

CITY OF OPA-LOCKA

The City of Bright Opportunities



REGULAR COMMISSION MEETING Agenda

**Wednesday, April 9, 2025
7:00 PM**

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

City Commission

**Mayor John H. Taylor, Jr.
Vice Mayor Joseph L. Kelley
Commissioner Sherelean Bass
Commissioner Natasha L. Ervin
Commissioner Luis B. Santiago**

Appointed Officials

**Interim City Manager Sha'mecca Lawson
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
April 9, 2025
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:**

Workshop Meeting Minutes - March 26, 2025
9. **DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:**
10. **PUBLIC PRESENTATIONS:**
11. **CITIZENS' FORUM:**
(Opportunity for discussion of any concerns – please limit to 3 minutes)
12. **ACTION ITEMS (items from consent agenda pull list):**
13. **ADMINISTRATION:**

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ACCEPT GRANT FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO ESTABLISH A CITY "ZERO TOLERANCE"**

SPEED AND AGGRESSIVE DRIVING PROGRAM, IN AN AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE SUBAWARD AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim City Manager*

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO REJECT ALL PROPOSALS RELATED TO RFP 24-1023200 FOR CONSULTANT SERVICES FOR ANNEXATION REPORT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Interim 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 AND ENACTING A NEW CODE FOR THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE. **Deferred from 03/26/2025 RCM** *Sponsored by the City Clerk***

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

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR**

ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025). *Sponsored by Interim City Manager*

2. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025). *Sponsored by Interim City Manager***
3. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 14, OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14-13(1) AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT, FORECLOSURE PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025). *Sponsored by Mayor Taylor***
4. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025). *Sponsored by Commissioner Ervin***

C. RESOLUTION(S):

17. **CITY MANAGER'S REPORT:**
18. **OFFICIAL BOARD REPORTS:**

19. MAYOR/COMMISSION REPORTS:

20. OFFICIAL BOARD APPOINTMENTS:

Charter Review Board

- 1 Individual appointment (Commissioner Bass)
- 1 Individual appointment (Commissioner Santiago)
- 1 individual appointment (Vice Mayor Kelley)
- 2 at-large appointments

Civil Service Board

- 1 individual appointment (Commissioner Bass)
- 1 individual appointment (Commissioner Santiago)
- 1 Individual appointment (Vice Mayor Kelley)

Community Relations, Recreation and Activities Advisory Board

- 1 Individual appointment (Commissioner Santiago)
- 1 Individual appointment (Vice Mayor Kelley)
- 1 Individual appointment (Mayor Taylor)
- 1 At-large appointment

Historic Environmental Preservation Board

- 5 at-large appointments

Local Financial Oversight Board

- 2 at-large appointment

Teen & Young Adult Advisory Board

- 1 individual appointment (Commissioner Bass)
- 1 individual appointment (Commissioner Santiago)
- 1 individual appointment (Vice Mayor Kelley)

21. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

1. City of Opa-locka Sunshine Meeting, **Tuesday, April 8, 2025** at 3:00 p.m., Opa-locka Government Center, 780 Fisherman Street, 4th Floor, Opa-locka, Florida. The purpose of this meeting is to discuss the Fourth of July Event.
2. The City of Opa-locka Mayor and Commission present 70's Themed Bingo Night, **Friday, April 11, 2025** at 6:00 PM, Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida. Make sure to wear your favorite 70's attire.
3. The City of Opa-locka Mayor & Commission invite you to Bunny Jam Motorcycle & Car Show, **Saturday, April 12, 2025** at 11:00 a.m., Ingram Park, 2100 Burlington Street, Opa-locka, Florida.

4. The City of Opa-locka Mayor & Commission invites you to the Mayor's Roundtable, a Community Conversation with Mayor John H. Taylor Jr., **Tuesday, April 15, 2025** from 6:00 p.m., Opa-locka Government Center, 780 Fisherman Street, 3rd, Opa-locka, Florida.
5. The City of Opa-locka Mayor & Commission presents Meet Me Monday hosted by Vice Mayor Joseph L. Kelley, **Monday, April 14, 2025**, at 6:00 p.m., Helen L. Miller Center, 2331 NW 143rd Street, Opa-locka, Florida.
6. **SAVE THE DATE** - City of Opa-locka Seniors on the Move A Night Under the Stars Prom Night, **Friday, April 25, 2025** from 6:00 PM - 11:00 PM. For more information, please contact Diane Darden, Seniors Coordinator at 786.635.9090.
7. City of Opa-locka Mayor & Commission presents Community Chess Challenge, **Saturday, May 3, 2025** from 12:00 p.m. - 1:30 p.m., Sherbondy Park Pavilion, 215 Perviz Avenue, Opa-locka, Florida. *Hosted by Commissioners Dr. Sherelean Bass*
8. City of Opa-locka Mayor & Commission presents a free food distribution in partnership with Farm Share, **Wednesday, May 7, 2025** from 9:30 AM - 12:30 PM, Sherbondy Pavilion, 777 Sharazad Boulevard, Opa-locka, Florida. While supplies last, on a first come, first-served basis. *Hosted by Vice Mayor Joseph L. Kelley*

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”

Workshop
Wednesday, March 26, 2025
6:15 PM

1. CALL TO ORDER:

Mayor John H. Taylor Jr. called the workshop to order at 6:22 PM on Wednesday, March 26, 2025, at the 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 Joseph L. Kelley (arrived 6:36 PM), Commissioner Natasha L. Ervin (arrived 6:30 PM), Commissioner Dr. Sherelean Bass, Commissioner Luis B. Santiago, and Mayor John H. Taylor, Jr. Also, in attendance were: Interim City Manager Sha'mecca Lawson, City Attorney Burnadette Norris-Weeks, City Clerk Joanna Flores and Assistant City Clerk Floralba Valdes-Wright.

3. INVOCATION:

The invocation was delivered by Commissioner Bass.

4. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited in unison.

5. PUBLIC COMMENTS:

Mayor Taylor opened the Public Comments.

Audrey Dominguez, 1147 Jann Avenue, commented on the city's boards, noting there are seven but only the Planning and Zoning Board is currently active. She serves on both the Planning and Zoning Board and the Civil Service Board. She stated that Civil Service Board meetings had stopped due to the need for stronger procedural support and a Human Resources director. Now that the city has HR staff, she asked for an update on reactivating the board. Ms. Dominguez also suggested printing applications and providing clear descriptions of each board's responsibilities.

Mayor Taylor closed the Public Comments.

6. DISCUSSION ITEM:

City of Opa-locka Board Presentation

City Clerk Flores began the presentation and reviewed the following: Introduction; General Overview of Boards; Community Relations, Recreation & Activities Advisory Board; Teen & Young Adult Advisory Board; Planning & Zoning Board; Historic Presentation & Environmental Preservation Board; Charter Review Board; Civil Service Board and Board Recommendations.

Discussion ensued about membership and meeting quorum.

Commissioner Bass supported better outreach for board recruitment as suggested by former Commissioner Dominguez. She favored keeping the Teen Board active, noting that teens are willing to serve if properly reached through high schools, colleges, and trade schools. She supported prior comments and looked forward to more input.

Commissioner Santiago asked about the challenges with retaining 16-year-old board members.

City Clerk Flores explained that members in the 16 to 20 age group often leave before their term ends due to graduating high school, moving away for college, or changes in their dependency status, which impacts their continued eligibility.

Commissioner Ervin noted that many teens are involved in extracurricular activities like band or track, which makes it difficult for them to attend board meetings during the week or even on weekends, due to their busy schedules.

Commissioner Santiago asked if there was anything in place to motivate teens to attend meetings.

City Clerk Flores replied that there was not, but it could be something created in the future to encourage more participation.

Vice Mayor Kelley expressed concern that board appointments do not align with commission terms, which can leave new commissioners without appointments and limit community representation. Vice Mayor Kelley supported at-large appointments but stressed they should reflect the views of each commissioner's district. Vice Mayor Kelley also raised the Civil Service Board as needing review or repeal and asked if HR had reviewed the recommendations.

Interim City Manager Lawson confirmed both she and the HR Director had reviewed them and would provide feedback.

Commissioner Ervin stated support for the recommendations.

Mayor Taylor supported aligning board appointments with elected officials' terms and agreed with combining the Teen and Parks and Recreation Boards. He requested HR recommendations, and Clerk Flores confirmed they would be provided. He asked about using alternates, which Clerk Flores said would need to be at-large and further researched. It was clarified that "resident expertise" referred to identifying qualified residents before seeking outside appointees. Mayor Taylor agreed with all recommendations.

Mayor Taylor stated the only item needing direction was whether to abolish the Teen and Young Adult Board and combine it with the Community Relations Board. He recommended bringing forward legislation for a future vote.

7. ADJOURNMENT:

There being no further business to come before the City Commission, the workshop was adjourned at 6:56 p.m.

John H. Taylor Jr.
Mayor

ATTEST:

Joanna Flores
City Clerk

RESOLUTION NO. 25-XXXX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ACCEPT GRANT FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO ESTABLISH A CITY "ZERO TOLERANCE" SPEED AND AGGRESSIVE DRIVING PROGRAM, IN AN AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE SUBAWARD AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the State Safety Office of the Florida Department of Transportation (FDOT) selected the Speed and Aggressive Driving Proposal of the City of Opa-Locka ("City") to receive a Twenty-Five Thousand Dollars (\$25,000.00) subgrant award this year; and

WHEREAS, according to FDOT Fiscal Year 2024-2025 Highway Safety Matrix, during the years 2018 to 2022, the City was ranked 24th highest out of 104 municipalities in regard to incidents of speed and aggressive driving; and

WHEREAS, the Opa-Locka Police Department intends to use this funding to allow Police Traffic Personnel to conduct a "Zero Tolerance" program, using officer overtime, for high visibility enforcement operations within parts of the City having a history of an excessive number of crashes, serious injuries, and fatalities related to speed and aggressive driving. The effort will help the Police Department identify the segments of the population most likely to drive in this manner. In addition to citing these drivers, the intent is to conduct educational community outreach events to increase traffic safety awareness and reduce traffic accidents within the City; and

WHEREAS, the program is one hundred percent (100%) federally funded with no local match required. The Twenty-Five Thousand Dollars (\$25,000.00) for overtime will first be paid by the General Fund and then all grant-related expenses will be reimbursed by FDOT, according to the terms and conditions of the subgrant agreement; and

WHEREAS, the City Commission has determined that authorizing the Interim City Manager to accept grant funding from the Florida Department of Transportation to establish a City "Zero Tolerance" Speed and Aggressive Driving Program, in an amount of Twenty-Five Thousand Dollars (\$25,000.00), and further authorizing the Interim City Manager to execute the subaward agreement is in the best interest of the City.

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. Accepting Grant and Authorizing Execution. The City Commission of the City of Opa-Locka hereby authorizes the Interim City Manager to accept grant funding from the Florida Department of Transportation to establish a City "Zero Tolerance" Speed and Aggressive Driving Program, in an amount of Twenty-Five Thousand Dollars (\$25,000.00). The City Commission further authorizes the Interim City Manager to execute the Subgrant Agreement and to take other action necessary to carry out the intent of this Resolution.

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 immediately upon adoption by the City Commission of the City of Opa-Locka.

PASSED and ADOPTED this ____ day of _____, 2025.

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 Santiago	_____
Commissioner Ervin	_____
Vice Mayor Kelley	_____
Mayor Taylor	_____



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

Department Manager:	Kenneth D. Ottley		Department Manager Signature:		
Interim City Manager:	Sha'mecca Lawson		ICM Signature:		
Commission Meeting Date:	04/09/2025	Item Type: (Enter X in the box)	Resolution X	Ordinance	Other
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
				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#:		
	X				
Strategic Plan Related (Enter X in the box)	Yes	No	Strategic Plan Priority Area: Enhance Organization ☐ Bus. & Economic Development ☐ 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:	Police Department	

Short Title:

ACCEPTANCE OF FDOT SUBGRANT CPG-2025-CITY OF OP-00393

Staff Summary:

The Florida Department of Transportation (FDOT) State Safety Office selected the City of Opa-locka Speed and Aggressive Driving Proposal to receive a Twenty-Five Thousand Dollars (\$25,000) subgrant award this year.

According to FDOT FY2025 Highway Safety Matrix, during the years 2018 to 2022, the City of Opa-locka was ranked 24th highest out of 104 municipalities in regard to incidents of speed and aggressive driving. The Police Department intends to use this funding to allow Police Traffic Personnel to conduct a "Zero Tolerance" program using officer overtime for high visibility

enforcement operations within parts of the City having a history of an excessive number of crashes, serious injuries, and fatalities related to speed and aggressive driving. The effort will help the Police Department to identify the segments of the population most likely to drive in this manner. In addition to citing these drivers, the intent is to conduct educational community outreach events to increase traffic safety awareness and reduce traffic accidents.

