package for P&Z Board
• If there are major issues still unresolved, prepare to send out memo for 3rd review

Week 5-6:

• Receive revised plans
• Schedule for City Commission meeting (2-4 weeks after P&Z)
• Prepare to Submit for Planning & Zoning Board Meeting and Include:
o Site Plan
o Location Map
o Project Narrative
o Application & Owner Authorization
o Department Comments
o Applicant Response
o Staff Report

** All projects must include the following conditions of approval:

1. In compliance with the City's exclusive franchise agreement, Waste Management must be used for roll-off service needs.

2. A two-year landscaping bond for 110% of the value of landscaping and irrigation shall be required before certificate of occupancy is issued. (not currently being addressed)
3. All future advertising must state that the property is in the City of Opa-locka. A fine of $250 per day will be levied against the property owner for violation of this condition.
4. Construction must be initiated within 18 months of receiving City Commission Approval.

Week 6-7:

• Request 12 copies of reduced size (11 x 17) site plan, landscape plan, & elevation plans for City Commission and 3 copies of full size (24 x 36) site plan, landscape plan, & elevation plans for City Staff. A digital copy of site plan, landscape plan, elevation plans, Letter of Intent, applications and any other documentation must be provided on a flash drive for City records.
• Submit for City Commission Meeting:
o Agenda Item
o Resolution
o Reduced Site Plan
o Location Map
o Applicant & Owner Authorization

o Staff Report
o Department Comments
o Project Narrative
Week 8:
• Stamp Plans with City Commission Approval (City Clerk)
• Write City Commission Approval Letter
• Provide Applicant with approval documents
• Close Project in Logbook

SITE PLAN REVIEW POLICIES AND PROCEDURES (ADMINISTRATIVE)

Week 1:

• Receive Plans with Fees
• Log project into Logbook
• Write a memo to Billing & Collection Division w/account numbers, Deposit fees
• Write a Memo to Department Heads for 1st review of site plan. Allow 2 weeks for returned comments.
• Write a letter to Miami Dade County Traffic Division for Traffic Concurrency.
• If Residential: Write a letter to Miami Dade County School District for Concurrency
• Review plans to comply with Zoning Code

Week 1 – 2:

• Schedule Site Plan for Planning & Zoning Board (about 2 months after submittal)
• Collect comments from each department. Collaborate into one letter to the applicant, include Zoning comments. Ask to have revised comments returned within 2 weeks, to maintain scheduling.

Week 2-4:

• Receive revised plans from applicant
• Write a Revised Memo to Department Heads for 2nd review of plans. Allow 2 weeks for returned comments.
• Review plans to comply with Zoning Code

Week 4:

• Collect comments from each department, collaborate into one letter to the applicant; include Zoning comments. Ask to have revised comments returned within 2 weeks to maintain scheduling.
• If all issues have been addressed, request 3 sets of the site plan for Administrative Approval
• If there are major issues still unresolved, prepare to send out memo for 3rd review

Week 5-6:

• Receive revised plans
• Stamp Plans with Administrative Approval
• Write Administrative Approval Letter
• Provide Applicant with approval documents
• Close Project in Logbook

SPECIAL EXCEPTION (SE) REVIEW POLICIES AND PROCEDURES

Week 1:

• Receive Plans with Fees
• Log project into Logbook
• Write a memo to Building & Licensing Department and include account numbers
• Write a Memo to Department Heads for 1st review of Special Exception. Allow 2 weeks for returned comments
• Write letter to Miami-Dade County Traffic Division for Traffic Concurrency
• If Residential: Write letter to Miami-Dade School District for Concurrency
• Review plans to comply with Zoning Code and Special Exception (Sec. 31-62)

Week 1 – 2:

• Schedule Site Plan for Planning & Zoning Board (about 2 months from submittal)
• Prepare Public Notice for Newspaper and Public Flyer (all residents w/in 375 ft.) (Sec.31-4)
o Include property address, location map, and meeting dates
o Advertisement should be published a minimum of 15 days prior to P&Z meeting date
• Collect comments from each department, collaborate into one letter to the applicant, include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.

Week 2-4:

• Receive revised plans from applicant
• Provide Applicant with Public Notice Flyer
• Write a Revised Memo to Department Heads for 2nd review of plans, allow 2 weeks for returned comments
• Review plans to comply with Zoning Code

Week 4:
• Collect comments from each department. Collaborate into one letter to the applicant; include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.
• If all issues have been addressed, request 15 sets of the SE for P& Z Board
• If there are major issues still unresolved, prepare to send out memo for 3rd review

Week 5-6:
• Receive revised plans
• Schedule for City Commission meeting (2-4 weeks after P&Z)
• Prepare to Submit for Planning & Zoning Board Meeting Include:
o Site Plan
o Location Map
o Project Narrative
o Application & Owner Authorization
o Department Comments
o Applicant Response
o Staff Report
o Public Notice

Week 6-7:

• Request 12 copies of reduced size (11 x 17) site plan, landscape plan, & elevation plans for City Commission and 3 copies of size (24 x 36) site plan, landscape plan, & elevation plans for City Staff.
• Prepare to Submit for City Commission Meeting Include:
o Agenda Item
o Resolution
o Reduced Site Plan
o Location Map & Public Notice
o Applicant & Owner Authorization
o Staff Report
o Department Comments
o Project Narrative

Week 8:

• Stamp Plans with City Commission Approval
• Write City Commission Approval Letter
• Provide Applicant with approval documents
• Close Project in Logbook

VARIANCE (VA) REVIEW POLICIES AND PROCEDURES

Week 1:

• Receive Plans with Fees
• Log project into Logbook
• Write a memo to Billing & Collection Division and include account numbers
• Write a Memo to Department Heads for 1st review of Variance. Allow 2 weeks for returned comments.
• Review plans to comply with Zoning Code and Variance Criteria (Sec. 31-39)

Week 1 – 2:

• Schedule Site Plan for Planning and Zoning Board, PZAB (about 3-4 month from submittal)
• Collect comments from each department. Collaborate into one letter to the applicant, include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.
• Prepare Public Notice for Newspaper and Public Flyer
o Include property address, location map, and meeting dates
o All residents w/in 375 ft. must be mailed a notice for a minimum of 10 days prior to meeting date
• Advertisement should be published a maximum of 10 days prior to PZAB meeting date; see Sec. 31-40(3)(d)

Week 2-4:

• Receive revised plans from applicant
• Write a Revised Memo to Department Heads for 2nd review of Variance plans. Allow 2 weeks for returned comments.
• Review plans to comply with Zoning Code and Sec. 31-39

Week 4:

• Collect comments from each department. Collaborate into one letter to the applicant; include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.
• If all issues have been addressed, request 15 sets of the site plan for PZAB.
• If there are major issues still unresolved, prepare to send out memo for 3rd review

Week 5-6:
• Receive revised plans
• Schedule for City Commission meeting (2-4 weeks after PZAB)
• Prepare to Submit for PZAB Meeting Include:
o Variance/Site Plan
o Location Map
o Project Narrative
o Application & Owner Authorization
o Department Comments
o Applicant Response
o Staff Report
o Variance Justification

Week 6-7:

• Request 12 copies of reduced size (11 x 17) site plan/ variance plans for City Commission and 3 copies of size (24 x 36) site plan, landscape plan, & elevation plans for City Staff.
• Prepare to Submit for City Commission Meeting Include:
o Agenda Item
o Resolution
o Reduced Site Plan
o Location Map
o Project Narrative
o Applicant & Owner Authorization
o Staff Report
o Department Comments
o Variance Justification

Week 8:

• Stamp Plans with City Commission Approval.
• Write City Commission Approval Letter.
• Provide Applicant with approval documents.
• Close Project in Logbook

PLAT (PA) REVIEW POLICIES AND PROCEDURES

Week 1:

• Receive plat and survey with Fees to City
• Log project into Logbook
• Write a Memo to Billing & Collection Division
• Deposit in water billing using Excel deposit slip with account numbers
• Write a Memo to City Engineer
• Send plat to City Engineer)
• Send plat to City Departments for review

• Review plans to comply with easements and dedications

Week 2-3:

• Receive plat with comments from City.
• Receive comments from City Departments
• Write a comment letter to applicant addressing all issue from City

Week 3-6 +:

• Receive revised plat from applicant
• Review plat to comply with comments from the city
• Request 12 copies of reduced size (11 x 17) signed plat for City Commission and 3 copies of size (24 x 36) site plan, landscape plan, & elevation plans for City Staff.
INCLUDE:
• 1 full size Mylar signed Plat
• 1 full size copy of signed Plat
• 2 checks (Payable to Clerk and Comptroller) for copy and recording fees
• 1 CD in Auto Cad format, ex: *.dwg file in state plane coordinates
• Prepare to Submit for City Commission Meeting Include:
o Agenda Item
o Resolution
o Reduced Plat
o Location Map
o Applicant & Owner Authorization
End:
• Receive a signed copy of approved Plat
• Close Project in Logbook

LAND USE (LU) & REZONE (RZ) REVIEW POLICIES AND PROCEDURES

Week 1:

• Receive Plans with Fees
• Log project into Logbook separately
• Write a Memo to Billing & Collection Division include account numbers
• Write a Memo to Department Heads for 1st review of LU & PZ plan, allow 2 weeks for returned comments
• Write letter & complete form for Miami-Dade County to review Comprehensive Plan Amendment
• Write letter to Miami-Dade County Traffic Division for Traffic Concurrency
• If Residential: Write letter to Miami-Dade County School District for Concurrency
• Review plans to comply with Zoning Code and State Statutes §163.3187 and §166.041

Week 1 – 2:

• Schedule Site Plan for Planning & Zoning Board (about 2 months from submittal)
• Prepare Public Notice for News Paper and Public Flyer (all residents w/in 300 ft.) (Sec.31-4)
o Include property address, location map, and meeting dates.
o Advertisement should be published a minimum of 30 days prior to first Public Hearing date, and a minimum of 5 days prior to second Public Hearing meeting date.

• Collect comments from each department, collaborate into one letter to the applicant, include Zoning comments. Ask to have revised comments within 2 weeks to maintain scheduling

Week 2-4:

• Receive revised plans from applicant.
• Provide Applicant with Public Notice Flyer.
• Write a Revised Memo to Department Heads for 2nd review of plans, allow 2 weeks for returned comments
• Review plans to comply with Zoning Code.

Week 4:

• Collect comments from each department. Collaborate into one letter to the applicant; include Zoning comments. Ask to have revised comments within 2 weeks to maintain scheduling.
• If all issues have been addressed, request 15 sets of the site plan for P& Z Board.
• If there are major issues still unresolved, prepare to send out memo for 3rd review.

Week 5-6:

• Receive revised plans.
• Schedule for City Commission meeting (2-4 weeks after P&Z).
• Prepare to Submit for Planning & Zoning Board Meeting Include:
o Site Plan
o Location Map & Public Notice
o Project Narrative
o Department Comments
o Application & Owner Authorization
o Applicant Response
o Staff Report

Week 6-7:

• Request 12 copies of reduced size (11 x 17) site plan, landscape plan, & elevation plans for City Commission and 3 copies of size (24 x 36) site plan, landscape plan, & elevation plans for City Staff.

Prepare to SUBMIT for City Commission Meeting Include:

o Agenda Item
o Resolution
o Reduced Site Plan
o Location Map & Public Notice
o Project Narrative
o Staff Report
o Department Comments
o Traffic Concurrency Letter
o Applicant & Owner Authorization

Week 8:

• Transmit to State DEO a letter and copy of Ordinance to identify the small-scale land use amendment
• Include all data on Form 9J-11, Form RPM-BSP
• Stamp Plans with City Commission Approval
• Write City Commission Approval Letter
• Provide Applicant with approval documents
• Close Project in Logbook
http://www.dca.state.fl.us/fdcp/dcp/Procedures/index.cfm#comp

9J-11 **TRANSMITTAL REQUIREMENTS FOR THE SUBMISSION OF ADOPTED SMALL- SCALE COMPREHENSIVE PLAN AMENDMENTS - APRIL 2006**
NUMBER OF COPIES TO BE SUBMITTED:

Please submit within ten working days after adoption, one copy of all plan amendment materials, which may be on CD ROM in Portable Document Format (PDF), including graphic and textual materials and support documents directly to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team and one copy each to the appropriate Regional Planning Council and any other local government or governmental agency in the state of Florida that has filed a written request with the local government.

SUBMITTAL LETTER REQUIREMENTS:

Please include the following information in the transmittal cover letter transmitting the adopted small-scale amendment (9J-11.015(1), F.A.C.):

_____A statement indicating that the local government is submitting the adopted small-scale amendment in accordance with Section 163.3187(1)(c), F.S.;
____ A statement identifying the number of acres of the small-scale amendment.
_____A statement identifying the cumulative total number of acres for small-scale amendments the local government has approved for the calendar year;
____ A statement identifying whether the amendment involves the same property that was granted another change within the prior 12 months.
_____A statement identifying whether the amendment involves the same owner's property within 200 feet that was granted a change with the prior 12 months.
_____A statement identifying whether the proposed amendment involves a text change.
_____A statement identifying whether the amendment is within an area of critical state concern.
_____A statement indicating the residential land use density before and after the adopted change if the land use change contained a residential land use category
_____A statement indicating the that the amendment has been submitted to the appropriate Regional Planning Council, the Office of Tourism, Trade and Economic Development (if amendment is being adopted pursuant to Section 163.3187(1)(c)4, F.S.) and any other local government or governmental agency in the state of Florida that has filed a written request with the local government.
____ The name, title, address, telephone and fax number of the local contact person.

ADOPTION:

The amendment package must include the following (see 9J-11.015(1), (2), F.S.):

_____ One copy of the executed ordinance(s) adopting the small-scale development amendment (Rule 9J-11.015(1)(b)2, F.A.C.);
_____ A Future Land Use Map depicting the newly adopted designation and boundaries and location of the subject property in relationship to the surrounding street and thoroughfare network (Rule 9J-11.015(1)(b)1, F.A.C.);
_____ Copy of the public hearing notice of adoption hearing (Rule 9J-11.015(1)(b)3, F.A.C.);

_____ Other supporting information relative to the amendment (Rule 9J-11.015(1)(b), F.A.C.);
_____If amendment is a small-scale development amendment within a rural area of critical economic concern (RACEC) and adopted pursuant to Section 163.3187(1)(c)4, F.S., a copy of the letter to Office of Tourism, Trade, and Economic Development certifying and explaining how the plan amendment meets the objectives of the executive order issued under Section 288.0656(7),F.S.;
_____ Form RPM-BSP-EXEMPT REVIEW (Rule 9J-11.015(1)(b)5, F.A.C.).
FORM RPM-BSP- EXEMPT REVIEW
AMENDMENTS EXEMPT FROM STATE AND REGIONAL REVIEW
1. Name of Local Government _____
Person completing this form_____
Phone Number_____
Name of Newspaper in which notice of amendment was published _____
Date Publication Noticed_____
(Please attach copy of notice)
2. Please indicate type of amendment being submitted:
_____ a). a map amendment directly related to proposed small scale development activities that meet the criteria of Section 163.3187(1)(c), F.S.;
_____ b). a map amendment solely to property within an urban service boundary that meets the criteria of Section 163.3184(17), F.S.;
_____ c). a map amendment solely to property within a designated urban infill and redevelopment area pursuant to Section 163.3184(18), F.S.;
_____ d). a plan amendment associated with an area certified pursuant to Section 163.3246, F.S.
Please complete the following information if amendment is submitted under 2(a):
3. If amendment contains a residential land use category indicate:
density allowed prior to change _____ dwelling unit(s) per acre.
density allowed after change _____ dwelling unit(s) per acre.
4. Number of acres of small-scale development amendments contained in package:
a. Within Urban Infill, Urban Redevelopment or Downtown Revitalization as defined by Section 163.3164, FS _____
b. Within Transportation Concurrency Exception Area pursuant to Section 163.3180(5), FS_____
c. Within Regional Activity Centers or Urban Central Business Districts pursuant to Section 380.06(2)(e), FS _____
d. Within a Rural Area of Critical Economic Concern pursuant to Section 163.3187(1)(c)4, FS _____
(Please attach certifying letter to OTTED)
e. Outside categories a., b, c. and d. _____
5. Cumulative total number of acres of small-scale development amendments for the calendar year:
a. Categories listed in Item 4 a, b, c and d. above _____
b. Categories listed in Item 4 e above _____
6. Total number of acres of small-scale development amendments in this package that are located within the coastal high hazard area as identified in the comprehensive plan _____
Pursuant to Rule 9J-11.015(1)(b)5, Florida Administrative Code, this form must be mailed with all amendments as defined by Section 9J-11.015(1)(a) Florida Administrative Code to:
DEPARTMENT OF COMMUNITY AFFAIRS PLAN PROCESSING SECTION 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100 (850) 488-4925

SPECIAL EVENT APPLICATION REVIEW PROCESS.

Week 1-2:

• Receive application and plans from applicant
• Provide Email Memo to Department Heads for review of application and plans. Allow 2 weeks for returned comments. For large Events, City of Opa-locka PD and Miami-Dade Fire Rescue review is required.
• Confirm if the event will have alcoholic beverages to be sold and or consumed at the event. This requires City Commission approval.

• Confirm if the event will occur beyond the restricted hours. All events must cease operation at 11pm and 12 midnight. Operation past this hour requires City Commission approval.
• Review plans to comply with Zoning Code.

Week 3-4:

• Collect comments from each department, collaborate into one letter to the applicant; include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.
• If all issues have been addressed, approve for event to occur.

ANNEXATION (AX) REVIEW POLICIES AND PROCEDURES

Week 1:

• Receive Plans with Fees.
• Log project into Logbook.
• Write a memo to include account numbers.
• Write a Memo to Department Heads for 1st review of Annexation. Allow 2 weeks for returned comments.
• Write letter to Miami-Dade County Traffic Division for Traffic Concurrency
• If Residential: Write letter to Miami-Dade Public School District for Concurrency
• Review plans to comply with Zoning Code and State Statutes §166.041 and §171.0413

Week 1 – 2:

• Schedule Site Plan for Planning & Zoning Board (about 2 months from submittal)
• Prepare Public Notice for Newspaper and Public Flyer (all residents w/in 300 ft.) (Sec.31-4) Include property address, location map, and meeting dates
o Advertisement should be published a maximum of 7 days prior to first Public Hearing date, and a maximum of 5 days prior to second Public Hearing meeting date
• Collect comments from each department, and collaborate into one letter to the applicant, include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.

Week 2-4:

• Receive revised plans from applicant
• Provide Applicant with Public Notice Flyer
• Write a Revised Memo to Department Heads for 2nd review of plans. Allow 2 weeks for returned comments.
• Review plans to comply with Zoning Code

Week 4:

• Collect comments from each department and collaborate into one letter to the applicant; include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.
• If all issues have been addressed, request 15 sets of the AX plans for PZAB
• If there are major issues still unresolved, prepare to send out memo for 3rd review

Week 5-6:

• Receive revised plans
• Schedule for City Commission meeting (2-4 weeks after P&Z)
• Prepare to Submit for Planning & Zoning Board Meeting Include:
o Site Plan
o Location Map
o Project Narrative
o Application & Owner Authorization
o Department Comments
o Applicant Response
o Staff Report
o Public Notice
Week 6-7:

• Request 30 copies of reduced size (11 x 17) site plan/ annexation plan for City Commission
• Prepare to Submit for City Commission Meeting Include:
o Agenda Item
o Resolution
o Reduced Site Plan
o Location Map & Public Notice
o Applicant & Owner Authorization
o Staff Report
o Department Comments
o Project Narrative

Week 8:

• Publish Public Notice Advertisement for two consecutive weeks stating AX Approval Ordinance, not located in the Legal Section of the newspaper
• Stamp Plans with City Commission Approval.
• Write City Commission Approval Letter.
• Provide Applicant with approval documents.
• Close Project in Logbook

ABANDONMENT (AB) REVIEW POLICIES AND PROCEDURES

Week 1:

• Receive Plans with Fees
• Log project into Logbook
• Write a Memo to Billing & Collection Division include account numbers
• Write a Memo to Department Heads for 1st review of Abandonment, allow 2 weeks for returned comments
• Review plans to comply with Zoning Code and State Statutes §336.09
• Write letter to Miami-Dade County Traffic Division for Traffic Concurrency

Week 1 – 2:

• Schedule Site Plan for Planning & Zoning Board (about 2 months from submittal)
• Prepare Public Notice for Newspaper (Public Flyer is not required, but recommended by Staff)
o Include property address, location map, and meeting dates
o Advertisement should be published a minimum 14 days prior to first Public Hearing date, and one time within 30 days of adoption of Resolution
• Collect comments from each department, and collaborate into one letter to the applicant, include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.

Week 2-4:

• Receive revised plans from applicant
• Write a Revised Memo to Department Heads for 2nd review of plans. Allow 2 weeks for returned comments.
• Review plans to comply with Zoning Code

Week 4:

• Collect comments from each department and collaborate into one letter to the applicant; include Zoning comments. Ask to receive revised comments within 2 weeks to maintain scheduling.
• If all issues have been addressed, request 15 sets of the AB plans for P& Z Board
• If there are major issues still unresolved, prepare to send out memo for 3rd review

Week 5-6:

• Receive revised plans
• Schedule for City Commission meeting (2-4 weeks after P&Z)
• Prepare to Submit for Planning & Zoning Board Meeting Include:
o Site Plan
o Location Map & Public Notice
o Project Narrative
o Application & Owner Authorization
o Department Comments
o Applicant Response
o Staff Report
o Abandonment Justification
o Traffic Concurrency Letter

Week 6-7:

• Request 30 copies of reduced size (11 x 17) site plan/ abandonment plan for City Commission.
• Prepare to Submit for City Commission Meeting Include:
o Agenda Item
o Resolution
o Reduced Site Plan
o Location Map & Public Notice
o Applicant & Owner Authorization
o Staff Report
o Department Comments

o Project Narrative
o Abandonment Justification
o Traffic Concurrency Letter

Week 8:

• Publish Public Notice Advertisement within 30 day stating AB Approval Resolution
• Stamp Plans with City Commission Approval
• Write City Commission Approval Letter
• Provide Applicant with approval documents
• Close Project in Logbook

SIGN AND LANDSCAPE INSPECTION PROCEDURES

1. Receive Inspection Request from Building Department.
2. Identify subject property prior to going out for inspection.
3. Once on site, locate the Permit and approved Plans.

Sign Inspections:
• Compare location and dimensions of the sign with the approved plans.
• Check that construction materials are not located in sign area.
• Check to see landscaping is replaced around monument signs and grass is in place

Landscape Inspections
• Review Landscape Plans to reflect actual landscape
• Count the number of trees and measure the spacing and height of all trees on site
• Check that all hedge/shrubbery are in place
• Check that the entire landscape area is mulched
• Check that the sod and plant material are not in poor shape/ dying
• Notice or ask if irrigation has been inspected or is scheduled. If not, require an inspection to be scheduled ASAP.
• Check that construction materials are not located in landscape or lawn
• Make sure site is litter free

4. Sign off on Inspection Request form
• Check 'Approved' if OK
• Check 'Disapproved' if Sign/Landscape does not meet all requirements. Note corrections at bottom of page.
• Check 'Reinspection Required' or 'Reinspection Fee Required'
• Return Department copy to 'Inspection Results' Box

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT – FEE PROCESSING PRODEDURE

Purpose:

This procedure is to be used to process fees received for site plan reviews, variances, special exceptions, comprehensive plan changes, plat approvals, abandonment of easements, advertising, and zoning verification letters.

Step One: Complete the Check or Cash Transmittal Form

1. The Check or Cash Transmittal Form is located on the shared drive in Excel format at \\admcdv\Data1\PLANNING_AND ZONING\Forms\CHECK TRANSMITTAL FORM
2. On the line labeled "Department Receiving Payment" input Community Development
3. On the line labeled "To be transmitted to" input Billing and Finance Department

4. In the column labeled "Category" input the item the fee is for. For example, enter "Site Plan Review or Zoning Verification Letter".
5. In the column labeled "Amount", input the amount of the fee submitted. If one check is submitted for multiple items, list out each item individually.
6. In the column labeled "Payor/Reason" input who the fee is from and the corresponding address of the project. For example, enter "JJ Development Team", Site Plan Review 100 North Ocean Drive".
7. In the column labeled "Account #" enter the account number that corresponds to the item. Enter Account # xxx-xx-xxxxxx for all site plan reviews, special exceptions, plat approvals, comprehensive plan changes, abandonment of easements, zoning certification letters. Enter Account # xxx-xx-xxxxxx for all advertising fees. Enter Account # xxx-xx-xxxxxx for all digitizing fees.
8. The Check or Cash Transmittal form is formatted to add all of the amounts in the "Amount" column. Verify that the total listed is correct.
9. On the line labeled "From" print and sign your name.
10. One the line labeled "Date" enter the date you completed the form.

Step Two:
Submit the Check or Cash Transmittal Form

1. Take the completed Check or Cash Transmittal Form and the fee to the Cashier's window located on the 1st floor of the Municipal Complex
2. Forms submitted before 2:00 P.M. will be processed immediately. Forms submitted after 2:00 P.M. will be processed at the end of the day. If the form is submitted after 2:00 pm instruct the cashier to send a receipt of payment to you via interoffice mail.
3. At the cashier's window, complete the "Log Sheet".
    a. In the column labeled "Time" enter the time you submitted the payment to the cashier.
    b. In the column labeled "Department" enter Community Development
4. If the payment is received before 2:00 P.M. the cashier will immediately process the payment and give you a receipt. Verify that the account number on the receipt and the payment amount are correct.
5. Make a copy of the receipt and place it, along with the original receipt, in the project file.

ECONOMIC DEVELOPMENT

Procedures and Processes

Promote Opa-locka as a destination.

a. Set City of Opa-locka Apart from Alternative: This involves identifying precisely what makes the City of Opa-locka stands out from other cities and pinpointing what aspects make it worth visiting. This could include famous landmarks, unique cultural aspects of the city and interesting architecture.

b. Be Clear on Our Target: This requires to carefully consider who is most likely to be interested in traveling to the City of Opa-locka and their reasons for doing so. It could be steeped in history and culture, appealing to older demographics, or a thriving business center, appealing to corporate travelers. It could be a retail hub, appealing to shoppers, or a domestic tourism hotspot.

c. Adopt an Analytical Approach: City marketing strategies are at their best when they are focused on evidence. Identifying who visits hotel, shopping mall or restaurant websites.

This information could be collected, analyzed, and used to create a laser-focused city marketing strategy, aimed toward the right people, at the right season.

d. Create a Compelling Website for the City of Opa-locka: A huge number of potential visitors to our city will turn to the internet for inspiration, which is it is so essential that we create a compelling website to showcase the city and what is has to offer. The website can help to promote the City's unique selling points to the target audience in the precise way we want to promote the city. Images, videos, and blog posts can be used to promote specific city features.

e. Collaborate with Social Media Influencers: In the modern age, so called 'influencers' – those with loyal followers on social media – hold much marketing power. Collaborating with them makes it possible to market the city to people who may otherwise be out of reach, and they will also find the effort more trustworthy. Influencers also appeal to different demographics.

Finally, today's interconnected world allows people to book trips and easily travel anywhere. It becomes important to our city to stand out from rivals, and city marketing can be effective for this. Using the tips provided, we should be able to put city marketing strategies into effect and reap the rewards.

PROMOTE THE DEVELOPMENT OF AFFORDABLE HOUSING:

Procedure and processes

1. As it is generally known by now, Governor Ron DeSantis signed Senate Bill 102,otherwise known as the Live Local Act, into law and took effect on July 1, 2023, and making it the largest investment for affordable housing initiative in the history of Florida. The unparallel incentives like the density and tax exceptions would make it a lot easier for local government like the City of Opa-locka to rapidly spur development of Affordable Housing. This forward-looking approach will enable to City to establish a Housing Finance Agency (HFA), which is a government entity designed to promote affordable housing by issuing tax exempt bonds and using the proceeds from the sales to offer low-cost mortgage to affordable housing developers and single-family homeowners. The interesting thing about HFA is that unlike most government enterprises, they ultimately become self-sustaining, for example, would require a one-time injection of startup capital from the city, but going forward it would earn fees, from the mortgages it generates. Overt time, it generates more fees, and it covers its own expenses and starts to make a profit, which is channeled back into housing subsidies within the community it serves.
2. Seek public-private partnership: Increasingly, companies are interested in socially responsible investment opportunities to promote affordable housing. The City should continue to target private sector, because the private sector actually wants to help. There is still plenty of capital within the large corporation, and that capital is looking for socially responsible investment opportunities.
3. Start an accelerator fund focused on affordable housing: If the City Commission adopts SB 102 in its current form, it would be a game changer for midsized and large developers who can now build affordable housing with applicable requirements in all the zoning areas of Residential, Manufacturing, and Industrial zones.

PROMOTE BUSINESS ASSISTANCE AND EMPLOYMENT FOR RESIDENTS

Procedures and processes

1. Small Business Administration helps power business ownership in the city, and the more businesses created the more employment opportunities for residents. It is important for

local government to host periodic workshops for the business community to provide grants and financial program information to assists businesses to spur innovation and support quality jobs and empower their workforce.

2. City government should help small businesses thrive through purposeful, strategic, and focused economic development. Working together as networking hubs to maximize their resources.
3. In-person engagement with business community: updating and providing new grants and available financing programs for business expansion. These new cluster will attract, create and grow new business startups throughout the city, expanding the connectivity of technology and promoting business formation while fostering innovation, commercialization, business acceleration, mentorship, and sustainability.

IMPROVEMENT OF ECONOMIC OPPORTUNITIES AND ACTIVITIES

Procedure and processes

1. A thriving economy can boost a city's image and make it an attractive place to live, work and aged. Think about what the community is lacking and lure a business that meets that need.
2. Home improvement Grant: Grant access and available to homeowners to upgrade will provide economic activities to local businesses through purchasing of supplies by the homeowners to upgrade. Home is an appreciating asset.
3. Supply Chains: As part of economic activities, purchasing a product trickle down through a supply chain, with effects on everyone who had a hand in producing, transporting, and selling the product.

DEVELOP PARTNERSHIP AND COLLABORATION WITH OUTSIDE AGENCIES.

Procedures and processes

1. Economic Development personnel are increasingly joining forces with like-minded people to tackle complex economic issues. It is important to determine what conditions will support or inhibit a collaborative effort.
2. Start the process: Identify the agencies and know what each prospective agency can bring to the table.
3. Design the effort: Establish a clear understanding of the goals we are trying to achieve, and clear timeline for the overall effort.
4. Implement the plan: Conduct a collective review of the plan prior to each event to be certain that participants understand their role and responsibilities. Hold a post-event review to see what needs to be changed for future events. Periodically review the plan to keep the effort on target or make changes to the plan as necessary. Finally celebrate the success together and thank the people who are involved.

Promoting Reinvestment, Revitalization of Commercial, Manufacturing and Industrial Districts

Procedures and processes

1. New or expanding commercial, manufacturing, and industrial businesses generate new jobs, attract new workers, and increase demand for new products and services. Their investment in building gives a sense of vitality to disinvested places, while bring an increased tax base to the city.
2. Support a revitalization model of shared prosperity: The process an intentional collaboration among local businesses to devise opportunities that can support each other and that extend beyond the business community to include surrounding neighborhoods,

thereby providing economic opportunities for residents ranging from quality jobs to employee training and pathways to better opportunities.

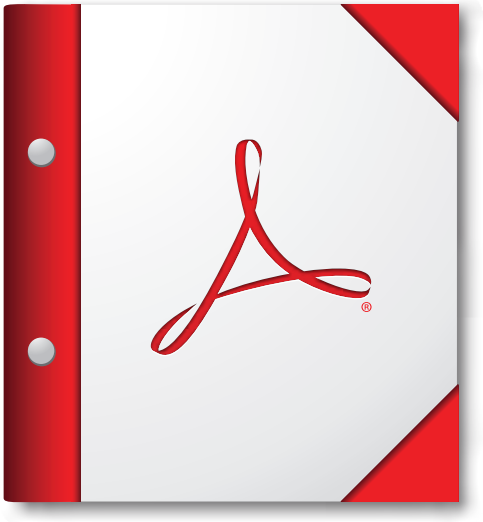
3. Preserve space for manufacturing and support mission-driven non-profit stewardship: The process to promote industrial district revitalization can unsure a diversity of spaces and rents in these districts through targeted mixed use zoning approach that protects the balance between manufacturing and other uses, by supporting mission-driven non-profit ownership that preserves the lower-rent uses, and by providing funding to support long-term affordability.

PROMOTE THE ESTABLISHMENT OF A CHAMBER OF COMMERCE FOR OPA- LOCKA BUSINESSES.

Procedures and Processes

The formation and purposes of the Chamber are to facilitate and support networking among local businesses, to promote civic and cultural interests and the general welfare of the community; to stimulate, encourage, and promote cooperation and friendly exchange among business community.

1. Board of Directors: Needs to establish a Board of Directors which can consist of the following, (a) Chairperson, (b) Secretary, (c) Treasurer
2. Article of Incorporation: The Chamber will be established as a not-for-profit 501 © 6. This will be filed with the State of Florida.
3. Bylaws: will include the following-(a) Name and location, (b) The purpose, (C) Mission and Vision, (d) Area and office, (e) Classes of membership, (f) Termination, Resignation, Expulsion and Delinquency, (g) Voting, (h) Exercise and Privileges, (i) Membership Orientation, (j) General Membership Meetings, (k) Annual Meeting, (l) Voting-Quorum and Proxies, (m) Officers, (n) Committees, (o) Dissolutions
4. Apply for an Employer Identification Number (EIN): This can be done online at https://www.irs.gov/charities-and-nonprofits
5. Tax Exemption Status Application: There are five exempt organization types- Charitable, Churches and religion, Private foundation, Political and other Nonprofits.