Financial Impact: The program is 100% federally funded with no local match required. The Twenty-Five Thousand Dollars (\$25,000) for overtime will first be paid by the General Fund and then all grant-related expenses will be reimbursed by FDOT according to the terms and conditions of the subgrant agreement.

Proposed Action:

Staff recommends the City Commission approve the acceptance of the FY2025 FDOT Subgrant for Highway Traffic Safety funds of Twenty-Five Thousand Dollars (\$25,000) and the execution of the subgrant agreement.

Attachment(s):

1. Agenda
2. Notice of Award, and
3. FDOT Subgrant Agreement.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JARED W. PERDUE, P.E.
SECRETARY

September 20, 2024

Kenneth Ottley
CITY OF OPA-LOCKA POLICE DEPT.
780 Fisherman St. Suite 105
780 Fisherman St. Suite 105
OPA-LOCKA, Florida 33054

RE: FY2025 Highway Traffic Safety Concept Paper Selection - CPG-2025-City of Op-00393

Dear Kenneth Ottley:

The Florida Department of Transportation (FDOT) State Safety Office is pleased to inform you that the following concept paper has been selected to receive subgrant funding in FY2025 for your traffic safety initiative.

PLEASE NOTE: THIS IS NOT A NOTICE TO PROCEED WITH ANY ACTIVITIES OR PURCHASES ASSOCIATED WITH THE SELECTED CONCEPT PAPER. A separate subgrant agreement must be signed and executed by both your agency and the FDOT State Safety Office before any activity or purchases are authorized for reimbursement. Step-by-step instructions for subgrant development are provided later in this letter.

Funding amounts allocated in FY2025 are based upon funding levels awarded to the State of Florida for the federal fiscal year by the National Highway Traffic Safety Administration (NHTSA) and may not be the same as the amount requested in your concept paper and does not mean that everything listed in the concept paper, including any equipment requests, were approved and/or funded.

For FY2025 your agency applied for funding with the following Concept Paper Information:

Concept Paper Number
CPG-2025-City of Op-00393

Implementing Agency
CITY OF OPA-LOCKA POLICE DEPT.

Project Title:
City of Opa-locka Speed Aggressive Driving Concept Paper

Amount Requested
\$50,000

After a comprehensive review, CPG-2025-City of Op-00393 was funded for FY2025 with the following project number, title, and funding levels below:

FY2025 Project Number

SC-2025-00393

Implementing Agency

CITY OF OPA-LOCKA POLICE DEPT.

Project Title:

City of Opa-locka Speed and Aggressive Driving

Amount to be Awarded

\$25,000

Subgrant agreement forms are now accessible in the FDOT Traffic Safety Subgrant Management System and include guidance and program manager notes regarding anything that was unallowable or restricted.

The following video link provides step-by-step instructions for accessing the forms and completing subgrant development and execution within the Subgrant Management System: [“Congratulations, your concept has been selected! Here are the next steps required for subgrant development!”](#)

We look forward to working with you on this project. If you have any questions after reviewing the provided video instructions, please feel free to reach out the FDOT State Safety Office at 850-414-4017 and ask to speak with a Subgrant Program Manager. Additional information can also be found on our website at: <https://www.fdot.gov/Safety/grants/grants-home.shtm>.

Sincerely,



Chris Craig, CPM, FCCM
Traffic Safety Administrator
Florida Department of Transportation

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)

SUBGRANT FOR HIGHWAY TRAFFIC SAFETY FUNDS

<i>For FDOT Use Only</i>	
Project Number: SC-2025-00393	FDOT Contract Number:
Federal Funds Awarded: \$25,000	FDOT UEI Number: RFKGNHR7ZH37
Subgrant Award (Start) Date:	Subgrant End Date: 09/30/2025
Part I: GENERAL ADMINISTRATIVE INFORMATION	
1. Project Title: City of Opa-locka Speed and Aggressive Driving	
2. Federal Funding: \$25,000 Match: \$0 Total Cost: \$25,000	
3. Subrecipient Agency: Agency Name: Address: City: State: Zip:	4. Implementing Agency: Agency Name: Address: City: State: Zip:
5. Federal ID Number or 29 Digit FLAIR Account Number (State Agencies):	
6. Federal Unique Entity Identifier (UEI) Number:	
7. Chief Financial Officer: Name: Address: City: State: Zip: Telephone: E-mail:	8. Project Director: (Can not receive any benefit under this subgrant) Name: Address: City: State: Zip: Telephone: E-mail:
9. Financial Reimbursement Contact: Name: Title: Telephone: E-Mail:	10. Project Activity Contact: Name: Title: Telephone: E-Mail:
11. Payment Remittance Address: Name: Address: City: State: Zip:	

Part II: PROJECT PLAN AND SUPPORTING DATA

State clearly and in detail the aims of the Project, precisely what will be done, who will be involved, and what is expected to result. Use the following major headings:

1. Statement of the Problem
2. Proposed Solution
3. Project Objectives
4. Evaluation

1. Statement of the Problem:

The City of Opa-locka is approximately 4.4 square miles and composed of residential and commercial areas. It is located in the central NW Miami Dade County area. The population is approximately 16,300 registered year-round residents. The City of Opa-locka neighbors the city of Miami Gardens, Hialeah, North Miami, the Town of Miami Lakes, and other unincorporated areas within Miami Dade County. We are also approximately 5 miles south of neighboring Broward County.

Neighboring so many cities makes Opa-locka unique to an increasing amount of transient traffic and increasing every year. Opa-locka has Highways SR9, SR817, SR916, SR924, & SR953, which are within our city boundaries. Opa-locka has a small park and ride Tri-Rail train station, which has a small Miami Dade County bus transit station for the public. Opa-locka is less than one mile from Interstate I-95 and the Florida Turnpike, accessed directly from SR9, better known as the Golden Glades Interchange. The interchange also serves as a park & ride facility with bus and tri-rail public access.

Commercial traffic has also increased due to the increase of commercial warehousing, including an Amazon distribution hub. The increase in motorists rushing to and from their jobs, especially during lunchtime. According to the Florida Department of Transportation's (FDOT) fiscal year FY2025 Highway Safety Matrix, the City of Opa-locka received 24 out of 104 in speed and aggressive driving-related serious injuries and fatalities during the years from 2018 to 2022.

Though we have some motivated officers, it is clear that we need to increase education and enforcement of the state's speed and aggressive driving laws in order to reduce the incidences of serious injuries and fatalities on the city's roadways. Traffic data is provided below.

Although our enforcement efforts have helped, it is clear that continued education and enforcement of the state's speed and aggressive driving laws are necessary to reduce the incidences of serious injuries and fatalities on the city's roadways.

2. Proposed Solution:

The Opa-locka Police Department believes that the success of any traffic safety program is not solely based on either component of enforcement, education, or engineering. This program aims to reduce traffic crashes, fatalities and serious injuries that are speed and/or aggressive driving related by the implementation of the following components.

The Opa-locka Police Department will review crash data on a weekly basis in order to determine high frequency crashes, serious injury and fatality locations throughout our jurisdiction. We will develop schedules for traffic personnel to conduct "zero tolerance" overtime high visibility enforcement operations at the determined locations. The project director will be responsible for ensuring that the data is reviewed each week, in order to review for any possible changes to the list. Our agency will commit to locating and targeting a minimum of 10 locations for this program. In addition, the project director will be responsible for distributing this top 10 list to all traffic personnel so that they can concentrate on these specific areas, which will increase law enforcement presence.

The speed measurement devices, & speed collection analyzers purchased with subgrant funds will be utilized on the roadways that are determined through data to have a high volume of speeding vehicles and crash history. The Opa-locka Police Department will also conduct education initiatives at city events, businesses, civic organizations and public forums to raise awareness with speed-related issues.

The Police Department will determine through a review of our traffic crash & speed collection data which population groups are involved in a majority of the traffic crashes that occur within our jurisdiction. A special emphasis will be made to raise traffic safety awareness with this population group by focusing on an area to

solicit traffic safety and guidance. We will also provide officer training to further their knowledge of traffic laws and speed and aggressive driving violations.

In order to facilitate the delivery of this traffic message, the Opa-locka Police Department will partner with local resources such as the Community Traffic Safety Team, Law Enforcement Liaison Program, neighboring law enforcement agencies and media outlets. The Opa-locka Police Department will also participate in any statewide public awareness and enforcement campaigns sponsored by the Florida Department of Transportation Safety Office. The City of Opa-locka currently attends all quarterly IPTM Florida Law Enforcement Liaison Meetings District 6. We have placed several times throughout the years in different categories. We also attend monthly North West Miami-Dade Community Traffic Safety Team (NWMDCTST) where we collaborate with neighboring agencies.

3. Project Objectives:

- a. Start enforcement activities within 60 days of subgrant award, unless otherwise approved by the FDOT State Safety Office.
- b. Strive to decrease speed and/or aggressive driving crashes and fatalities citywide by 5% when compared to the 10/01 to 06/30 time period from the previous year.
- c. Conduct at least 2 speed and/or aggressive driving high visibility overtime enforcement operations per month.
- d. Participate in the state Southern Slow Down campaign through speed and/or aggressive driving overtime enforcement operations and educational/community activities.
- e. Conduct a minimum of 3 educational/community outreach events to increase speed and/or aggressive driving awareness per month and provide details.
- f. Provide speed and/or aggressive driving information and education to the public through the use of multimedia outlets (i.e. message boards, local media outlets, social media, press releases, and printed materials) at least 3 times per month.

4. Evaluation:

- a. Enforcement activity start date.
- b. Speed and/or aggressive driving crashes and fatalities are reduced by 5% citywide, when compared to the 10/01 to 06/30 time period from the previous year.
- c. The number of speed and/or aggressive driving high visibility overtime enforcement operations conducted per month.
- d. The number of speed and/or aggressive driving overtime enforcement operations conducted, and education/community activities conducted/participated in during the Southern Slow Down campaign.
- e. Detail all educational/community outreach events conducted or participated in to increase speed and/or aggressive driving awareness per month.
- f. The number of instances that speed and/or aggressive driving information and education is provided to the public through the use of multimedia outlets per month.

Part III: PROJECT DETAIL BUDGET

Project Title: City of Opa-locka Speed and Aggressive Driving

Project Number: SC-2025-00393

FDOT Contract Number:

Each budget category subtotal and individual line item costs listed below cannot be exceeded. The FDOT State Safety Office may approve shifts between budget categories and line items via an amendment.

BUDGET CATEGORY	NARRATIVE	FEDERAL FUNDS	MATCH	TOTAL COST	INDIRECT ELIGIBLE
A. Personnel Services					
Overtime Salary	Overtime Salary for Law Enforcement, Public Service Aides, Communication Operators.	\$22,000	\$0	\$22,000	No
Overtime Salary and Benefits - Community Service Aide(s)	Overtime Salary and Benefits for Community Service Aide(s), benefits to include Overtime Salary to conduct outreach, administrative duties analytics and hotspots, and checkpoints.	\$3,000	\$0	\$3,000	No
Subtotal:		\$25,000	\$0	\$25,000	
B. Contractual Services					
Subtotal:		\$0	\$0	\$0	
C. Expenses					
Subtotal:		\$0	\$0	\$0	
D. Equipment Costing \$10,000 or More					
Subtotal:		\$0	\$0	\$0	
E. Indirect Cost					
%		\$0		\$0	
Subtotal:		\$0		\$0	
Total Cost of Project:		\$25,000	\$0	\$25,000	

Part IV: PERFORMANCE REPORT

Project Title: City of Opa-locka Speed and Aggressive Driving
Project Number: SC-2025-00393
FDOT Contract Number:

Minimum Performance Standards The following are the minimum performance standards required in this subgrant agreement. The status of these standards will be reported using FDOT form number 500-065-19 Performance Report and shall be included with each request for reimbursement.
1. Submit request(s) for financial reimbursement.
2. Provide performance report(s).
3. Collect and analyze crash data to determine focus areas for targeted speed and aggressive driving enforcement.
4. Conduct speed and aggressive driving high visibility enforcement operations.
5. Conduct outreach/educational activities for speed and aggressive driving.
National Highway Traffic Safety Administration (NHTSA) Required Activity Reporting The following statistics are required reporting for any traffic safety enforcement grant. (enforcement grants only)
1. Number of seat belt citations issued during subgrant-funded enforcement activities.
2. Number of impaired driving arrests made during subgrant-funded enforcement activities.
3. Number of speeding citations issued during subgrant-funded enforcement activities.

Part V: Acceptance and Agreement

Conditions of Subgrant Agreement. Upon execution of this Subgrant Agreement ("Agreement") for highway safety funds, the following terms and conditions shall become binding. The term "Subrecipient" referred to herein, will reference both the Subrecipient Agency and its Implementing Agency. This Agreement is line item specific and an amendment to the Agreement is required for any reallocation of funds provided herein.

FEDERAL REGULATIONS

1. **Access to Public Records and Monitoring.** The Florida Department of Transportation (FDOT or "Department"), National Highway Traffic Safety Administration (NHTSA), Federal Highway Administration (FHWA), Chief Financial Officer (CFO), and Auditor General (AG) of the State of Florida, or any of their duly authorized representatives, shall have access for the purpose of audit and examination of books, documents, papers, and records of the Subrecipient and to relevant books and records of the Subrecipient which are not protected from disclosure by State or Federal law, and its consultants and contractors under this Agreement, as provided under applicable State or Federal law.

In addition to review of audits conducted in accordance with 2 CFR Part 200, herein incorporated by reference, monitoring procedures will include on-site visits by Department staff, limited scope audits as defined by 2 CFR Part 200, and status checks of subgrant activity via telephone calls from FDOT State Safety Office staff to Subrecipients. By entering into this Agreement, Subrecipients agree to comply and cooperate with monitoring procedures. In the event that a limited scope audit of the Subrecipient is performed, the Subrecipient agrees to bring the Project into compliance with this Agreement. The Subrecipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the CFO or AG to the extent allowed by State or Federal law.

2. **Audit.** The administration of resources awarded through the Department to the Subrecipient by this Agreement may be subject to audits and/or monitoring by the Department. The following requirements do not limit the authority of the Department to conduct or arrange for the conduct of additional audits or evaluations of Federal awards or limit the authority of any State agency inspector general, the State of Florida Auditor General or any other State official. With the exception of documents protected by State law, the Subrecipient shall comply with all audit and audit reporting requirements as specified below.
 - (a) In addition to reviews of audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, monitoring procedures may include but not be limited to on-site visits by Department staff and/or other procedures including reviewing any required performance and financial reports, following up, ensuring corrective action, and issuing management decisions on weaknesses found through audits when those findings pertain to Federal awards provided through the Department by this Agreement. By entering into this Agreement, the Subrecipient agrees to comply and cooperate fully with any monitoring procedures/processes deemed appropriate by the Department. The Subrecipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Department, State of Florida Chief Financial Officer (CFO) or State of Florida Auditor General.
 - (b) The Subrecipient, a non-Federal entity as defined by 2 CFR Part 200, Subpart F – Audit Requirements, as a subrecipient of a Federal award awarded by the Department through this Agreement is subject to the following requirements:
 - i. In the event the Subrecipient expends a total amount of Federal awards equal to or in excess of the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, the Subrecipient must have a Federal single or program-specific audit for such fiscal year conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements. Part VI to this Agreement provides the required Federal award identification information needed by the Subrecipient to further comply with the requirements of 2 CFR Part 200, Subpart F – Audit Requirements. In determining Federal awards expended in a fiscal year, the Subrecipient must consider all sources of Federal awards based on when the activity related to the Federal award occurs, including the Federal award provided through the Department by this Agreement. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by 2 CFR Part 200, Subpart F – Audit Requirements. An audit conducted by the State of Florida Auditor General in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, will meet the requirements of this part.
 - ii. In connection with the audit requirements, the Subrecipient shall fulfill the requirements relative to the auditee responsibilities as provided in 2 CFR Part 200, Subpart F – Audit Requirements.

- iii. In the event the Subrecipient expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards, the Subrecipient is exempt from Federal audit requirements for that fiscal year. However, the Subrecipient must provide a single audit exemption statement to the Department at FDOTSingleAudit@dot.state.fl.us no later than nine months after the end of the Subrecipient's audit period for each applicable audit year. In the event the Subrecipient expends less than the threshold established by 2 CFR Part 200, Subpart F – Audit Requirements, in Federal awards in a fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200, Subpart F – Audit Requirements, the cost of the audit must be paid from non-Federal resources (*i.e.*, the cost of such an audit must be paid from the Subrecipient's resources obtained from other than Federal entities).
- iv. Copies of reporting packages for audits conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, and required by this section, shall be submitted, when required by 2 CFR §200.512, by or on behalf of the Subrecipient directly to the Federal Audit Clearinghouse (FAC) as provided in 2 CFR §200.332 and §200.512. The FAC's website provides a data entry system and required forms for submitting the single audit reporting package. Updates to the location of the FAC and data entry system may be found at the Office of Management and Budget (OMB) website. The FAC is the repository of record for audits required by 2 CFR Part 200, Subpart F – Audit Requirements, and this Agreement. However, the Department requires a copy of the audit reporting package also be submitted to FDOTSingleAudit@dot.state.fl.us within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period as required by 2 CFR Part 200, Subpart F – Audit Requirements.
- v. Within six months of acceptance of the audit report by the FAC, the Department will review the Subrecipient's audit reporting package, including corrective action plans and management letters, to the extent necessary to determine whether timely and appropriate action on all deficiencies has been taken pertaining to the Federal award provided through the Department by this Agreement. If the Subrecipient fails to have an audit conducted in accordance with 2 CFR Part 200, Subpart F – Audit Requirements, the Department may impose additional conditions to remedy noncompliance. If the Department determines that noncompliance cannot be remedied by imposing additional conditions, the Department may take appropriate actions to enforce compliance, which actions may include but not be limited to the following:
 1. Temporarily withhold cash payments pending correction of the deficiency by the Subrecipient or more severe enforcement action by the Department;
 2. Disallow (deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
 3. Wholly or partly suspend or terminate the Federal award;
 4. Initiate suspension or debarment proceedings as authorized under 2 CFR Part 180 and Federal awarding agency regulations (or in the case of the Department, recommend such a proceeding be initiated by the Federal awarding agency);
 5. Withhold further Federal awards for the Project or program; and/or
 6. Take other remedies that may be legally available.
- vi. As a condition of receiving this Federal award, the Subrecipient shall permit the Department, or its designee, the CFO or State of Florida Auditor General access to the Subrecipient's records including financial statements, the independent auditor's working papers and Project records as necessary. Records related to unresolved audit findings, appeals or litigation shall be retained until the action is complete or the dispute is resolved.
- vii. Copies of financial reporting packages required by this section shall be submitted by or on behalf of the Subrecipient directly to each of the following:

Office of Comptroller, MS 24
605 Suwannee Street
Tallahassee, Florida 32399-0450
FDOTSingleAudit@dot.state.fl.us

The Auditor General's Office at the following address:

Auditor General
Local Government Audits/342
Claude Pepper Building, Room 401
111 West Madison Street
Tallahassee, Florida 32399-1450

The Auditor General's website (<https://flauditor.gov/>) provides instructions for filing an electronic copy of a financial reporting package.

viii. Any reports or other information required to be submitted to the Department pursuant to this Agreement shall be submitted timely in accordance with 2 CFR §200.512, Section 215.97, F. S., and Chapters 10.550 (local government entities) and 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

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

(c) The Subrecipient shall retain sufficient records demonstrating its compliance with the terms of the award and this Agreement for a period of five years from the date the audit report is issued and shall allow the Department, or its designee, the CFO or State of Florida Auditor General access to such records upon request. The Subrecipient shall ensure that the audit working papers are made available to the Department, or its designee, the CFO, or State of Florida 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 Subrecipient shall further permit access to all Project records by the Secretary and Inspector General of the United States Department of Transportation and the Comptroller General of the United States, or their designees.

(d) The Subrecipient shall permit, and shall require its contractors to permit, the Department's and NHTSA's authorized representatives to access the Project site; inspect all work, materials, payrolls, and records; and to audit the books, records and accounts pertaining to the financing and development of the Project.

3. Offsets. If, after Agreement completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset the amount claimed from payments due for work or services under any other agreement it has with the Subrecipient if, upon demand, payment of the claimed amount is not made within 60 days to the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department.

4. Buy America Act. The Subrecipient agrees to comply and require consultants and contractors to comply with all applicable standards, orders, and regulations issued pursuant to the Buy America Act, Buy America Act Waiver (Docket No. NHTSA-2015-0065) and NHTSA Guidance Buy American Act Procedure for Highway Safety Grant Programs (revised 11-20-2015) as amended, herein incorporated by reference. The Subrecipient shall include the following Buy America provisions in all subcontract awards:

The Buy America Act prohibits the use of Federal highway safety grant funds to purchase any manufactured product or software/information technology systems whose unit purchase price is \$5,000 or more, including motor vehicles, that is not produced in the United States. NHTSA may waive those requirements if (1) their application would be inconsistent with the public interest; (2) such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or (3) the inclusion of domestic material will increase the cost of the overall Project contract by more than 25 percent.

Each manufactured end product must comply with the provisions of the Buy America Act. Additionally, any manufactured add-on to an end product is, itself, an end product that must comply with the Act.

To be reimbursed with Federal highway safety grant funds for a purchase, a State must comply with the requirements of the Buy America Act. Non-compliance will result in denial of reimbursement.

5. Clean Air Act and Federal Water Pollution Control Act. Subgrant agreements for amounts in excess of \$150,000 must comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) as amended, and the Federal Water Pollution Control Act (33 U.S.C. 1251-1389) as amended. Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). The Subrecipient shall include this provision in all subcontract awards in excess of \$150,000.

6. Code of Conduct. The Subrecipient has established, will maintain, and enforce a written code or standard of conduct applicable to its officers, employees, board members or agents, and those individuals' relatives, that prohibits their involvement in the selection, award, or administration of any contract in connection with the Project if they have a present or potential financial or other significant interest therein and prohibits the acceptance of any gratuity, favor, or other thing of monetary value from any person interested or involved in the performance of work on the Project.

(a) The Subrecipient agrees to the following disclosures:

- i. The Subrecipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the Subrecipient has taken or proposes to take to avoid or mitigate such conflict.
- ii. NHTSA will review the disclosure and may require additional relevant information from the Subrecipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
- iii. Conflicts of interests that require disclosure must include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any subrecipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of the award. Key personnel shall include any person owning more than 20 percent interest in a Subrecipient, and the officers, employees or agents of a Subrecipient who are responsible for making decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

7. Conferences and Inspection of Work. Conferences may be held at the request of any party to this Agreement. Representatives of the Department or the U.S. Department of Transportation (USDOT), or both, shall be privileged to visit the site for the purpose of inspection and assessment of work being performed at any time.

8. Contract Work Hours and Safety Standards Act. Where applicable, all subcontracts under this Agreement in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

9. Debarment and Suspension. No subcontract issued under this Agreement, will be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 and 1200 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

10. Disadvantaged Business Enterprises (DBE).

(a) The Subrecipient agrees to the following assurance:

The Subrecipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract or in the administration of its DBE program required by 49 CFR, Part 26, herein incorporated by reference. The Subrecipient shall take all necessary and reasonable steps under 49 CFR, Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Subrecipient of its failure to carry out its approved program, the USDOT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.), herein incorporated by reference.

(b) The Subrecipient agrees to include the following assurance in each contract with a consultant or contractor and to require the consultant or contractor to include this assurance in all subcontract agreements:

The consultant or contractor and subconsultant or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The consultant or contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of USDOT-assisted contracts. Failure by the consultant or contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Subrecipient or the Department deems appropriate.

11. Methods of Procurement. Subrecipients must follow the procurement standards in 2 CFR 200 sections 200.318 through 200.327.

12. Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms.

- (a) The Subrecipient must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- (b) Affirmative steps must include:
 - (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
 - (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

13. Domestic Preference for Procurements. As appropriate and to the extent consistent with law, the Subrecipient should, to the greatest extent practicable under this subgrant, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subcontracts including all purchase orders for work or products under this subgrant.

For purposes of this section:

- (1) "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- (2) "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

14. Equal Employment Opportunity. No person shall, on the grounds of race, color, religion, sex, handicap, or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under this Agreement, or any Project, program, or activity that receives or benefits from this Agreement. The Subrecipient agrees to comply with Executive Order (E.O.) 11246, as amended by E.O. 11375, and as supplemented by 41 CFR, Part 60, herein incorporated by reference. The Equal Opportunity Clause contained in 41 CFR section 60-1.4 is included in this Agreement by reference.

In connection with the carrying out of the Project, the Subrecipient shall not discriminate against any employee or applicant for employment because of race, age, creed, color, sex or national origin and will comply with all Federal statutes and implementing regulations relating to nondiscrimination. The Subrecipient will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, age, creed, color, sex, or national origin. Such action shall include, but not be limited to, the following: Employment upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Subrecipient shall insert the foregoing provision modified only to show the particular contractual relationship in all its contracts in connection with the development or operation of the Project, except contracts for standard commercial supplies or raw materials, and shall require all such contractors to insert a similar provision in all subcontracts, except subcontracts for standard commercial supplies or raw materials. When the Project involves installation, construction, demolition, removal, site improvement, or similar work, the Subrecipient shall post, in conspicuous places available to employees and applicants for employment for Project work, notices.