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Sponsored By: City Manager

RESOLUTION NO. 24-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ESTOPPEL CERTIFICATE REGARDING GPT NW 42ND AVE OWNER, LLC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, GPT NW 42nd Ave Owner, LLC is a developer within the City of Opa-Locka ("City"); and

WHEREAS, on March 23, 2023, the City and GPT NW 42nd Ave Owner, LLC entered into a Development Agreement, attached hereto as Exhibit "A", regarding the property at 12691 NW 42nd Avenue within the City; and

WHEREAS, the company is now seeking a loan from Bank OZK, and the bank has forwarded a request to the City to complete an Estoppel Certificate, which among other things, confirms that the City and GPT NW 42nd Ave Owner, LLC are parties to the above noted Development Agreement; and

WHEREAS, the City Commission desires to authorize the City Manager to execute an Estoppel Certificate, attached hereto as Exhibit "B", regarding GPT NW 42nd Ave Owner, LLC.

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

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

SECTION 2. AUTHORIZATION

The City Commission of the City of Opa-Locka hereby authorizes the City Manager to execute an Estoppel Certificate, attached hereto as Exhibit "B", regarding GPT NW 42nd Ave Owner, LLC.

SECTION 3. SCRIVENER'S ERRORS

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors, which do not affect the intent of this Resolution may be authorized by the City Manager, 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 _____, 2024.

_____
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)

DocuSign Envelope ID: 83C60FC1-CC67-4A9D-BDA3-5CB068CA03FD

City of Opa-locka
Agenda Cover Memo

Department Director:	Gregory Gay			**Department Director's Signature:**	DocuSigned by: Gregory Gay DCFBED63852C45C...			
City Manager:	Darvin Williams			**CM Signature:**	DocuSigned by: C46C07C1E8DE492...			
Commission Meeting Date:	*6.12.2024*		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**		**Other**	
				X				
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**		**2nd Reading**	
			Public Hearing: *(Enter X in box)*		**Yes**	**No**	**Yes**	**No**
						X		**X**
Funding Source: *Account#:*	*(Enter Fund & Dept)* Ex: See Financial Impact Section		**Advertising Requirement:** *(Enter X in box)*		**Yes**		**No**	
							X	
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**					
		X						
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ☐ **Public Safety** ☐ **Quality of Education** ☐ **Qual. of Life & City Image** ☐ **Communication** ☐		**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*			
		X						
Sponsor Name	City Manager		**Department:**		City Manager			

Short Title:

A resolution of the City Commission of the City of Opa-locka authorizing the City Manager to execute an Estoppel Certificate regarding GPT NW 42nd Ave Owner, LLC.

Staff Summary:

GPT NW 42nd Ave Owner, LLC has been a developer within the City for a significant period and has maintained a good relationship with the City. On March 23rd, 2023, the City and GPT NW 42nd Ave Owner, LLC entered into a Development Agreement regarding the property at 12691 NW 42nd Avenue. The company is now seeking a loan from Bank OZK, and the bank has forwarded a request to the City to complete an Estoppel Certificate confirming that the City and GPT NW 42nd Ave Owner, LLC are parties to the above noted

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Development Agreement. Confirming the existence of a Development Agreement in good standing presents no potential liability for the City.

Financial Impact: There is no financial impact in completing the requested Estoppel Certificate

Proposed Action:

A resolution of the City Commission of the City of Opa-locka authorizing the City Manager to execute an Estoppel Certificate regarding GPT NW 42nd Ave Owner, LLC.

Attachment:

1. Estoppel Certificate
2. Development Agreement

ESTOPPEL CERTIFICATE

(12691 NW 42nd Avenue, Opa-Locka, Florida)

THIS ESTOPPEL CERTIFICATE (this "**Certificate**") is made and entered into as of the ____ day of _____, 2024, by the CITY OF OPA-LOCKA, FLORIDA, a municipal corporation and a political subdivision of the State of Florida ("**City**").

RECITALS

A. GPT NW 42ND AVENUE OWNER II LLC, a Delaware limited liability company, and GPT NW 42ND AVENUE OWNER III LLC, a Delaware limited liability company (collectively, "**Developer**"), and the City are parties to that certain Development Agreement dated as of March 27, 2023, and recorded on May 16, 2023 as Document No. 2023R0323593 in the Official Records of Miami-Dade County, Florida (the "**Development Agreement**"). Capitalized terms not otherwise defined herein shall have the meanings given to them in the Development Agreement.

B. The Development Agreement pertains to certain real property located in the City of Opa-Locka, Miami-Dade County, Florida (the "**Development**"), which Development includes that certain real property more particularly described on Exhibit A attached hereto (the "**Property**").

C. City (i) understands that Developer will be obtaining a construction loan (the "**Loan**") from Bank OZK (together with its successors and assigns, "**Lender**") pursuant to that certain Construction Loan Agreement dated on or about the date hereof, by and between Developer and Lender, which Loan shall be secured by that certain [Mortgage, Security Agreement, Assignment of Rents and Fixture Filing] dated on or about the date hereof, executed by Developer (as the same may be amended, restated or supplemented from time to time, the "**Lien Instrument**") and Lender will be relying on the truth and accuracy of the matters described in this Certificate in making the Loan and (ii) agrees that this Certificate may be relied upon by, and shall inure to the benefit of, Lender and its successors and assigns (including, without limitation, a purchaser at or after foreclosure with respect to the Loan) and that this Certificate shall be binding upon City.

ESTOPPEL

1. The above Recitals are incorporated herein and made a part hereof.

2. By executing this Certificate, City certifies to Lender, to the knowledge of the certifying party, that the following statements are true, correct and complete as of the date hereof:

a. The Development Agreement is in full force and effect and no default or event of default exists thereunder.

b. The Development Agreement has not been amended or modified either orally or in writing except as set forth in the Recitals.

c. Developer applied for a building permit for [_____] buildings of the Development on [_____].

3. Lender is permitted to cure defaults under the Development Agreement on the terms provided to Developer under the Development Agreement. In connection with the assignment or transfer of the Property by foreclosure, deed-in-lieu or other exercise of remedies with respect to the Lien Instrument (a "Foreclosure Event") resulting in fee ownership of the Property being transferred from the Developer to a new owner ("Successor Owner"), any milestone dates and any other construction and completion dates set forth in the Development Agreement shall be extended day for day for the period from delivery by Lender of a written notice to City that an event of default exists under the Loan Documents through the date of a Foreclosure Event plus an additional one hundred twenty (120) days after the completion of such Foreclosure Event.

4. The City shall give Lender thirty (30) days prior written notice of any termination or cancellation of the Development Agreement. During such thirty (30) day period, Lender may, at its option, and without relieving Developer of any of its obligations under the Development Agreement, take any actions necessary in order to cure any default resulting in such notice. In case of a default by Developer in the performance or observance of any nonmonetary term, covenant or condition to be performed by it under the Development Agreement, if such default cannot practicably be cured by Lender without taking possession of the Property or if such default is not susceptible of being cured by Lender, then the City shall not exercise any remedies under the Development Agreement if and so long as Lender is diligently working to obtain possession of the Property, and, upon obtaining such possession, shall proceed diligently to cure the defaults as are reasonably susceptible of cure (subject to any order by a court of competent jurisdiction staying or otherwise precluding Lender from obtaining such possession).

5. No act or agreement between or on the part of the City or Developer, and/or any affiliate of Developer, to amend or modify the Development Agreement shall be binding upon or effective as against the Lender without its prior written consent.

6. City agrees that if City shall give any written notice of default under the Development Agreement (hereafter, collectively, "**Notices**") to Developer, and/or any affiliate of Developer, City shall concurrently give a copy of each such Notice to Lender at the following addresses:

Bank OZK
8300 Douglas Avenue
Suite 900
Dallas, Texas 75225
Attn: Cliffton Hill

With a copy to: Bank OZK
6th and Commercial
P.O. Box 196
Ozark, Arkansas 72949
Attn: Credit Administration

With a copy to: Mayer Brown LLP
333 S. Grand Avenue, 47th Floor
Los Angeles, CA 90071-1575
Attn: Daniel K. Liffmann, Esq.

7. Nothing herein shall be deemed to prohibit Lender, at its option, from recording a memorandum or affidavit of this Certificate in the real property records of the county where all or any part of the Property is located.

8. The person(s) executing this Certificate on behalf of the City are duly authorized and fully qualified to execute this Certificate and the same is binding upon the City.

IN WITNESS WHEREOF, the City has caused this Certificate to be executed and delivered as of the date first written above.

"CITY"

CITY OF OPA-LOCKA, FLORIDA,
a Florida municipal corporation

_____
City Manager

ATTEST:

_____
City Clerk

Dated ____ day of _____, 2024

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT A

Legal Description of Property

[To be inserted]

CFN 2023R0323593
OR BK 33706 Pgs 4261-4275 (15Pgs)
RECORDED 05/16/2023 11:16:27
LUIS G. MONTALDO, CLERK AD INTERIM
MIAMI-DADE COUNTY, FL

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

Holland & Knight, LLP
(Joseph G. Goldstein, et. al.)
701 Brickell Avenue, Suite 3300,
Miami, FL 33131

This Instrument Prepared by:
Burnadette Norris-Weeks
City Attorney
780 Fisherman Street
4th Floor
Opa-Locka, Florida 33054

SPACE ABOVE THIS LINE FOR RECORDING DATA

DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OPA-LOCKA, FLORIDA AND GPT NW 42ND AVENUE OWNER II LLC & GPT NW 42ND AVENUE OWNER III LLC

THIS DEVELOPMENT AGREEMENT ("Agreement") is made, and entered into this 27 day of March 2023 ("Execution Date") by and between GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC (the "Owner(s)"), a Florida limited liability company with the mailing address of 90 Park Avenue 32 Floor, NY, NY 10016 and the City of Opa-Locka, Florida, a municipal corporation and a political subdivision of the State of Florida ("City"), with a mailing address of 780 Fisherman Street, Opa Locka, Florida 33054.

WITNESSETH:

WHEREAS, the Owner is the fee simple owner of approximately 43.76+/- acres of land located at approximately 12691 LeJeune Road and 12705 LeJeune Road within the municipal boundaries of the City and identified by Miami-Dade County Tax Folio Nos. 08-2129-000-0050 and 08-2129-000-0064 (the "Property"), the legal description of which is attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the City Commission adopted Resolution Number 22-084 on December 14, 2022, approving a Site Plan for the proposed development which consists of six buildings containing over 740,000 square feet and incorporates architecture that is derivative of a Moorish design theme in accordance with City Code requirements similar to the surrounding community with general design goals of the City, as shown on the Final Site Plan, and includes parking spaces and landscaping consistent with City Code requirements as shown on the Final Site Plan, is attached hereto and incorporated herein, in accordance with the GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC approved Final Site Plan for the Project described below, as may be amended from time to time (the "Proposed Development");

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MIAMI-DADE COUNTY, FLORIDA

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. 23-021, adopted on February 22, 2023, authorizes the City Manager to execute this Agreement upon the terms and conditions set forth and listed below, and the Owner is authorized 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 Owners and City agree 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" anyone or more additional term(s) approved by mutual consent of the parties pursuant to a public hearing pursuant to Section 163.3225, F.S.

   b. "Agreement" means this Chapter 163, F.S., Development Agreement between the City and Owner.

   c. "City" means the City of Opa-Locka, a municipal corporation and a political subdivision of the State of Florida, and all departments, agencies, and instrumentalities subject to the jurisdiction thereof.

   d. "Comprehensive Plan" means the plan adopted by the City pursuant to Chapter 163, F.S.

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CLERK
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e. "Owner" means the persons or entities undertaking the development of the Property, defined in the preamble to this Agreement, GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC., (the "Owner"), a Florida limited liability company, its/their successors and/or assigns with the mailing address of 90 Park Avenue 32 Floor, NY, NY 10016 and those designated to receive notices as provided in paragraph 17 (Notices) herein and/or any of its respective successors, assigns, or heirs.

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, Florida.

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 GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC., Project, the approval of the Final Site Plan and this Development Agreement, at approximately 12961 LeJeune Road & 12705 LeJeune Road, 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 GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC., Site Plan, at approximately 12961 LeJeune Road & 12705 LeJeune Road "Final Site Plan" approved by the City Commission via Resolution No. 22-084 for the Proposed Development, which may be amended from time to time.

m. "Governing Body" means the City of Opa-Locka's City Commission.

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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 Land Development Regulation Code, the Ordinance 15-31.

r. "Parties" means the City and the Owner, GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC, their successors and/or assigns.

s. "Project" shall mean the GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC and development of the 43.76+/- acre Property at 12961 LeJeune Road & 12705 LeJeune Road, and identified by Miami-Dade County Tax Folio Nos 08-2129-000-0050 and 08-2129-000-0064 (the "Property), as described in the plans prepared by Langan Engineering and Environmental Services, Inc., and dated 3-29-22, which proposes the construction of six retail and warehouse & distribution buildings containing over 740,000 square feet and six buildings containing over 740,000 square feet and incorporates architecture that is derivative of a Moorish design theme in accordance with City Code requirements similar to the surrounding community with general design goals of the City, as shown on the Final Site Plan, and includes parking spaces and landscaping consistent with City Code requirements as shown on the Final Site Plan in accordance with the GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC approved Final Site Plan for the Project described below, as may be amended from time to time;

t. "Property" shall mean the parcel of real property defined in the preamble to this Agreement, and legally described in Exhibit "A" hereto.

u. "Public Facilities" means major capital improvements, including, but not limited to transportation, transit, sanitary sewer, solid waste,

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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" shall mean City of Opa-Locka Resolution Number 22-084 and Resolution No. 23-021 approving the Project and this 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 Code, the Ordinance, and the Resolution.

5. Effective Date. Immediately upon approval by the City and execution by all parties, the City shall record, with recording fees paid by the Owner, the Agreement with the clerk of the Circuit Court for Miami-Dade County. This Agreement shall become binding on the Effective Date. Notwithstanding the Effective Date provided herein and required by Section 163.3239, F.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 or modification of this Agreement requires approval of both parties to this Agreement. No notice of termination shall be required by either party upon the expiration of this Agreement and thereafter the parties hereto shall have no further obligations under this Agreement. The obligations imposed pursuant to this Agreement upon the parties and upon the Property shall run with and bind the Property as covenants running with the Property, and this Agreement shall be binding upon and enforceable by and against the parties hereto, their personal representatives, heirs, successors, grantees and/or assigns.

7. Termination. No notice of termination shall be required by either Party upon the expiration of this agreement and thereafter the Parties hereto shall have no further obligations under this agreement.

8. Expiration / Termination / Default. Upon the expiration of the Agreement, the City shall have ability and the rights under its police power to adopt Land Development Regulations not inconsistent with the rights granted hereunder. In the event of termination or default, no further rights under this Agreement shall exist, whether brought under a claim of vested right, estoppel or otherwise.

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CLERK
MIAMI-DADE COUNTY, FLORIDA

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 substantially deviate from the terms of its graphic and verbal representation submitted to the City Commission in order to receive approval of the Project. Such items include but are not specifically limited to:
   1) Design of all physical structures, water bodies, private and public improvements and
   2) The color and dimensional characteristics of all building materials
   3) All landscaping, loading areas and parking spaces must be provided and maintained as shown on the site plan

e. Owner shall preserve and maintain all buildings and structures substantially consistent with the Project's Final Site Plan, or to cause any tenant of the Property to do so, for the entire period in which the Owner owns or controls at least 51% ownership of the Property, or controls at least 10% of any entity to which this Agreement has been assigned, sold or otherwise transferred. Any new owner must abide by the terms of this Agreement until the expiration of the Term of this Agreement as provided in paragraph 6 above. In the event of a force majeure or in the event of a casualty, the then owner has the option but is not obligated to rebuild, provided that the Property is cleared and maintained in accordance with City Code requirements. It is expressly understood by the Owner that the development of a project that is not substantially in accordance with the Final Site Plan shall require new approvals 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

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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 May 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 Project's Final Site Plan except as approved by the City in the City's sole discretion. However, it shall be under the City's reasonable discretion if specific approved colors or materials are unavailable at the time of construction. In the event that building materials or colors are no longer available, the burden shall be on the Owner to prove that said materials or colors are in fact unavailable.

h. Owner agrees that the City may enter onto the Property to confirm compliance with the terms of this Agreement.

i. Owner agrees to use commercially reasonable efforts to require 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-

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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, GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC, Said entity must work immediately to seek all applicable permits immediately upon approval of this Agreement and shall:

1) Apply for building permits: within 12 months from the execution of the Development Agreement. The City Manager may grant a single 12 month extension for good cause shown.

2) Must start construction: within 12 months following issuance of building 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 building permits. The City Manager may grant a single 12 month extension for good cause shown.

10. Development Permits. In accordance with Section 163.3227(t), F.S., the City may 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 Project Site Plan;
(c) Water, sewer, paving and drainage permits
(d) Building permits
(e) Sign permits
(f) Certificates of use and occupancy; and
(g) Any other official action of the City and/or Miami-Dade County, Florida or other applicable regulatory agencies having the effect of permitting the development of land or providing permits required for the development of Property.
(h) Any City liens, fees, code violations or unpaid assessments shall

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be satisfied prior to the execution of this agreement for this Property.

(i) All currently non-complaint physical structures or vehicles if applicable, 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 Owner anticipate that the Property and the Project will be served by those public services and facilities currently in existence as provided by the State of Florida, Miami-Dade County, the City, and/or as contemplated by the Applications. The Property and the Project will also be served by all public facilities provided in the City's Comprehensive Plan, specifically including but not limited to, those public facilities described in the Comprehensive Plan's Capital Improvements Element. For the purposes of concurrency, the City hereby agrees to provide, reserve, and allocate sufficient public facility capacity, including but not limited to water, sanitary sewer, solid waste, drainage, fire and police to serve the development of the Project on the Property for the period of this Agreement. The Owner shall be bound by the City impact fees and assessments in existence as of the Effective Date of this Agreement. Nothing in this paragraph shall relieve the Owner of the requirement to pay impact fees and assessments.

12. Consistency with Comprehensive Plan. In accordance with Section 163.3227(g), FS., 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's 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

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certain provisions of this Agreement require the City and its boards, departments, or agencies, acting in their governmental capacity, to consider governmental actions, as set forth in this Agreement. All such considerations and actions shall be undertaken in accordance with established requirements of state statutes and municipal ordinances, in the exercise of the City's jurisdiction under the police power. Nothing in this Agreement shall be construed to prohibit the City from duly acting under its police power to approve, approve with conditions, or reject any public hearing application dealing with the Property.

15. Necessity of Complying with Local Regulations Relative to Development Permits.

a) In accordance with Section 163.3227(i), F.S., this Agreement is not and shall not be construed as a development permit or authorization to commence development. The Owner and the City agree that the failure of this Agreement to address a particular permit, condition, fee, term or restriction in effect on the Effective Date of this Agreement shall not relieve Owner of the necessity of complying with any and all regulations governing said permitting requirements, conditions, fees, terms or restrictions as long as compliance with said regulation and requirements do not require the Owner to develop the Property in a manner that is inconsistent with the Laws of the City of Opa-Locka in existence as of the Effective Date.

b) In the event that the City asserts that the terms of this Agreement are not being complied with, then, in addition to any other remedies available to the City, the City may stay the effectiveness of this Agreement as to the portion of the Property associated with the alleged non-compliance. However, before staying the effectiveness of this Agreement as to the Property or a tract or portion thereof, and before withholding permits, inspections, or approvals throughout or upon the entire Property based on a failure to comply with this Agreement, the City shall send written notice containing the nature of the purported violation and provide a reasonable time-frame within which the Owner may correct the violation. These requirements for notice and an opportunity to cure shall not apply and shall not be construed to limit: (i) the City's ability to take any action to prevent or ameliorate any immediate danger to the public health, safety, or welfare; or (ii) the City's or the County's authority and available remedies to enforce violations of the Code or of other applicable regulations.

16. Good Faith; Further Assurances. The parties to this Agreement have negotiated in good faith. It is the intent and agreement of the parties that they shall cooperate with each other in good faith to effectuate the purposes and intent of and to satisfy their obligations under this Agreement in order to secure to themselves the mutual benefits created under this Agreement. In that regard,

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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:

City Manager
City of Opa Locka
780 Fisherman St.
Opa Locka, Florida 33054

With a copy to:

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

or 401 North Avenue of the Arts
Ft. Lauderdale, Florida, 33311

If to the Developer:

Link Logistics Real Estate LLC
90 Park Avenue, 32nd Floor
New York, New York 10016
Attn: General Counsel
Telephone: (212) 297-1000
Email: Legaldistribution@linklogistics.com

Link Logistics Real Estate LLC
3470 NW 82nd Ave. Suite 760
Doral, FL 33122
Attn: Clifton Coffey
Telephone: (212) 297-1007
Email: ccoffey@linklogistics.com

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Link Logistics Real Estate LLC
3470 NW 82nd Ave. Suite 760
Doral, FL 33122
Attn: Camilo Rios
Telephone: (305) 704-7292
Email: crios@linklogistics.com

With a copy to:

Holland & Knight
701 Brickell Ave., Suite 3300
Miami, Florida 33131

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 Owner and the City. Neither party shall be bound by any agreement, condition, warranty or representation other than as expressly stated in this Agreement and this Agreement may not be amended or modified except by written instrument signed by both parties hereto and in accordance with Section 163.3225, F.S.

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21. Indemnification. The 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, subject to the notice and cure provision contained in paragraph 15(b), above

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

CITY:

CITY OF OPA-LOCKA FLORIDA

ATTEST: Joanna Flores
City Clerk

By: [signature]
City Manager

Dated: 2nd day of May, 2023.

Approved for form and legal sufficiency:

City Attorney: [signature]

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GPT NW 42nd Avenue Owner II LLC & GPT NW 42nd Avenue Owner III LLC, a Florida limited liability company

By: _____
Name: Britton Winterer
Title: Authorized Signatory

WITNESS:

_____
Signature

Julia Wakeman
Print Name

_____
Signature

Ben Rankin
Print Name

STATE OF New York)
)
COUNTY OF New York)

The foregoing instrument was acknowledged before me, by means of ✓ physical presence or online notarization, on this 27 day of March, 2023 by Britton Winterer as an authorized signatory for GPT NW 42nd Avenue Owner II LLC, a Florida limited liability company, & GPT NW 42nd Avenue Owner III LLC, a Florida limited liability company. He is:

✓ personally known to me, or
_ produced identification. Type of identification produced _____.

[NOTARIAL SEAL]

BANICA DEFRANK
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01DE6283659
Qualified in New York County
Commission Expires June 3, 2025

Banica Defrank
Print Name: Banica Defrank
Notary Public, State of New York
Commission #: 01DE6283659
My Commission Expires: 06/03/2025.

CIRCUIT AND COUNTY COURTS CLERK IN GOD WE TRUST MIAMI-DADE COUNTY, FLORIDA

EXHIBIT A

Legal Description

LEGAL DESCRIPTION:
PARCEL 1:
THE NW 1/4 OF THE SE 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, LESS THE NORTH 35 FEET AND LESS THE SOUTH 300 FEET OF THE WEST 413 FEET THEREOF, AND LESS THE WEST 50 FEET FOR ROAD RIGHT OF WAY FOR N.W. 42ND AVENUE AND LESS THE EAST 15.00 FEET OF THE SOUTH 1/2 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, AND LESS A 15 FOOT STRIP OF LAND CONVEYED TO THE CITY OF OPA LOCKA, FLORIDA, IN WARRANTY DEED RECORDED DECEMBER 18, 1991 IN OFFICIAL RECORDS BOOK 15313, PAGE 3753, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PARCEL 3:

PARCEL I:

A PORTION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SECTION 29, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 86°47'03 EAST ALONG THE SOUTH BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 29 FOR A DISTANCE OF 1132.58 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE RUN NORTH 03°01'12" WEST FOR A DISTANCE OF 1210.00 FEET TO A POINT OF INTERSECTION WITH A LINE THAT IS PARALLEL TO THE SOUTH BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 29; THENCE RUN NORTH 86°47'03" EAST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 531.43 FEET TO THE POINT OF INTERSECTION WITH THE ARC OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 5363.84 FEET, SAID CURVE BEING THE NORTHWESTERLY RIGHT-OF-WAY BOUNDARY OF THE LE JEUNE-DOUGLAS EXPRESSWAY AND N.W. 119TH STREET EXPRESSWAY, ACCORDING TO THE RIGHT-OF-WAY MAP RECORDED IN PLAT BOOK 77, AT PAGE 96, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEARING NORTH 71°17'02.6" WEST FROM THE CENTER OF SAID CURVE; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 13°25'31 .4" FOR A DISTANCE OF 1256.84 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 29, SAID POINT BEARING NORTH 84°42'34" WEST FROM THE CENTER OF THE AFORESAID CURVE; THENCE RUN SOUTH 86°47'03" WEST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 206.39 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT THE WEST 10 FEET THEREOF.

PARCEL II:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS RUNNING OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

LOT 7, IN BLOCK 1, OF "LE JEUNE INDUSTRIAL PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 100, AT PAGE 51, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AS SET OUT IN INSTRUMENT FILED IN OFFICIAL RECORDS BOOK 11076, AT PAGE 601, AS AMENDED BY INSTRUMENT FILED IN OFFICIAL RECORDS BOCK 14441, PAGE 1400.

STATE OF FLORIDA, COUNTY OF MIAMI-DADE
I HEREBY CERTIFY that this is a true copy of the original filed in this office on MAY 16 2023 day of _____, AD 20_____
WITNESS my hand and Official Seal.
LUIS G. MONTALDO, Clerk Ad Interim of Circuit and County Courts
By _____ D.C.
Jessie Merritt #310229

CIRCUIT AND COUNTY COURTS CLERK IN GOD WE TRUST MIAMI-DADE COUNTY, FLORIDA

Sponsored by: City Manager

ORDINANCE 24-XXXXX

AN ORDNANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING AN AMENDMENT TO THE LAND DEVELOPMENT REGULATION, ORDINANCE 15-31, ARTICLE V, SECTION 22-142, TO CREATE A NEW DEFINITION FOR INDOOR SHOOTING RANGES AND PERMIT INDOOR SHOOTING RANGES IN THE I-3 ZONING DISTRICT AS A CONDITIONAL USE AND PROVIDE GENERAL REQUIREMENTS FOR ZONING, LOCATION AND DISTANCE, SITE PLAN, LICENSURE AND NUISANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted House Bill 45 which took effect on October 1, 2011 and preempts the whole field of regulation of firearms and ammunition, including purchase, sale, transfer, taxation, manufacture, ownership, possession, storage and transportation to the State; and

WHEREAS, the City of Opa-Locka must comply with the requirements of House Bill 45; and

WHEREAS, the City of Opa-Locka recognizes the importance of responsible firearm use, training, and recreational shooting activities; and

WHEREAS, the City aims to balance the rights of gun enthusiasts with the safety and well-being of residents as permitted under F.S. 790.25 (3) and F.S. 790.33; and

WHEREAS, the City of Opa-Locka ("City") recognizes the importance of permitting certain uses to be located within the City by amending the Land Development Regulations; and

WHEREAS, the City has determined that an indoor shooting range should be allowed in the Liberal Industrial (I-3) Zoning District as a Conditional Use, defined as a use not permitted by right but which may provide for an individual or community-serving need and which, subject to conditions, would not impact the integrity of the zoning district; and

WHEREAS, in accordance with the Land Development Regulations, Section 22-60, a Conditional Use request may be approved by the City Commission after recommendation from the Planning & Zoning Appeals Board after application submittal, review of the site plan and compliance with the approval criteria provided in this section of the Land Development Regulations; and

WHEREAS, the establishment of an indoor shooting range can contribute positively to the community by promoting safety, education, and sportsmanship; and

Incorporated are the following requirements: (Amendment to Ordinance 15-31)

ARTICLE V, Section 22-142 Indoor Shooting Range/Gun Club

A. **Purpose and Intent:**
   1. The purpose of this Ordinance is to permit the establishment and operation of a shooting range within the City of Opa-locka.
   2. The intent is to create a safe and controlled environment for firearm enthusiasts, law enforcement personnel, and responsible citizens.

B. **Zoning and Land Use:**
   1. The proposed new shooting range use is defined as follows: "'Shooting Range' includes a controlled indoor facility for the recreational or educational discharge of firearms in a range-like setting by private members, law enforcement personnel, or the general public, consistent with all applicable state and federal laws. A Shooting Range may also include a private club component and other ancillary uses including but not limited to retail sales, common social areas, classrooms, conference areas, and multi-configurable training spaces. A Shooting Range may include a Gun Shop."
   2. The proposed shooting range shall comply with all applicable zoning regulations.
   3. The location must be compatible with the surrounding land uses and minimize any adverse impact on neighboring properties.
   4. The City is amending the Land Development Regulations to designate the I-3 Liberal Industrial District as a suitable zoning district where such facilities are allowed as a conditional use and permitted after application submission and site plan review as provided in Ordinance 15-31, Section 22-60.

C. **Site Plan:**
   1. The site plan and structure shall incorporate, at minimum, the standards for indoor shooting range construction in accordance with the Florida Building Code prior to issuance of a certificate of occupancy by the City's Building Official.
   2. The Indoor shooting range shall be adequately air conditioned.
   3. Shooting ranges shall not be allowed as accessory uses to gun stores unless shooting ranges are allowed in that district.
   4. Parking for shooting range customers shall be provided on-site. The parking standards for shooting ranges shall be one (1) parking space per shooting lane, plus the requirements for retail use applied to the portions of the operation not dedicated to the shooting lanes.

5. The Shooting Range will be subject to applicable license and certificate of use fees which will be listed in the City Code of Ordinance. (pending review)

D. **Location and Distance:**
   1. Indoor shooting range shall be located in a completely enclosed building and be at least one-hundred and fifty (150) feet from any adjoining residential district boundary line or another indoor or outdoor shooting range.
   2. The location and distance requirements shall not apply to government owned and operated shooting ranges, restricted to use by law enforcement officers.
   3. The applicant shall demonstrate that the location and operation of the shooting range will not pose a threat to the health and safety of the citizens in the surrounding area.

E. **Safety Measures:**
   1. The shooting range shall adhere to strict safety protocols.
   2. Adequate safety barriers, backstops, and noise mitigation measures must be in place.
   3. Regular safety inspections and training programs shall be conducted (by the Building & License Department and other State and Federal required review agencies).
   4. The facility shall be adequately soundproofed so that no noise from such range activity shall emanate outside the building in which it is located.
   5. No weapon or firearm shall be permitted upon indoor range premises or discharged upon the range which weapon or firearm does not comply with the Florida Weapons Law, F. S. 790, and the Federal Gun Control Act of 1968. Non-compliance with this section shall be grounds for revocation of the permit for such shooting range.

F. **Environmental Considerations:**
   1. The facility shall comply with all environmental regulations, including proper waste disposal and lead management.
   2. Any potential environmental impact shall be assessed and mitigated.

G. **Hours of Operation:**
   1. The shooting range shall operate during reasonable hours to minimize disturbance to nearby residents.
   2. Operating hours for other uses within the facility may vary based on security needs.

H. **Security and Storage:**
   1. The facility shall have secure storage facilities for firearms and ammunition.
   2. Access to the facility shall be restricted to authorized personnel only.

I. **Community Engagement:**

1. The facility shall actively engage with the community through educational programs, safety seminars, and outreach initiatives.
2. Collaboration with local law enforcement agencies is encouraged and required.

J. **Reporting and Compliance:**
1. The facility shall submit regular reports on safety, environmental compliance, and community engagement.
2. Non-compliance may result in permit revocation.

K. **Nuisance:**
1. Shooting ranges shall not create a nuisance, including, but not limited to, high noise levels, pollution nor other detrimental effects on the environment.

L. **Effective Date:**

1. This Ordinance shall take effect immediately upon adoption.

WHEREAS, existing state statutes provide guidance on the regulation of shooting ranges and their environmental impact.

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

SECTION 1. Recitals. The above recitals are true and correct and are incorporated into this Ordinance by reference.

SECTION 2. Approval/ Denial of Amendment Request. The City Commission of the City of Opa-locka hereby approves / denies the adoption of an amendment to the City of Opa-locka Land Development Regulations, Ordinance 15-31, to create a new definition for "Shooting Range" and permit Shooting Range as a permitted use in the I-3 zoning district in accordance with the attached Exhibit A.

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 of this Ordinance may be authorized by the City Manager, following the review by the City Attorney, without need of public hearing, by filing a corrected copy of the same with the City Clerk.

SECTION 4.CONFLICT AND REPEALER
Any provision of any City of Opa-locka ordinance or regulation which is in conflict with the provisions of this Ordinance is repealed prospectively to the extent of such conflict.

SECTION 5. LIBERAL CONSTRUCTION
The terms and provisions of this Ordinance shall be liberally construed to affect the purpose for which it is adopted.

SECTION 6. SEVERABILITY
If any portion of this Ordinance is for any reason held or declared to be unconstitutional, invalid or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect the applicability of this Ordinance to any other person, property or circumstances.

SECTION 7. EFFECTIVE DATE.
This Ordinance shall upon adoption, become effective as specified by the City of Opa-locka Code of Ordinances and the City of Opa-locka Charter.

PASSED First Reading on this _____ day of _____ 2024.

PASSED AND ADOPTED on Second Reading this _____ day of _____, 2024.