- 15. No Federal Obligation.** This Agreement is financed by federal funds. However, payments to the subrecipient will be made by the Department. The United States is not a party to this Agreement and no reference in this Agreement, to the United States, USDOT, NHTSA, or any representatives of the federal government makes the United States a party to this Agreement.
- 16. Nondiscrimination.** Subrecipients will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:
- (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin), 49 CFR part 21, and 28 CFR 50.3;
 - (b) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
 - (c) Federal-Aid Highway Act of 1973, (23 U.S.C. 324 *et seq.*), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681–1683 and 1685–1686) (prohibit discrimination on the basis of sex);
 - (d) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
 - (e) The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
 - (f) The Civil Rights Restoration Act of 1987, (Pub. L. 100–259), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, Subrecipient's and contractors, whether such programs or activities are Federally-funded or not);
 - (g) Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131–12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
 - (h) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
 - (i) Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087–74100);
 - (j) Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities through the Federal Government by ensuring that equity is advanced across the Federal Government;
 - (k) Executive Order 13988, Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation by ensuring that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation; and
 - (l) Nondiscrimination Clause.

During the performance of this subgrant, the Subrecipient agrees:

- (a) To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- (b) Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR Part 21 and herein;
- (c) To permit access to its books, records, accounts, other sources of information, and its facilities as required by the FDOT State Safety Office, USDOT or NHTSA;
- (d) That, in event a Subrecipient fails to comply with any nondiscrimination provisions in this subgrant, the FDOT State Safety Office will have the right to impose such subgrant sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the Subrecipient under the contract/agreement until the Subrecipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- (e) To insert this clause, including paragraphs (a) through (e), in every subcontract and sub-agreement and in every solicitation for a subcontract or sub-agreement, which receives Federal funds under this program.

17. Ownership of Data and Creative Material. The ownership of material, discoveries, inventions and results developed, produced, or discovered by this Agreement are governed by the terms of 2 CFR, Section 200.315, Intangible Property, herein incorporated by reference.

The Subrecipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this subgrant. The Federal and State awarding agency reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal and State purposes, and to authorize others to do so.

The Federal Government has the right to:

- (1) Obtain, reproduce, publish, or otherwise use the data produced under a Federal award; and
- (2) Authorize others to receive, reproduce, publish, or otherwise use such data for Federal and State purposes.

18. Political Activity. The Subrecipient will comply with provisions of the Hatch Act (5 U.S.C. 1501–1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

19. Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment. Subrecipients are prohibited from obligating or expending loan or subgrant funds to:

- (1) Procure or obtain;
- (2) Extend or renew a contract to procure or obtain; or
- (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

20. Property Accountability. The Subrecipient shall establish and administer a system to control, protect, preserve, use, and maintain and dispose of any property furnished by the Department, or purchased pursuant to this Agreement in accordance with Federal Property Management Standards as set forth in 49 CFR, Section 18.32, 49 CFR 19, Section 19.34, or 2 CFR, 200.310-200.316, herein incorporated by reference. This obligation continues as long as the property is retained by the Subrecipient notwithstanding the ending of this Agreement.

21. Restrictions on Lobbying. The Subrecipient agrees to comply and require consultants and contractors to comply with 49 CFR, Part 20, New Restrictions on Lobbying, herein incorporated by reference, for filing of certification and disclosure forms.

(a) **Certification Regarding Federal Lobbying.** The Subrecipient certifies, to the best of his or her knowledge and belief, that:

- i. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- ii. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- iii. The Subrecipient shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly; and
- iv. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 31 U.S.C 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

- (b) **Restriction on State Lobbying.** None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

22. Termination and Suspension.

- (a) **Generally.** If: (i) the Subrecipient abandons or, before the end of the state fiscal year for which financial assistance for the Project is provided under this Agreement, finally discontinues the Project; (ii) the Subrecipient fails to comply with applicable law or the terms of this Agreement; or (iii) for any other reason, the commencement, prosecution, or timely completion of the Project by the Subrecipient is rendered improbable, infeasible, impossible, or illegal, the Department may, by written notice to the Subrecipient, suspend any or all of its obligations under this Agreement until such time as the event or condition resulting in such suspension has ceased or been corrected, or the Department may terminate any or all of its obligations under this Agreement. Termination of this Agreement shall be governed by the provisions of 2 CFR §200.340 through 200.343.
- (b) **Actions Upon Termination or Suspension.** Upon receipt of any final termination or suspension notice from the Department, the Subrecipient shall proceed promptly to carry out the actions required in such notice, which may include any or all of the following: (1) necessary action to terminate or suspend, as the case may be, Project activities and contracts and such other action as may be required or desirable to keep to the minimum the costs upon the basis of which the financing is to be computed; (2) furnish a statement of the Project activities and contracts, and other undertakings the cost of which are otherwise includable as Project costs; and, (3) remit to the Department such portion of the financing and any advance payment previously received as is determined by the Department to be due under the provisions of this Agreement. The termination or suspension shall be carried out in conformity with the latest schedule, plan, and budget as approved by the Department or upon the basis of terms and conditions imposed by the Department upon the failure of the Subrecipient to furnish the schedule, plan, and budget within a reasonable time. The approval of a remittance by the Subrecipient shall not constitute a waiver of any claim which the Department may otherwise have arising out of this Agreement.
- (c) **Termination for Convenience.** In accordance with Appendix II to 2 CFR Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards, either Party may terminate this Agreement for convenience upon thirty (30) calendar days' advance written notice to the other Party. Termination of this Agreement, as such, will not affect payment for services satisfactorily furnished prior to the termination.

23. Human Trafficking. The Subrecipient shall include a provision in each contract it enters into with a private entity in connection with the Project by which the Subrecipient's contractor agrees that it and its employees that perform any work on the Project shall not, during the term of this Agreement, engage in trafficking in persons, procure a commercial sex act, or use forced labor in the performance of work on the Project.

24. Unauthorized Aliens. The Department shall consider the employment by the Subrecipient of unauthorized aliens a violation of Section 274A of the Immigration and Nationality Act. If the Subrecipient knowingly employs unauthorized aliens, such violation will be cause for unilateral cancellation of this Agreement.

25. Title VII - Civil Rights Act of 1964. Execution of this Agreement constitutes a certification that the Subrecipient will comply with all the requirements imposed by Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), which among other things, prohibits discrimination in employment on the basis of race, color, national origin, creed, sex, and age.

26. Americans with Disabilities Act of 1990 (ADA). Execution of this Agreement constitutes a certification that the Subrecipient will comply with all the requirements imposed by the ADA (42 U.S.C. 12101, et seq.), the regulations of the federal government issued thereunder, and the assurance by the Subrecipient pursuant thereto.

27. Integrity Certification. By signing this Agreement, the Subrecipient certifies that neither it nor its contractors are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Agreement by any federal department or agency. This certification is a material representation of fact upon which the Department is relying in entering this Agreement. If it is later determined that the Subrecipient knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. The Subrecipient shall provide to the Department immediate written notice if at any time the Subrecipient learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

28. Federal Encouragements.

- (a) **Vehicle Pursuits.** Pursuant to 23 U.S.C. 402(j), all law enforcement agencies are encouraged to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect.
- (b) **Policy on Banning Text Messaging While Driving.** In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, Subrecipients are encouraged to:
 - i. Adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official business or when performing any work on behalf of the Subrecipient agency and/or the Government;
 - ii. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting and driving; and
 - iii. Insert the substance of this section, including this sentence, in all sub-agreement/subcontracts funded with the subaward provided under this Agreement that are \$15,000 or more.

29. Reversion of Unexpended Subgrant Funds. All funds granted by the Department under this Agreement that have not been expended during the term of this Agreement shall revert to the Department.

STATE REGULATIONS

30. Compliance with State Procurement of Personal Property and Services Laws. The Subrecipient agrees to comply with all applicable provisions of Chapter 287, Florida Statutes (F.S.). The following provisions are stated in this Agreement pursuant to sections 287.133(2)(a) and 287.134(2)(a), F.S.

- (a) **Section 287.133 (2)(a), F.S.** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in section 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.
- (b) **Section 287.134 (2)(a), F.S.** An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.
- (c) The convicted vendor list and discriminatory vendor list can be found on the Florida Department of Management Services (DMS) website.

31. Compliance with State Public Records Laws. The Subrecipient agrees to comply with all provisions provided in Chapter 119 F.S. If the Subrecipient receives a public records request concerning its work undertaken pursuant to this Agreement, the Subrecipient must take appropriate action as required by Chapter 119, F.S. If the Subrecipient is unable to ascertain how best to comply with its obligations, it should seek the advice of counsel and/or FDOT State Safety Office.

The Department shall unilaterally cancel this Agreement if the Subrecipient refuses to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, F.S., and made or received by the Subrecipient in conjunction with this Agreement.

32. Cooperation with Inspector General. It is the duty of every Subrecipient to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing pursuant to this Agreement. Section 20.055(5), F.S. The Subrecipient agrees to comply with Section 20.055(5), F.S., and to incorporate in all subcontracts the obligation to comply with Section 20.055(5), F.S.

33. E-Verify. Subrecipients:

- (a) Shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the Agreement; and

- (b) Shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Agreement term.
- (c) Shall adhere to the requirements in Section 448.095, F.S.

34. Indemnification and Insurance.

- (a) **Indemnification.** To the extent permitted by law and as limited by and pursuant to the provisions of Section 768.28, F.S., the Subrecipient shall indemnify and hold harmless the Department, including the Department's officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Subrecipient and persons employed or utilized by the Subrecipient in the performance of this Agreement. This indemnification shall survive the termination of this Agreement. Nothing contained in this paragraph is intended to nor shall it constitute a waiver of the State of Florida and the Subrecipient's sovereign immunity.
- (b) **Subrecipient Contracts.** Subrecipient agrees to include the following indemnification clause in all contracts with contractors, subcontractors, consultants, or subconsultants who perform work in connection with this Agreement (modified to appropriately identify the parties):

"To the fullest extent permitted by law, the Subrecipient's contractor/consultant shall indemnify and hold harmless the Subrecipient and the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of the contractor/consultant and persons employed or utilized by the contractor/consultant in the performance of this Agreement.

This indemnification shall survive the termination of this Agreement. Nothing contained in this paragraph is intended to nor shall it constitute a waiver of the State of Florida and the Subrecipient's sovereign immunity."
- (c) **Workers' Compensation.** The Subrecipient shall provide Workers' Compensation Insurance in accordance with Florida's Workers' Compensation law for all employees. If contracting for any of the work, the Subrecipient shall ensure that its contractors have Workers' Compensation Insurance for their employees in accordance with Florida's Workers' Compensation law. If using "leased employees" or employees obtained through professional employer organizations ("PEO's"), the Subrecipient shall ensure that such employees are covered by Workers' Compensation insurance through the PEO's or other leasing entities. The Subrecipient shall ensure that any equipment rental agreements that include operators or other personnel who are employees of independent contractors, sole proprietorships or partners are covered by insurance required under Florida's Workers' Compensation law.

35. Reimbursement Obligation. The State of Florida's performance and obligation to reimburse the Subrecipient shall be subject to the availability of Federal highway safety funds and an annual appropriation by the Legislature.

36. Responsibility for Claims and Liability. To the extent permitted by law and subject to the limitations of Section 768.28, F.S., the Subrecipient shall be required to defend, hold harmless and indemnify the Department, NHTSA, FHWA, and USDOT, from all claims and liability, or both, due to negligence, recklessness, or intentional wrongful misconduct of Subrecipient, and its contractor, consultant, agents and employees. The Subrecipient shall be liable for any loss of, or damage to, any material purchased or developed under this Agreement which is caused by the Subrecipient's failure to exercise such care in regard to said material as a reasonable careful owner of similar materials would exercise.

The parties executing this Agreement specifically agree that no provision in this Agreement is intended to create in the public or any member thereof, a third-party beneficiary, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

37. Restrictions on Lobbying. No funds subgranted hereunder shall be used for the purpose of lobbying the legislature, judicial branch, or state agencies, per Section 216.347, F.S.

38. Retention of Records. The Subrecipient 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, the state CFO, or AG access to such records, which are not protected by State law, upon request. The Subrecipient shall ensure that the independent audit working papers are made available to the Department, or its designee, the state CFO, or AG upon request for a period of at least five years from the date the audit report is issued, unless extended in writing by the Department.

39. Tangible Property. Property purchased under this subcontract does not qualify as Tangible Personal Property as defined by Chapter 273, F.S.