_____
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	_____
Commissioner Kelley	_____
Commissioner Williams	_____
Vice Mayor Ervin	_____
Mayor Taylor	_____

City of Opa-locka
Agenda Cover Memo

Department Director:	Gregory D. Gay			**Department Director Signature:**			
City Manager:	Darvin E. Williams			**CM Signature**			
Commission Meeting Date:	June 12, 2024		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**		**Other**
					X		
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Resolution Reading:** *(Enter X in box)*		**1st Reading**		**2nd Reading**
					X		
		X	**Public Hearing:** *(Enter X in box)*		**Yes**	**No**	**Yes** / **No**
					X		
Funding Source: *Account# :*	*(Enter Fund & Dept)* Ex: N/A See Financial Impact section below		**Advertising Requirement:** *(Enter X in box)*		**Yes**		**No**
					X		
ILA Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**				
		X					
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ■ **Public Safety** ■ **Quality of Education** ☐ **Qual. of Life & City Image** ■ **Communication** ☐		**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*		
	X						
Sponsor Name	City Manager		**Department:** Planning & Community Development		City Manager		

Short Title:

AN ORDNANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ADOPT AN AMENDMENT TO THE LAND DEVELOPMENT REGULATION, ORDINANCE 15-31, ARTICLE V, SECTION 22-142, TO CREATE A NEW DEFINITION FOR INDOOR SHOOTING RANGES AND PERMIT INDOOR SHOOTING RANGES IN THE I-3 ZONING DISTRICT AS A CONDITIONAL USE AND PROVIDE GENERAL REQUIREMENTS FOR ZONING, LOCATION AND DISTANCE, SITE PLAN, LICENSURE AND NUISANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A AN EFFECTIVE DATE.

Staff Summary:

The City Land Development Regulations permit gun shops in I-1, Light Industrial and I-3, Liberal Industrial zoning districts. City Staff has reviewed Florida House Bill 45 and agrees with the firearm regulations. City Staff agrees that it is important to balance the rights of gun enthusiasts with the safety and well-being of residents as provided by F.S. 790 (3) and F.S. 790.33. City Land Development Regulations does not identify any area in the City of Opa-locka that permits indoor shooting ranges, however City Staff recognizes the importance of permitting certain uses within the city by amending the Land Development Regulations. The City has determined that an indoor shooting range should be permitted in the I-3 zoning district after

conditional use review. A Conditional Use is a use that is not permitted by right but is a use subject to conditions would not impact the zoning district. The Land Development Regulations Amendment, Article V, Sec. 22-142 will include regulations for zoning & land use; site plan review; location and distance; safety measures; environmental; security and storage; hours of operation; community engagement; and reporting and compliance.

Financial Impact With the construction of new commercial property the City will realize additional future revenue for Ad Valorem Taxes, Stormwater Assessment, Hydrant Assessment, Permit Fees, Impact Fees, and License fees. In addition, the City will be providing the Utility services to the property. There are no known expenses associated with this resolution at this time.

Proposed Action:

Planning and Community Development staff recommends approval of this Land Development Regulation Amendment.

Attachment:

Draft Ordinance
Amended Land Development Regulation-
Zoning Matrix-Industrial Development Standards – Indoor Shooting Range-Armory Amendment
PZAB Meeting Minutes-May 7, 2024
Florida House Bill 45 – 10-1-2011
F.S. 790.25(3) & F.S. 790.33

A bill to be entitled

An act relating to the regulation of firearms and ammunition; amending s. 790.33, F.S.; clarifying and reorganizing provisions that preempt to the state the entire field of regulation of firearms; prohibiting the knowing and willful violation of the Legislature's occupation of the whole field of regulation of firearms and ammunition by the enactment or causation of enforcement of any local ordinance or administrative rule or regulation; providing additional intent of the section; eliminating provisions authorizing counties to adopt an ordinance requiring a waiting period between the purchase and delivery of a handgun; providing injunctive relief from the enforcement of an invalid ordinance, regulation, or rule; providing a civil penalty for knowing and willful violation of prohibitions; providing that public funds may not be used to defend or reimburse the unlawful conduct of any person charged with a knowing and willful violation of the act; providing for termination of employment or contract or removal from office of a person acting in an official capacity who knowingly and willfully violates any provision of the act; providing for declaratory and injunctive relief for specified persons or organizations; providing for specified damages and interest; providing exceptions to prohibitions of the section; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 790.33, Florida Statutes, is amended to read:

790.33 Field of regulation of firearms and ammunition preempted.—

(1) PREEMPTION.—Except as expressly provided by the State Constitution or general law, the Legislature hereby declares that it is occupying the whole field of regulation of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation thereof, to the exclusion of all existing and future county, city, town, or municipal ordinances or any administrative regulations or rules adopted by local or state government relating thereto. Any such existing ordinances, rules, or regulations are hereby declared null and void. ~~This subsection shall not affect zoning ordinances which encompass firearms businesses along with other businesses. Zoning ordinances which are designed for the purpose of restricting or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this subsection and are prohibited.~~

~~(2) LIMITED EXCEPTION; COUNTY WAITING-PERIOD ORDINANCES.—~~

~~(a) Any county may have the option to adopt a waiting-period ordinance requiring a waiting period of up to, but not to exceed, 3 working days between the purchase and delivery of a handgun. For purposes of this subsection, "purchase" means payment of deposit, payment in full, or notification of intent~~

~~to purchase. Adoption of a waiting-period ordinance, by any county, shall require a majority vote of the county commission on votes on waiting-period ordinances. This exception is limited solely to individual counties and is limited to the provisions and restrictions contained in this subsection.~~

~~(b) Ordinances authorized by this subsection shall apply to all sales of handguns to individuals by a retail establishment except those sales to individuals exempted in this subsection. For purposes of this subsection, "retail establishment" means a gun shop, sporting goods store, pawn shop, hardware store, department store, discount store, bait or tackle shop, or any other store or shop that offers handguns for walk-in retail sale but does not include gun collectors shows or exhibits, or gun shows.~~

~~(c) Ordinances authorized by this subsection shall not require any reporting or notification to any source outside the retail establishment, but records of handgun sales must be available for inspection, during normal business hours, by any law enforcement agency as defined in s. 934.02.~~

~~(d) The following shall be exempt from any waiting period:~~

~~1. Individuals who are licensed to carry concealed firearms under the provisions of s. 790.06 or who are licensed to carry concealed firearms under any other provision of state law and who show a valid license;~~

~~2. Individuals who already lawfully own another firearm and who show a sales receipt for another firearm; who are known to own another firearm through a prior purchase from the retail establishment; or who have another firearm for trade-in;~~

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

~~3. A law enforcement or correctional officer as defined in s. 943.10;~~

~~4. A law enforcement agency as defined in s. 934.02;~~

~~5. Sales or transactions between dealers or between distributors or between dealers and distributors who have current federal firearms licenses; or~~

~~6. Any individual who has been threatened or whose family has been threatened with death or bodily injury, provided the individual may lawfully possess a firearm and provided such threat has been duly reported to local law enforcement.~~

(2)~~(3)~~ POLICY AND INTENT.—

(a) It is the intent of this section to provide uniform firearms laws in the state; to declare all ordinances and regulations null and void which have been enacted by any jurisdictions other than state and federal, which regulate firearms, ammunition, or components thereof; to prohibit the enactment of any future ordinances or regulations relating to firearms, ammunition, or components thereof unless specifically authorized by this section or general law; and to require local jurisdictions to enforce state firearms laws.

(b) It is further the intent of this section to deter and prevent the violation of this section and the violation of rights protected under the constitution and laws of this state related to firearms, ammunition, or components thereof, by the abuse of official authority that occurs when enactments are passed in violation of state law or under color of local or state authority.

(3) PROHIBITIONS; PENALTIES.—

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

(a) Any person, county, agency, municipality, district, or other entity that violates the Legislature's occupation of the whole field of regulation of firearms and ammunition, as declared in subsection (1), by enacting or causing to be enforced any local ordinance or administrative rule or regulation impinging upon such exclusive occupation of the field shall be liable as set forth herein.

(b) If any county, city, town, or other local government violates this section, the court shall declare the improper ordinance, regulation, or rule invalid and issue a permanent injunction against the local government prohibiting it from enforcing such ordinance, regulation, or rule. It is no defense that in enacting the ordinance, regulation, or rule the local government was acting in good faith or upon advice of counsel.

(c) If the court determines that a violation was knowing and willful, the court shall assess a civil fine of up to $5,000 against the elected or appointed local government official or officials or administrative agency head under whose jurisdiction the violation occurred.

(d) Except as required by applicable law, public funds may not be used to defend or reimburse the unlawful conduct of any person found to have knowingly and willfully violated this section.

(e) A knowing and willful violation of any provision of this section by a person acting in an official capacity for any entity enacting or causing to be enforced a local ordinance or administrative rule or regulation prohibited under paragraph (a) or otherwise under color of law shall be cause for termination

of employment or contract or removal from office by the Governor.

(f) A person or an organization whose membership is adversely affected by any ordinance, regulation, measure, directive, rule, enactment, order, or policy promulgated or caused to be enforced in violation of this section may file suit against any county, agency, municipality, district, or other entity in any court of this state having jurisdiction over any defendant to the suit for declaratory and injunctive relief and for actual damages, as limited herein, caused by the violation. A court shall award the prevailing plaintiff in any such suit:

1. Reasonable attorney's fees and costs in accordance with the laws of this state, including a contingency fee multiplier, as authorized by law; and

2. The actual damages incurred, but not more than $100,000.

Interest on the sums awarded pursuant to this subsection shall accrue at the legal rate from the date on which suit was filed.

(4) EXCEPTIONS.—This section does not prohibit:

(a) Zoning ordinances that encompass firearms businesses along with other businesses, except that zoning ordinances that are designed for the purpose of restricting or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this subsection and are prohibited;

(b) A duly organized law enforcement agency from enacting and enforcing regulations pertaining to firearms, ammunition, or

firearm accessories issued to or used by peace officers in the course of their official duties;

(c) Except as provided in s. 790.251, any entity subject to the prohibitions of this section from regulating or prohibiting the carrying of firearms and ammunition by an employee of the entity during and in the course of the employee's official duties;

(d) A court or administrative law judge from hearing and resolving any case or controversy or issuing any opinion or order on a matter within the jurisdiction of that court or judge; or

(e) The Florida Fish and Wildlife Conservation Commission from regulating the use of firearms or ammunition as a method of taking wildlife and regulating the shooting ranges managed by the commission.

(5)~~(b)~~ SHORT TITLE.—As created by chapter 87-23, Laws of Florida, this section ~~shall be known and~~ may be cited as the "Joe Carlucci Uniform Firearms Act."

Section 2. This act shall take effect October 1, 2011.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

F.S. 790.25(3)

(3) CONSTRUCTION.—This act shall be liberally construed to carry out the declaration of policy herein and in favor of the constitutional right to keep and bear arms for lawful purposes. This act is supplemental and additional to existing rights to bear arms now guaranteed by law and decisions of the courts of Florida, and nothing herein shall impair or diminish any of such rights. This act shall supersede any law, ordinance, or regulation in conflict herewith.

F.S. 790.33

790.33 Field of regulation of firearms and ammunition preempted.—

(1) PREEMPTION.—Except as expressly provided by the State Constitution or general law, the Legislature hereby declares that it is occupying the whole field of regulation of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation thereof, to the exclusion of all existing and future county, city, town, or municipal ordinances or any administrative regulations or rules adopted by local or state government relating thereto. Any such existing ordinances, rules, or regulations are hereby declared null and void.

(2) POLICY AND INTENT.—

(a) It is the intent of this section to provide uniform firearms laws in the state; to declare all ordinances and regulations null and void which have been enacted by any jurisdictions other than state and federal, which regulate firearms, ammunition, or components thereof; to prohibit the enactment of any future ordinances or regulations relating to firearms, ammunition, or components thereof unless specifically authorized by this section or general law; and to require local jurisdictions to enforce state firearms laws.

(b) It is further the intent of this section to deter and prevent the violation of this section and the violation of rights protected under the constitution and laws of this state related to firearms, ammunition, or components thereof, by the abuse of official authority that occurs when enactments are passed in violation of state law or under color of local or state authority.

(3) PROHIBITIONS; PENALTIES.—

(a) Any person, county, agency, municipality, district, or other entity that violates the Legislature's occupation of the whole field of regulation of firearms and ammunition, as declared in subsection (1), by enacting or causing to be enforced any local ordinance or administrative rule or regulation impinging upon such exclusive occupation of the field shall be liable as set forth herein.

(b) If any county, city, town, or other local government violates this section, the court shall declare the improper ordinance, regulation, or rule invalid and issue a permanent injunction against the local government prohibiting it from enforcing such ordinance, regulation, or rule. It is no defense

that in enacting the ordinance, regulation, or rule the local government was acting in good faith or upon advice of counsel.

(c) If the court determines that a violation was knowing and willful, the court shall assess a civil fine of up to $5,000 against the elected or appointed local government official or officials or administrative agency head under whose jurisdiction the violation occurred.

(d) Except as required by applicable law, public funds may not be used to defend or reimburse the unlawful conduct of any person found to have knowingly and willfully violated this section.

(e) A knowing and willful violation of any provision of this section by a person acting in an official capacity for any entity enacting or causing to be enforced a local ordinance or administrative rule or regulation prohibited under paragraph (a) or otherwise under color of law shall be cause for termination of employment or contract or removal from office by the Governor.

(f)1. A person or an organization whose membership is adversely affected by any ordinance, regulation, measure, directive, rule, enactment, order, or policy, whether written or unwritten, promulgated or caused to be enforced in violation of this section may file suit against any county, agency, municipality, district, or other entity in any court of this state having jurisdiction over any defendant to the suit for declaratory and injunctive relief and for actual damages, as limited herein, caused by the violation. A court shall award the prevailing plaintiff in any such suit:

a. Reasonable attorney fees and costs in accordance with the laws of this state, including a contingency fee multiplier, as authorized by law; and

b. The actual damages incurred, but not more than $100,000.

2. If after the filing of a complaint a defendant voluntarily changes the ordinance, regulation, measure, directive, rule, enactment, order, or policy, written or unwritten, promulgated or caused to be enforced in violation of this section, with or without court action, the plaintiff is considered a prevailing plaintiff for purposes of this section.

Interest on the sums awarded pursuant to this subsection shall accrue at the legal rate from the date on which suit was filed.

(4) EXCEPTIONS.—This section does not prohibit:

(a) Zoning ordinances that encompass firearms businesses along with other businesses, except that zoning ordinances that are designed for the purpose of restricting or prohibiting the sale, purchase, transfer, or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this subsection and are prohibited;

(b) A duly organized law enforcement agency from enacting and enforcing regulations pertaining to firearms, ammunition, or firearm accessories issued to or used by peace officers in the course of their official duties;

(c) Except as provided in s. 790.251, any entity subject to the prohibitions of this section from regulating or prohibiting the carrying of firearms and ammunition by an employee of the entity during and in the course of the employee's official duties;

(d) A court or administrative law judge from hearing and resolving any case or controversy or issuing any opinion or order on a matter within the jurisdiction of that court or judge; or

(e) The Florida Fish and Wildlife Conservation Commission from regulating the use of firearms or ammunition as a method of taking wildlife and regulating the shooting ranges managed by the commission.

(5) SHORT TITLE.—As created by chapter 87-23, Laws of Florida, this section may be cited as the "Joe Carlucci Uniform Firearms Act."

DEVELOPMENT CITY OF OPA-LOCKA'S

ZONING MATRIX & DEVELOPMENT STANDARDS

I-1 LIGHT INDUSTRIAL

I-2 MEDIUM INDUSTRIAL

I-3 LIBERAL/PLANNED INDUSTRIAL

I-4 HEAVY INDUSTRIAL AND SALVAGE

Vehicle service/minor			P	P
Vending machines, video arcade games	A	A	A	A
Veterinary clinic		SE	P	P
Watchman, manager or caretakers quarters – permanent, temporary	A	A	A	A
Wireless antenna support structures, amateur radio antennas	A	A	A	A

Sec, 22-81. Permitted Uses Table – Industrial Districts

Use	I-1	I-2	I-3	I-4
Adult businesses		SE	P	
Automobile or auto parts junkyards				P
Auto broker as per Ordinance 11-05	P	P	P	
Auto service station (filling station for service vehicles for a licensed business, not visible from street)	P	P	P	
Automotive wrecking yards				P
Awnings, canopies, carports, roof overhangs, balconies, architectural structures	A	A	A	
B-1 first uses	P (adjacent to			

	residential)			
B-3 first uses	P	P	P	
Biomedical Research	P	P	P	
Cement and clay products		SE		P
Commercial recyclable material storage area	A	A	A	
Construction trades	P	P	P	
Construction trailer - temporary	A	A	A	
Crematory/Embalming	P	P	P	
Donation bins	A	A	A	
Dry cleaning plant		P	P	
Eco-friendly accessory structures and features (i.e. solar panels, wind turbines),	A	A	A	
Enclosed recreation area - common	A	A	A	
Farmers' Market	P			
Fleet operations		P	P	
Gatehouse, guardhouse	A	A	A	
Generators, permanent	A	A	A	
Gun shops	SE sales only		SE	
Gun/Shooting Range (Indoor)			CU	
I-1 first uses	P	P	P	
I-2 first uses		P		
I-3 first uses			P	
Industrial kitchen	P		P	
Industrial, light	P	P	P	
Industrial		P		

Industrial and office flex space	P		P	
Live/work spaces	SE			
Maintenance building, common	A	A	A	
Manufacturing		P		
Manufacturing, light	P	P	P	
Microbrewery (must comply with federal, State and County regulations)	SE	P	P	
Motion picture studios	P	P	P	
Nightclub			P	
Outdoor storage		P		
Passenger terminals	P	P	P	
Petroleum storage tank not exceeding 30,000 gallons		P		
Public utility structures	P	P	P	P
Recording and TV/Radio/Film	P		P	
Recycling center inside a wholly enclosed building		P		
Outside Recycling Center				P
Religious Facilities	SE		SE	
Retail(of products manufactured in District, not to exceed 20% of the floor area)	P	P	P	
Rock and sand yards		P		P

Saw mills		P		P
Scrap metal yards				P
Shipping Container Architecture Retail and/or Office (stacking no more than three)	SE	SE	SE	SE
Storage and wholesaling facility	P	P	P	
Storage of attached or unattached used auto parts and tires				P
Storage, warehouse	P	P	P	
Tractor Trailer Truck and/or Major Vehicle (10,000 lbs. or greater) Parking		P	P	P
Used vehicle parts sales, other than automobile or auto parts junkyards		P		
Utility sheds, storage buildings, fallout shelters	A	A	A	A
Vehicle sales in an enclosed area	P	P	P	
Vehicle service/major	P	P	P	
Wireless antenna support structures, amateur radio antennas	A	A	A	A

Sec. 22-92. I-1 Light Industrial District

The Light Industrial District provides for intensive commercial developments, light industrial, and industrial and office flex space at appropriate locations.

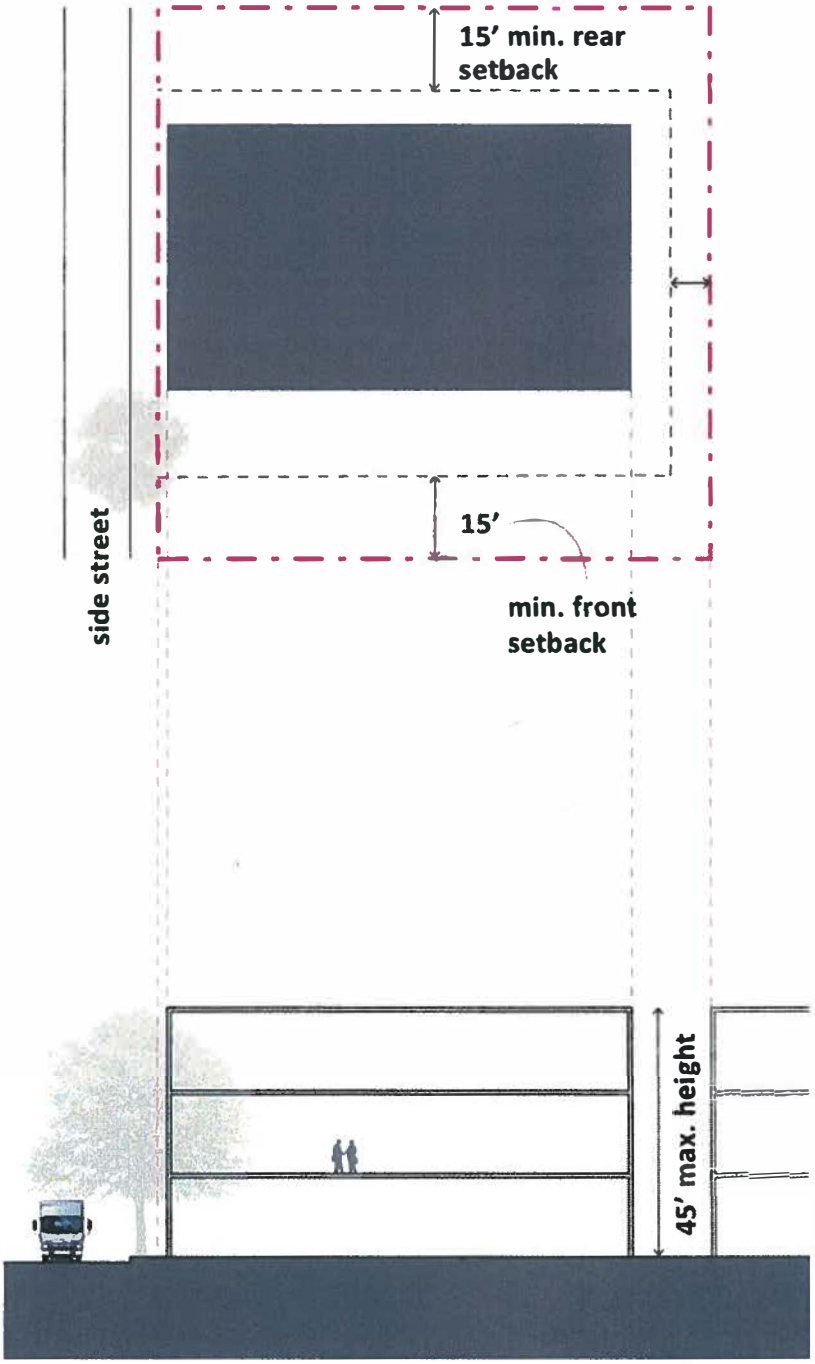
Table of Standards

Standard	I-1
Intensity	3.0 Floor Area Ratio
Minimum Site Area	10,000 s.f. For new industrial office flex space, a minimum project size of two acres.
Setbacks	Front – 15 feet Side with a public alley - 7 feet Side – 0 feet Rear – 15 feet 50 feet from any residential district, with at least a 30 foot landscaped buffer.
Maximum Height	3 stories or 45 feet, whichever is less
Bonus Provisions	Projects which achieve a minimum LEED Silver or other equivalent third party certification are eligible for up to a 10% increase in floor area; projects which achieve a minimum LEED Gold or other equivalent third party certification are eligible for up to a 15% increase in floor area; projects which achieve a minimum LEED Platinum or other equivalent third party certification are eligible for up to a 20% increase in floor area.

1.0
Per 2,500 sq ft
Parking Spaces
Required +

1 per 400 sq ft
of Office

I-1 Light Industrial District



Sec. 22-95. I-2 Industrial Planned District

The Industrial Planned District is intended to provide for light industrial uses in a well-planned area.

Table of Standards

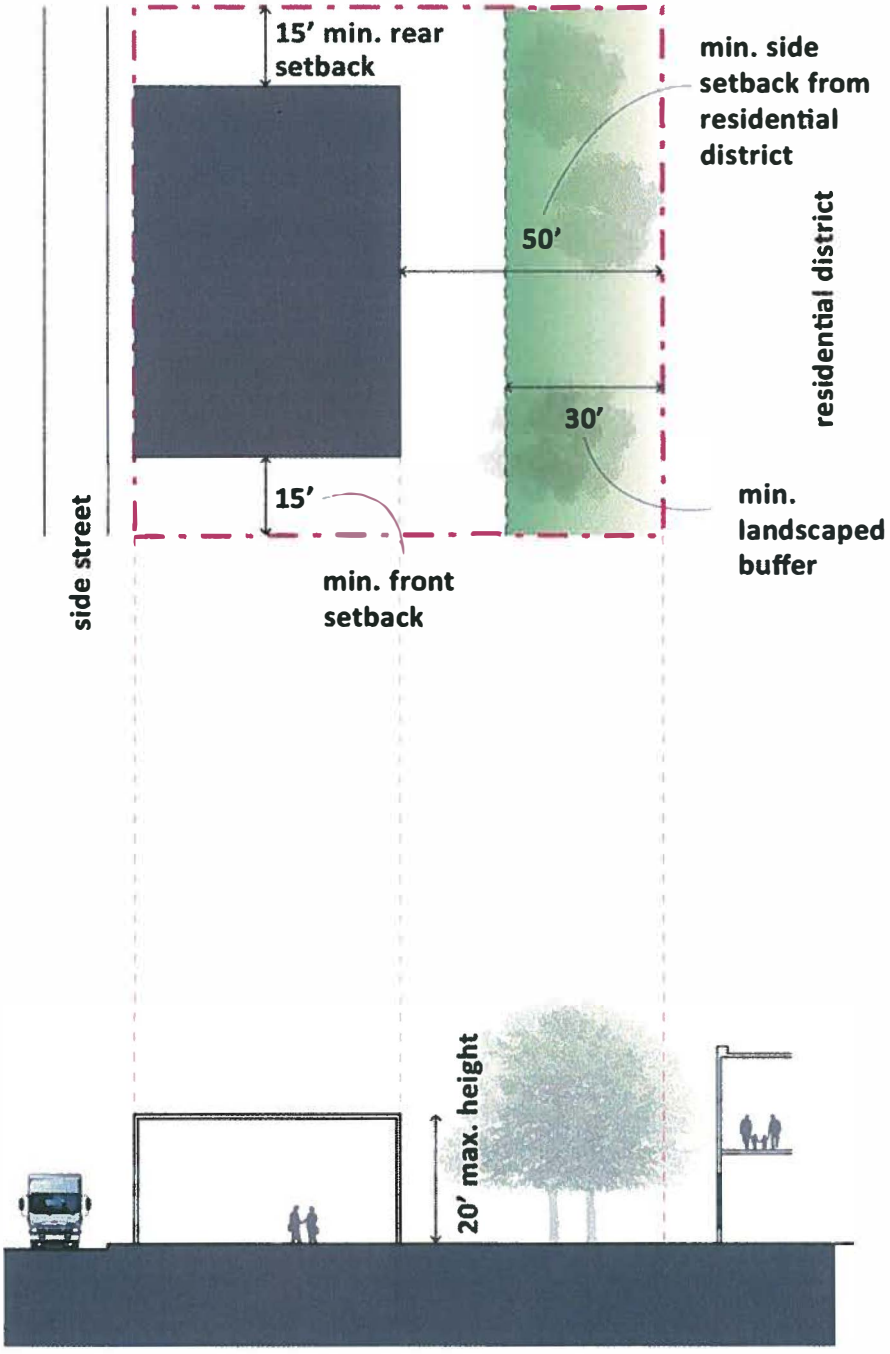
Standard	I-2
Intensity	1.0 Floor Area Ratio
Minimum Site Area	A minimum project size of two acres, which can be subdivided and sold/leased in lot sizes not less than 20,000 s.f.
Setbacks	Front and rear - 25 feet Side, street – 15 feet 50 feet from any residential district, with at least a 30 foot landscaped buffer
Maximum Height	3 stories or 45 feet, whichever is less
Maximum Impervious Area	75 percent
Bonus Provisions	Projects which achieve a minimum LEED Silver or other equivalent third party certification are eligible for up to a 10% increase in floor area; projects which achieve a minimum LEED Gold or other equivalent third party certification are eligible for up to a 15% increase in floor area; projects which achieve a minimum LEED Platinum or other equivalent third party certification are eligible for up to a 20% increase in floor area. An additional 3% of impervious area coverage may be permitted for excellence in building design and landscaping beyond what is permitted in the Land Development Regulations. Excellence in measured by the applicant's quantitative and qualitative use of landscape and design elements such as

	vegetation, berms, graphic identification features, grounds, artwork, site illumination and sidewalks.

1.0
Per 2,500 sq ft
Parking Spaces
Required +

1 per 400 sq ft
of Office

I-2 Liberal Industrial District



Sec. 22-93. I-3 Liberal Industrial District

The Liberal Industrial District provides for more intensive industrial operations at appropriate locations.

A. Prohibited uses

1. Animal slaughterhouse or abbatoir
2. Arsenal
3. Asphalt manufacturing or refining
4. Asphalt paving plant
5. Asphalt storage, liquid or solid
6. Corrosive acid manufacture
7. Bag cleaning
8. Bone distillation
9. Blast furnace
10. Boiler works
11. Bulk storage of petroleum and petroleum products
12. Butane and propane manufacture and storage
13. Canning or compressing
14. Cement, lime, gypsum or Plaster of Paris manufacture or grinding
15. Concrete batching or transit mix plant
16. Cotton baling or compressing
17. Cotton gin or cotton oil mill
18. Creosote manufacture or treatment
19. Coke oven
20. Distillation of coal tar, petroleum, refuse, grain or wood
21. Drilling, production or refining of petroleum or inflammable liquids
22. Drop forge plant
23. Electric power plant
24. Enameling plant
25. Extraction of animal or fish fats and oils
26. Fat rendering

27. Fertilizer manufacture, except cold compounding of non-odorous materials
28. Flour mill
29. Food grinding or processing
30. Foundry
31. Galvanizing plant
32. Gas holder
33. Gunpowder, fireworks or other explosives, manufacture or storage except as incidental to a permitted use
34. Garbage, offal, dead animal refuse, rancid fats, incineration, reduction or storage
35. Glue or gelatin manufacture, where the processes used include the refining or recovery of products from fish, animal refuse or offal
36. Grain elevator and storage
37. Grain mill
38. Hair factory
39. House wrecking yards, used building material yards
40. Livestock auction sales
41. Metal stamping and pressing
42. Oil compounding or barreling
43. Oil reclamation plant
44. Oil well equipment, storage, supplies
45. Paper and pulp mills
46. Paving plant
47. Potash works
48. Pyroxlin and pyroxlin product manufacture
49. Quarry or stone mill
50. Railroad roundhouse
51. Radium extraction
52. Rubber manufacture from raw materials
53. Salvage store and yard
54. Sandblasting

55. Septic tank service
56. Sewage disposal plants
57. Shipbuilding or shipyard
58. Slag crushing or dump
59. Stone cutting, monument works
60. Storage of poisonous gases and insecticides
61. Smelting or refining of metals or ores
62. Steel manufacture
63. Stockyards or feeding pens
64. Sugar refining
65. Tire or rubber products manufacture
66. Vegetable oil manufacture, refining, storage
67. Wool pulling or scouring
68. Yeast plant

Table of Standards

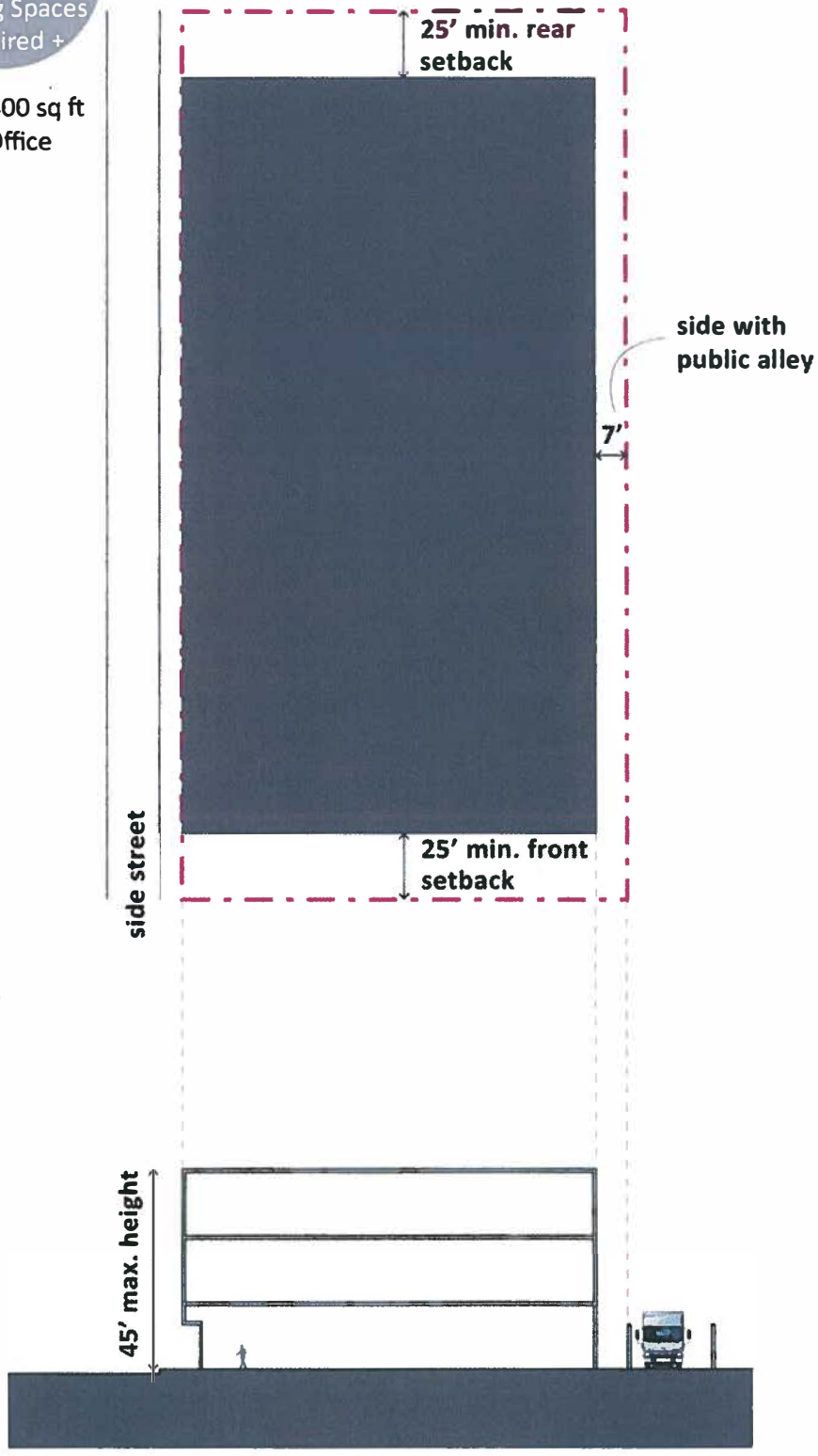
Standard	I-3
Intensity	3.0 Floor Area Ratio
Minimum Site Area	10,000 s.f.
Setbacks	Front – 15 feet Side with a public alley - 7 feet Side – 0 feet Rear – 15 feet 50 feet from any residential district, with at least a 30 foot landscaped buffer
Maximum Height	3 stories or 45 feet, whichever is less
Bonus Provisions	Projects which achieve a minimum LEED Silver or other equivalent third party certification are eligible for up to a 10% increase in floor area; projects which achieve a minimum LEED Gold or other equivalent third party certification are eligible for up to a

	15% increase in floor area; projects which achieve a minimum LEED Platinum or other equivalent third party certification are eligible for up to a 20% increase in floor area.

I-3 Industrial Planned District

1.0
Per 2.500 sq ft
Parking Spaces
Required +

1 per 400 sq ft
of Office



Sec. 22-94. I-4 Liberal Industrial District, Storage and Salvage

This Industrial District provides for the below stated uses at appropriate locations.

1. Table of Standards

Standard	I-4
Intensity	.75 Floor Area Ratio
Minimum Site Area	One acre
Setbacks	Front – 15 feet Side with a public alley - 7 feet Side – 0 feet Rear – 15 feet 50 feet from any residential district, with at least a 30 foot landscaped buffer
Maximum Height	1 story or 20 feet, whichever is less The maximum stacked height of automobiles or automobile parts shall not exceed fifteen (15) feet, and bust be enclosed by a wall which is at least as high as the stacked automobiles; in no event shall automobiles or automobile parts, as stored, piled or placed, exceed the requirements herein. All material, supplies, automobiles, automobile parts, or other items shall be secured behind a wall and shall not be visible from off the property when viewed three hundred (300) feet horizontally from all directions.

DRAFT
MEETING MINUTES
CITY OF OPA-LOCKA
PLANNING AND ZONING BOARD
MAY 7, 2024, 7:00 P.M.

CALL TO ORDER

Board Member Audrey Dominguez called the Planning and Zoning Board meeting to order at 7:40 p.m. on May 7, 2024.

An opportunity was given to the public to email the Planning and Zoning Clerk prior to the Board meeting with any questions, comments, or concerns on items to be heard on the Agenda.

1. ROLL CALL

The following members of the Planning and Zoning Board were present: Board Member Germane Barnes, Board Member Audrey Dominguez, Board Member Aldo Mata, and Board Member Claudienne Hibbert Smith.

Absent Board Members: Chair Elio Guerrero and Board Member Dawn Mangham.

Also in attendance were Planning and Community Development Director Gregory Gay, Zoning Official Gerald Lee, Planning and Zoning Board Clerk Diana Cheng, Board Attorney Pam Pettis, and City Manager Darvin Williams.

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

All present stood for the Pledge of Allegiance.

4. APPROVAL OF MINUTES

- **PZAB Minutes – March 19, 2024**

Motion made by Board Member Mata, seconded by Board Member Barnes, to approve the meeting from March 19, 2024. In a roll call vote, the **motion** passed unanimously (4-0).

5. PUBLIC HEARING:

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ADOPT AN AMENDMENT TO THE LAND**

DEVELOPMENT REGULATION ORDINANCE 15-31, ARTICLE V, SECTION 22-142, TO CREATE A NEW DEFINITION FOR INDOOR SHOOTING RANGES AND PERMIT INDOOR SHOOTING RANGES IN THE I-3 ZONING DISTRICT AS A CONDITIONAL USE AND PROVIDE GENERAL REQUIREMENTS FOR ZONING, LOCATION AND DISTANCE, SITE PLAN, LICENSURE AND NUISANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

At this time the public hearing was opened.

Kenneth Ottley, Chief of Police for Opa-locka, introduced Lieutenant Commander Kaj Larsen, who serves the southern region of the Florida State Guard. This unit was commissioned in 2024 as a stand-alone component of the National Guard, and its special operations company supports law enforcement missions in Florida using combat experience. He is one of the founders of the proposed project, which is known as the Armory.

Lt. Comm. Larsen advised that there are currently no nearby training facilities to help veterans and law enforcement with some types of training. A facility such as the Armory would help the Guard more effectively assist law enforcement. It also helps the Florida State Guard amplify some of their philanthropic efforts in the local community.

The Armory would serve as the headquarters of the Southern Division of the Special Missions Unit of the Guard, as well as providing a home for the Guard's other community causes. He concluded that tonight's Application is the first step toward changing policy language and allowing the Armory project to move forward.

Wes Hevia, representing the Armory, showed slides of what the project will entail, which includes an advanced shooting range, advanced simulators, locker rooms, virtual trainers, and tactical rooms which allow for a range of training scenarios. The purpose of today's Application is to create a use within Code. The Armory will come back at a later time with a site-specific application including a floor plan and providing more details on the controls within the proposed facility.

It was asked whether the facility would be open to the public or restricted to law enforcement. Chief Ottley replied that the project will be a members-only multi-use law enforcement facility.

Planning and Community Development Director Gregory Gay advised that this Item specifically addresses legislation that would allow the requested use. The use is not currently allowed within City Code.

Zoning Official Gerald Lee stated that the City's current land development regulations currently do not allow this type of operation within Opa-locka. If Code is amended to

permit shooting ranges and armories, the best location for that use would be within the I-3 zoning district. The proposed legislation is consistent with Florida Senate Bill (SB) 45, as well as certain other areas of Florida Statutes which address gun regulations and safety.

The proposed amendment would be included in City Zoning Code Section 22-142. Zoning Official Lee noted that an entire section of the Ordinance, which is included in the Board members' backup materials, would be added to Zoning Code. It would provide for distance requirements from other uses, as well as requirements for sound absorption, protections, parking, environmental considerations, and land use.

Once the Ordinance is passed, any entity wishing to establish the proposed use would have to go through conditional use review. This means they would have to come back before the Planning and Zoning Board (PZB) to request approval, based on the standards provided at today's meeting. Staff recommends approval of the Application.

A question was asked regarding current zoning. Zoning Official Lee replied that Staff has recommended allowing the proposed use in the I-3 zoning district. Director Gay further clarified that the I-3 zoning district is located in the western portion of the City, near the airport.

Board Attorney Pam Pettis noted corrections which will need to be made to the proposed Ordinance before it advances to the City Commission, and any motions of approval should be made with the corrections as stated:

- Typographical errors in the title
- Portion of Section 12 referring to the effective date for the Resolution should be deleted, as it is not a Resolution but an Ordinance
- Section directing the City Clerk to provide a copy to all relevant departments, agencies, and interested parties should be deleted, as it is not applicable

Motion made by Board Member Barnes, seconded by Board Member Mata, to adopt the amendment in Item 1 to create a new definition for indoor shooting ranges, dependent upon the alteration as described by the City Attorney within the document. In a roll call vote, the **motion** passed unanimously (4-0).

2. **A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE TENTATIVE PLAT FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 14301 NW 27TH AVENUE AND IDENTIFIED BY FOLIO 08-2122-000-0050 IN THE B-3 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE**

At this time the public hearing was opened.

Jane Storms, representing the Applicant, advised that the plat has been submitted following Site Plan approval, which occurred in 2023.

Zoning Official Lee stated that this Item is the last step in the approval process for a project that previously received Site Plan and Development Agreement approval. It is for self-storage use on 27th Avenue, bordering State Road (SR) 9. Demolition on the site is expected soon.

Part of the development process is a tentative plat, as required by Miami-Dade County. The Applicant requests approval from the PZB, to be followed by approval from the City Commission. The tentative plat will be brought back following County review and a final plat will be prepared.

It was noted that the Board voted on the Item in 2023 and it was subsequently passed by the City Commission. Zoning Official Lee explained that in 2023, the Applicant received Site Plan and Development Agreement approval; however, Miami-Dade County's development standards include a platting process. This is related to review of the surveyor's final determination of points of ingress/egress, the allocation of property edges, and what will be part of the actual site. Following the County's platting process, all improvements that are planned for the subject property are recorded.

Director Gay further clarified that what the Board previously approved was the project that will be built on the site as well as its Development Agreement. Miami-Dade County has additional requirements for modifications, including pre-platting. The Applicant is already going through the permitting process for the site. He reiterated that the County, not the City, requires the site to go through the tentative platting process to ensure the site is properly sound and can be developed.

It was also asked why the Application information in the Board members' backup materials include a different address. Zoning Official Lee replied that this was an error, and the correct property address is 14301 NW 27th Avenue. It was noted that a motion will be required to address this mistake before the Board votes on the Item.

Attorney Pettis advised that the Board's motion should change the address listed in the first "Whereas" clause to the correct address, 14301 NW 27th Avenue. She confirmed that this change will be made before the Application advances to the Commission.

Motion made by Board Member Barnes, seconded by Board Member Hibbert Smith, to approve Item 2, provided that the address be updated per the document to the correct address of 14301 NW 27th Avenue. In a roll call vote, the **motion** passed unanimously (4-0).

3. **A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE FINAL SITE PLAN FOR THE**

CONSTRUCTION AND OPERATION OF AN OFFICE AND WAREHOUSE BUILDING FOR THE OPERATION OF A PAVING AND CONSTRUCTION COMPANY ON THE PROPERTY LOCATED AT NW 148TH STREET AND NW 24TH COURT AND IDENTIFIED BY FOLIO 08-2122-025-0501 IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

At this time the public hearing was opened.

Lucy Batista, property owner, requested approval for the project's Site Plan and Development Agreement. The proposal is for construction of an office/warehouse for a paving company.

Zoning Official Lee advised that the request is for final Site Plan approval for an office and warehouse. The Applicant owns the subject property, which has never been developed. The Site Plan follows the City's land development regulations and provides parking, landscaping, and lot coverage. Staff recommends approval of the request.

Zoning Official Lee continued that the property is currently being used by its owner, but the owner did not have the appropriate approvals from the City for Site Plan review. They are now complying with the City's requirements.

Motion made by Board Member Barnes, seconded by Board Member Hibbert Smith, to approve Item 3. In a roll call vote, the **motion** passed unanimously (4-0).

4. **A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE DEVELOPMENT AGREEMENT FOR THE CONSTRUCTION AND OPERATION OF AN OFFICE AND WAREHOUSE BUILDING FOR THE OPERATION OF A PAVING AND CONSTRUCTION COMPANY ON THE PROPERTY LOCATED AT NW 148TH STREET AND NW 24TH COURT AND IDENTIFIED BY FOLIO 08-2122-025-0501 IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

Director Gay advised that this Application also applies to the property discussed in Item 3. It is the Development Agreement for the subject site. Because the project is new construction, certain aspects of that agreement are required, including construction timelines and opportunities for hiring local residents. The Applicant has followed the required processes for the Development Agreement. Staff recommends approval of the Application.

Board Member Barnes asked if Development Agreements are ever updated by Staff to reflect components such as adequate shading and tree coverage. Zoning Official Lee explained that Development Agreements are based on the City's land development regulations.

Motion made by Board Member Barnes, seconded by Board Member Mata, to approve Item 4. In a roll call vote, the **motion** passed unanimously (4-0).

6. ADJOURNMENT

The meeting was adjourned at 8:19 p.m.

No.	Folio	Address	City	Zip Code	Use Description	Lot Size	Year Built	Legal Description
1	0821290140010	13101 NW 42 AVE	Opa-locka	33054-4435	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	73367	1981	LEJEUNE INDUSTRIAL SITES PB 135-6 LOT 1 BLK 1 LOT SIZE 73367 SQ FT OR 19487-0036-38-40-43-46 0201 6
2	0821290000085	Null	Opa-locka	33054-0000	VACANT LAND - INDUSTRIAL : VACANT LAND	13344	0	20 29 52 41 .306 AC M/L BEG 1898.80FTW & 35FTS OF NE COR OF SEC 29 CONT W21.59FT S413.57FT E40.79FT N232FT W18.94FT N179.72FT TO POB F/A/U 08-2129-000-0080 OR 15927-5230 0593 1
3	0821290000150	4111 NW 132 ST	Opa-locka	33054-4510	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	208121	1977	29 52 41 PORT OF NE1/4 BEG 1750FTN & 505FTE OF CENTER OF SEC TH N457.58FT E455FT S458.28FT W455FT TO POB LOT SIZE 208121 SQ FT
4	0821290000080	4100 NW 135 ST	Opa-locka	33054-4651	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	43502	1990	20 29 52 41 1 AC BEG 259.49FTE OF NE COR OF TR A OF PB 142-33 CONT E104.28FT S422.53FT W104.28FT N422.53FT TO POB LOT SIZE 43502 SQ FT OR 13631-2825 0388 2
5	0821290120060	13000 NW 42 AVE	Opa-locka	33054-4405	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	69480	1990	NORTH DADE COMMERCIAL PARK PB 126-29 LOT 6-7 & 8 BLK 1 LOT SIZE 69480 SQ FT OR 13722-3600 0688 1

6	0821290000088	Null	Opa-locka	33054-0000	VACANT LAND - INDUSTRIAL : VACANT LAND	20707	0	20 29 52 41 .475 AC BEG 150.48FTS & 183.35FTE OF NE COR OF TR A OF PB 142-33 CONT E75.65FT S272.05FT W75.03FT N278.54FT TO POB LOT SIZE 20707 SQ FT F/A/U 08-2129-000-0080
7	0821200050110	4119 NW 135 ST	Opa-locka	33054-4658	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	55774	1987	S & F INDUSTRIAL SITES PB 130-7 LOTS 11 & 12 BLK 1 LOT SIZE 55774 SQ FT OR 20220-4623 0202 5 (5)
8	0821200040046	4250 NW 135 ST	Opa-locka	33054-4416	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	67769	1970	INCOME GARDENS SEC 4 PB 31-8 PT OF LOTS 21 & 22 BLK 207 DESC - E205.36FT OF W1079.08FT OF N1/2 OF N1/2 OF NE1/4 OF NW1/4 OF SEC 20-52-41 LOT SIZE 67769 SQUARE FEET OR 19721-2289 0601 2 (3)
9	0821290070020	4162 NW 132 ST	Opa-locka	33054-4511	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	72850	1974	LEJEUNE IND PARK PB 100-51 LOT 2 BLK 1 LOT SIZE 72850 SQ FT OR 19487-0036 0201 6 (3)
10	0821200040050	4200 NW 135 ST	Opa-locka	33054-4416	SERVICE STATION : RETAIL OUTLET	33337	1989	INCOME GARDENS SEC 4 PB 31-8 E40.92FT OF LOT 22 LESS S430.7FT & ALL LOTS 23 THRU 28 & N20FT OF LOT 29 & 30FT EASEMENT LYG N & ADJ THEREOF BLK 207 LOT SIZE 33337 SQUARE FEET OR 15257-874 1191 3

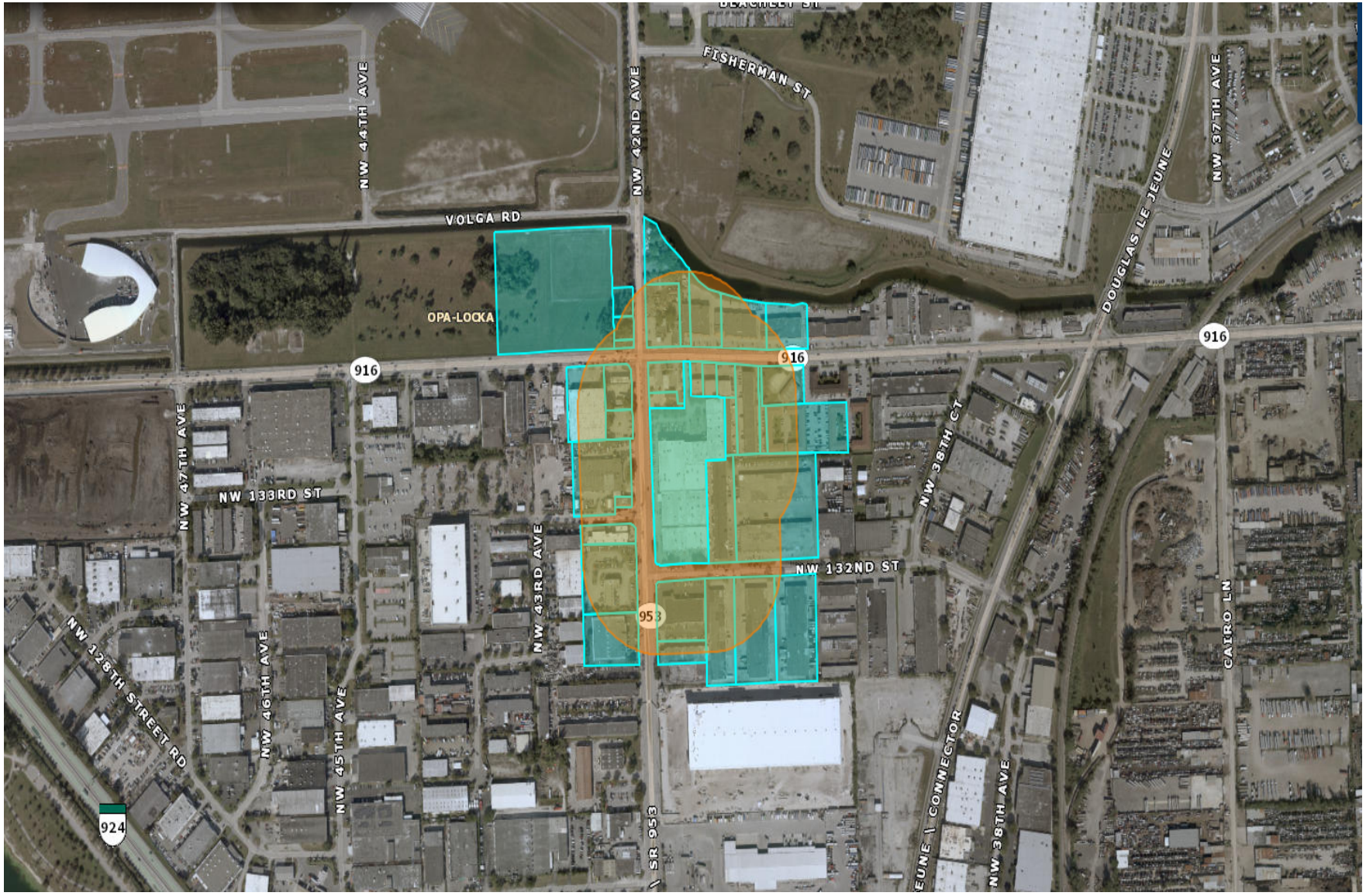
11	0821200040041	13350 LE JEUNE RD	Opa-locka	33054-4526	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	103385	1967	29 52 41 2.373 AC M/L INCOME GARDENS SEC 4 PB 31-8 PORT OF BLK 207 DESC BEG 159.96FTW OF SE COR OF N1/4 OF NW1/4 OF SEC CONT S 86 DEG W 229.15FT N 02 DEG W 330.77FT N 86 DEG E 339.11FT S 02 DEG E 250.84FT S 86 DEG W 109.84FT S 02 DEG W 80FT TO POB OR 18722-2808 0699 2
12	0821200040240	Null	Opa-locka	33054-0000	VACANT GOVERNMENTAL : VACANT LAND	12515	0	INCOME GARDENS SEC 4 PB 31-8 LOTS 39 THUR 42 INC BLK 208 LOT SIZE 12515 SQUARE FEET
13	0821290000130	4165 NW 132 ST	Opa-locka	33054-4544	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	71003	1977	29-52-41 1.63 AC M/L BEG 1750FTN & 350 FTE OF CENTER OF SEC TH N457.33FT E155FT S457.58FT W155FT TO POB LOT SIZE 71003 SQ FT OR 19487-0036-38-40-43-46 0201 6
14	0821290070030	4160 NW 132 ST	Opa-locka	33054-4511	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	103400	1974	LEJEUNE IND PARK PB 100-51 LOT 3 BLK 1 LOT SIZE 103400 SQ FT OR 19487-0036 0201 6 (3)
15	0821290120010	13290 NW 42 AVE	Opa-locka	33054-4542	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	28368	1988	NORTH DADE COMMERCIAL PARK PB 126-29 LOT 1 BLK 1 LOT SIZE 28368 SQ FT M/L OR 18291-4820 0998 4 COC 26234-2681 11 2007 5

16	0821290000086	4120 NW 135 ST	Opa-locka	33054-4612	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	11462	1991	20 29 52 .263 AC BEG 76.41FTE OF NE COR OF TR A OF PB 142-33 TH CONT E76.41FT S150.48FT W76.41FT N150.48FT TO POB LOT SIZE 11462 SQ FT F/A/U 08-2129-000-0080 OR 16296-4981 1293 1
17	0821290000081	Null	Opa-locka	33054-0000	PVT PARK -REC AREA -ROADWAY : COMMON AREA	0	0	29 52 41 1.00 AC M/L BEG 168.60FTW & 35FTS OF NE COR OF SEC TH 171.79FTW N85 DEG W78.41FT S179.73FT E250FT N173FT TO POB N/A/AS REC/AREA FOR VILLA BISCAYA JARINES CONDO
18	0821290000090	4180 NW 135 ST	Opa-locka	33054-4612	VACANT LAND - COMMERCIAL : VACANT LAND	12814	0	29 52 41 .29 AC S75FT OF N209.5FT OF W240.47FT OF NW1/4 OF NE1/4 LESS W50FT & LESS N51.89FT OF E32.05FT LOT SIZE 12814 SQ FT
19	0821290210001	Null	Opa-locka	33054-0000	REFERENCE FOLIO	0	0	LE JEUNE INDUSTRIAL SITES CONDO WAREHOUSES CONDO LEJEUNE INDUSTRIAL SITES PB 135-6 LOT 2 BLK 1 AS DESC IN OFF REC 21777-4422 LOT SIZE 33750 SQ FT F/A/U 08-2129-014-0020
20	0821200040060	Null	Opa-locka	33054-0000	VACANT LAND - COMMERCIAL : EXTRA FEA OTHER THAN PARKING	21352	0	INCOME GARDENS SEC 4 PB 31-8 E40.92FT OF LOT 22 LESS S300.70F & LESS N171.63FT & S5FT LOT 29 & ALL LOTS 30 THRU 34 BLK 207 LOT SIZE 21352 SQ FT OR 15591-0312 0792 5

21	0821200000020	13505 LE JEUNE RD	Opa-locka	33054-3202	AUTOMOTIVE OR MARINE : AUTOMOTIVE OR MARINE	30000	1956	20 52 41 .69 AC BEG SW COR OF SE1/4 TH E ALG S/L OF SE1/4 185FT NE278FT W185FT TO W/L OF SE1/4 SW278FT TO POB LESS LEJEUNE RD & S78FT LOT SIZE 30000 SQ FT OR 14376-72 1289 3
22	0821290070040	4140 NW 132 ST	Opa-locka	33054-4511	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	103400	1974	LEJEUNE IND PARK PB 100-51 LOT 4 BLK 1 LOT SIZE 103400 SQ FT OR 19487-0036 0201 6 (3)
23	0821200040280	Null	Opa-locka	33054-0000	VACANT GOVERNMENTAL : VACANT LAND	9335	0	INCOME GARDENS SEC 4 PB 31-8 LOT 43 TO 45 INC BLK 208 LOT SIZE 9335 SQUARE FEET
24	0821200050130	4147 NW 135 ST	Opa-locka	33054-4658	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	48131	1988	S & F INDUSTRIAL SITES PB 130-7 LOT 13 BLK 1 LOT SIZE 48131 SQ FT OR 20220-4623 0202 5 (5)
25	0821200050091	4097 NW 135 ST	Opa-locka	33054-4615	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	52082	1988	S & F INDUSTRIAL SITES PB 130-7 LOT 9 & 10 BLK 1 LOT SIZE 52082 SQ FT OR 20220-4623 0202 5 (5)
26	0821290000087	4130 NW 135 ST	Opa-locka	33054-4612	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	11462	1991	20 29 52 41 .26 AC BEG NE COR OF TR A OF PB 142-33 TH E76.41FT S150.48FT W76.41FT N150.48FT TO POB LOT SIZE 11462 SQ FT F/A/U 08-2129-000-0080

27	0821200040150	Null	Opa-locka	33054-0000	VACANT GOVERNMENTAL : VACANT LAND	363000	0	INCOME GARDENS SEC 4 PB 31-8 LOT 19 TO 22 INC BLK 208 LOT SIZE IRREGULAR
28	0821290090001	4050 NW 135 ST	Opa-locka	33054-0000	REFERENCE FOLIO	0	0	VILLA BISCAYA JARDENES CONDO PHASE 2 - DESC 29 52 41 2.48AC M/L BEG 1413.55FT W & 440FT S OF NE COR SEC TH W466FT N232FT E466FT S232FT TO POB
29	0821290160010	13449 NW 42 AVE	Opa-locka	33054-4513	LIGHT MANUFACTURING : LIGHT MFG & FOOD PROCESSING	249163	1977	AVANTI PB 142-33 T-17646 TR A LOT SIZE 5.72 AC M/L F/A/U 08-2129-000-0083 & 0160
30	0821290000100	4190 NW 135 ST	Opa-locka	33054-4631	SERVICE STATION : SERVICE STATION - AUTOMOTIVE	28241	1969	29 52 41 .65 AC E190.47FT OF W240.47FT OF N186.39FT OF NE1/4 LESS S51.89FT OF W208.42FT & S8FT OF E205.47FT OF W240.47FT OF SE1/4 OF SEC 20-52-41 OR 18402-3736 1298 1
31	0821290000084	4110 NW 135 ST	Opa-locka	33054-4612	WAREHOUSE TERMINAL OR STG : WAREHOUSE OR STORAGE	16002	1991	20 29 52 41 .367 AC BEG 152.82FTE OF NE COR OF TR A OF PB 142-33 TH CONT E106.67FT S150.48FT W106.67FT N150.48FT TO POB LOT SIZE 16002 SQ FT F/A/U 08-2129-000-0080
32	0821200040180	Null	Opa-locka	33054-0000	VACANT GOVERNMENTAL : VACANT LAND	18920	0	INCOME GARDENS SEC 4 PB 31-8 LOTS 33 THRU 38 INC BLK 208 LOT SIZE 18920 SQUARE FEET

33	0821200040100	13300 LE JEUNE RD	Opa-locka	33054-4505	RESTAURANT OR CAFETERIA : RETAIL OUTLET	5490	1973	INCOME GARDENS SEC 4 PB 31-8 LOTS 45 & 46 LESS E15FT BLK 207 LOT SIZE 5490 SQ FT COC 24544-3346 04 2006 1
34	0821200000021	4175 NW 135 ST	Opa-locka	33054-4659	AUTOMOTIVE OR MARINE : AUTOMOTIVE OR MARINE	57064	1984	20-52-41 1.31 AC E205.47FT OF W240.47FT OF SW1/4 OF SW1/4 OF SE1/4 LYING S OF OPA LOCKA CANAL LESS W185FT OF S 278FT THEREOF LOT SIZE 96703 SQUARE FEET OR 13768-3605 0788 1
35	0821290120020	13200 NW 42 AVE	Opa-locka	33054-4542	AUTOMOTIVE OR MARINE : AUTOMOTIVE OR MARINE	90000	1991	NORTH DADE COMMERCIAL PARK PB 126-29 LOTS 2 THRU 5 BLK 1 LOT SIZE 90000 SQ FT OR 19576-2767 0301 1


NW 44TH AVE
NW 42ND AVE
FISHERMAN ST
NW 37TH AVE
DOUGLAS LE JEUNE
VOLGA RD
OPA-LOCKA
916
916
916
NW 47TH AVE
NW 133RD ST
NW 38TH CT
NW 43RD AVE
NW 132ND ST
953
NW 128TH STREET RD
NW 46TH AVE
NW 45TH AVE
CAIRO LN
SR 953
NW 38TH AVE
924

Sponsored by: City Manager

ORDINANCE NO. 24-XXXXXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL / DENIAL OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 7.58 ACRE PARCEL, LOCATED AT 1700 SERVICE ROAD AND IDENTIFIED BY FOLIOS 08-2122-005-2170; AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY FROM LOW MODERATE DENSITY RESIDENTIAL TO AN INDUSTRIAL LAND USE DESIGNATION: PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant, Castle Opa, LLC intends to construct two commercial buildings, with a showroom and storage area with office and retail space and appropriate parking spaces and landscaping in accordance with the City of Opa-Locka's Land Development Regulations; and

WHEREAS, the applicant, Castle Opa, LLC has submitted a request for comprehensive plan amendment, small scale review to change the Future Land Use Map on approximately 7.58 acres of land located at 1700 Service Road as required by Section 22-51 of the Land Development Regulations, said lands being more particularly described in the attached Exhibit "A"; and

WHEREAS, the Local Planning Agency for the City of Opa-Locka has reviewed the application of Castle Opa, LLC, at a duly noticed public hearing held on March 5, 2024, and the Planning & Zoning Board, siting as the Local Planning Agency has made a recommendation to approve or deny the amendment to the City's Comprehensive Plan Future Land Use Map to change the designation from Low Moderate Density Residential to Industrial; and

WHEREAS, the Planning and Zoning Board reviewed this request at a public hearing on March 5, 2024 and recommended denial of this request for comprehensive plan amendment, small scale to change of the Future Land Use designation from Low Moderate Density Residential (LMDR) to Industrial(I); and

WHEREAS, in the exercise of its authority pursuant to Sections 163.3187 and 163.3184, of the Florida Statutes, the City Commission has determined that it is necessary and desirable to amend or not to amend the City's Comprehensive Plan Future Land Use Map so that the property for comprehensive planning purposes is changed from the Low

Moderate Density Residential (LMDR) designation to the Industrial (I) future land use category as shown on the attached Exhibit "B" Attached hereto; and

WHEREAS, the City of Opa-Locka has considered the amendment to the Future Land Use Map for the property located at 1700 Service Road, City of Opa-Locka, Florida and made a determination that amending / not amending the City's Comprehensive Plan Future Land Use Map is appropriate or is appropriate / not appropriate; for the approval / denial of this amendment.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION FOR 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. HEARINGS.
Recommendation. The Planning & Zoning Board of the City of Opa-Locka, Florida considered the request of Castle Opa, LLC, and held a public hearing on the matter on March 5, 2024, and made a recommendation to DENY amendment to the Future Land Use Plan Map, on approximately 7.58 acres of land located at 1700 Service Road identified by folios 08-2122-005-2170, to not change the land use designation from Low Moderate Density Residential Designation to Industrial (I) Designation.

SECTION 3.CITY COMMISSION.
The City Commission for the City of Opa-Locka has determined that the Comprehensive Plan designation of Low Moderate Density Residential (LMDR) or Industrial (I) as shown in the proposed City Comprehensive Plan Future Land Use Map attached hereto as Exhibit "B", is /is not the most appropriate comprehensive plan designation for the affected property.

SECTION 4. CONFLICT & REPEALER.
All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

SECTION 5. SEVERABILITY.
If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6.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 Interim City Manager following review by the City Attorney, without the need of a public hearing by filing a corrected copy of same with the City Clerk..

SECTION 7. INCLUSION IN CODE.
It is the intention of the City Commission of the City of Opa-Locka that the provisions, if approved, of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of Opa-Locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 8. EFFECTIVE DATE.
This Ordinance shall take effect immediately upon its adoption on second reading.

PASSED First Reading on this _____ day of ____ 2024.

PASSED AND ADOPTED on Second Reading this _____ day of _____, 2024.

_____
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)

Mayor Taylor

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City of Opa-locka
Agenda Cover Memo

Department Director:	Gregory D. Gay			**Department Director Signature:**	DocuSigned by: C46C07C1E8DE492...		
City Manager:	Darvin E. Williams			**CM Signature**			
Commission Meeting Date:	April 24, 2024		**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**	**Other**	
					X		
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**	**2nd Reading**	
					X		
		X	**Public Hearing:** *(Enter X in box)*		**Yes** / **No**	**Yes** / **No**	
					X	X	
Funding Source: *Account#:*	*(Enter Fund & Dept)* Ex: N/A See Financial Impact section below		**Advertising Requirement:** *(Enter X in box)*		**Yes**	**No**	
					X		
ILA Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**				
		X					
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ■ **Public Safety** ☐ **Quality of Education** ☐ **Qual. of Life & City Image** ☐ **Communication** ☐		**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*		
	X						
Sponsor Name	City Manager		**Department:** Planning & Community Development		City Manager		

Short Title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL OR DENIAL OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 7.58 ACRE PARCEL, LOCATED AT 1700 SERVICE ROAD AND IDENTIFIED BY FOLIO 08-2122-005-2170; AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY FROM LOW MODERATE DENSITY RESIDENTIAL TO AN INDUSTRIAL LAND USE DESIGNATION: PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The applicant, Castle Opa, LLC intends to construct two commercial buildings, with a showroom and storage area with office and retail space and appropriate parking spaces and landscaping in accordance with the City of Opa-Locka's Land Development Regulations. The applicant, Castle Opa, LLC has submitted a request for a comprehensive plan amendment, (small scale review) to

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change the Future Land Use Map on approximately the 7.58 acres of land located at 1700 Service Road as required by Section 22-51 of the Land Development Regulations, said lands being more particularly described in the attached Exhibit "A" from Low Moderate Density Residential to Industrial to permit the proposed industrial development.