MISCELLANEOUS PROVISIONS

- 40. Prohibited Interests.** The Subrecipient shall not enter into a contract or arrangement in connection with the Project or any property included or planned to be included in the Project, with any officer, director or employee of the Subrecipient, or any business entity of which the officer, director or employee or the officer's, director's or employee's spouse or child is an officer, partner, director, or proprietor or in which such officer, director or employee or the officer's, director's or employee's spouse or child, or any combination of them, has a material interest.
- "Material Interest" means direct or indirect ownership of more than 5% of the total assets or capital stock of any business entity.
 - The Subrecipient shall not enter into any contract or arrangement in connection with the Project or any property included or planned to be included in the Project, with any person or entity who was represented before the Subrecipient by any person who at any time during the immediately preceding two (2) years was an officer, director or employee of the Subrecipient.
 - The provisions of this subsection shall not be applicable to any agreement between the Subrecipient and its fiscal depositories, any agreement for utility services the rates for which are fixed or controlled by the government, or any agreement between the Subrecipient and an agency of state government.
- 41. Interest of Members of, or Delegates to, Congress or Legislature.** No member or delegate to the Congress of the United States, or the State of Florida legislature, shall be admitted to any share or part of the Agreement or any benefit arising therefrom.
- 42. Department Not Obligated to Third Parties.** The Department shall not be obligated or liable under this Agreement to any party other than the Subrecipient. It is specifically agreed between the Parties executing this Agreement that it is not intended by any of the provisions of any part of this Agreement to create in the public or any member thereof, a third-party beneficiary under this Agreement, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.
- 43. Relationship of Parties.** The Subrecipient, its employees, contractors, subcontractors, consultants, and subconsultants are not agents of the Department as a result of this Agreement.
- 44. When Rights and Remedies Not Waived.** In no event shall the making by the Department of any payment to the Subrecipient constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist, on the part of the Subrecipient, and the making of such payment by the Department while any such breach or default shall exist shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.
- 45. Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.
- 46. Sovereign Immunity.** Nothing in this Agreement shall constitute a waiver by either party of its sovereign immunity for any damages claimed by third parties.
- 47. Bonus or Commission.** By execution of this Agreement the Subrecipient represents that it has not paid and, also, agrees not to pay, any bonus or commission for the purpose of obtaining an approval of its application for the financing hereunder.
- 48. Notices.** Any notice, demand, or request which is required to be given under this Agreement in writing shall be delivered to the following address:
- Florida Department of Transportation
Attn: Traffic Safety Administrator
State Safety Office, MS 53
605 Suwannee Street
Tallahassee, Florida 32399-0450
- 49. Agreement Format.** All words used in this Agreement in the singular form shall extend to and include the plural. All words used in the plural form shall extend to and include the singular. All words used in any gender shall extend to and include all genders.
- 50. Jury Trial Waiver.** The Subrecipient and the Department hereby irrevocably and unconditionally waive trial by jury in any legal action or proceeding relating to this agreement and for any counterclaim therein.
- 51. Execution of Agreement.** This Agreement may be simultaneously executed in a minimum of two counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one in the same instrument.

52. Agreement not Assignable. The Subrecipient may not assign any of its rights or obligations under this Agreement.

GRANT MANAGEMENT

53. Amendments. The Subrecipient shall obtain prior written approval from the FDOT State Safety Office for changes to this Agreement. Amendments to this Agreement will be approved if the modification(s) to be made will achieve or improve upon the outcome of this Agreement's scope of work, or where factors beyond the control of the Subrecipient require the change. Requested amendments to this Agreement shall be in the form of a written request signed by one of the original signatories of this Agreement, or successor in the same position. Specific delegation(s) for amendments must be provided in writing from the original signatory of the Subrecipient.

54. Disputes and Appeals. Any dispute, disagreement, or question of fact arising under this Agreement may be addressed to the Traffic Safety Administrator of the FDOT State Safety Office in writing within 6 months of the end of the subgrant period. The Traffic Safety Administrator's decision may be appealed in writing within 30 calendar days from the notification to the Governor's Highway Safety Representative, whose decision is final. Addresses are:

Florida Department of Transportation
Attn: Traffic Safety Administrator
State Safety Office, MS 53
605 Suwannee Street
Tallahassee, Florida 32399-0450

Florida Department of Transportation
Attn: Governor's Highway Safety Representative
State Safety Office, MS 53
605 Suwannee Street
Tallahassee, Florida 32399-0450

The Subrecipient shall proceed diligently with the performance of this Agreement and in accordance with the Department's decision(s).

55. Equipment. Any equipment purchased under this Agreement with highway safety funds shall not replace previously purchased equipment that is damaged, stolen, lost, or that wears out as a result of misuse, whether the equipment was purchased with federal, state, or local funds.

- (a) **Use of Equipment.** All equipment shall be used for the originally authorized Agreement purpose(s) for as long as needed for those purposes. Subrecipients must maintain an inventory control system that has adequate safeguards in place to prevent loss, damage, or theft.
- (b) **Equipment Costing \$10,000 or More.** Equipment with a useful life of more than one year and an acquisition cost of \$10,000 or more per unit shall be subject to the following requirements:
 - i. Biannual certification of appropriate use and condition of equipment shall be provided to the FDOT State Safety Office.
 - ii. Dispositions must be requested and shall receive prior written approval from the FDOT State Safety Office.
- (c) **Disposition of Equipment Costing \$10,000 or More.** In the event the equipment is no longer needed for the originally authorized Agreement purpose(s) or has reached the end of its useful life, Subrecipients shall use the Equipment Disposition Request Form 500-065-26 to coordinate with the FDOT State Safety Office to obtain required approvals to dispose of the equipment or transfer the equipment to another agency for use.
- (d) **Disposition of Equipment Costing Less than \$10,000.** Equipment that does not meet the unit purchase price threshold of \$10,000 shall be disposed of in accordance with the agency's own procurement and disposition policies. Documentation of this disposition shall be noted in the Subrecipient files.
- (e) **Equipment Replacement or Repair.** The Subrecipient is responsible, at their own cost, for replacing or repairing any equipment purchased with Federal highway safety funds that is damaged, stolen, or lost, or that wears out as a result of misuse. The FDOT State Safety Office retains the right to replace or repair any equipment for statewide programs based on exceptional individual circumstances.
- (f) **Equipment Repossession.** Ownership of all equipment purchased with Federal highway safety funds rests with the Subrecipient; however, the USDOT maintains an interest in the equipment and title vests in the Subrecipient subject to several conditions and obligations under 2 CFR § 200.313. The Subrecipient must use the equipment for the authorized purposes of the Project, whether or not the Project continues to be supported by the Federal award, unless the FDOT State Safety Office, on behalf of USDOT, provides written authorization for another use of the equipment that is permissible under 2 CFR §200.313. Any equipment purchased with Federal highway safety funds that is not being used by the Subrecipient for the purposes described in the Project or in accordance with other authorized uses under 2 CFR §200.313, is subject to repossession by the FDOT State Safety Office, on behalf of the USDOT. Items that are repossessed shall be disbursed to agencies that agree to use the equipment for the activity described in this Project or for other uses authorized by USDOT.

- 56. Expense Purchases for \$200 or more:** Any office, training, communication, or computer supplies (including computers) with a per item unit cost of \$200 or more within the Expense Category, excluding software, must have FDOT State Safety Office written approval, prior to purchase.
- 57. Excusable Delays.** Except with respect to the defaults of Subrecipient's consultants and contractors which shall be attributed to the Subrecipient, the Subrecipient shall not be in default by reason of any failure in performance of this Agreement in accordance with its terms if such failure arises out of causes beyond the control and without the fault or negligence of the Subrecipient. Such causes are acts of God or of the public enemy, acts of the Government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, but in every case the failure to perform must be beyond the control and without the fault or negligence of the Subrecipient. If the failure to perform is caused by the failure of the Subrecipient's consultant or contractor to perform or make progress, and if such failure arises out of causes beyond the control of the Subrecipient and its consultant or contractor, and without the fault or negligence of any of them, the Subrecipient shall not be deemed to be in default, unless (1) the supplies or services to be furnished by the consultant or contractor were obtainable from other sources, (2) the FDOT State Safety Office shall have ordered the Subrecipient in writing to procure such supplies or services from other sources, and (3) the Subrecipient shall have failed to comply reasonably with such order.
- Upon request of the Subrecipient, the FDOT State Safety Office shall ascertain the facts and extent of such failure and, if it shall be determined that any failure to perform was occasioned by any one or more of the said causes, the delivery schedule shall be revised accordingly.
- If the Subrecipient is unable to fulfill the activities stated in the Proposed Solution or Project Objectives in this agreement (Part II: PROJECT PLAN AND SUPPORTING DATA) due to the COVID-19 pandemic, the Subrecipient must contact the FDOT State Safety Office immediately to discuss potential amendments and/or alternate plans.
- 58. How this Agreement is Affected by Provisions Being Held Invalid.** If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected. In such an instance, the remainder would then continue to conform to the terms and requirements of applicable law. The Subrecipient acknowledges that federal grant requirements are subject to change and agrees that the most recent requirements shall govern its obligations under this Agreement at all times.
- 59. Ineligibility for Future Funding.** The Subrecipient agrees that the Department shall find the Subrecipient ineligible for future funding for any of the following reasons:
- (a) Failure to provide the required audits;
 - (b) Failure to provide required performance and final narrative reports in the required time frame;
 - (c) Failure to perform work described in Part II of this Agreement;
 - (d) Failure to provide reimbursement requests and performance reports in the required time frame;
 - (e) Providing fraudulent performance reports or reimbursement requests; or
 - (f) Misuse of equipment purchased with Federal highway safety funds.
- 60. Performance.** In the event of default, noncompliance, or violation of any provision of this Agreement by the Subrecipient, the Subrecipient's consultant(s) or contractor(s) and supplier(s), the Subrecipient agrees that the Department will impose sanctions. Such sanctions include withholding of reimbursements, retainage, cancellation, termination, or suspension of this Agreement in whole or in part. In such an event, the Department shall notify the Subrecipient of such decision 30 days in advance of the effective date of such sanction. The sanctions imposed by the Department will be based upon the severity of the violation, the ability to remedy, and the effect on the Project. The Subrecipient shall be paid only for those services satisfactorily performed prior to the effective date of such sanction.
- 61. Personnel Hired or Paid Under this Agreement.**
- (a) **Project Director.** Persons holding the position of Project Director for this Agreement shall not receive reimbursement for personnel hours nor receive any other benefit under this Agreement.
 - (b) **Employer Responsibility.** Any and all employees of the Subrecipient whose positions are funded, in whole or in part through this Agreement, shall be the employee of the Subrecipient only, and any and all claims that may arise from said employment relationship shall be the sole obligation and responsibility of the Subrecipient. Personnel hours will only be reimbursed based on actual hours worked on this Agreement. No other allocation method is allowable for reimbursement.

(c) **Bonuses or Stipends.** Bonuses or one-time stipends issued to Subrecipient employees will not be eligible for subgrant reimbursement, as they are not considered salary and are an addition to the salary amounts approved for subgrant execution. Increases in subgrant employee salary must be approved by the FDOT State Safety Office. Annual fluctuations in benefits approved in the Agreement are allowable and eligible for reimbursement.

(d) **Overtime.**

- i. **Overtime Hours.** Subgrant funds cannot be used to supplant standard activity hours; therefore, only hours qualifying as "overtime", per the Subrecipient policies will be eligible for reimbursement by this Agreement. In the event a Subrecipient is awarded more than one subgrant agreement within a federal fiscal year, overtime hours for each traffic safety effort must be tracked, reported, and billed based on hours worked for each subgrant agreement type.
- ii. **Reserve Officer Hours.** Subgrant funds can be used to reimburse detail pay for reserve officers to perform traffic safety enforcement. An agency must have an active policy authorizing payment for reserve officer detail to receive reimbursement for reserve officer hours. A copy of the policy shall be maintained by the Subrecipient and made available for review if requested.
- iii. **Extra Duty Detail Pay.** Subgrant funds can be used to reimburse extra duty detail pay for officers to perform traffic safety enforcement. An agency must have an active policy authorizing payment for detail or extra duty pay outside of regular duties to receive reimbursement for officer hours. A copy of the policy shall be maintained by the Subrecipient and made available for review if requested.
- iv. **Overtime Rate.** Overtime hours are intended for enhanced/increased traffic safety activities. The overtime pay rate for personnel is based on actual cost per employee in accordance with the Subrecipient's payroll policy. Each Subrecipient shall comply with Fair Labor Standards Act (FLSA) requirements and thresholds for overtime accrual and payment and its own policies and procedures, insofar as those policies apply uniformly to both federally financed and other activities of the Subrecipient, as required by 2 CFR 200.403(c). Additional hours may be called overtime, off duty, extra, additional, etc., as long as it enhances/increases traffic safety activities. A copy of the policy shall be maintained by the Subrecipient and made available for review if requested.

62. Reports. The following reports are required for reimbursement of subgrant funding:

- (a) **Performance Reports.** (FDOT Form No. 500-065-19). A performance report shall be provided with each request for financial reimbursement, providing the status of the subgrant minimum performance standards, as described in Part IV of this Agreement.
- (b) **Final Narrative Report.** (FDOT Form No. 500-065-20). A Final Narrative Report giving a chronological history of the subgrant activities, problems encountered, major accomplishments, and NHTSA Required Activity Reporting shall be submitted by October 31. Requests for reimbursement will not be processed and will be returned to the Subrecipient as unpaid if the required reports are not provided, following notification.
- (c) **Enforcement Activity Reports.** Enforcement Activity Report(s) for each type of enforcement shall be provided with each request for financial reimbursement for overtime worked. Agency specific activity reports may be used, if those reports include all information detailed in each FDOT Activity Form.
- (d) **Other Reports.** The FDOT State Safety Office reserves the right to require other reports not specified above, as necessary, for Agreement monitoring.

63. Term of this Agreement. This Agreement shall begin on the date the last party signs and shall end on September 30, unless otherwise stipulated by the FDOT State Safety Office on the first page of this respective subgrant agreement. In the event this Agreement is for services in excess of \$25,000.00 and a term for a period of more than 1 year, the provisions of Section 339.135(6)(a), F.S., are hereby incorporated:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000.00 and which have a term for a period of more than 1 year."

64. Travel.

- (a) **Required Forms.** Travel costs for approved travel shall be submitted on the FDOT Contractor Travel Form (FDOT Form No. 300-000-06) or other approved Florida Department of Financial Services form and will be reimbursed in accordance with Section 112.061, F.S. and the most current version of the *Disbursement Handbook for Employees and Managers*.
- (b) **Authorization and Restriction.** All travel authorized under this Agreement shall be subject to any additional authorization requirements or restrictions imposed by the Governor's Executive Order or other guidance; any requirements or forms for travel cost reimbursement imposed by the Subrecipient that do not violate FDOT travel cost reimbursement requirements; and/or FDOT during the Agreement period.
- (c) **Prerequisite Approvals.** All Agreement travel that has billable costs shall require a written request for approval from the FDOT State Safety Office prior to the incurring of actual travel costs. Request should include sufficient justification to prove that the travel will have significant benefits to the outcome of the Agreement activities and is within the travel budget of the Project and relevant to the Project. Additional detail is required if the travel meets any of the following criteria:
 - i. Purchase of airfare;
 - ii. Travel to conference;
 - iii. Travel which includes a registration fee;
 - iv. Out-of-subgrant-specified work area travel; or
 - v. Out-of-state travel.

Failure to receive prior written approval will deem the entire travel cost ineligible for payment, regardless of available funding in the travel budget.

- (d) **Lodging Reimbursement Limit.** The FDOT State Safety Office shall not pay for overnight lodging/hotel room rates that exceed \$225.00 per night (before taxes and fees). A Subrecipient and/or traveler will be required to expend his or her own funds for paying the overnight lodging/hotel room rate in excess of \$225.00 plus the applicable percentage of fees (other than flat fees). If multiple travelers share a room and the individual cost of the lodging/hotel exceeds the \$225.00 per night limit, the Subrecipient and/or travelers will be required to expend his or her own funds for paying the excess amount. If another entity is covering the cost of the overnight lodging/hotel then this paragraph does not apply.
- (e) **Lodging for Subgrant Funded Statewide Coalition Meetings and Conferences.** Lodging contracts may be funded to accommodate attendance of subgrant funded statewide coalition meetings, conferences, and programs. If a lodging contract is executed to cover lodging cost, all travelers shall be expected to use the contract, and any attendees choosing alternate lodging accommodations based on preference, shall do so at their own out of pocket costs. Cost for these lodging contracts will be reviewed and approved for program appropriateness and costs savings to the State, as determined and approved by the FDOT State Safety Office.
- (f) **Rental Vehicles.** Some rental companies will offer electric vehicles (EV); however, these types of vehicles are not allowable under this subgrant. Any electric vehicle rentals and associated fees will not be reimbursed under this subgrant.

65. Vehicles.

Any Subrecipient receiving subgrant funds to purchase a vehicle (excluding law enforcement vehicles) shall maintain a travel log that contains the beginning and ending mileage, location, and purpose of travel. All agencies must report any vehicle use (excluding law enforcement vehicles) and maintenance with each request for reimbursement using the Safety Grant Vehicle Use Form (FDOT Form No. 500-065-21) and the Safety Grant Equipment Maintenance Form (FDOT Form No. 500-065-22).

Vehicles purchased with federal highway safety funds shall be used for program use only and in accordance with Rule 60B-1.004 F.A.C. Subrecipients who are responsible for the operation and use vehicles for official state business are allowed to permit persons other than state officials or employees to travel in the vehicle provided these persons are conducting official state business or only on special occasions if the purpose of the travel can be more usefully served by including such persons and no additional expense is involved.

It is permissible to transport persons other than state officials and employees during disasters and emergency situations where the state must protect life and property. Providing assistance to motorists whose vehicles are disabled may be considered as an emergency when there is a need to protect life and property.

Any vehicles used for personal reasons or not being used by the Subrecipient for the purposes described in this Agreement shall be subject to repossession by the FDOT State Safety Office.

FINANCIAL/FISCAL

66. Allowable Costs. The allowability of costs incurred under this Agreement shall be determined in accordance with the general principles of allowability and standards for selected cost items set forth in the Applicable Federal Law, state law, and the FDOT Disbursement Handbook for Employees and Managers, to be eligible for reimbursement. All funds not spent in accordance with the Applicable Federal Law will be subject to repayment by the Subrecipient. Only costs directly related to this Agreement shall be allowable.

67. Subcontract Agreements.

- (a) **Requirement for Pre-Approval.** All subcontract agreements must be submitted to the FDOT State Safety Office in draft form for review and written approval. Approval of this Agreement does not constitute approval of subcontract agreements.
- (b) **Minimum Mandatory Subcontract Language.** All subcontract agreements shall include at a minimum the following information:
 - i. Beginning and end dates of the subcontract agreement (not to exceed this Agreement period);
 - ii. Total contract amount;
 - iii. Scope of work/Services to be provided;
 - iv. Quantifiable, measurable, and verifiable units of deliverables;
 - v. Minimum level of service to be performed and criteria for evaluating successful completion;
 - vi. Budget/Cost Analysis; and
 - vii. Method of compensation/Payment Schedule.
- (c) **Additional Required Clauses.**
 - i. **All subcontract agreements shall contain the following statement:**
"The parties to this contract shall be bound by all applicable sections of Part V: Acceptance and Agreement of Project # (insert Project number). A final invoice must be received by (insert date) or payment will be forfeited."
 - ii. **Buy American Act Clause** (see Section 4 of Part V)
 - iii. **Certification Regarding Federal Lobbying** (see Section 21 of Part V)
 - iv. **Cooperation with Inspector General** (see Section 32 of Part V)
 - v. **DBE Clause** (see Section 10 of Part V)
 - vi. **E-Verify Clause** (see Section 33 of Part V)
 - vii. **Nondiscrimination Clause** (see Section 16 of Part V)
 - viii. **Clean Air Act and Federal Water Pollution Control Act Clause** (subcontracts in excess of \$150,000) (see Section 5 of Part V)
 - ix. **Integrity Certification Clause** (see Section 27 of Part V)
 - x. **Contract Work Hours and Safety Standards Act** (subcontracts in excess of \$100,000) (see Section 8 of Part V)
 - xi. **Indemnification and Insurance** (see Section 34 of Part V)
 - xii. **Policy on Banning Text Messaging While Driving Act** (subcontracts in excess of \$15,000) (see Section 28 of Part V)
 - xiii. **Human Trafficking Clause** (see Section 23 of Part V)
 - xiv. **Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms** (see Section 12 of Part V)
 - xv. **Termination for Convenience** (see Section 22 of Part V)

68. Indirect Costs. Indirect costs included in this Agreement in Part III, under the indirect line item are based on the indirect costs rate the Subrecipient used in the competitive concept paper application process. The rate will be applied in accordance with 2 CFR Part 200 and the Subrecipients federally approved rate agreement. If the Subrecipient does not have a federally approved costs rate agreement, a maximum de minimis rate of 15% of modified total direct costs in the manner described in 2 CFR §200.414 will be used. [The de minimis rate is available only to entities that have never had a negotiated indirect cost rate. When selected, the de minimis rate must be used consistently for all federal awards until such time the Subrecipient chooses to negotiate a rate. A de minimis certification form must be submitted to the Department for review and written approval.] All subgrant awards are based on cost benefit, available funding, and if the indirect costs rate requested significantly affects the proposed project's ability to adequately address the traffic safety need.

69. Obligation of Subgrant Funds. Subgrant funds shall not be obligated prior to the effective date or subsequent to the end date of this Agreement period. Only Project costs incurred on or after the effective date and on or prior to the end date of this Agreement are eligible for reimbursement. A cost is incurred when the Subrecipient's employee or approved contractor or consultant performs the service required or when goods are received by the Subrecipient, notwithstanding the date of order.

70. Procedures for Reimbursement.

- (a) **Overview.** The Department agrees to compensate the Subrecipient for services described in Part II (Project Plan and Supporting Data). The Schedule of Financial Assistance is included as Part III (Project Detail Budget).
- (b) **Required Forms.** All requests for reimbursement of subgrant costs must be submitted on forms provided by the Department (FDOT Form Numbers 500-065-04 through 09 and 19) unless otherwise approved. Forms must be completed in detail sufficient for a proper pre-audit and post audit based on the quantifiable, measurable, and verifiable units of deliverables and costs, including supportive documentation as established in Parts II (Project Plan and Supporting Data), III (Project Detail Budget), and IV (Performance Report). **ALL requests for reimbursement shall include FDOT Form 500-065-19 Performance Report for the period of reimbursement.** Deliverables must be received and accepted in writing by the Department's Project Manager prior to payments.
- (c) **Supporting Documentation.** Supporting documentation must establish that the deliverables were received and accepted in writing by the Subrecipient and must also establish that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in Parts II (Project Plan and Supporting Data), III (Project Detail Budget), and IV (Performance Report) was met. All costs invoiced shall be supported by properly executed payrolls, time records, invoices, contracts or vouchers evidencing in proper detail the nature and propriety of charges. Invoices for cost reimbursement subgrants must be supported by an itemized listing of expenditures by category (salary, travel, expenses, etc.). Supporting documentation shall be submitted for each amount for which reimbursement is being claimed indicating that the item has been paid. Documentation for each amount for which reimbursement is being claimed must indicate that the item has been paid. Check numbers may be provided in lieu of copies of actual checks. Each piece of documentation should clearly reflect the dates of service. Only expenditures for categories in the approved subgrant budget may be reimbursed. These expenditures must be allowable (pursuant to law) and directly related to the services being provided. Contracts between state agencies may submit alternative documentation to substantiate the reimbursement request, which may be in the form of FLAIR reports or other detailed reports.

The Florida Department of Financial Services, online Reference Guide for State Expenditures can be found at this web address: http://www.fldfs.com/aadir/reference_guide.htm

Listed below are types and examples of supporting documentation:

i. Personnel Services.

- a. **Salaries:** Timesheets that support the hours worked on the Project or activity must be kept. A payroll register, or similar documentation should be maintained. The payroll register should show gross salary charges, fringe benefits, other deductions, and net pay. If an individual for whom reimbursement is being claimed is paid by the hour, a document reflecting the hours worked times the rate of pay can be submitted. If this document does not reflect the information needed, the Subrecipient shall submit additional pay documentation in a timely manner when requested.

- b. **Fringe Benefits:** Fringe benefits should be supported by invoices showing the amount paid on behalf of the employee, e.g., insurance premiums paid. If the contract specifically states that fringe benefits will be based on a specified percentage rather than the actual cost of fringe benefits, then the calculation for the fringe benefits amount must be shown. Exception: Governmental entities are not required to provide check numbers or copies of checks for fringe benefits.
 - ii. **Contractual Services.** Should be supported by a copy of the approved subcontract agreement, invoice showing payment request and dates of service from the vendor, and proof of payment by the Subrecipient.
 - iii. **Expenses.** Should be supported by a copy of any required pre-approvals, invoice showing payment request from the vendor, and proof of payment by the Subrecipient.
 - iv. **Travel.** Reimbursement for travel must be in accordance with s. 112.061, F.S. and the most recent version of the FDOT Disbursement Handbook, which includes submission of the travel costs on an approved state travel form along with supporting receipts and invoices.
 - v. **Equipment Costing \$10,000 or More.** Should be supported by a copy of any required pre-approvals, invoice showing payment request from the vendor, and proof of payment by the Subrecipient.
 - vi. **Indirect Cost.** If the subgrant stipulates that indirect costs will be paid based on a specified rate, then the calculation should be shown. Indirect costs must be in the approved agreement budget and the entity must be able to demonstrate that the costs are not duplicated elsewhere as direct costs. All indirect cost rates must be evaluated for reasonableness and for allowability and must be allocated consistently.
- All documentation should be readable and include the necessary calculations to support the amounts being requested. Illegible documents or documents for the wrong time-period or calculation amounts will require resubmittal by the Subrecipient. If documents provided do not equal the totals requested, additional documentation may be requested, or amounts reimbursed will be reduced to totals supported by documentation.
- Subgrant agreements between state agencies, and/or subgrant agreements between universities may submit alternative documentation to substantiate the reimbursement request that may be in the form of FLAIR reports or other detailed reports and do not have to include check numbers.
- (d) **Non-Aligned Purchases Pre-Approval Requirement:** Pre-approval is required if there are any purchases that cross subgrant years (October 1st – September 30th). A letter requesting pre-approval for purchases crossing into the next subgrant year must be submitted to the FDOT State Safety Office in draft form for review and approval. Only after the written approval from the FDOT State Safety Office is received, can a purchase be made.
 - (e) **Frequency and Deadlines for Submission.**
 - i. **Partial Claims.** Subrecipients should submit all costs for reimbursement monthly unless no costs were incurred within a month. Reimbursement for personnel costs may be submitted after each pay period, if desired. Failure to submit reimbursement requests in a timely manner may result in this Agreement being terminated.
 - ii. **Final Claim.** A final financial request for reimbursement shall be submitted and/or postmarked no later than October 31 following the end of this Agreement period. Such a request should be distinctly identified as **Final**.