The City of Opa-Locka the Planning and Zoning Board, has reviewed the application of Castle Opa, LLC, at a duly noticed public hearing held on March 19, 2024, and the Planning & Zoning Board, siting as the Local Planning Agency has made a recommendation to deny the request for a Comprehensive Plan small scale amendment to the Future Land Use Map and not to change the designation from Low Moderate Density Residential (LMDR) to Industrial (I). In accordance with the Land Development Regulations, Section 22-49 G, concerning procedures on matters considered by the City Commission from acts of the Planning & Zoning Board, all recommendations, and findings of fact by the Planning & Zoning Board shall be placed on the next available regular City Commission meeting agenda in compliance with the notice requirements.

In the exercise of its authority pursuant to Sections 163.3187 and 163.3184, of the Florida Statutes, the City Commission has determined that it is empowered to amend or not to amend the City's Comprehensive Plan Future Land Use Map so that the property for comprehensive planning purposes is changed from the Low Moderate Density Residential (LMDR) designation to the Industrial (I) future land use category as shown on the attached Exhibit "B" Attached hereto.

The City Commission has considered the amendment to the Future Land Use Map for the property located at 1700 Service Road, City of Opa-Locka, Florida and made a determination that amending or not amending the City's Comprehensive Plan Future Land Use Map is appropriate or is not appropriate; the approval or denial of this amendment will promote, protect and improve the general health, safety, appearance and general welfare of the public, and will help accomplish the goals and objectives of the City's Comprehensive Plan.

Financial Impact

Account	Description	Available	Project	Remaining Balance

There is no negative financial impact from the approval of this legislation.

Proposed Action:

PCD Staff recommends denial of this Land Use Amendment.

Attachment:

Draft Ordinance
PZAB Land Use Application Package
Site Plan
Mail Out
PZAB Meeting Minutes-3-19-24

Received:
By:
Date:

" THE GREAT CITY "

City of OPA-LOCKA Florida

PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS FY 2022-2023

TOTAL FEES: $_____ New Fees as of October 1, 2015

FY 2020-2021 Meeting Dates (1st Tuesday of Each Month)	**Date Application Found Sufficient**
October 4, 2022	August 19, 2022
November 8, 2022	September 16, 2022
December 6, 2022	October 14, 2022
January 3, 2023	November 18, 2022
February 7, 2023	December 16, 2022
March 7, 2023	January 13, 2023
April 4, 2023	February 18, 2023
May 2, 2023	March 17, 2023
June 6, 2023	April 14, 2023
July 11, 2023	May 19, 2023
August 1, 2023	June 16, 2023
September 5, 2023	July 21, 2023

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

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: Castle Opa LLC

PROPERTY OWNER'S ADDRESS: 11900 Biscayne Blvd., Ste 262, North Miami, FL 33181
Number/Street City State/Zip Code

APPLICANT'S NAME: Hope W. Calhoun, Esq.

APPLICANT'S ADDRESS: 14 SE 4th Street, Suite 36, Boca Raton, FL 33432
Number/Street City State/Zip Code

PHONE NUMBER: OFFICE 561-405-3324 HOME _____ OTHER _____

SUBJECT PROPERTY ADDRESS: 1700 Service Road
Number/Street

TAX FOLIO NUMBER: 08-2122-005-2170 PRESENT ZONING: R-TH (Residential Townhouse District)

LEGAL DESCRIPTION: 22 52 41 7.58 AC MAGNOLIA GDNS CONSOL PB 50-5 PT OF BLKS 346 & 347-BEG AT NW COR OF BLK 346 S559.46FT SELY ALG S/L BLK 346 FOR 152.25FTNELY 399.88FTN 640.43FTNWLY ARC DIST 52.49FT TH SWLY TO POB LOT SIZE IRREGULAR OR 20964-4155 1202 3

Please check specific request:

___Tentative Plat
___Final Plat
x Comprehensive Plan Amendment: x 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:
Change from Townhouse to Industrial

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.

X Completed application form

X Application fee payable to the City of Opa-locka by check or money order

X Copy of property owner's and/or applicant's driver license/photo I.D. & Incorporation Documents (Inc., LLC, ...)

X Affidavit (**see below**), and power of attorney of the property owner (**page 3**) (**Both must be Notarized**)

X 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).

X All preliminary and final site plans, along with property survey, signed and notarized application(s) must be submitted on flash drive in PDF format.

X Fifteen (15) certified boundary and topographic surveys of the property (two copies size 36 x 24 inches & 13 copies 11 x 17 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)

X Fifteen (15) copies of Site Development Plan showing all drainage, water, sewer, structures, landscaping and parking in accordance with the City's zoning ordinance; (two copies size 36 x 24 inches & 13 copies size 11 x 17 inches & at least 7 original Sealed Copies)

X 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)

X Narrative concept must be submitted with application

AFFIDAVIT

I, ELLIOT STONE / Castle Opa LLC, 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.

DocuSigned by:
Elliot Stone
C1CC0C54899B474...
Signature

10/4/2023
Date

Sworn to and subscribed before me:

This 4 day of October 2023

M J Stigliano
Notary Public
Attach copy of identification

My commission expires

NOTARY PUBLIC STATE OF FLORIDA
MAURICE J. STIGLIANO
Commission # HH 105062
Expires July 9, 2025
Bonded Thru Budget Notary Services

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

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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:

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

I ELLIOT STONE | Castle Opa LLC, being first duly sworn, depose and say that I am the owner of the property legally described as:

1700 Service Rd OPA LOCKA, FL 33054
Folio # 08-2122-005-2170
MAGNOLIA GDNS CONSOL PB 50-5 PT of BLKS 346 & 347
BEG AT NW CORNER OF BLK 346 S 559.46FT SELY ALG S/L BLK 346

I do give to Hope Calhoun & Nathanael Cohen + Robert Holland 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 Hope Calhoun / Nathanael Cohen + Robert Holland 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

10/4/2023
Date

Sworn to and subscribed before me:

This 4 day of October, 2023

Notary Public

My commission expires:

MAURICE J. STIGLIANO
Commission # HH 105062
Expires July 9, 2025
Bonded Thru Budget Notary Services

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

Received:
By:
Date:

Attach copy of identification

PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION

RE: PROPERTY ADDRESS: 1700 Service Road, Opa Locka / Modani development site

LEGAL DESCRIPTION: 22 52 41 7.58 AC
MAGNOLIA GDNS CONSOL PB 50-5
PT OF BLKS 346 &
347-BEG AT NW COR OF BLK 346
S559.46FT SELY ALG S/L BLK 346
FOR 152.25FTNELY 399.88FTN
640.43FTNWLY ARC DIST 52.49FT TH
SWLY TO POB
LOT SIZE IRREGULAR
OR 20964-4155 1202 3

I SUPPORT THIS DEVELOPMENT REQUEST X

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Juan Ramirez PHONE: (954)240-5470

ADDRESS (If different): 1800 Service Rd

Juan Ramirez
Signature

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

Received:
By:
Date:

Attach copy of identification

PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION

RE: PROPERTY ADDRESS: 1700 Service Road, Opa Locka / Modani development site

LEGAL DESCRIPTION: 22 52 41 7.68 AC
MAGNOLIA GDNS CONSOL PB 50-5
PT OF BLKS 346 &
347-BEG AT NW COR OF BLK 346
S559.46FT SELY ALG S/L BLK 346
FOR 152.25FTNELY 399.88FTN
640.43FTNWLY ARC DIST 52.49FT TH
SWLY TO POB
LOT SIZE IRREGULAR
OR 20984-4155 1202 3

I SUPPORT THIS DEVELOPMENT REQUEST ✓

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Russell Ryals PHONE: 305-986376(

ADDRESS (If different): 1841 Rutland Street

Russell Ryals
Signature

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

DUNAY MISKEL BACKMAN LLP

Gary Dunay
Bonnie Miskel
Scott Backman
Eric Coffman
Hope Calhoun
Dwayne Dickerson
Ele Zachariades
Matthew H. Scott
Christina Bilenki
David F. Milledge
Jeffrey Schneider
Sara Thompson

1700 Service Road
Future Land Use Amendment Narrative
October 10, 2023

1700 Service Holdings, LLC ("Applicant") is proposing to develop two buildings on the +/ - 7.58 acre parcel located at 1700 Service Road ("Property"), owned by Castle Opa, LLC ("Owner"). The Property is generally located at the southeast corner of Service Road and NW 18th Avenue in the City of Opa-locka, Florida ("City"). Currently, the Property's zoning designation is Residential Townhouse, R-TH, and the future land use designation is Low-Moderate Density Residential. Additionally, the Property is located within the Corridor Mixed Use Overlay. At this time, Applicant is seeking to redevelop the Property with a showroom and storage with ancillary office/retail space ("Project"). In order to develop the Property as proposed, Applicant is seeking a Future Land Use Map Amendment to change the Property's land use designation to Industrial. In conjunction with the Future Land Use Map Amendment, Applicant is additionally requesting site plan approval and a rezoning to I-1.

Currently, the Property is vacant. Should Applicant's Future Land Use Map Amendment request be approved, the Applicant intends to redevelop the parcel and construct two showrooms consisting of one (1) +/- 61,381 square foot building and one (1) +/- 60,608 square foot building. Included within these commercial buildings will be storage and office or retail space that will complement the proposed showroom use. The Project is located in an ideal location that allows the Project to emphasize the intent of the Corridor Mixed Use Overlay District ("CMU District") by creating a mix of commercial and residential uses that is walkable and located in close proximity to local transit stops. By approving the Future Land Use Map Amendment so that the Applicant may provide the proposed use, the residents located south of State Road 9 will no longer need to cross a major roadway. They simply will need to walk or bike from their homes in order to get to the proposed showroom.

Received:
By:
Date:

Attach copy of identification

PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION

RE: PROPERTY ADDRESS: 1700 Service Road, Opa Locka / Modani development site

LEGAL DESCRIPTION: 22 52 41 7.58 AC
MAGNOLIA GDNS CONSOL PB 50-5
PT OF BLKS 346 &
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FOR 152.25FTNELY 399.88FTN
640.43FTNWLY ARC DIST 52.49FT TH
SWLY TO POB
LOT SIZE IRREGULAR
OR 20964-4155 1202 3

I SUPPORT THIS DEVELOPMENT REQUEST ✓

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Russell Ryals PHONE: 305-9863711

ADDRESS (If different): 1841 Rutland Street

Russell Ryals
Signature

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

Received:
By:
Date:

Attach copy of identification

PLANNING & ZONING BOARD
NEIGHBORHOOD PETITION

RE: PROPERTY ADDRESS: 1700 Service Road, Opa Locka / Modani development site

LEGAL DESCRIPTION: 22 52 41 7.58 AC
MAGNOLIA GDNS CONSOL PB 50-5
PT OF BLKS 346 &
347-BEG AT NW COR OF BLK 346
S559.46FT SELY ALG S/L BLK 346
FOR 152.25FTNELY 399.88FT IN
640.43FTNWLY ARC DIST 52.49FT TH
SWLY TO POB
LOT SIZE IRREGULAR
OR 20964-4155 1202 3

I SUPPORT THIS DEVELOPMENT REQUEST X

I DO NOT SUPPORT THIS DEVELOPMENT REQUEST _____

PROPERTY OWNER'S NAME: Juan Ramirez PHONE: (954)240-5470

ADDRESS (If different): 1800 Service Rd

Juan Ramirez
Signature

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

Detail by Entity Name

Florida Limited Liability Company
CASTLE OPA LLC

Filing Information

Document Number	L17000091713
FEI/EIN Number	82-1314204
Date Filed	04/25/2017
State	FL
Status	ACTIVE

Principal Address

11900 BISCAYNE BLVD
SUITE 262
NORTH MIAMI, FL 33181

Mailing Address

11900 BISCAYNE BLVD
SUITE 262
NORTH MIAMI, FL 33181

Registered Agent Name & Address

DENBERG, MICHAEL B
200 EAST LAS OLAS BLVD
SUITE 1000
FORT LAUDERDALE, FL 33301

Authorized Person(s) Detail

Name & Address

Title MGR

STONE, ELLIOT
11900 BISCAYNE BLVD SUITE 262
NORTH MIAMI, FL 33181

Annual Reports

Report Year	Filed Date
2021	03/02/2021
2022	03/15/2022
2023	03/21/2023

Document Images

03/21/2023 -- ANNUAL REPORT	View image in PDF format
03/15/2022 -- ANNUAL REPORT	View image in PDF format
03/02/2021 -- ANNUAL REPORT	View image in PDF format

03/02/2020 -- ANNUAL REPORT	View image in PDF format
03/25/2019 -- ANNUAL REPORT	View image in PDF format
03/01/2018 -- ANNUAL REPORT	View image in PDF format
04/25/2017 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations

Folio	Property Owner Name	Property Address	Property City	Property Zip Code	Mailing Address	Mailing City and State	Mailing Zip Code	Legal Description
08-2122-000-0040	STATE OF FLORIDA	Not Available	Opa-locka	33054-3643	605 SUWANNEE ST	TALLAHASSEE, FL	32399	22 52 41 13.80 AC M/L 100FT S A L R/W ACROSS SEC DESC BEG 2656.19FTS OF NW COR OF SEC 22 FOR POB TH N 60 DEG E 2981.88FT S 02 DEG E 111.90FT S 60 DEG W 1706.46FT SELY AD 433.15FT N 29 DEG W 40.10FT S 60 DEG W 844.77FT N 02 DEG W 111.90FT TO POB & BEG NE COR OF SEC 22 TH S 02 DEG E 40.19FT SWLY AD 336.77FT S 60 DEG W 2656.73 FT N 02 DEG W 111.90FT N 60 DEG E 2606.53FT NELY AD 245.65FT N 87 DEG E 121.99FT TO POB
08-2122-000-0300	FAY PLASNIE CORP TRS	Not Available	Opa-locka	33054-0000	610 NE 183 ST # 207	MIAMI, FL	33169	22 52 41 .14 AC NE50FT OF SW100FT OF N1/2 OF NE1/4 OF NE1/4 BETWEEN ALI BABA AVE & SAF R/W AKA L2 BLK 1 UNREC LOT SIZE 50.000 X 140 COC 24052-1387 11 2005 1

08-2122-000-0310	PALMETTO HOMES URBAN	Not Available	Opa-locka	33054-0000	4952 NW 7 AVE	MIAMI, FL	33127	22 52 41 .14 AC NE50FT OF SW150FT OF N1/2 OF NE1/4 OF NE1/4 BETWEEN ALI BABA AVE & SAF R/W LOT SIZE 50.000 X 140 COC 25548-2003 02 2007 1
08-2122-000-0320	LOU INVESTMENT GROUP CORP	1756 ALI BABA AVE	Opa-locka	33054-2834	1765 ALIBABA AVE 3	OPA LOCKA, FL	33054	22 52 41 .14 AC NE50FT OF SW200FT OF N1/2 OF NE1/4 OF NE1/4 BETWEEN ALI BABA AVE & SAF R/W LOT SIZE 50.000 X 140 COC 24663-0111 04 2006 1
08-2122-000-0330	TRUE SPIRIT OF CHRIST OUR	1752 ALI BABA AVE	Opa-locka	33054-2834	PO BOX 541676	OPA LOCKA, FL	33054	22 52 41 .286 AC M/L BEG 200FTNELY OF NE COR OF LOT 4 BLK 14 OF PB 40-80 CONT NELY50FT SELY125FT SWLY50FT NWLY125FT TO POB & NE 50FT OF SW 300FT OF N/2 OF NE1/4 OF NE1/4 BET ALI BABA AVE & SAF R/W AKA LOT 6 BLK 1 MAGNOLIA 3RD ADD U/R LOT SIZE 12500 SQ FT M/L

08-2122-000-0340	ACRE TRUST	1742 ALI BABA AVE	Opa-locka	33054-2834	20533 BISCAYNE BLVD #4118	AVENTURA, FL	33180	22 52 41 NE50FT OF SW350FT OF N1/2 OF NE 1/4 OF NE1/4 BET ALI BABA AVE & SAF R/W AKA LOT 7 BLK 1 MAGNOLIA 3RD ADD U/R LOT SIZE 50.000 X 140 OR 20315-3975 0302 1
08-2122-000-0350	NEIGHBORHOOD HOUSING LLC	1736 ALI BABA AVE	Opa-locka	33054-2834	490 OPA LOCKA BLVD #20	OPA LOCKA, FL	33054	22 52 41 .14 AC NE50FT OF SW400FT OF N1/2 OF NE1/4 OF NE1/4 BETW ALIBABA AVE & SAF R/W A/K/A LOT 8 BLK 1 MAGNOLIA SUB 3RD ADD UR LOT SIZE 50 X 140 COC 25589-4886 04 2007 3
08-2122-000-0360	SONLIGHT MISSIONARY BAPT CH	1732 ALI BABA AVE	Opa-locka	33054-2834	1732 ALI BABA AVE	OPA LOCKA, FL	33054-2834	22 52 41 .14 AC NE50FT OF SW450FT OF N1/2 OF NE1/4 OF NE1/4 BETW ALIBABA AVE & SAF R/W LOT SIZE 50.000 X 140 OR 12745-3181 1285 4
08-2122-000-0370	SONLIGHT MISSIONARY BAPT CH	Not Available	Opa-locka	33054-0000	1732 ALI BABA AVE	OPA LOCKA, FL	33054-2834	22 52 41 .14 AC NE50FT OF SW500FT OF N1/2 OF NE1/4 OF NE1/4 BETW ALIBABA AVE & SAF R/W LOT SIZE 50.000 X 140 OR 12812-2574 0386 6

08-2122-000-0380	MIAMI DADE COUNTY	1782 NW 151 ST	Opa-locka	33054-2877	111 NW 1ST ST STE 2460	MIAMI, FL	33128	22 52 41 .13 AC BEG AT X S/L NW 151 ST & S/L ALI BABA AV E43.724FT M/L SE105.162FT M/L SW50FT NW125FT NE11.035FT M/L TO POB LOT SIZE IRREGULAR OR 16521-3357 0994 4
08-2122-000-0390	A & T TRADERS INC	Not Available	Opa-locka	33054-0000	17501 NW 54 AVE	MIAMI, FL	33055-3518	22 52 41 .10 AC BEG 43.724FT M/L E OF X S/L NW 151 ST & S/L ALIBABA, SE105.162FT M/L NE50FT NW79.706FT M/L W56.107 FT TO POB LOT SIZE 4356 SQUARE FEET OR 16599-0468 1194 5
08-2122-000-0400	A & T TRADERS INC	1710 NW 151 ST	Opa-locka	33054-2877	14085 NW 27 AVE	MIAMI, FL	33054-3654	22 52 41 .109 AC M/L BEG NE COR LOT 4 BLK 14 PB 40-80 TH NELY511.035FT E99.83FT TO POB TH E106.897FT S32.7FT SWLY80.44 FT ALG NW R/W/L SAL RR TH NW 79.706FT TO POB LOT SIZE 4731 SQ FT OR 16599-0467 1194 1
08-2122-000-0401	CITY OF OPA LOCKA	Not Available	Opa-locka	33054-0000	777 SHARAZAD BLVD	OPA LOCKA, FL	33054-3521	22 52 41 .021 AC M/L BEG NE COR LOT 4 BLK 14 PB 40-80 NELY 511.03FT E206.73FT TO POB TH E57FT SWLY 65.72FT N32.7FT TO POB LOT SIZE 932 SQ FT OR 9331-206

08-2122-005-2161	M & N PROPERTY INVESTMENT INC	Not Available	Opa-locka	33054-0000	14566 NW 22 AVE	OPA LOCKA, FL	33054-3715	MAGNOLIA GDNS CONSOL PB 50-5 PT OF BLK 345 DESC - BEG 559.46FTS OF NW COR BLK 346 TH S111.89FT NELY165.94FT TO X S/L BLK 346 NWLY152.25FT TO POB LOT SIZE 8280 SQUARE FEET OR 18373-4593/18412-3956 1098 2
08-2122-005-2170	CASTLE OPA LLC	1700 SERVICE RD	Opa-locka	33054-3750	11900 BISCAYNE BLVD STE 262	NORTH MIAMI, FL	33181	22 52 41 7.58 AC MAGNOLIA GDNS CONSOL PB 50-5 PT OF BLKS 346 & 347-BEG AT NW COR OF BLK 346 S559.46FT SELY ALG S/L BLK 346 FOR 152.25FTNELY 399.88FTN 640.43FTNWLY ARC DIST 52.49FT TH SWLY TO POB LOT SIZE IRREGULAR OR 20964-4155 1202 3
08-2122-005-2180	CITY OF OPA LOCKA	2100 N BURLINGTON ST	Opa-locka	33054-0000	777 SHARAZAD BLVD	OPA LOCKA, FL	33054-3521	22 52 41 25.595 AC M/L MAGNOLIA GDNS CONSOL PB 50-5 THAT PT OF BLKS 345 TO 349 INC PER DB 3974-276 & OR 11494-940 & 937 & TR A LESS THAT PORT AS PER DB 280-591 BLKS 357 & 358 OF PB 49-71 A/K/A PARK & REC & SENIOR CITIZEN CENTER

08-2122-006-0140	DENISE H SWASEY LE	1880 SERVICE RD	Opa-locka	33054-3751	3520 NW 213 ST	MIAMI GARDENS, FL	33056	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 14 BLK 337 LOT SIZE 50.000 X 100 OR 16509-2428 0794 5 COC 26347-0200 26538-0431 0408 3
08-2122-006-0150	YVETTE WALKER	1870 SERVICE RD	Opa-locka	33054-3751	1870 SERVICE RD	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 15 BLK 337 LOT SIZE 50.000 X 100 OR 18457-3046 0199 4
08-2122-006-0160	RETEVEA BAIN	1860 SERVICE RD	Opa-locka	33054-3751	1860 SERVICE RD	OPA LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 16 BLK 337 LOT SIZE 50.000 X 100 OR 13491-3713 1187 4 COC 23142-3269 03 2005 4
08-2122-006-0170	YOSVANI ORBIZ	1850 SERVICE RD	Opa-locka	33054-3751	1850 SERVICE RD	OPA-LOCKA, FL	33054	22 52 41 PB 49-54 MAGNOLIA GDNS CONSOLIDATED LOT 17 BLK 337 LOT SIZE 50.000 X 100 OR 21948-1006 12 2003 1 COC 25582-1091 04 2007 1
08-2122-006-0180	ESTATE OF FLETA MOSLEY	1840 SERVICE RD	Opa-locka	33054-3751	1840 SERVICE RD	OPA LOCKA, FL	33054-0000	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 18 BLK 337 LOT SIZE 50.000 X 100 OR 11506-465 0782 4
08-2122-006-0190	ROSA MAE JAMES	1830 SERVICE RD	Opa-locka	33054-3751	1830 STATE RD SERVICE ST	OPA LOCKA, FL	33054-0000	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 19 BLK 337 LOT SIZE 50.000 X 100 OR 11543-1061 0582 5

08-2122-006-0200	YAJAIRA FLORENCIA CASTRO	1820 SERVICE RD	Opa-locka	33054-3751	1820 SERVICE RD	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 20 BLK 337 LOT SIZE 50.000 X 100
08-2122-006-0210	JUAN RAMIREZ	1810 SERVICE RD	Opa-locka	33054-3751	17910 NW 84 AVE	HIALEAH, FL	33015	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 21 BLK 337 LOT SIZE 50.000 X 100 COC 26368-1299 11 2007 5
08-2122-006-0220	JUAN RAMIREZ	1800 SERVICE RD	Opa-locka	33054-3751	17910 NW 84 AVE	HIALEAH, FL	33015	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 22 BLK 337 LOT SIZE 58.820 X 100 COC 24865-0801 08 2006 1
08-2122-006-0230	ANGELINA PORTER	1801 RUTLAND ST	Opa-locka	33054-3738	21046 NE 5TH CT	MIAMI, FL	33179-1820	MAGNOLIA GARDENS CONSOILIDATED PB 49-54 LOT 23 BLK 337 LOT SIZE 41.560 X 100 OR 18018-0666/0667 0198 4
08-2122-006-0240	DERAK THOMPKINS	1811 RUTLAND ST	Opa-locka	33054-3738	1811 RUTLAND STREET	OPA LOCKA, FL	33054-3738	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 24 BLK 337 LOT SIZE 50.000 X 100 OR 20056-4884 1101 1
08-2122-006-0250	MOHAMED ESHIBA	1821 RUTLAND ST	Opa-locka	33054-3738	6820 RUE VERSAILLES DR	MIAMI BEACH, FL	33141	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 25 BLK 337 LOT SIZE 50.000 X 100 OR 18577-0940 0499 1

08-2122-006-0260	DANIELLA MULLER JTRS	1831 RUTLAND ST	Opa-locka	33054-3738	1225 NW 124 STREET	MIAMI, FL	33167	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 26 BLK 337 LOT SIZE 50.000 X 100 OR 16411-3221 0594 1
08-2122-006-0270	RUSSELL RYALS JR	1841 RUTLAND ST	Opa-locka	33054-3738	1841 RUTLAND ST	OPA LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 27 BLK 337 LOT SIZE 50.000 X 100 OR 21208-3688 03/2003 4
08-2122-006-0280	CEOLA WALKER EST OF	1851 RUTLAND ST	Opa-locka	33054-3738	1851 RUTALAND ST	OPA LOCKA, FL	33054-3738	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 28 BLK 337 LOT SIZE 50.000 X 100 OR 19869-1421 0801 5
08-2122-006-0290	ISIS PEREZ	1861 RUTLAND ST	Opa-locka	33054-3738	1861 RUTLAND ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 29 BLK 337 LOT SIZE 50.000 X 100 OR 20623-3128 0802 1 COC 25078-1738 10 2006 3
08-2122-006-0300	ROLLICE CLARKE	1871 RUTLAND ST	Opa-locka	33054-3738	1871 RUTLAND ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 30 BLK 337 LOT SIZE 50.000 X 100
08-2122-006-0310	HENRY TAMAYO	1881 RUTLAND ST	Opa-locka	33054-3738	1881 RUTLAND ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 31 BLK 337 LOT SIZE 50.000 X 100 COC 23281-3132 04 2005 4 PROBATE 16465 CA 24 20050306

08-2122-006-0580	GUDELIA VASALLO RODRIGUEZ	1880 RUTLAND ST	Opa-locka	33054-3739	1880 RUTLAND ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 14 BLK 338 LOT SIZE 50.000 X 100 OR 18348-1605 1297 1 COC 23760-1110 07 2005 4
08-2122-006-0590	ANTONIO GREGORIO VASALLO	1870 RUTLAND ST	Opa-locka	33054-3739	2901 WEST 16 AVE	HIALEAH, FL	33012	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 15 BLK 338 LOT SIZE 50.000 X 100 OR 9960 939 0278 4 COC 23074-2989 01 2005 1
08-2122-006-0600	SERGE A PAUL	1860 RUTLAND ST	Opa-locka	33054-3739	1860 RUTLAND ST	OPA LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 16 BLK 338 LOT SIZE 50.000 X 100 OR 12701-1546 1185 4
08-2122-006-0610	EROS CASTRO	1850 RUTLAND ST	Opa-locka	33054-3739	1850 RUTLAND ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 17 BLK 338 LOT SIZE 50.000 X 100 OR 21243-2871 042003 4 COC 23207-3814 03 2005 1
08-2122-006-0620	BUFI & SALE LLC	1840 RUTLAND ST	Opa-locka	33054-3739	20515 E COUNTRY CLUB DR	AVENTURA, FL	33180	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 18 BLK 338 LOT SIZE 50.000 X 100 OR 18877-1301/23141-2890 0999 4
08-2122-006-0630	SUSAN SIMMONDS	1830 RUTLAND ST	Opa-locka	33054-3739	1830 RUTLAND ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 19 BLK 338 LOT SIZE 50.000 X 100

08-2122-006-0640	INNOVA ASSET HOLDINGS LLC	1820 RUTLAND ST	Opa-locka	33054-3739	PO BOX 310686	MIAMI, FL	33231	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 20 BLK 338 LOT SIZE 50.000 X 100 OR 17913-0589 1297 1
08-2122-006-0650	MARCUS J BRAXTON	1810 RUTLAND ST	Opa-locka	33054-3739	7900 NW 3 ST APT 14-201	PEMBROKE PINES, FL	33024	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 21 BLK 338 LOT SIZE 50.000 X 100 OR 17892-242- 1297 1 COC 25880-4081 08 2007 5
08-2122-006-0660	SHANEKA DENISE REYNOLDS	1800 RUTLAND ST	Opa-locka	33054-3739	PO BOX 292923	DAVIE, FL	33329	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 22 BLK 338 LOT SIZE 58.820 X 100 OR 20050-3433 1101 1
08-2122-006-0670	GLOBALI LLC	1801 WILMINGTON ST	Opa-locka	33054-3760	200 178 DR #305	SUNNY ISLES BEACH, FL	33160	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 23 BLK 338 LOT SIZE 41.560 X 100 OR 21226-4415 042003 3 COC 22926-3071 12 2004 4
08-2122-006-0680	AGL PROP INC	1811 WILMINGTON ST	Opa-locka	33054-3760	13499 BISCAYNE BLVD #TS2	MIAMI, FL	33181	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 24 BLK 338 LOT SIZE 50.000 X 100 OR 19874-1053 0801 1
08-2122-006-0690	LINDA PHILLIPS	1821 WILMINGTON ST	Opa-locka	33054-3760	1821 WILMINGTON ST	OPA LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 25 BLK 338 LOT SIZE 50.000 X 100 75R-243242

08-2122-006-0700	HELEN BROOKS	1831 WILMINGTON ST	Opa-locka	33054-3760	1500 NW 3 ST #105	DEERFIELD BEACH, FL	33442	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 26 BLK 338 LOT SIZE 50.000 X 100 OR 20053-0593 1101 5 COC 25695-0989 02 2007 5
08-2122-006-0710	JAMES H SIMMONS JR	1841 WILMINGTON ST	Opa-locka	33054-3760	1841 WILMINGTON ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 27 BLK 338 LOT SIZE 50.000 X 100
08-2122-006-0720	ROSALIE ANNE GALLE	1851 WILMINGTON ST	Opa-locka	33054-3760	1411 SOUTH 25 AVE	HOLLYWOOD, FL	33020	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 28 BLK 338 LOT SIZE 50.000 X 100 CASE 2012 A-00146 TC 83019
08-2122-006-0730	SUGEY MILENA ALVAREZ	1861 WILMINGTON ST	Opa-locka	33054-3760	1861 WILMINGTON ST	OPA-LOCKA, FL	33054	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 29 BLK 338 LOT SIZE 50.000 X 100 OR 20667-4601 0802 4 COC 23894-1923 10 2005 6
08-2122-006-0740	SHANEKA REYNOLDS	1871 WILMINGTON ST	Opa-locka	33054-3760	PO BOX 292923	DAVIE, FL	33329	MAGNOLIA GARDENS CONSOLIDATED PB 49-54 LOT 30 BLK 338 LOT SIZE 50.000 X 100 OR 20136-2912 1201 1
08-2122-039-1720	THE MIRAGE AT SAILBOAT COVE	Not Available	Opa-locka	33054-0000	800 WEST AVENUE #C1	MIAMI BEACH, FL	33139	MIRAGE AT SAILBOAT COVE PB 166-086 T-22157 TR A (LAKE) LOT SIZE 14.12 AC FAU 08 2122 000 0190 0194 & 012 0130

30-2114-000-0090	STATE OF FLORIDA	Not Available	Miami	33169-0000	1000 NW 111 AVE	MIAMI, FL	33172	14 52 41 15.35 AC 100FT SAL R/W THRU SEC FORMERLY SEABOARD COASTLINE RR CO COMPTROLLER DOT PER 13675-3540 0588 3
30-2123-000-0040	SKIRAQUI LLC	Not Available	Miami	33167-0000	335 S BISCAYNE BLVD #1709	MIAMI, FL	33131	23 52 41 5.20 AC M/L S1/2 OF NW1/4 OF NW1/4 LYING W OF SPUR CANAL LOT SIZE IRREGULAR OR 11950-2206 1083 3 COC 24607-2993 03 2006 2
30-2123-000-0080	SKIRAQUI LLC	Not Available	Miami	33167-0000	335 S BISCAYNE BLVD #1709	MIAMI, FL	33131	23 52 41 15.5 AC N1/2 OF NW1/4 OF N1/4 LYG W & NWLY OF BISC CANAL SPUR 1 LESS ST RD 9 & LESS SAL RY & LESS O-G & M RTS LOT SIZE IRREG OR 11950-2206 1083 3 COC 24607-2993 03 2006 2
30-2123-000-0200	CSX TRANSPORTATION INC	Not Available	Miami	33054-0000	500 WATER STREET	JACKSONVILLE, FL	32202-0000	23 52 41 .02 AC FRACTIONAL PART 100FT SAL R/W LYING IN NW1/4 OF NW1/4 OR 15774-1300 0886 5
30-2123-021-0010	MIAMI-DADE COUNTY	Not Available	Miami	33167-0000	275 NW 2 ST 4FL	MIAMI, FL	33128-1794	23 52 41 1.47 AC JEB ESTATES PB 58-77 TRACT A LOT SIZE 64033 SQUARE FEET

30-2123-022-1240	RODERICK D VEREEN	14630 NW S RIVER DR	Miami	33167-1027	14630 S RIVER DR	MIAMI, FL	33167-1027	23 52 41 1.19 AC BISC GDNS SEC F PB 44-46 PT LOT 125 LOT SIZE 100.000 X 515 OR 19742-3500 06 2001 6
30-2123-022-1250	RODERICK D VEREEN	14620 NW S RIVER DR	Miami	33167-1027	14630 S RIVER DR	MIAMI, FL	33167	23 52 41 1.19 AC PB 44-46 BISCAYNE GARDENS SEC F PT 1 LOT 126 LOT SIZE 100.000 X 515 75R-15416 COC 22684-2278 09 2004 1
30-2123-022-1260	OSVALDO MONDEJA GONZALEZ	14610 NW S RIVER DR	Miami	33167-1027	14610 NW S RIVER DR	MIAMI, FL	33167	23 52 41 1.19 AC PB 44-46 BISCAYNE GARDENS SEC F PART 1 LOT 127 LOT SIZE 100.000 X 515 73R-61001
30-2123-022-1270	JOSEPH SOMERS &W GLORIA	14600 NW S RIVER DR	Miami	33167-1027	14600 S RIVER DRIVE	MIAMI, FL	33167-1027	23 52 41 1.15 AC PB 44-46 BISCAYNE GARDENS SEC F PART 1 LOT 128 LOT SIZE 100.000 X 515 OR 17611-4588 0397 1
34-2115-000-0040	CSX TRANSPORTATION INC	Not Available	Miami Gardens	33054-0000	500 WATER STREET	JACKSONVILLE, FL	32202-0000	15 52 41 .07 AC FRACTIONAL PART OF 100FT SAL R/W LYING IN SE1/4 OF SE1/4 OR 15774-1300 0886 5 F/A/U 30-2115-000-0040

MODANI BUILDING 1

1700 SERVICE ROAD
OPA-LOCKA, FL 33054

MIA23-0011-00
COVER SHEET
10/09/2023

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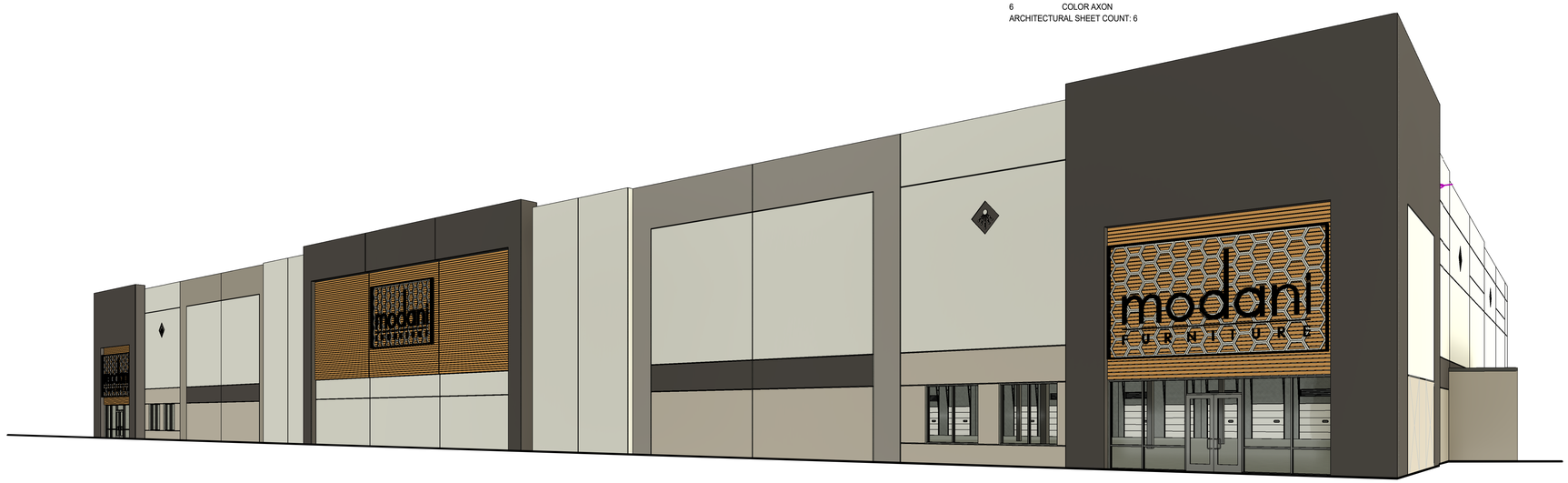
REINALDO A. GOMEZ AR0013736
STATE OF FLORIDA
REINALDO A. GOMEZ
AR0013736
REGISTERED ARCHITECT

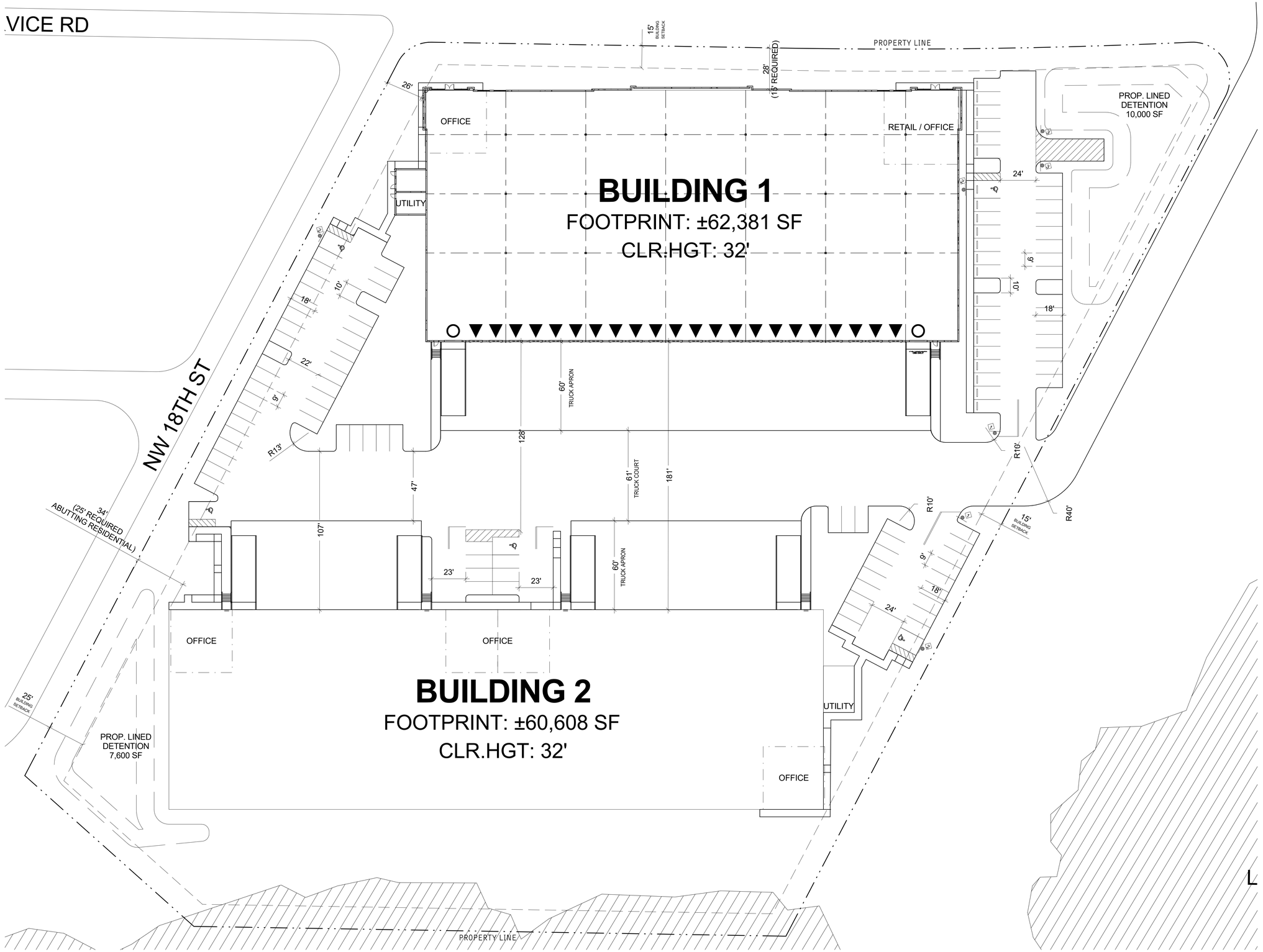
10/09/2023

ARCHITECTURAL

1 COVER SHEET
2 SITE PLAN
3 FLOOR PLAN
4 ROOF PLAN
5 EXTERIOR ELEVATIONS / TYP. BUILDING SECTION
6 COLOR AXON

ARCHITECTURAL SHEET COUNT: 6





DEVELOPMENT STANDARDS

SITE AREA:		7.62 AC
GROSS:		331,963 SF
DETENTION:	5.3%	17,600 SF
NET:		00.40 AC
BUILDING 1 FOOTPRINT:		62,381 SF
BUILDING HEIGHT:		43'
BUILDING USE:		
WAREHOUSE		55,605 SF
OFFICE		6,120 SF
COVERAGE:		
GROSS:		37%
NET:		39%
PARKING REQUIRED:		
WAREHOUSE	1/2,500 SF	22 STALLS
OFFICE	1/400 SF	16 STALLS
TOTAL		38 STALLS
PARKING PROVIDED:		53 STALLS
AUTO:		
REQ. ACCESSIBLE		*3 STALLS*
TRAILER:		N/A
TRUCK DOCKS:		
DOCK-HIGH DOORS		22
KNOCK-OUTS		6
GRADE-LEVEL DOORS		2

DEVELOPMENT STANDARDS

ZONING:		I-1	1
MAX. F.A.R.:		3.00	
MAX. COVERAGE:		TBD	4
MAX. HEIGHT:		45 FT	3
BUILDING SETBACKS:			
FRONT:		15 FT	
SIDE:		0 FT	
REAR:		15 FT	
LANDSCAPE SETBACKS:			
FRONT:		TBD	4
SIDE:		TBD	4
REAR:		TBD	4
LANDSCAPE REQ,:		25%	
OFF-STREET PARKING:			
STANDARD:		9x18	
COMPACT:		8x17	
COMPACT %:		30%	
DRIVE AISLE:		22 FT	
FIRE LANE:		26 FT	
OVERHANG:		TBD	4
TREE WELL:		TBD	4
REQ. PARKING RATION BY USE:			
WAREHOUSE:		1/2500 SF	
OFRFICE:		1/400 SF	

NOTES:
1. ASSUME REZONE FROM R-TH TO I-1

2. 50FT FROM ANY RESIDENTIAL DISTRICT WITH AT LEAST A 30 FT LANDSCAPED BUFFER

3. OR 3 STORIES, WHICHEVER IS LESS.

4. TO BE DETERMINED BY CITY

REINALDO A. GOMEZ AR0013736

STATE OF FLORIDA · REINALDO A. GOMEZ · AR0013736 · REGISTERED ARCHITECT

10/09/2023

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1" = 30'
0 15' 30' 60'
NORTH

modani FURNITURE

SITE PLAN

MODANI BUILDING 1
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

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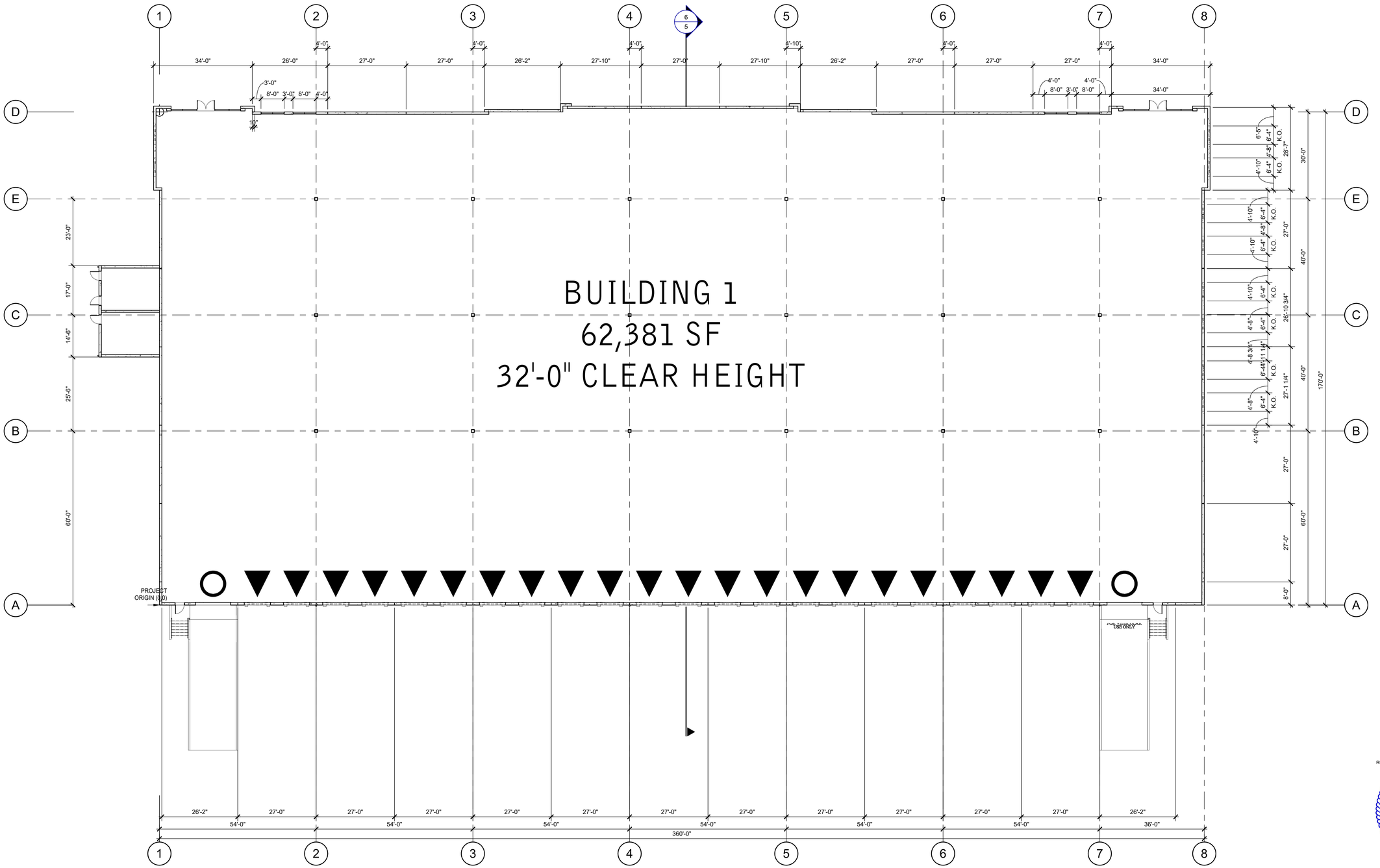
10/09/2023

SHEET 2



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1/16"=1'-0"

0 8' 16' 32'

NORTH

modani FURNITURE

FLOOR PLAN

MODANI BUILDING 1
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

WARE MALCOMB

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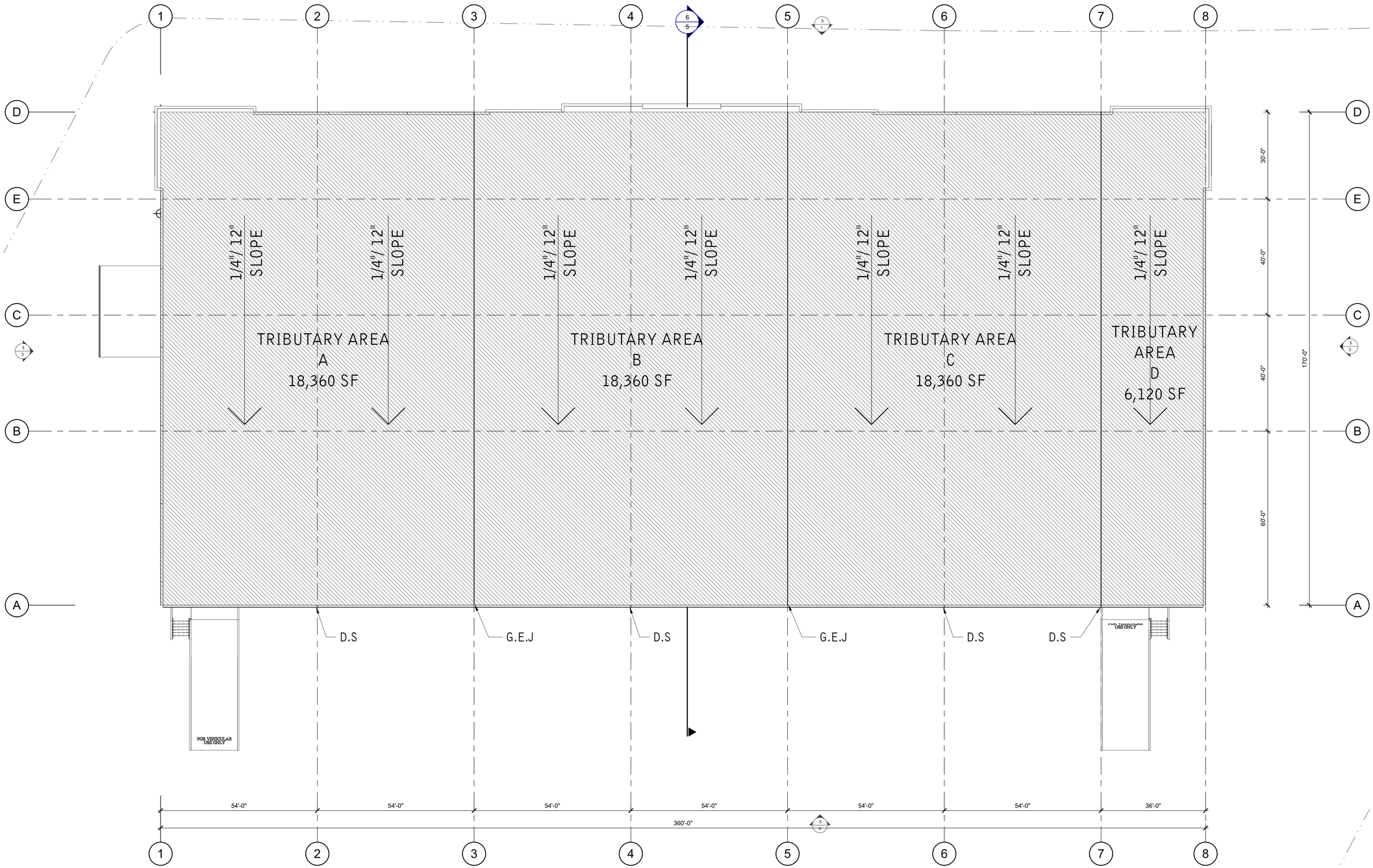
10/09/2023

SHEET 3



ROOF CALCULATIONS

NOTE: ALL HORIZONTAL AND VERTICAL LEADER SIZES HARE SIZED PER SECTION 1106 AND BASED ON 5" RAIN FALL ALL PER HOUR PER FIGURE 1106.1 OF FLORIDA PUMBLING CODE.

ROOF DRAIN A OVER CALCULATION.
ROOF DRAIN TRIBUTARY AREAS:

TRIBUTARY AREA A	=	18,360 SF
TRIBUTARY AREA B	=	18,360 SF
TRIBUTARY AREA C	=	18,360 SF
TRIBUTARY AREA D	=	6,120 SF
TOTAL AREA	=	61,200 SF

RWL SIZE REQUIRED:	6" x 8" REQUIERED UP TO 1208 GPM SF WITH 5" PER HOUR RAINFALL RATE PER TABLE 1106.3 AND FIG. 1106.1 FBC 2017-PUMBLING.
RWL SIZE PROVIDED:	8" x 8"
NO. OF DOWNSPOUTS REQUIRED:	4
NO. OF DOWNSPOUTS PROVIDED:	22
GUTTER REQUIRED:	4" x 10" SQUARE GUTTER @ 4% SLOPE.
GUTTER PROVIDED:	10" x 10" SQUARE GUTTER. @ 4% SLOPE ON 5 INCH
RAINFALL RATE:	5" PER HOUR.

REINALDO A. GOMEZ AR0013736

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1/16"=1'-0"
0 8' 16' 32'
NORTH

modani FURNITURE

ROOF PLAN

MODANI BUILDING 1
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

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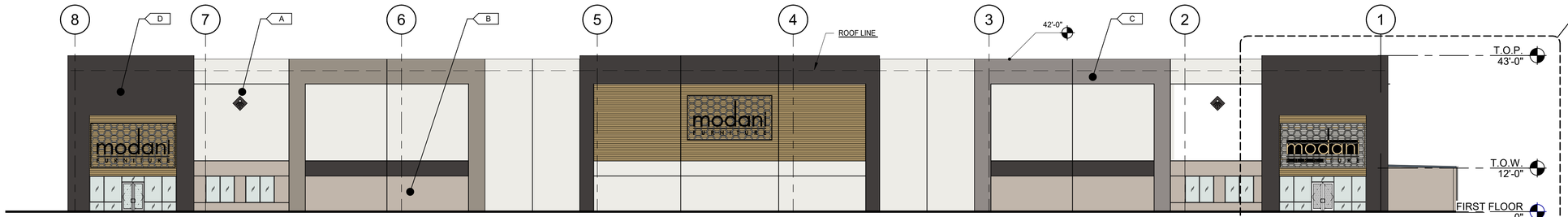
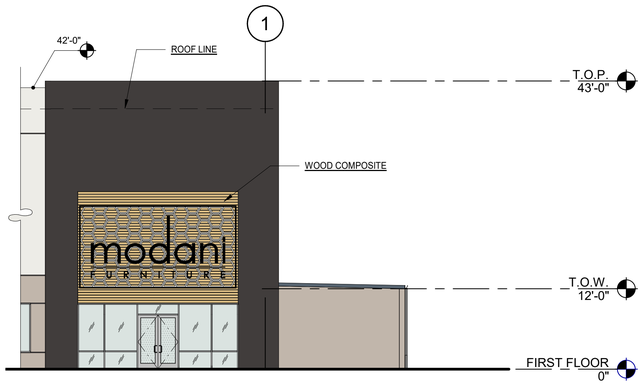
10/09/2023

SHEET 4



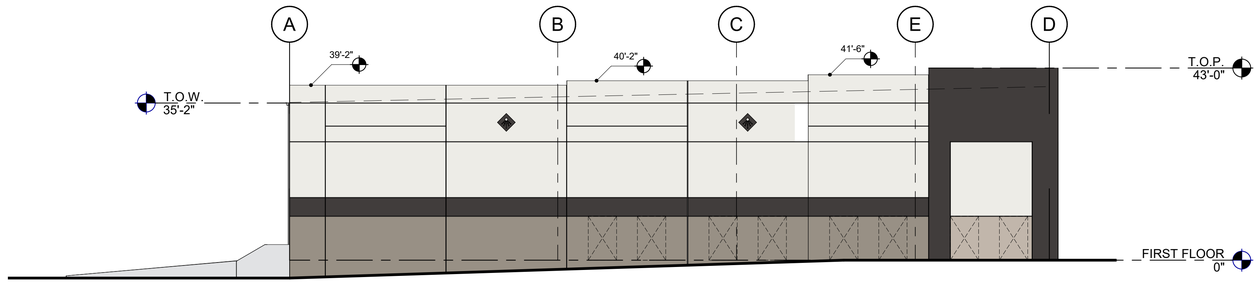
NORTH WEST EXTERIOR ELEVATION 1

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



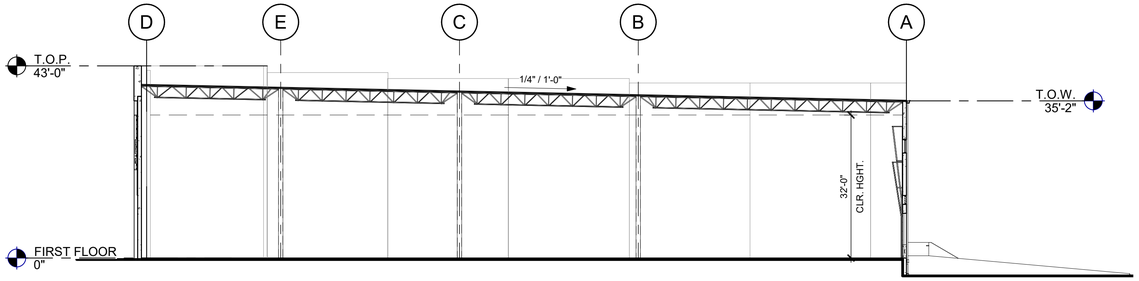
ENLARGE TYP. ENTRACE ELEVATION 5

SCALE: 3/32" = 1'-0"



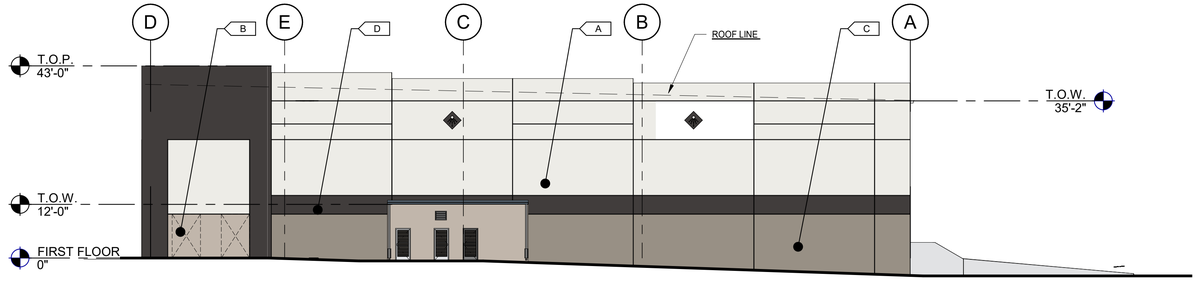
NORTH EASTEXTERIOR ELEVATION 2

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



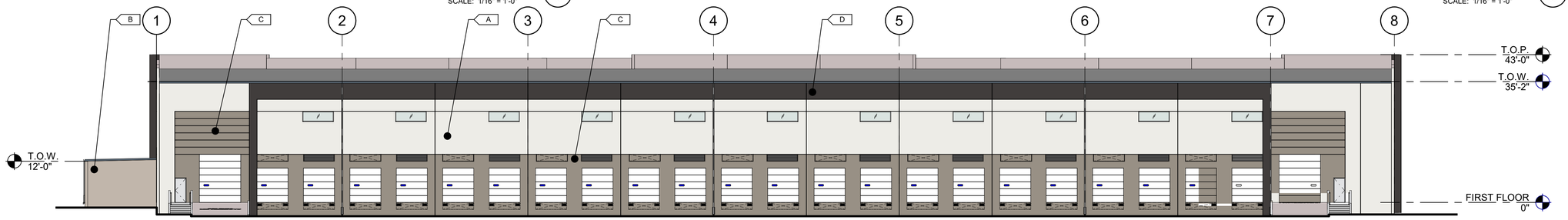
TYP. BUILDING SECTION 6

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



SOUTH WEST EXTERIOR ELEVATION 3

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



SOUTH EAST EXTERIOR ELEVATION 4

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

REINALDO A. GOMEZ AR0013736

STATE OF FLORIDA
REINALDO A. GOMEZ
AR0013736
REGISTERED ARCHITECT

10/09/2023

FINISH LEGEND

A	FIELD WALL PAINT SW 9582 - WHITE SAND	B	ACCENT #1 - WALLPAINT SW 6072 - VERSATILE GRAY	C	ACCENT #2 - WALLPAINT SW 9168 - ELEPHANT EAR	D	ACCENT #3 - WALLPAINT SW 9600 - ARMORY

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1/16"=1'-0"

0 8' 16' 32'

EXTERIOR ELEVATIONS / TYP. BUILDING SECTION

MODANI BUILDING 1
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

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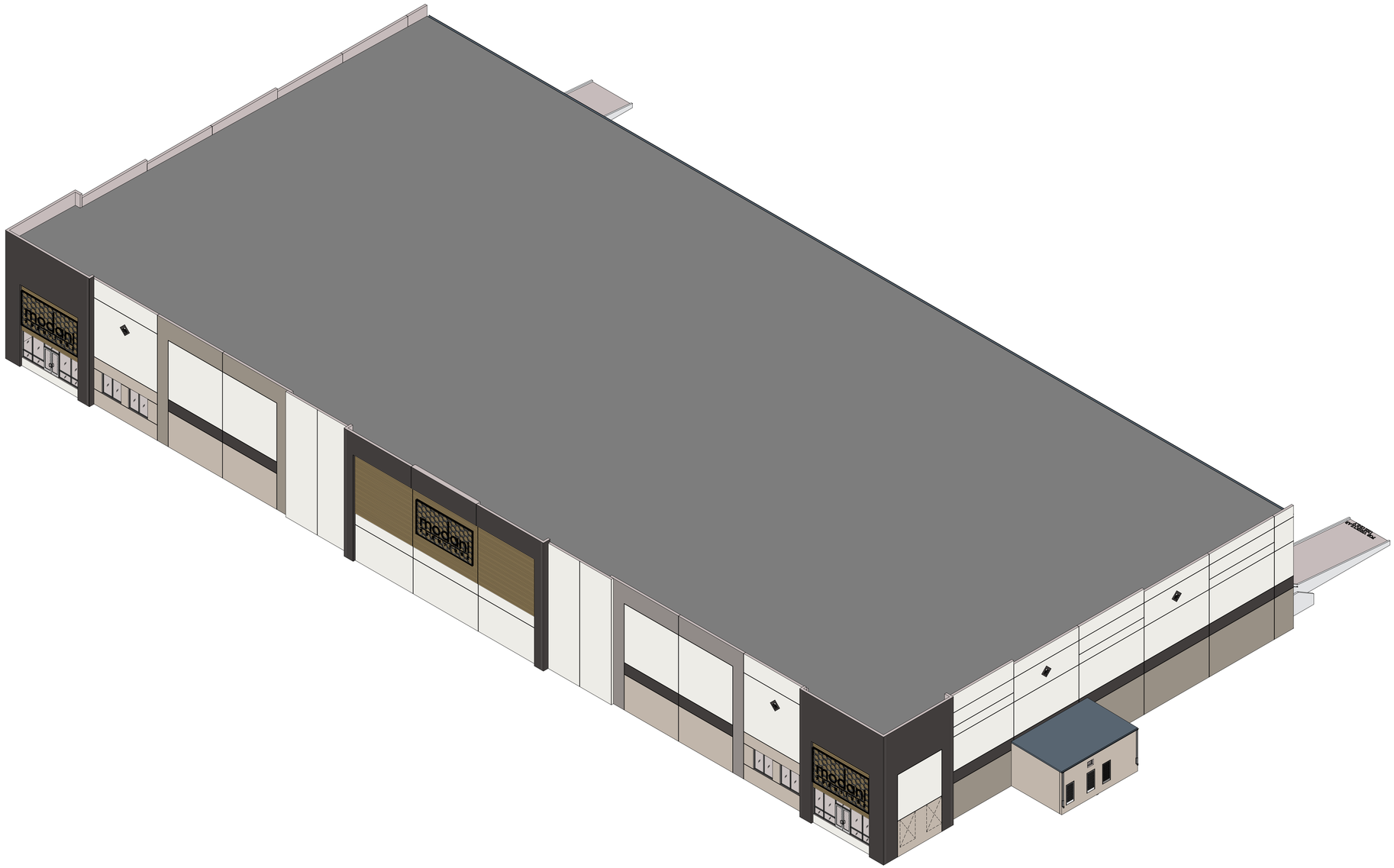
10/09/2023

SHEET 5



REINALDO A. GOMEZ AR0013736

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modani
FURNITURE

COLOR AXON

MODANI BUILDING 1
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

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10/09/2023

SHEET
6

modani
FURNITURE

MODANI BUILDING 2

1700 SERVICE ROAD
OPA-LOCKA, FL 33054

MIA23-0011-00
COVER SHEET
10/09/2023

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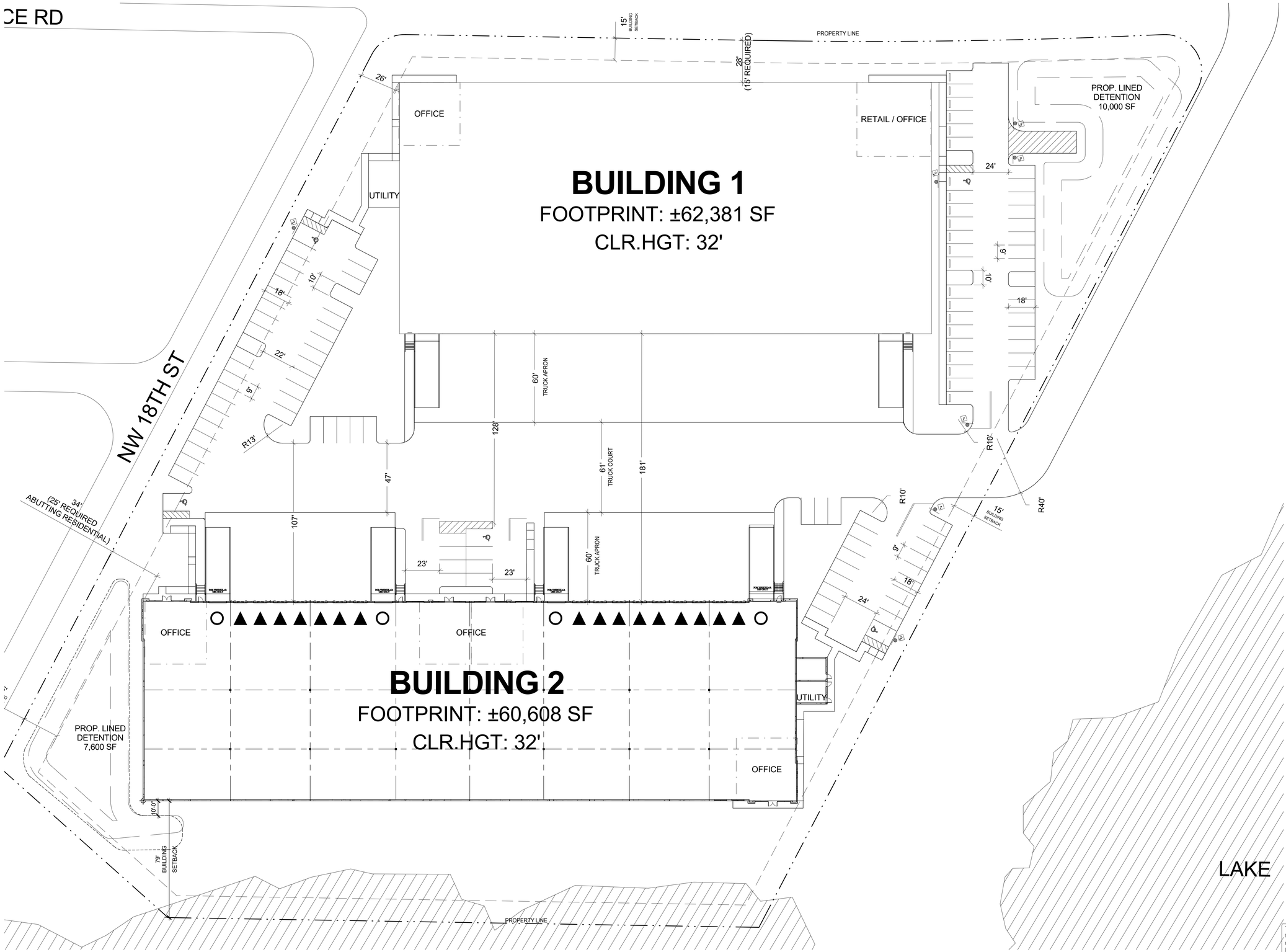
REINALDO A. GOMEZ
AR0013736
STATE OF FLORIDA
REGISTERED ARCHITECT
10/09/2023