The Subrecipient agrees to forfeit reimbursement of any amount incurred or expended if the final request is not submitted and/or postmarked by October 31 following the end of this Agreement period.
 - (f) **Travel Reimbursement.** Bills for travel expenses specifically authorized in this Agreement shall be submitted on the FDOT Contractor Travel Form (300-000-06) and will be paid in accordance with Section 112.061, F.S. and the most current version of the FDOT Disbursement Handbook for Employees and Managers.
 - (g) **Equipment Reimbursement.** All requests for reimbursement of equipment having a unit cost of \$10,000 or more and a useful life of one year or more shall be accompanied by an Equipment Accountability Form (FDOT Form No. 500-065-09). Reimbursement of these equipment costs shall not be made before receipt of this form.

- (h) **Media Purchase Reimbursement.** Proof of performance (e.g., copies and/or images of posters, air schedules, etc.) of all paid media purchased with subgrant funds shall be attached to reimbursement requests.
- (i) **Artificial Intelligence (AI) Reimbursement.** Artificial Intelligence (AI) software such as ChatGPT, Google AI, etc. are not an allowable expense under the subgrant. Any purchases of this software and associated fees will not be reimbursed under this subgrant.
- (j) **Signature Requirements.** All requests for reimbursement shall be signed by an Authorized Representative of the Subrecipient.
- (k) **Reimbursement Timeline.** Subrecipients providing goods and services to the Department should be aware of the following time frames. The FDOT State Safety Office has a 30-day review process to approve goods and services that starts on the date of receipt of financial reimbursement request. After that review and approval, the Department has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved. Financial reimbursement requests may be returned if not completed properly. If a payment is not available within 40 days from the FDOT State Safety Office approval, a separate interest penalty at a rate as established pursuant to Section 55.03(1), F.S., will be due and payable, in addition to the financial reimbursement request amount, to the Subrecipient. Interest penalties of less than one (1) dollar will not be enforced unless the Subrecipient requests payment. Financial reimbursement requests that have to be returned to a Subrecipient because of Subrecipient preparation errors will result in a delay in the payment. The financial reimbursement request payment requirements do not start until a properly completed financial reimbursement request is provided to the Department.
- (l) **Financial Consequences.** Payment shall be made only after receipt and approval of deliverables and costs incurred. If the Department determines that the performance of the Subrecipient is unsatisfactory, the Department shall notify the Subrecipient of the deficiency to be corrected, which correction shall be made within a timeframe to be specified by the Department. The Subrecipient shall, within five days after notice from the Department, provide the Department with a corrective action plan describing how the Subrecipient will address all issues of Agreement non-performance, unacceptable performance, failure to meet the minimum performance levels, deliverable deficiencies, or Agreement noncompliance. If the corrective action plan is unacceptable to the Department, the Subrecipient will not be reimbursed to the extent of the non-performance. The Subrecipient will not be reimbursed until the Subrecipient resolves the deficiency. If the deficiency is subsequently resolved, the Subrecipient may bill the Department for the unpaid reimbursement request(s) during the next billing period. If the Subrecipient is unable to resolve the deficiency, the funds shall be forfeited at the end of this Agreement term.
- (m) **Vendor Ombudsman.** A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for Subrecipients who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.
- (n) **Projects with Non-profit Entities.** Pursuant to Section 216.1366, F. S., the Subrecipient shall provide documentation to indicate the amount of state funds:
 - i. Allocated to be used during the full term of this Agreement for remuneration to any member of the board of directors or an officer of the Subrecipient.
 - ii. Allocated under each payment by the Department to be used for remuneration of any member of the board of directors or an officer of the Subrecipient. The documentation must indicate the amounts and recipients of the remuneration.

Such information will be posted by the Department to the Florida Accountability Contract Tracking System maintained pursuant to Section 215.985, F.S. and must additionally be posted to the Subrecipient's website, if the Subrecipient is a non-profit organization and maintains a website. The Subrecipient shall utilize FDOT Form No. 350-090-19, Compensation to Non-Profits Using State Funds, for purposes of documenting the compensation. The subject form is required for every contract for services executed, amended, or extended on or after July 2023, with non-profit organizations.

Pursuant to Section 216.1366, F.S., the term:

- iii. "Officer" means a chief executive officer, chief financial officer, chief operating officer, or any other position performing an equivalent function.

- iv. "Remuneration" means all compensation earned by or awarded to personnel, whether paid or accrued, regardless of contingency, including bonuses, accrued paid time off, severance payments, incentive payments, contributions to a retirement plan, or in-kind payments, reimbursements, or allowances for moving expenses, vehicles and other transportation, telephone services, medical services, housing, and meals.
- v. "State funds" means funds paid from the General Revenue Fund or any state trust fund, funds allocated by the Federal Government and distributed by the state, or funds appropriated by the state for distribution through any grant program. The term does not include funds used for the state Medicaid program.

- 71. Tracking and Retention of Financial Records.** The Subrecipient shall maintain an accounting system or separate accounts to ensure funds and Projects are tracked separately. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five years after final payment is made. Copies of these documents and records shall be furnished to the Department upon request. Records of costs incurred include the Subrecipients general accounting records and the Project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the Project, and all other records of the Contractor and subcontractors considered necessary by the Department for a proper audit of costs.
- 72. Program Income.** Program income means gross income earned by Subrecipient that is directly generated by a supported activity or earned as a result of the Agreement award during the Agreement period of performance. Program income must be deducted from total allowable costs to determine the net allowable costs. Program income must be used for current costs and any remaining program income must be offset against the final request for reimbursement. Program income that the Subrecipient did not anticipate at the time of the Agreement award must be used to reduce the Federal award and Subrecipient contributions rather than to increase the funds committed to the Project.
- 73. Registration for Attendance.** No activities funded under this Agreement shall charge a registration fee for attendance.
- 74. Responsibility of Subrecipient.** The Subrecipient shall establish fiscal control and fund accounting procedures that assure proper disbursement and accounting of subgrant funds and required non-federal expenditures. All monies spent on this Project shall be disbursed in accordance with the provisions of the Project Detail Budget as approved by the FDOT State Safety Office. All expenditures and cost accounting of funds shall conform to 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, herein incorporated by reference, (hereinafter referred to as Applicable Federal Law).

REQUIREMENTS

- 75. Child Safety Seats.** Any agency that receives child safety seats must have at least one staff member who is a current Certified Child Passenger Safety Technician.
- 76. Enforcement.**
- (a) **Automated Traffic Enforcement.** No subgrant funds will be awarded or expended to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4)). The term "automated traffic enforcement system" includes any camera that captures an image of a vehicle for the purposes only of red light and speed enforcement and does not include handheld radar and other devices operated by law enforcement officers to make an on-the-scene traffic stop, issue a citation, or other enforcement action at the time of violation. Subgrant funding will not be utilized or reimbursed for continuing priorly initiated investigations, court or Administrative Hearings, and enforcement from aircraft.
 - (b) **Aircraft Enforcement.** Subgrant funding will not be utilized or reimbursed for enforcement from aircraft (airplane, helicopter, drone, etc.) without prior written approval from the FDOT State Safety Office.
 - (c) **Investigations and Court.** Subgrant funding will not be utilized or reimbursed for continuing priorly initiated investigations, court, or administrative hearings.
 - (d) **Data Driven.** Selection of enforcement activity locations should be based on current data that identifies high-risk areas with the greatest number of crashes, serious injuries, fatalities, and/or traffic violations (citations). Data should be reviewed periodically to ensure that the most current high-risk areas are continually addressed throughout this Agreement period.
 - (e) **High Visibility Enforcement.** All law enforcement agencies shall conduct High Visibility Enforcement while conducting enforcement under this Agreement.
High Visibility Enforcement is defined as:

Intense: Enforcement activities are over and above what normally takes place.

Frequent: Enforcement occurs often enough to create general deterrence.

Visible: A majority of the public sees or hears about the enforcement.

Strategic: Enforcement targets high-risk locations during high-risk times.

- (f) **Hours Limit.** Each officer is limited to a maximum of eight (8) hours of reimbursable overtime in any single day (defined as 12:00 a.m. to 11:59 p.m.), unless there are extenuating circumstances at the end of a shift that causes the hours to exceed this limit. Extenuating circumstances must be documented in the activity report. There is no pay period limit on hours worked.
- (g) **Conforming Product List.** Any speed measuring device purchased with subgrant funding shall be in accordance with State approved Speed Measuring Devices listed in 15B-2.013 F.A.C.
- (h) **Impaired Driving Enforcement.**
 - i. **Hours of Emphasis.** A strong emphasis of enforcement operations should be during the hours of 6:00 pm to 6:00 am. Expansion of enforcement operation hours can be adjusted based on supporting data and prior written approval by the FDOT State Safety Office. Agencies should ensure that enforcement saturation/wolfpack/roving patrols are conducted in periods of no fewer than 3 consecutive hours. The FDOT State Safety Office reserves the right to request a copy of any subgrant funded checkpoint After Action Report.
 - ii. **Mobilization Participation.** All law enforcement agencies that receive impaired driving subgrant funding should participate in all NHTSA impaired driving mobilizations for the following holidays and events: New Year's Day, NFL Super Bowl, St. Patrick's Day, Cinco de Mayo, Independence Day, Labor Day, Halloween, and the end of year holiday season.
 - iii. **Required Credentials for Impaired Driving Enforcement.** Any law enforcement officer who takes enforcement action and receives compensation under an impaired driving subgrant must have successfully completed at least one of the following within the last five years:
 - a. NHTSA/IACP 24 hour DWI Detection and Standardized Field Sobriety Testing (SFST) course;
 - b. NHTSA/IACP 4 hour DWI Detection and Standardized Field Sobriety Testing (SFST) refresher course;
 - c. NHTSA/IACP DWI Detection and Standardized Field Sobriety Testing (SFST) Instructor Development course;
 - d. NHTSA/IACP 8-hour DWI Detection and Standardized Field Sobriety Testing (SFST) Instructor Update course;
 - e. NHTSA/IACP Advanced Roadside Impaired Driving Enforcement (ARIDE) course; or
 - f. Be an active certified Drug Recognition Expert (DRE).
- (i) **Motorcycle Enforcement.** No subgrant funds will be used for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.
 - i. **Required Credentials for High Visibility Enforcement.** Any law enforcement officer who is using a radar or laser speed detection system, must be certified in the use of that piece of equipment. Officers not certified to use radar or laser speed detection system may work in a saturation/wolfpack/roving patrol with prior written approval by the FDOT State Safety Office.
- (j) **Occupant Protection Enforcement.** All law enforcement agencies that receive occupant protection subgrant funding should participate in all NHTSA occupant protection mobilizations for Click It or Ticket and are encouraged to participate in Child Passenger Safety Week and National Seat Check Saturday. Safety belt enforcement is encouraged for both day and nighttime.
- (k) **Speed and Aggressive Driving Enforcement.** All law enforcement agencies that receive speed and aggressive driving subgrant funding should participate in the NHTSA Regional speed and aggressive driving mobilization for Operation Southern Slow Down.
 - i. **Required Credentials for High Visibility Enforcement.** Any law enforcement officer who is using a radar or laser speed detection system, must be certified in the use of that piece of equipment. Officers not certified to use radar or laser speed detection system may work in a saturation/wolfpack/roving patrol with prior written approval by the FDOT State Safety Office.
- (l) **Teen Safe Driving Enforcement.**

- i. **Hours of Emphasis.** Emphasis of enforcement operations should be during the hours of 11:00 pm to 6:00 am aligning with the parameters of Florida's Graduated Driver Licensing (GDL) Laws. Expansion of enforcement operation hours can be adjusted based on supporting data and prior written approval by the FDOT State Safety Office. The agency will maintain detailed records of enforcement operations. The FDOT State Safety Office reserves the right to request a copy of any subgrant funded Computer Aided Report (CAD).
- ii. **Required Credentials for High Visibility Enforcement.** Any law enforcement officer who is using a radar or laser speed detection system must be certified in the use of that piece of equipment. Officers not certified to use radar or laser speed detection system may work in a saturation/wolfpack/roving patrol with prior written approval by the FDOT State Safety Office.