ARCHITECTURAL

1 COVER SHEET
2 SITE PLAN
3 FLOOR PLAN
4 ROOF PLAN
5 EXTERIOR ELEVATIONS / TYP. BUILDING SECTION
6 COLOR AXON

ARCHITECTURAL SHEET COUNT: 6



DEVELOPMENT STANDARDS

SITE AREA:		7.62 AC
GROSS:		331,963 SF
DETENTION:	@5.3%	17,600 SF
NET:		00.40 AC
BUILDING 2 FOOTPRINT:		60,608 SF
BUILDING HEIGHT:		41'-6"
BUILDING USE:		
WAREHOUSE	1/2,500 SF	54,108 SF
OFFICE	1/400 SF	6,500 SF
COVERAGE:		
GROSS:		50%
NET:		0%
PARKING REQUIRED:		
WAREHOUSE		22 STALLS
OFFICE		17 STALLS
TOTAL		39 STALLS
PARKING PROVIDED:		53 STALLS
AUTO:		@0/1000
REQ. ACCESSIBLE		*2 STALLS*
TRAILER:		0 STALLS
TRUCK DOCKS:		
DOCK-HIGH DOORS		16
KNOCK-OUTS OR		4
DRIVE-IN DOORS		4

DEVELOPMENT STANDARDS

ZONING:	I-1	1
MAX. F.A.R.:	3.00	
MAX. COVERAGE:	TBD	4
MAX. HEIGHT:	45 FT	3
BUILDING SETBACKS:		
FRONT:	15 FT	
SIDE:	0 FT	
REAR:	15 FT	
LANDSCAPE SETBACKS:		
FRONT:	TBD	4
SIDE:	TBD	4
REAR:	TBD	4
LANDSCAPE REQ,:	25%	
OFF-STREET PARKING:		
STANDARD:	9x18	
COMPACT:	8x17	
COMPACT %:	30%	
DRIVE AISLE:	22 FT	
FIRE LANE:	26 FT	
OVERHANG:	TBD	4
TREE WELL:	TBD	4
REQ. PARKING RATION BY USE:		
WAREHOUSE:	1/2500 SF	
OFFICE:	1/400 SF	

NOTES:
1. ASSUME REZONE FROM R-TH TO I-1

2. 50FT FROM ANY RESIDENTIAL DISTRICT WITH AT LEAST A 30 FT LANDSCAPED BUFFER

3. OR 3 STORIES, WHICHEVER IS LESS.

4. TO BE DETERMINED BY CITY

REINALDO A. GOMEZ
AR0013736
STATE OF FLORIDA
REINALDO A. GOMEZ
AR0013736
REGISTERED ARCHITECT
10/09/2023

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1"=30'
0 15' 30' 60'
NORTH

modani FURNITURE

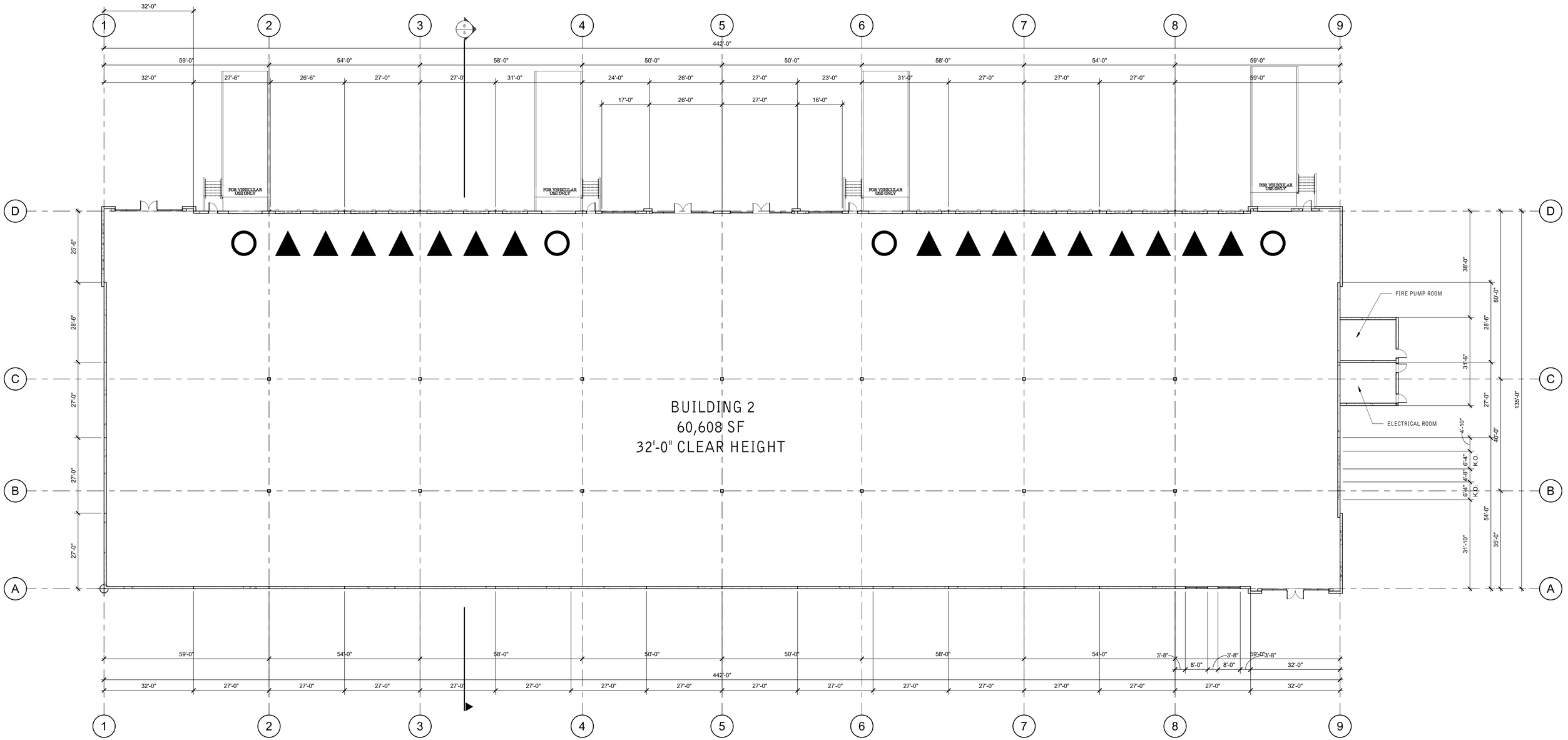
SITE PLAN

MODANI BUILDING 2
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

WARE MALCOMB

MIA23-0011-00
10/09/2023

SHEET 2



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1/16"=1'-0"
0 8' 16' 32' NORTH

modani FURNITURE

FLOOR PLAN

MODANI BUILDING 2
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

WARE MALCOMB

MIA23-0011-00
10/09/2023

SHEET 3

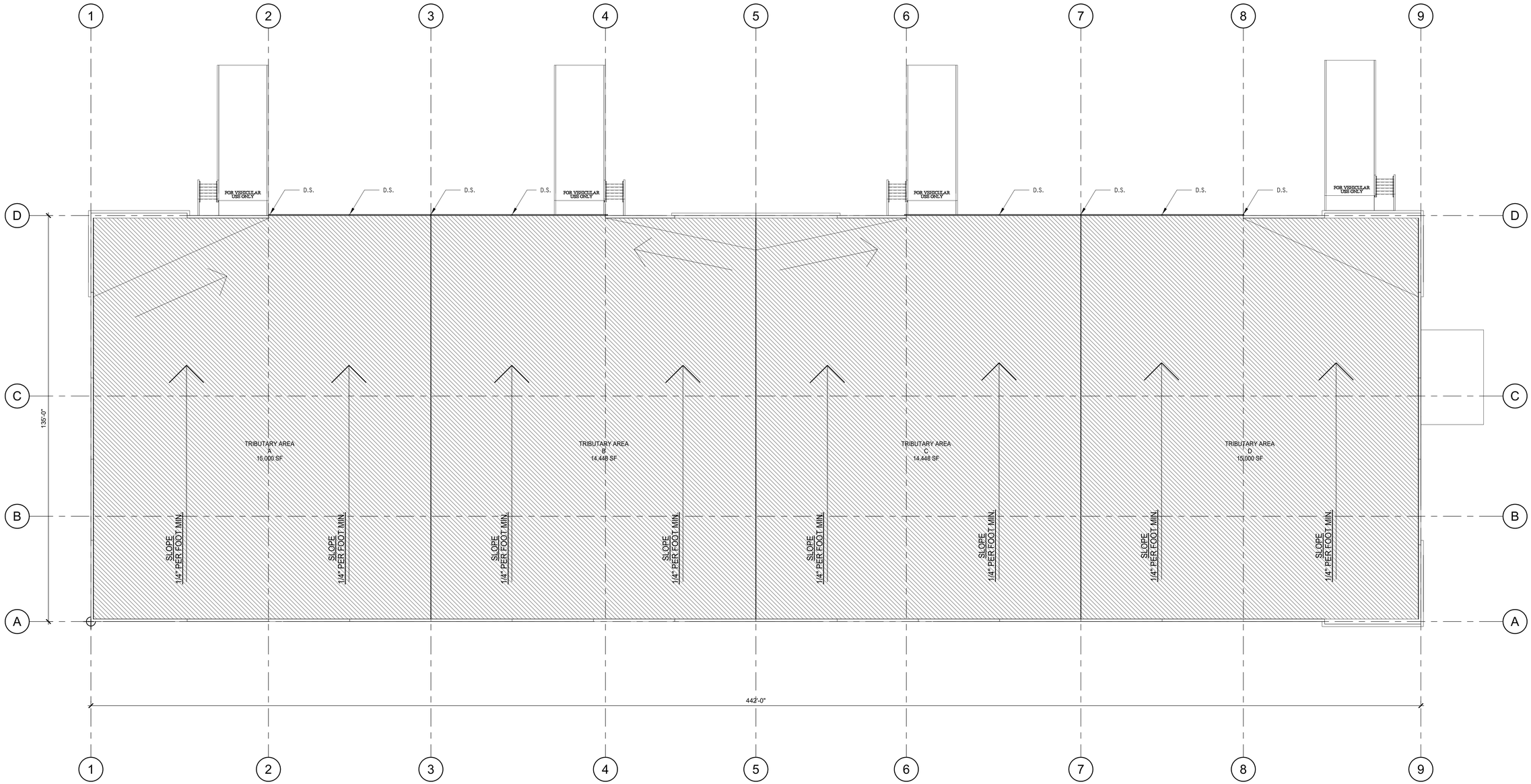
ROOF CALCULATIONS

NOTE: ALL HORIZONTAL AND VERTICAL LEADER SIZES HARE SIZED PER SECTION 1106 AND BASED ON 5" RAIN FALL ALL PER HOUR PER FIGURE 1106.1 OF FLORIDA PUMBLING CODE.

ROOF DRAIN A OVER CALCULATION.
ROOF DRAIN TRIBUTARY AREAS:

TRIBUTARY AREA A	=	15,000 SF
TRIBUTARY AREA B	=	14,448 SF
TRIBUTARY AREA C	=	14,448 SF
TRIBUTARY AREA D	=	15,000 SF
TOTAL AREA	=	58,896 SF

RWL SIZE REQUIRED:	6" x 8" REQUIERED UP TO 1208 GPM SF WITH 5" PER HOUR RAINFALL RATE PER TABLE 1106.3 AND FIG. 1106.1 FBC 2017-PUMBLING.
RWL SIZE PROVIDED:	8" x 8"
NO. OF DOWNSPOUTS REQUIRED:	4
NO. OF DOWNSPOUTS PROVIDED:	8
GUTTER REQUIRED:	4" x 10" SQUARE GUTTER @ 4% SLOPE.
GUTTER PROVIDED:	10" x 10" SQUARE GUTTER. @ 4% SLOPE ON 5 INCH
RAINFALL RATE:	5" PER HOUR.



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0 8' 16' 32'
NORTH

modani FURNITURE

ROOF PLAN

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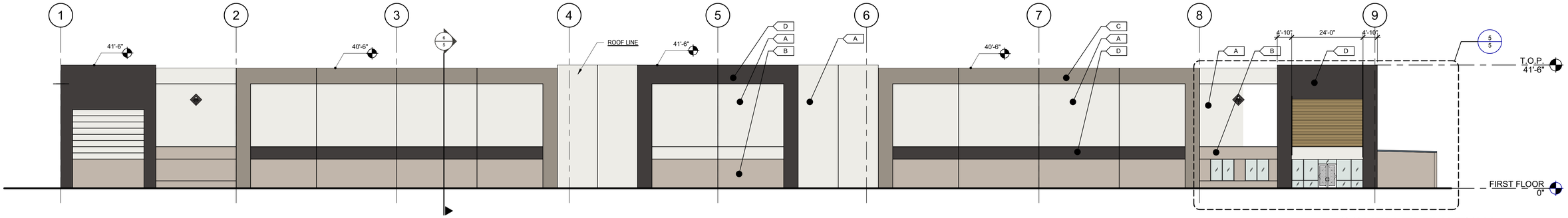
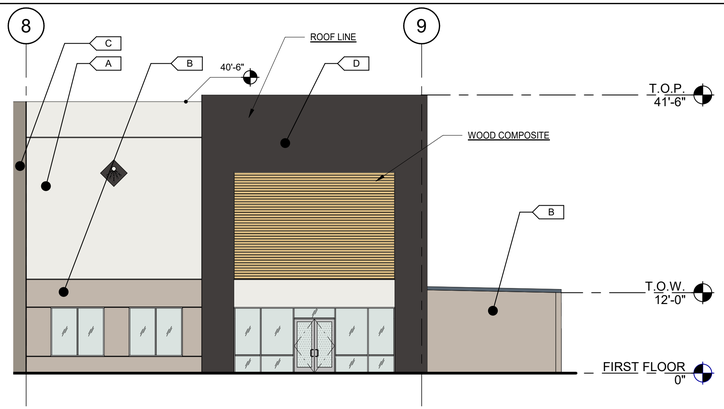
MIA23-0011-00
10/09/2023

SHEET 4



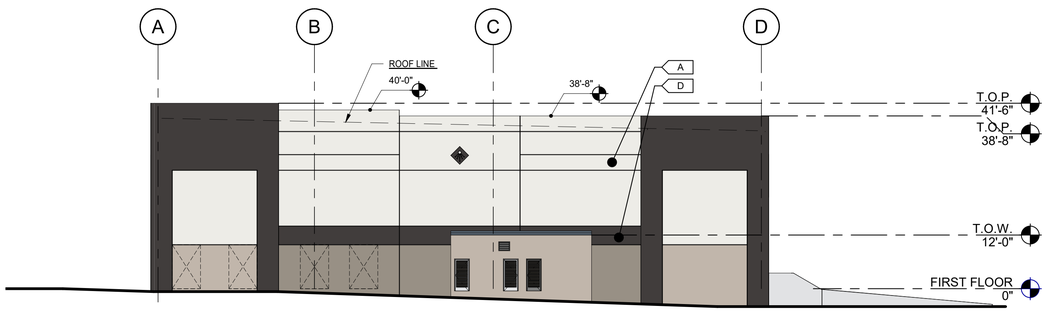
SOUTH ELEVATION 1

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



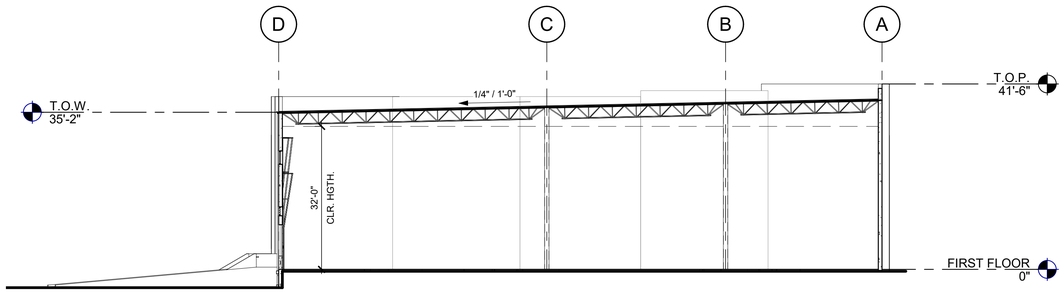
ENLARGED CORNER SOUTH ELEVATION 5

SCALE: 3/32" = 1'-0"



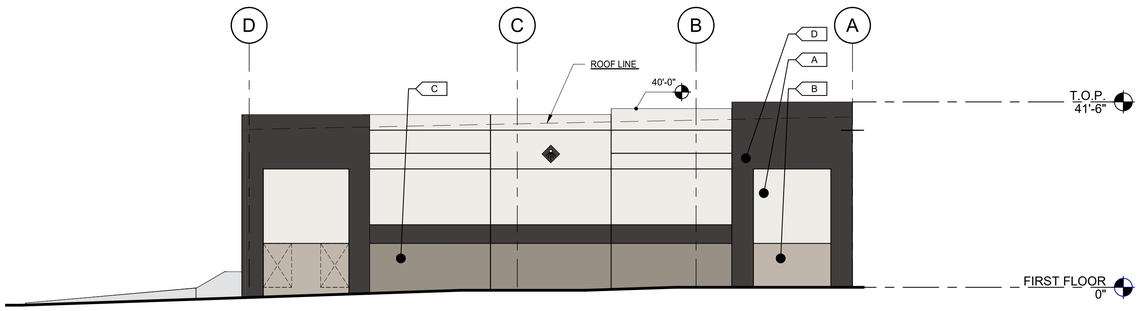
EAST ELEVATION 2

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



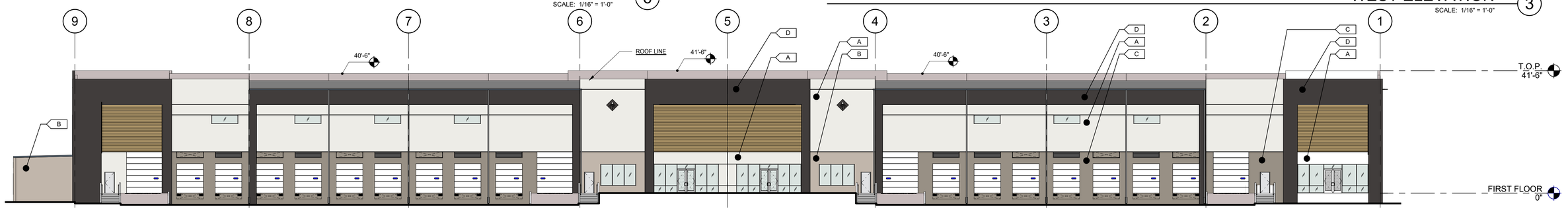
TYP. BUILDING SECTION 6

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



WEST ELEVATION 3

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



EXTERIOR ELEVATION 4

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

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STATE OF FLORIDA
REINALDO A. GOMEZ
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10/09/2023

FINISH LEGEND

A	FIELD WALL PAINT SW 9582 - WHITE SAND	B	ACCENT #1 - WALLPAINT SW 6072 - VERSATILE GRAY	C	ACCENT #2 - WALLPAINT SW 9168 - ELEPHANT EAR	D	ACCENT #3 - WALLPAINT SW 9600 - ARMORY

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0 8' 16' 32'

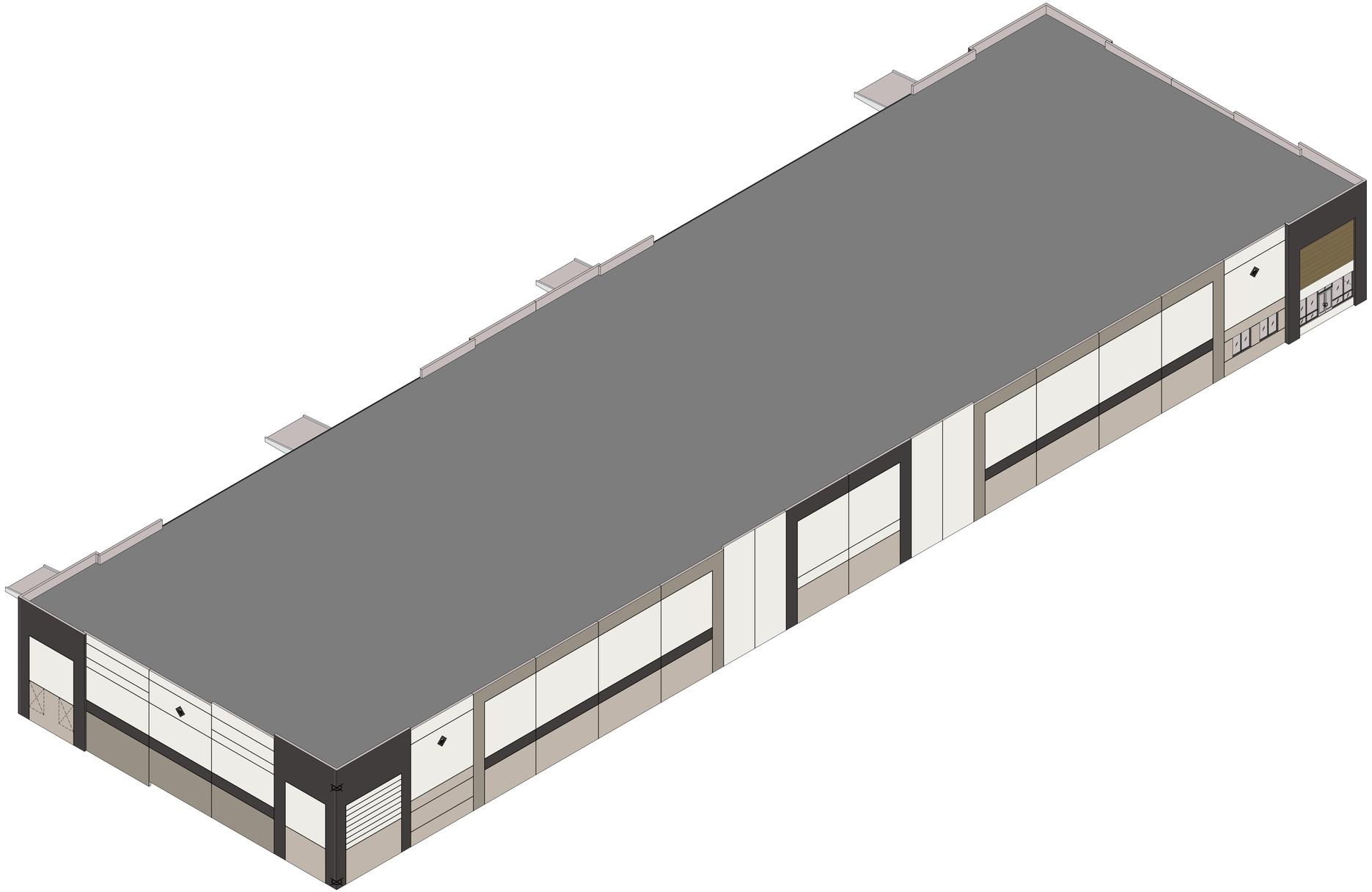
EXTERIOR ELEVATIONS / TYP. BUILDING SECTION

MODANI BUILDING 2
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

WARE MALCOMB

MIA23-0011-00
10/09/2023

SHEET 5



modani
FURNITURE

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STATE OF FLORIDA
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10/09/2023

COLOR AXON

MODANI BUILDING 2
1700 SERVICE ROAD
OPA-LOCKA, FL 33054

WARE MALCOMB

MIA23-0011-00
10/09/2023

SHEET
6

PLANNING & ZONING BOARD

March 19

2024

Request for Small Scale Comprehensive Plan Amendment

Staff Report

APPLICANT'S REQUEST:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CONSIDER A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 7.58 ACRE PARCEL, LOCATED AT 1700 SERVICE ROAD AND IDENTIFIED BY FOLIOS 08-2122-005-2170; AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY FROM LOW MODERATE DENSITY RESIDENTIAL TO AN INDUSTRIAL LAND USE DESIGNATION: PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

I. Site Background

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

  22 52 41 7.58 AC or 330,184.8 SQ FT. MAGNOLIA GDNS CONSOL PB 50-5 PT OF BLKS 346 & 347-BEG AT NW COR OF BLK 346

  S 559.46 FT SELY ALG S/L BLK 346 FOR 152.25 FT NELY 399.88 FT N 640.43 FT NWLY ARC DIST 52.49 FT TH

  SWLY TO POB. LOT SIZE IRREGULAR OR 20964-4155 1202 3

- The proposed project site is a vacant 7.58 acre overgrown property that has been documented as a brownfield contaminated site. The current owner has complied with the requirements of Miami-Dade County to begin to restore use of this site. The site is zoned Residential Townhouse and has a land use designation of Low-Moderate Density. This site is also within the Corridor Mixed Use Overlay District. With the current residential zoning, residential land use, and Corridor Mixed Use Overlay, this site would be used for the mixture of residential uses and commercial retail uses.

NORTH **NW 18th Ave** **SOUTH**

Figure 1: Google Street View: North View from State Road 9

Figure 3: Google Street View: North View from State Road 9

II. Project Details

- **Applicant's intent**
  The Applicant, Castle Opa, LLC. intends to construct two commercial and industrial buildings that will be used for a showroom, office space, product retail, product manufacture and assembly and storage area.

They also intend to provide appropriate parking and landscaping in accordance with the City of Opa-locka's Land Development Regulations.

The applicant has submitted four application requests for the development of this site:

1. To change the land use from residential to industrial
2. To change the zoning designation from residential Townhouse to Light Industrial (I-1).
3. To review and approve the site plan to build two commercial buildings for this furniture business.
4. To review and approve the development agreement concerning the long-term maintenance of the site.

To accommodate the new intended uses for this site will require the review and recommendation of the Planning & Zoning Appeals Board and the review and approval of the City Commission concerning these four requests.

Site Computations & Land Development Regulation / Zoning Code | Table 1

Applicant	Castle Opa, LLC		
Folio Number (s)	Opa-locka: 08-2122-005-2170;		
Address Location	1700 Service Road, Opa-locka, FL 33054		
Building (s) Footprint	Building Footprint/Building Coverage Building 1 62,381 SF; Building Footprint/Building Coverage Building 2 60,608 SF Greenspace/Landscape Area – 49,076 SF		
Floor Area Ratio	<1.0 FAR .023		
Zoning	**R-TH – Residential Townhouse**		
Zoning Code Consistency	The proposed use for a Commercial Retail Showroom and Business Office and for a Furniture manufacture and assembly warehouse facility and warehouse storage area is not consistent with the R-TH Zoning District permitted uses.		
Existing Land Use	Vacant Land		
Future Land Use Designation	Low-Moderate Density Residential		
Comprehensive Plan Consistency	- The proposed use for a Commercial Showroom and Retail facility and a Business Office and warehouse manufacture / assembly and storage facility is not consistent with the Comprehensive Plan for residential use.		
Applicable LDR Sections	Ordinance no. 15-31, Article III Sec; 22-55; Article IV Sec. 22-86, Article 22-99, & Article X - Ord. No. 14-16 Sign Regulations		
SET BACKS/ YARD	**REQUIRED**	**PROPOSED**	**COMPLIANCE**
Bldg. 1 Front	**15 Feet**	**76 Feet**	**YES**
Bldg. 2 Front	**15 Feet**	**15 Feet**	**YES**
Bldg. 1 Rear	**15 Feet**	**26 Feet**	**Yes**
Bldg. 2 Rear	**15 Feet**	**25 Feet**	**Yes**
Side Interior	**0 Feet**	**54 Feet**	**YES**
Side Street	**15 Feet** (50 feet from any residential district, with at least a 30-foot landscaped buffer)	**26 Feet** **(Does not have a 30-foot landscape buffer from residential)**	**Yes**
Corner Lots/ Other	**N/A**	**N/A**	**N/A**

Lot Coverage (Max Impervious Area)	**75% (247,638.6 SQ FT)**	**263,508.8 (79.8% IMPER) 66,676 PERVIOUS**	**No**
Lot Density	**N/A**	**N/A**	**N/A**
Lot Size	**10,000 SF (0.23 Acres)**	**330,184.8 SF or 7.58 Acres**	**YES**
Lot Width	**N/A**	**N/A**	**N/A**
Building Height	**3 Stories or 45 Feet whichever less**	**Office, Warehouse, Retail, Storage Building:** 3 Stories/ 45 Feet	**YES**
Structure Length	**N/A**	**N/A**	**N/A**
Other Vehicular Use Area	**N/A**	**N/A**	**No**
Landscaping	**Total Landscaping Area**	**49,076 sq. ft.**	
Parking Details	**Office buildings:** pursuant to the Land Development Regulation Ordinance 15-31: Article VI, section 22-91. One (1) Parking per 400 square feet of office area. **Warehouse: 1/2500 SF**	**Office Spaces Req** **17 Bldg 1** **16 Bldg 2** **Warehouse** **Pk Space Req** **22 Bldg 1** **22 Bldg 2** **Total Provided 106** 1 Handicapped Spaces	**YES**
Landscape/ Pervious Lot Coverage	**10% minimum required pervious**	**17% provided**	**YES**
Notification Requirement	This request will be properly noticed pursuant to state law and city charter by the city clerk's office. - A copy of notice for advertisement titles were given to the Clerk's Office on Tuesday, November 21st, 2023. To be advertise at least 10 days prior to this Planning and Zoning Board meeting on Tuesday, February 6th, 2024. - City Commission Meeting: TBD		
Local Government Action Required	The City Commission must review this site plan and consider approval/disapproval or approval with conditions after it is reviewed by the Planning and Zoning Appeals Board and any other applicable board or agency.		

- ## Overall Analysis

Existing Conditions:

- The Subject Property is generally surrounded by residential properties to the west and vacant land outside the City of Opa-locka to the east. And residential uses north of State Road 9.
- No Sidewalk alongside the west edge of the Property on NW 18th Avenue, or the north edge on Service Road
- Property is currently vacant and overgrown.

PZAB Rezoning Review Criteria

1. The proposed change is contrary to the established land use pattern.

   The proposed use for the site, "Retail Furniture Showroom with a Furniture Manufacture/Assembly Warehouse and Storage Facility and Business Office" conflicts with the adjacent residential neighborhood just across NW 18th Avenue, as well as the residential neighborhood across S.R. 9.

2. The proposed change would create "spot zoning".

   Rezoning the site from Residential Townhouse to Light Industrial will result in this single site having that zoning. A single site does not constitute a zoning district.

3. The proposed change would alter the population or traffic patterns and thereby negatively impact public facilities such as schools, utilities, streets, etc.

   Specifically, the Furniture Manufacture/Assembly Warehouse and Storage Facility uses would generate tractor trailer traffic, which should be restricted to arterial streets and would disrupt the tranquility of the residential neighborhood just across NW 18th Avenue.

4. The proposed zoning district boundaries would become more illogically drawn.

   According to the rules of proper zoning, a zoning district is made up of multiple parcels. A single parcel with a light industrial zoning designation surrounded by residentially zoned districts is therefore illogical according to these rules.

5. The proposed change would be in conflict with all or portions of the City's Comprehensive Plan.

   The City's Comprehensive Plan, which reconciles zoning districts with such things as utilities capacity, service delivery and school capacity contemplates this as a residentially zoned parcel. Changing to light industrial would compromise the balancing of the zoning district with its needs.

6. There is an additional need for uses permitted within the proposed zoning district.

   Opa-locka and Miami-Dade County are faced with a severe housing shortage, changing the use from residential to light industrial would lessen the amount of land available to build housing.

7. The proposed change will adversely affect living conditions in the neighborhood, if applicable.

   Tractor trailers driving through would make the neighborhood a less desirable place to live.

8. The proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

   Truck traffic through the neighborhood would increase traffic significantly, both in the amount of traffic and the size of the vehicles.

9. The proposed change will create a drainage problem.

   The proposed use will result in more concrete and asphalt than what the current zoning permits. This will result in greater run-off of rainwater into a wastewater system built to serve residential use.

10. The proposed change will reduce light and air to adjacent areas.

    The bulk and massing of the proposed buildings will reduce prevailing easterly (ocean) breezes through the site reducing the benefit such air circulation provides to the residential neighborhood across 18th Avenue.

11. The proposed change will adversely affect property values.

    The proposed use will make it less likely to sell/buy a house in the adjacent neighborhood, this will reduce property values.

12. The proposed change will be a deterrent to the improvement or development of adjacent property.

    Homeowners will be less likely to make significant improvements to their property. Demolition of existing housing and replacement with new housing will be less likely to occur.

13. The proposed change will constitute a grant of special privilege.

    Spot-zoning goes against the rules of proper zoning practice.

14. There are no substantial reasons why the property cannot be used in accordance

with the existing zoning.

More than half of the City of Opa-locka is zoned industrial or with zoning compatible to industrial. There is no need to spot zone this parcel from residential to industrial.

15. Whether the change suggested is out of scale with the surrounding neighborhood.

    The two warehouse buildings proposed are out of scale with the single-family homes in the neighborhood across 18th Avenue.

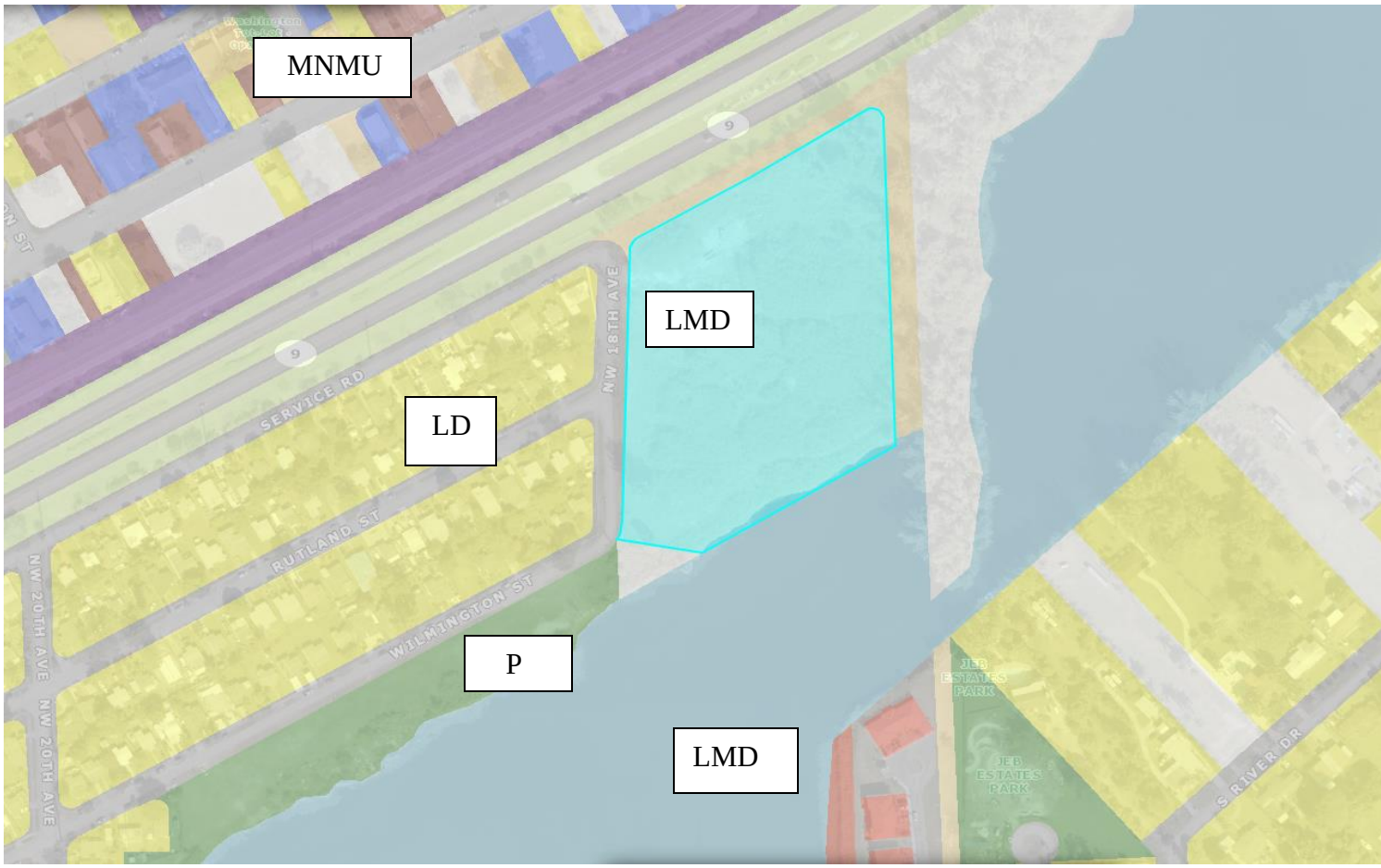
16. It is possible to find other sites already zoned permitting the uses(s) requested.

    More than half of the City of Opa-locka is zoned industrial or with zoning compatible to industrial.

17. The proposed rezoning would meet all other regulations.

Surrounding Land Use Designation Map

The Site is highlighted in image.



Legend

- Low Density Residential [0-9 DU/AC]
- Low-Medium Density Residential [9-18 DU/AC]
- Moderate Density Residential [18-30 DU/AC]
- Commercial
- Industrial
- Airport
- Parks and Recreation
- Public Buildings/Facilities
- Semi Public
- Utilities
- Streets
- Water
- Transit Oriented Development Overlay

Surrounding Land Use and Zoning: Table 2

Location	Existing Land Use	Future Land Use (FLU)	Zoning
North	Commercial/Residential	Commercial/Residential	B-O to B-2/ R-1 R-2
South	Residential	Residential	R-TH
East	N/A	N/A	N/A

West	Residential	Residential	R-1

DOES NO COMPLY

- **General Character / Neighborhood Compatibility:** The proposed development use will not be in harmony w the general character of the surrounding neighborhood considering population density, design, scale, and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions?
  - **Findings:**
    - The proposed development use "Retail Furniture Showroom with a Furniture Manufacture/Assembly Warehouse and Storage Facility and Business Office" is in harmony with the general characteristic of the surrounding neighborhood: Industrial Uses

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

COMPLIES

  - **Findings:**
    - The Applicant is proposing to include landscaping at 21,215 square feet. *(Please see attached Landscape Plan for Trees detailed information*).

- **Fence:** All fences constructed on property perimeters shall be in accordance with the requirements of the Land Development Regulation Section 22-134., however if additional walls, fences or hedges are installed they shall also comply with the requirements of this Section.
  - **Findings:**
    - The Applicant may install a fence or a wall in accordance with the LDR.

- **Future Land Use:** Industrial (Communications, water and sewer facilities, electrical as needed).
  - **Findings:**
    - According to the City of Opa-locka Comprehensive Plan; the proposed project shall be located within the City's Industrial land use designation category location.

DOES NOT COMPLY

- **I-1 (Light Industrial) Permitted Uses:** Project Specific: *Construction of a Commercial, Retail, Manufacturing & Assembly Warehouse with Storage and Office Facilities*

DOES NO COMPLY

  - **Findings:**
    - According to the City's Land Development Regulation/ Zoning Code I-1 (Liberal Industrial) zoning district would permit this use, however this change is not compatible with the zoning of the proximal zoning district. This request is for Land Use Change from Residential to Industrial; Zoning Change from R-TH to I-1.

- **Community Comments/Petitions:** The Applicant verbally informed the Planning and Community Development Department that petitions were submitted to the surrounding businesses for signatures, comments or possible opposition.
  - **Findings:** The Planning and community Development Department has received two signed petitions submitted to the Neighboring Businesses as indicated by the Applicant.

COMPLIES

C. Project Need Assessment / other Required Approvals

1. Small Scale Comprehensive Plan Amendment Request 2. Rezoning Request 3. Site Plan Review 4. Development Agreement
   - Application(s) submitted for Planning & Zoning Board Meeting (this meeting) Tuesday, February 6, 2024

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

1. **Capital Improvement Project (CIP):**
   - Stormwater Best Management Practices need to be incorporated according to EPA Industrial Standards
   - No Tree Planting on the ground to avoid water infiltration.
   - The Stormwater Pollution Protection Plan must contain a narrative evaluation of the appropriateness of stormwater management practices that divert, reuse, or otherwise manage stormwater runoff to reduce the discharge of pollutants into the lake.
   - The required measures will need to be highly site-specific due to the conditions of the area. Vegetative swales are not an option, collection, and reuse of stormwater, inlet controls, and wet retention measures that incorporate treatment like granular activated carbon and nutrient separating baffle box for each outfall could be used.
2. **Building:**
   - N/A
3. **Police:**
   - N/A
4. **Community Redevelopment Agency (CRA):**
   - Rezoning of the parcel from Residential Townhouse to Light Industrial and the construction of two buildings to house showroom, office space, product retail, product manufacture and assembly and storage uses would conflict with the Opa-locka Community Redevelopment Plan goal for the site.

     The Community Redevelopment Plan seeks to explore mixed use redevelopment of the property. In concert, the City has expressed an interest in developing town homes and providing a public boardwalk along the lake. A hotel, lakefront restaurant, public plaza, and town homes are envisioned for the property.

     The Opa-locka Community Redevelopment Agency would work with the property owner and City to evaluate site readiness needs and increased level-of-service demands on Magnolia Garden's streets that will occur from redevelopment. Brownfield remediation funds and other financing solutions will likely need to be organized if the property will be fully redeveloped as envisioned by the City.
5. **City Manager's Office (CMO):**
   - N/A

6. **Code Enforcement:**
   - Landscape plants should be low maintenance "Florida Friendly" species.
   - Landscape plants should be installed at the appropriate time in the site build out process. Planted too early may risk lack of maintenance/watering and possibly jeopardize the growth of the plants.

7. **City Attorney's Office:**
   - Development Agreement under review

8. **Public works:**
   - Proposed development requires encapsulation or remediation.
   - The project does not demonstrate total encapsulation, with adequate mitigating controls, of the known contaminants at the site.
   - No pervious surface should be allowed on site. Drainage plan does not demonstrate any pretreatment structures for the treatment of outfall discharge.
   - Water and sewer conveyance should be in an impervious trench to eliminate the risk of contamination during maintenance or repair.
   - A retaining should be built such that treated run off flows to Lake Ingram, and thereby to Biscayne Bay.
   - Green spaces are pervious, this will contribute to further contamination of the adjacent body of water, greenery should only be allowed in individual pots or impervious concrete vaults that are connected to a conveyance stormwater management system to provide adequate drainage. This includes plant materials proposed to be in the public right of way.
   - After redevelopment, the site will require on-going treatment of stormwater runoff.

9. **Inter-jurisdictional Review:**
   - N/A

E. Staff Recommendation:

Staff recommends denial of this Comprehensive Plan Amendment to the Future Land Use Map because the proposed use of the site is not in harmony with the residential neighborhood.

F. **Attachments:**

- Ordinance, Application, Neighborhood Petitions, Applicant's Narrative

Planning and Community Development Department

	Name and Title	Initials
Project Planner	Randall Robinson, City Planner	
Zoning	Gerald J. Lee, Zoning Official	
Economic Development	Solomon Bankole, Manager	
Approved by	Gregory D. Gay, Director Planning and Community Development	

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

Resolution No. 2024-03-19-01,

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL OR DENIAL OR APPROVAL WITH CONDITIONS OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR A 7.58 ACRE PARCEL, LOCATED AT 1700 SERVICE ROAD AND IDENTIFIED BY FOLIOS 08-2122-005-2170; AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY FROM LOW MODERATE DENSITY_RESIDENTIAL TO AN INDUSTRIAL LAND USE DESIGNATION: PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1) That the request in the application by the applicant be and the same is hereby

a. APPROVED ☐ DATE: March 19, 2024

b. DENIED ☐ DATE: March 19, 2024

c. NOT DETERMINED ☐ until additional consideration at the regular meeting to be held on__ / __ / ____

2) That the following special condition be and they are hereby imposed, conditioning the determination aforementioned:

a.

b.

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

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

_____

Chairperson or Designee

DRAFT

MEETING MINUTES
CITY OF OPA-LOCKA
PLANNING AND ZONING BOARD
MARCH 19, 2024, 7:00 P.M.

CALL TO ORDER

Chair Elio Guerrero called the Planning and Zoning Board meeting to order at 7:05 p.m. on March 19, 2024.

An opportunity was given to the public to email the Planning and Zoning Clerk prior to the Board meeting with any questions, comments, or concerns on items to be heard on the Agenda.

ROLL CALL

The following members of the Planning and Zoning Board were present: Chair Elio Guerrero, Board Member Audrey Dominguez, Board Member Dawn Mangham, Board Member Aldo Mata, and Board Member Claudienne Hibbert Smith.

Absent Board Members: Board Member Germane Barnes

Also in attendance were Planning and Community Development Director Gregory Gay, Zoning Official Gerald Lee, Planning and Zoning Board Clerk Diana Cheng, Board Attorney Pam Booker, and City Manager Darvin Williams.

INVOCATION

Chair Guerrero gave the Invocation.

PLEDGE OF ALLEGIANCE

All present stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

None.

PUBLIC HEARING:

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE APPROVAL OR DENIAL OF A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE**

MAP FOR A 7.58 ACRE PARCEL, LOCATED AT 1700 SERVICE ROAD AND IDENTIFIED BY FOLIOS O8-2122-005-2170; AMENDING THE LAND USE DESIGNATION FOR THE PROPERTY FROM LOW MODERATE DENSITY RESIDENTIAL TO AN INDUSTRIAL LAND USE DESIGNATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Planning and Community Development Director Gregory Gay stated that this Item proposes a change in land use for the subject site, which is located on the City's eastern edge. The property is currently zoned for residential use with a mixed-use overlay. The property owners hope to change its zoning at a future meeting.

City Manager Darvin Williams advised that the City Commission had recommended he attend Planning and Zoning Board meetings when available in order to provide the City's perspective on some items before they come to the Commission. He explained that the Item addresses one of the only waterfront properties in Opa-locka, which is surrounded by a town home housing development, single-family residential homes, and the Sailboat Cove community. The proposed zoning change is to industrial use for a warehouse.

City Manager Williams noted that the proposed warehouse mixed-use development would be surrounded by residential homes. In addition, some of the properties adjacent to the subject site are owned by the City, which hopes to develop those parcels for residential use.

Robert Holland, 3250 NE 1st Avenue, Miami, representing the Applicant, stated that the Application was filed in October 2023 and initially scheduled to be heard by the Planning and Zoning Board in November.

The Application proposes a land use change for the purpose of constructing a warehouse development, although Mr. Holland advised that this would not be a traditional warehouse district. The Applicant is a nationally recognized furniture store which hopes to relocate its headquarters to Opa-locka for retail and distribution. The request before the Board today is for a Comprehensive Plan amendment, to be followed by a zoning amendment, Site Plan review, and development agreement in the future.

Mr. Holland described the subject site as a "dumping ground" for several years, resulting in significant environmental issues. The current owner purchased the site and has attempted to remediate it for several years. Soil damage on the property extends to a depth of 40 ft., which means it could not be used for residential development.

A number of environmental studies have been conducted on the site and an Environmental Site Assessment Plan has been prepared on behalf of the City. The scope of work for this Plan included ground-penetrating radar, testing and observation of the soil excavation pit, advanced soil borings, and brownwater monitoring. The report

identifies the extent to which the site would need to be remediated for either residential or commercial/industrial development.

Mr. Holland recalled that the City Manager had indicated the City hoped to bring mixed-use commercial and residential development to the site; however, the contamination on the site would make it unusable for residential development.

Board Member Hibbert Smith arrived at 7:17 p.m.

Mr. Holland continued that in 2019, development of the subject property for affordable housing was considered; however, the environmental assessment of the site determined that this was not suitable. Other past proposals included development of a hotel, affordable housing by a different developer, residential homes, and a water park. In each case, environmental assessments showed the site was not appropriate for those developments.

Mr. Holland stated that the Applicant, Modani Furniture, is considering moving its headquarters from the city of Aventura to Opa-locka. They would provide commercial/retail mixed-use with a showroom and distribution centers.

Mr. Holland showed a rendering of the proposed site, stating that the front building on the site would be Modani retail and distribution facing State Road (SR) 9. The only entry point into the development is located away from the surrounding residential portions, with a required buffer and wall on the western side. He also pointed out that the City hopes to develop a waterfront parcel for residential use, which would not be inhibited by the proposed mixed-use development.

Mr. Holland also showed views of the rear of the site, which he described as recreational, possibly with indoor sports facilities or playgrounds. The Applicant would rent these spaces to the community. Modani Furniture also proposes to offer a 10% discount to all Opa-locka residents on furniture purchases, and to hire employees from the Opa-locka community.

Mr. Holland continued that another proposal would be gateway signage on SR 9 to welcome the public to Opa-locka. The Applicant has already spoken with the Florida Department of Transportation (FDOT) regarding an access point to the site from SR 9. He emphasized the Applicant’s dedication to bringing jobs to the City. He concluded that the Applicant would work on the site’s design with City Staff.

Chair Guerrero asked if the entrance would be from SR 9 only and would not include a service road. Director Gay clarified that the service road will continue to end at its current location. Mr. Holland noted that a residential area is buffered from any road or vehicular access. The Applicant can also create bays of varying sizes for recreational uses.

Board Member Dominguez requested clarification of the difference between environmental requirements for residential and commercial development. Mr. Holland noted that non-residential development is more likely to be capped by asphalt and would not have areas in which individuals are exposed directly to contaminated soil or grass. Buildings would be constructed of concrete with solid floors, and most activities would occur in those buildings. The Applicant would still be required to remediate environmental concerns for commercial/industrial use.

Board Member Dominguez also noted that the proposed use could create drainage issues and result in more concrete and asphalt than permitted under current zoning. It could cause more rainwater to drain into the wastewater system built to serve nearby residential uses. Mr. Holland stated that all developments of the proposed site must be approved by the Florida Department of Environmental Resources Management (DERM); in addition, all rainwater must be captured on the site. No runoff is anticipated into the wastewater system or the lake, as the site must connect to the sewer system.

Board Member Dominguez also asked a question regarding excessive traffic to and from the site near the residential areas. Mr. Holland reiterated that the site will be buffered by heavy landscaping, and pointed out that the roadway already sees significant traffic. He again emphasized that the Applicant would bring jobs to the community, resulting in increased traffic. He asserted there would be no level of service issues on the roadway.

Board Member Dominguez expressed concern regarding spot zoning, as the area is labeled for residential use. Mr. Holland replied that the site was originally zoned commercial/industrial before its zoning was changed to residential, and the commercial/industrial use had contributed to the toxic contamination on the site.

City Manager Williams stated that he wished to provide rebuttal on behalf of the City to the Applicant’s presentation, including the concerns raised by Board Member Dominguez. While there are serious environmental concerns with the site, he pointed out that the property’s environmental condition was first abated with the use of grant funds to clean up the site. He felt the site would not be cleaned up appropriately without the use of brownfield grant funds.

City Manager Williams continued that the subject property, while valued at $4.5 million, was purchased for $500,000 due to its contamination. While residential development of the site might be prohibitively expensive for a private owner, he asserted this was not the case for a city. He also noted that contaminants will still exist under the ground whether the site is zoned for residential or industrial use; the difference is that an industrial use would place a cap on top of the contaminants.

City Manager Williams also observed that the Applicant would still be required to go through DERM procedures to address the underground contaminants and ensure they do not enter the County's stormwater system. He advised that this has not yet been addressed by the Applicant.

City Manager Williams emphasized that the proposals presented by Mr. Holland's presentation have not been provided in writing: there is no development agreement for the site, or a Site Plan, at this point.

City Manager Williams stated that he did not believe the question in this case was one of jobs, but of whether the residents in the nearby single-family homes would want to live near the proposed project.

Mr. Holland asserted that while in most cases all applications related to the subject property, including Site Plan and development agreement approval, would normally appear on the same agenda, only a single application is before the Board today, as three other applications were "left off." He stated that this was due to the City's process.

With regard to the environmental concerns on the site, Mr. Holland continued that whether plans are for residential, commercial, or industrial development, any type of development requires that these concerns be addressed before it can proceed. He continued that the Application represents the highest and best use of the property, reiterating that it has been under contract many times before now. He also noted that the jobs to be created on the site will be part of the development agreement when it comes before the Board.

Mr. Holland concluded by emphasizing again that the subject property could not be developed for residential use due to the contaminants on the site.

A question was asked regarding whether or not a wall could be constructed on the western side of the site. Mr. Holland confirmed that a wall could be added as well as landscaping, and noted that the lighting could be directional to prevent it from shining on the nearby residential properties.

It was also asked if all other possibilities of the site's highest and best use have been fully explored. City Manager Williams stated that the City offered to purchase the subject property from its owners at nine times its value; however, the agreement was rescinded and the owners chose to go in a different direction. He asserted that the City's goal is to clean up the land rather than to cap its contaminants.

Mr. Holland stated that this was not accurate, noting that the City had reached out to the property owner to explore the possibility of purchasing it. The City had not, however, provided the owner with a letter of intent.

It was asked what the City would have done if it had purchased the land. City Manager Williams replied that the City would have applied for brownfield grants to address the contamination on the site. This process could also be undertaken by the current property owner.

Elliot Stone, 11900 Biscayne Boulevard, property owner, advised that the City and County have been aware of the environmental contamination on the site for the past 30 years, but have not taken steps to address it. The owner's business plan included cleaning the site so it could be developed. He advised that in 2016, he had spent over a year negotiating settlements with the City and County to close on the site, but had been unable to settle on fines to be paid for Code Enforcement violations.

Mr. Stone continued that an agreement was settled with the County to clean the subject property, and the City had received federal grant funds for environmental work on the site. All work on the site has been done according to federal guidelines, including fencing the site, cleanup of toxic materials, and posting that the site included contaminants. He asserted that cleaning has been underway on the site for five years and the site is now developable; however, due to the environmental concerns, no residential development has been done.

Mr. Stone continued that the drainage issue on the site has been addressed, although it has not been approved by the County because no Site Plan has been reviewed for the site thus far. He concluded that it is a misrepresentation that the City has ever had an agreement with him for the subject site, reiterating that no letter of intent has been provided by the City.

It was asked what the owner's initial intent had been for the site. Mr. Stone replied that he had wanted to clean up the site and sell it for development. He felt the proposed use would be positive for the City of Opa-locka, as the site is located on the City's boundary.

City Manager Williams stated that the owner had entered into a verbal agreement with the City to sell the property for $4 million, but had later changed the asking price to $4.5 million. He continued that he had informed the property owner that the purchase would have to go before the City Commission for approval, but the owner was not willing to wait until the agreement could go to the Commission. It was clarified that the current offer on the site is for $4.7 million.

Clarification was also requested regarding the cost of cleanup of the site. Mr. Stone stated that even if the site is cleaned to a level that will permit development, contaminants will still remain in the soil. City Manager Williams characterized the amount of $20 million for cleanup as a "guesstimate," as no such cost estimate has been presented to the City. He explained that the owner has indicated that $2 million has already been spent on cleanup.

City Manager Williams continued that the City offered the $4 million market rate value for the site, but declined to match the offer for $4.7 million.

Director Gay advised that the subject property is located within the City's Community Redevelopment Agency (CRA) area, which provides additional opportunities for its cleanup. The City has been aware of the property's status as a brownfield site, and of the challenges related to its redevelopment. He pointed out that a mixed-use overlay district was applied to the site to allow for a variety of potential uses.

Director Gay continued that the City had responded positively to the idea of this type of development at the City's gateway. He added that many brownfield sites throughout the United States have residential and mixed-use development on them, citing Dania Point and Midtown Miami as nearby examples. He concluded that Staff would like to make a presentation at this time in order to move the Item forward.

Zoning Official Gerald Lee of the Planning and Community Development Department advised that the owner of the subject property has complied with DERM requirements for cleanup and has worked with the CityThe City's view of the site is that although it is on the eastern edge of the City, it is proximal to residential uses on all sides, including the waterway side. The City wishes to protect the property and ensure it is compatible with existing development.

Zoning Official Lee continued that the Applicant proposes to construct a commercial and an industrial building on the site. The City's intent is not to proceed with industrial development next to residential development. He described the proposal as spot zoning, stating that the City would prefer residential/commercial development at the site.

Zoning Official Lee addressed the requested land use change, showing a rendering of the land uses proximal to the subject property, which include low-density residential, a park, and townhouses. Even if access to the proposed development would be limited to SR 9, the site's use would still be commercial mixed-use next to existing low-density residential.

Zoning Official Lee continued that the proposed development is not harmonious with the general character of the surrounding neighborhood and its uses. According to the City's Comprehensive Plan, the proposed project should be located within the City's industrial land use area. The City does not agree with changing the site's land use to industrial when it is surrounded by residential development.

Zoning Official Lee also addressed stormwater management on the site, noting that there are contaminants which have not been removed from the site and would instead be capped. The City requests complete remediation and removal of contaminants from the site. The stormwater pollution protection plan for the site must include a narrative evaluation of the appropriateness of the site's stormwater management processes, and

required measures must be site-specific due to the condition of the site's swales. Even on the property's edges, waters cannot flow away from the property site. There is also a danger of leaching of underground contaminants which have been capped rather than removed.

Zoning Official Lee explained that the City's motivation for opposing the change in use from residential to industrial is because they would like to see the Applicant deal with the underground contaminants rather than only capping them. He continued that the change in use would also be in conflict with the Opa-locka CRA Plan for the site. The CRA Plan seeks to explore other opportunities for how the subject property should be dealt with. The CRA also provides opportunities for partnerships to improve the property.

Zoning Official Lee advised that the City's Public Works Department has also reviewed plans for the site and determined that the proposed development would require resolution of the contaminants on the site. The proposed drainage plan for the site does not include any pre-treatment structures to contain the contamination. After redevelopment, the site would require ongoing treatment of the stormwater runoff.

Zoning Official Lee concluded that Staff recommends denial of the requested Comprehensive Plan change, as the City would like the contamination on the site to be addressed rather than capped.

It was asked if the Applicant would have had to go through the same processes, including Planning and Zoning Board and DERM approvals, if residential development was proposed for the site. It was also asked why the City would have been satisfied with development of a hotel on the site, but not the proposed use. City Manager Williams clarified that no hotel has been contemplated by the current City administration, recalling that it had been proposed in 2017-2018. He further clarified that the issue is compliance with the City's laws and regulations.

Mr. Holland asserted that the site differs from the other Florida brownfields mentioned above, as it would require total remediation of contamination before development could occur. He reiterated that the land cannot be residentially developed, and that commercial/industrial redevelopment is the highest and best use for the property.

It was asked if a condition could be attached to approval which would hold the Applicant responsible for clearing the contamination from the site. City Manager Williams explained that the purpose of requesting a zoning change is to bypass the requirements to clean the contamination to an extent that would allow residential development.

City Manager Williams also stated again that he did not believe any private developer alone would be able to clean the site to the extent the City would like to see. He added that his stance as a City Manager is business-friendly.

It was asked if the City would be able to address the contamination on the subject property. City Manager Williams advised that there are ways to clean contaminated properties, including brownfield grants.

At this time Chair Guerrero opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Guerrero closed the public hearing and brought the discussion back to the Board.

Board Attorney Pam Booker clarified that the request before the Board is not rezoning of the property, but a land use change. If this Application goes forward to the City Commission for approval, other related applications, including rezoning, Site Plan approval, and a development agreement, would come before the Planning and Zoning Board at a later date.

Attorney Booker further explained that the Board is tasked with making a recommendation to the City Commission regarding the requested land use change. The Board's charge includes determining when it is appropriate for the Opa-locka community to make a land use change.

Motion made by Board Member Dominguez, and duly seconded, to deny the request for the land use change. In a roll call vote, the **motion** passed 3-2 (Board Members Hibbert Smith and Mata dissenting).

2. **AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING THE APPROVAL OR DENIAL OF A REQUEST TO CLOSE, VACATE AND ABANDON THE ALLEYWAY BETWEEN THE TWO PROPERTIES TO THE NORTH IDENTIFIED BY FOLIOS 08-2121-005-0320 AND 08-2121-016-0060 AND THE TWO PROPERTIES TO THE SOUTH IDENTIFIED BY FOLIOS 08-2121-004-1300 AND 08-2121-004-1290, FOR THE CONSTRUCTION OF A SEVEN STORY, 89 UNIT, MULTI-FAMILY MIXED-USE APARTMENT BUILDING ON THE FOUR VACANT PARCEL SITE AT 125 PERVIZ AVENUE, 111 PERVIZ AVENUE, 103 PERVIZ AVENUE, 100 PERVIZ AVENUE IN THE B-2 ZONING DISTRICT AND WITHIN THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.**

Director Gay explained that the Applicant in this case is Florida Residential Solutions LLC, which possesses three properties that share an alleyway which bifurcates two of the properties. The Application requests vacation of the alleyway in order to allow the Applicant to develop their properties.

Oscar Robayna, 5723 NW 158th Street, Miami Lakes, civil engineer and land surveyor for the Applicant, stated that this Item was “skipped over” when the subject properties came before the Planning and Zoning Board. There are no utilities within the alleyway.

It was clarified that the alley is a public right-of-way which is owned by the City. Mr. Robayna advised that the closure of alleyways is not uncommon, and there are no costs or purchases associated with the request.

Zoning Official Lee explained that the proposed development includes four properties, one of which is owned by the City. The alley is located between properties on the eastern edge of the parcels. The alley must be vacated in order for the proposed development to be constructed over it.

Zoning Official Lee further clarified that there may or may not be a small charge for the vacation of the alleyway. The proposed development on the site will be 60,300 sq. ft. The Site Plan includes 193 parking spaces. He recalled that the Board has already recommended approval of the project’s Site Plan. Staff recommends approval of the Application.

City Manager Williams also stated that the City is supportive of the Application.

At this time Chair Guerrero opened the public hearing. As there were no individuals wishing to speak on this Item, Chair Guerrero closed the public hearing and brought the discussion back to the Board.

Attorney Booker advised that the City’s Code requires an appraisal of the fee for abandonment of a right-of-way.

Zoning Official Lee stated that there has not yet been appraisal of the subject property, as the vacation of the alleyway represents the first step in that process. He recalled that in the past, the assessment of the value of the vacated property has been determined and was a part of the final sale of the property.

Attorney Booker suggested that if the Board wished to include direction regarding the fee and appraisal of the property, they could make it a condition of any motion they may make.

Motion made, and duly seconded, to approve with the condition as stated by the Attorney. In a roll call vote, the **motion** passed unanimously (5-0).

ADJOURNMENT

The meeting was adjourned at 8:47 p.m.

The Great City of Opa-locka

Gregory D. Gay, Director **305-953-2868**
Planning and Community Development **Fax: 305-953-2870**

February 29th, 2024

Hope Calhoun, Esq.
Partner
Dunay, Miskel & Backman, LLP
14 S.E. 4th Street, Suite 36
Boca Raton, FL 33432

RE: Zoning and Land Use Change – Cuyahoga Site 1700 Service Road

Attorney Calhoun,

The Planning and Community Development [PCD] staff have reviewed the request for Zoning and Land Use change along with the Site Plan and Development Agreement for the proposed Modani Project to be built on the Cuyahoga Site at 1700 Service Road. PCD staff recommends denial for these four items [Comprehensive Plan-Land Use Change, LDR-Zoning Code amendment, Site Plan and Development Agreement] to be presented to the PZAB and City Commission. This recommendation is stated within the PZAB staff report.

Historical Background

The Cuyahoga Site is a 7.58-acre Brownfield Site on the east side of the City of Opa-locka. The site was acquired by Mr. Elliott Stone and Mr. Reese Stigliano of **Castle Opa LLC** in March of 2018 for $475,000. The property had liens of more than $1.6 million which was mitigated to approximately $195,000.00 between December 2018 and June 2019. From 2018 to 2021, the site was cleared of overgrown brush and evasive trees. The site was tested for contamination and is in its final stage of remediation review. The land use for this site is Low-to-Moderate Density Residential and the zoning is R-TH Residential Townhouse. The Site is also zoned for Corridor Mixed Use Overlay to allow commercial/mixed use multifamily development. The Cuyahoga Site is waterfront on the south and west side and is surrounded by mostly single-family housing to the west and east [Unincorporated Miami-Dade County], Townhouse development to the south, and a few apartments complexes to the east outside of the City limits.

The City of Opa-locka assisted Castle-Opa LLC in the environmental assessment of the Cuyahoga Site with a grant received from the USEPA. A Phase I Environmental Assessment Report was generated by Terracon Engineering in June 2018. Between 2021 and 2022, after the site was tested for contamination, the Castle-Opa development team reached out to several developers to form a JVP. After most development saw the brownfield assessment report, they opted out of the JVP due to the high level of contamination found on the site and high cost to mitigate for residential development. Natural decontamination of the site would take decades to occur. After a couple years of searching for development partners, Castle-Opa decided to forgo residential development opportunities. Due to the high level of contamination found on the site and high cost to mitigate for residential development, the development began to seek commercial and industrial JVP. The development team stated that the cost for mitigation and removal of the contamination for these uses was lower and easier to achieve.

The Cuyahoga site is presently under contract for acquisition as of June 2023 by a new potential ownership, **Modani Furniture Company**. The new development team seeks to build a furniture manufacturing and retail facility and has prepared a proposal for commercial/industrial development. The

new development team seeks to acquire the property under the conditions the present owners began the submission process for zoning and land use change of the site. The zoning and land use change is necessary for the site to be mitigated and cleaned up at a lower level for commercial and industrial uses.

The City of Opa-locka/OCRA prefers the site to be developed as a residential or commercial/mixed use multifamily development. This was referenced in the 2011 Opa-locka Community Redevelopment Agency Plan which was adopted in 2012/2013. The City was willing to participate in a Public Private Partnership [3P] with Castle Opa, LLC for the site to qualify for federal grant funds the City of Opa-locka would apply for to mitigate the cleanup for residential development. The City is also seeking propositions of development opportunities for residential development on a City owned waterfront site adjacent to the Cuyahoga Site. The City Administration believes residential or mixed-use development would be more harmonious with the surrounding community. The City did an appraisal on the property in February of 2023. The final conclusion of value was **$6,270,000.00**.

Therefore, the PCD staff recommends denial of these items. If you have any questions or concerns, please advise.

If you have any questions, please contact a member of my staff at 305-953-2868 x-1501.

Thank you for helping us make our City Great!

Sincerely,

Gregory D. Gay, Director

cc. Darvin Williams, Interim City Manager
Burnadette Norris Weeks, Esq., City Attorney
Joanna Flores, City Clerk
Gerald Lee, Zoning Official/Planner