77. Public Service Announcements, Marketing, and Advertisements.

- (a) **Closed Caption Requirement.** All public service announcements produced with Federal highway safety funds shall be closed captioned for the hearing impaired.
- (b) **Media Plan.** All paid media reimbursed with subgrant funds shall contain a traffic safety message. In order to maximize the effectiveness of the paid media, when marketing or advertising is included in subgrant activities, it shall be done only in conjunction with proven, effective countermeasures, and when the message of the media is designed to call attention to those countermeasures. Before incurring costs related to the paid media, a final draft of the media and media plan shall be submitted to the FDOT State Safety Office for review.

Media plans should include the following:

- i. What program/policy the paid media is supporting;
 - ii. How the paid media will be implemented to support an operational enforcement program whether it be a periodic crackdown/mobilization or an on-going saturation or roving patrol;
 - iii. The amount allocated for paid media;
 - iv. Anticipated creative costs associated with the paid media; and
 - v. The measures that will be used to assess message recognition and penetration of the target audience.
- (c) **Tagging.** All subgrant funded public service announcements, marketing, and advertisements shall be tagged "Funding provided by the Florida Department of Transportation, or Funded by FDOT", or FDOT logo, "Brought to you by" or "Provided by ..." may also be used for this requirement. Television commercials must include a statement as set forth above. The name of the Subrecipient and its logo can appear on the paid media, if approved by the FDOT State Safety Office, but the names of individuals connected with the Subrecipient shall not appear when paid for with Federal highway safety funds, unless otherwise approved by the FDOT State Safety Office.
 - (d) **Prohibition of Gifts.** Contractual agreements for marketing and advertising which include communications, public information, and paid media expenditures shall not include gifts as defined by Section 112.312, F.S., which includes items such as tickets, seats, food, travel, apparel, memorabilia, etc., to any representative of this Agreement or any of their traffic safety partners unless the item or service is regularly made available to the general public at no cost.

78. Public Information and Education Items.

Public Information and Education Items are defined as materials whose purpose is to convey substantive information about highway safety. Paper, pamphlets, flash drives, CD-ROMs, and similar media that contain educational materials are all allowable because their purpose is to contain and convey educational information. In order to be considered educational, distributed material must provide substantial informational and educational content to the public (not merely a slogan) and have the sole purpose of conveying that information. If a Subrecipient chooses to provide educational content on a flash drive, CD-ROM, or similar device, that device must be an economical method of conveying the information.

Before printing or ordering any public information and education items, a final draft or drawing of the items shall be submitted to the FDOT State Safety Office for review and written approval.

Requests should include the following:

- (a) What public information or educational item is being requested;
- (b) What program/policy is the item supporting;
- (c) Who the target audience is;

- (d) How the item will be distributed;
- (e) Estimated unit cost(s) for the item; and
- (f) Current inventory levels (if any) of the item.

The FDOT State Safety Office shall provide written approval for reimbursement if the items are appropriate for purchase under this Agreement. Copies and/or images of all public information and education items purchased with highway safety funds shall be attached to the forms requesting reimbursement for the items.

Printed materials (tip cards, brochures, safety pledges, surveys, activity books, booklets, guides, etc.) can be freely distributed, however tangible items (helmets, DVDs, CD-ROMs, flash or thumb drives, reflective tape, etc.) require the person receiving the item to interact with the Subrecipient in some manner related to the goal of the Project in order to receive the item. Interaction includes attending a presentation, having a discussion with a program representative, signing a pledge sheet, filling out a survey form, answering a traffic safety question, etc. The results of this interaction must be reported in the performance report.

Where feasible, either the Florida Department of Transportation logo or the words "Funding provided by the Florida Department of Transportation or Funded by FDOT" shall appear on or in all items. "Brought to you by" or "Provided by" may also be used for this requirement. The name of the Subrecipient and its logo can appear on any of the public information and education items. The names of individuals connected with the Subrecipient shall not appear on any printed materials, and advertisements paid for with highway safety funds.

Per 2 CFR 200 and NHTSA Memo "Use of NHTSA Highway Safety Grant Funds for Certain Purchases" (dated May 18, 2016), use of NHTSA grant funds to purchase promotional items or memorabilia (backpacks, cups, flashlights, key chains, magnets, shirts, stickers, sunglasses, umbrellas, etc.) is prohibited and therefore unallowable under this Agreement.

79. Publication and Printing of Observational Surveys and Other Reports.

- (a) **Review and Publication.** During this Agreement period, but before publication or printing, the final draft of any report or reports required under this Agreement or pertaining to this Agreement shall be submitted to the FDOT State Safety Office for review and concurrence. After Agreement period has concluded, Subrecipients may publish after providing the FDOT State Safety Office with at least a 15-day prior written notice.
- (b) **Discussion.** Both written and oral releases are considered to be within the context of publication. However, there is no intention to limit discussion of the study with small technical groups or lectures to employees or students. Lectures that describe plans but discuss neither data nor results may be given to other groups without prior written approval.
- (c) **Required Language.** Each publication or other printed report covered by Paragraph 79(a) above shall include the following statement on the cover page:
 - i. This report was prepared for the FDOT State Safety Office, Department of Transportation, State of Florida, in cooperation with the National Highway Traffic Safety Administration, U.S. Department of Transportation and/or Federal Highway Administration, U.S. Department of Transportation.
 - ii. The conclusions and opinions expressed in these reports are those of the Subrecipient and do not necessarily represent those of the FDOT State Safety Office, Department of Transportation, State of Florida, and/or the National Highway Traffic Safety Administration, U.S. Department of Transportation and/or Federal Highway Administration, or any other agency of the State or Federal Government.

80. Safety Belt Policy. Each Subrecipient shall have a written safety belt policy, which is enforced for all employees. A copy of the policy shall be maintained by the Subrecipient and made available for review if requested.

81. Special Conditions.

Part VI: Federal Financial Assistance (Single Audit Act)

Federal resources awarded pursuant to this Agreement are as follows:

CFDA Number and Title:

- ☐ 20.600 - State and Community Highway Traffic Safety Program (NHTSA 402 Funds)
- ☐ 20.614 - National Highway Traffic Safety Administration Discretionary Safety Grants (NHTSA 403 funds)
- ☐ 20.616 - National Priority Safety Program (NHTSA 405 Funds)
- ☐ 20.205 - Highway Planning and Construction (FHWA Federal Aid Highway Program, Federal Lands Highway Program)

***Federal Funds Awarded:** \$25,000

Awarding Agency: Florida Department of Transportation

Indirect Cost Rate: 0%

****Award is for R&D:** No

*The federal award amount may change with supplemental agreements

**Research and Development as defined at 2 CFR §200.87

Federal resources awarded pursuant to this Agreement are subject to the following audit requirements:

- (a) 2 CFR Part 200 - Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards

www.ecfr.gov

Federal resources awarded pursuant to this Agreement may also be subject to the following:

- (a) Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)

www.fsr.gov

- (b) Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58)

<https://www.congress.gov/117/bills/hr3684/BILLS-117hr3684enr.pdf>

<u>Federal Award Identification Number (FAIN):</u>	<u>FAIN Award Date:</u>
---	--------------------------------

RESOLUTION NO. 25-XXXX

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF OPA-LOCKA, FLORIDA,
AUTHORIZING THE INTERIM CITY MANAGER
TO REJECT ALL PROPOSALS RELATED TO RFP 24-
1023200 FOR CONSULTANT SERVICES FOR
ANNEXATION REPORT; PROVIDING FOR
INCORPORATION OF RECITALS; PROVIDING
FOR AN EFFECTIVE DATE**

WHEREAS, the City of Opa-Locka ("City") previously issued Requests for Proposals RFP 24-1023200 for Consultant Services for Annexation Report; and

WHEREAS, one (1) proposal was received on October 23, 2024 in response to RFP No. 24-1023200; and

WHEREAS, the Interim City Manager requests the authorization to reject the sole proposal received based on the low response of quality bidders and the recent determination by the Miami Dade County Board of County Commission to set a moratorium on annexation and incorporation for a period of two (2) to four (4) years; and

WHEREAS, City Administration believes it is in best interest of the City to not pursue a consultant for annexation services at this time; and

WHEREAS, the City Commission has determined that authorizing the City Manager to reject all proposals for RFP 24-1023200 Consultant Services for Annexation Report Services is in the best interest of the City.

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 Rejection of RFP Bids. The City Commission of the City of Opa-Locka hereby authorizes the City Manager to reject all proposals for RFP 24-1023200 Consultant Services for Annexation Report Services.

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 immediately upon adoption by the City Commission of the City of Opa-Locka.

PASSED and **ADOPTED** this ____ day of _____, 2025.

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 Santiago	_____
Commissioner Ervin	_____
Vice Mayor Kelley	_____
Mayor Taylor	_____



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

Interim City Manager:	Sha'mecca Lawson		ICM Signature:				
Commission Meeting Date:	04.9.2025		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
	X		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
					X		X
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex: See Financial Impact Section		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
						X	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid#:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
		X					
Sponsor Name	Interim City Manager		Department:	City Manager			

Short Title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA AUTHORIZING THE INTERIM CITY MANAGER TO REJECT THE PROPOSAL OF E. L. WATERS AND COMPANY, LLC CONSULTANT SERVICES FOR ANNEXATION REPORTS PURSUANT TO RFP NO. 24-1023200.

Staff Summary:

The City Commission approved the issuance of RFP No. 24-1023200 to solicit competitive proposals for Consultant Services of Annexation Reports. The Request For Proposal was published on September 18, 2024 in which one (1) company submitted a proposal document which was certified by the City Clerk on October 23, 2024. However, a request is being made to reject the proposals based on the low response of quality bidders and the recent determination by the Miami Dade County Board of County Commission adoption to set a moratorium on annexation and incorporation for a period of 2-4 years. City Administration believes it is in best interest of the City to not pursue a consultant for annexation services at this time.

Financial Impact: The budget includes \$25,000 for annexations studies. This will be a savings if this study isn't undertaken this year.

Proposed Action:

Staff recommends the City Commission reject the proposal of E. L. Waters and Company, LLC for annexation consultant services.

Attachment:

Bid Certification
RFP 24-1023200
Bid Proposal

Chipotle and Cheesecake Factory among Miami to Palm Beach restaurant inspection failures

BY DAVID J. NEAL
dneal@miamiherald.com

Two popular national chains, sewage on a kitchen floor and the usual roaches and flies make up some of the standout problems on this week’s Sick and Shut Down List.

So, let’s get to which restaurants in Miami-Dade, Broward and Palm Beach got closed after failing state inspection.

Once again, we remind you that we don’t choose which places get inspected nor do we do the inspecting. That’s done by the Florida Department of Business and Professional Regulation. Complaints

about restaurants should be directed to that agency.

In alphabetical order:
Boca BagelWorks, 8177 Glades Rd., Unincorporated Palm Beach County: Complaint inspection, 10 total violations, four High Priority violations.

Cooked onions slept overnight in the walk-in cooler without any covers.

One roach walked on a kitchen prep shelf, two others on the floor. One of them didn’t make it after the manager killed it. Another 20 roaches crawled around inside a reach-in cooler in search of food that wasn’t there.

In the walk-in, food kept overnight still wasn’t

cooled lower than 41 degrees. So, Stop Sales rained on yellow cheese, Swiss cheese, cooked onions, hot dogs and butter.

“The Ice scoop handle was in contact with sugar.”

When the inspector returned for the first call-back inspection, roaches, one living, one dead, were near the food storage bin of the bagel-making machine. Two live roaches were around the prep table. Two other roaches elsewhere completed the roach-ruining of this re-inspection.

A re-inspection later Friday allowed the bagel bus to roll again on the lucrative Saturday morning line.

The Cheesecake Factory, W. 5530 Glades Rd., Boca Raton: Routine inspection, 15 total violations, seven High Priority violations.

Oh, the Cheesecake Factory corporate gods in Agoura Hills, California, couldn’t have been happy with their Not-So Fabulous Boca Boys and Girls after this inspection.

“Raw fruits/vegetables not washed prior to preparation.”

“At the storage area bread shelf...approximately eight live roaches were crawling on clean containers and the wall.” One roach met hot restaurant death by the manager’s hand (or foot).

Two dented cans of marshmallow creme drew two Stop Sales.

On the cookline, “an employee handled a soiled wiping cloth, then proceeded to remove gloves, wash hands for approximately three seconds, then proceeded to put on a clean glove and plate food for an order.” Three seconds isn’t 10 to 15 seconds, as the rule states.

Sanitizer buckets blocked the salad station handwash sink.

“Non-food grade paper/paper towel used as liner for food container.” In what way? “Ready-to-eat strawberries on paper towels in the reach-in cooler up front where

cheesecakes are displayed.”

Speaking of coolers up front, cooked corn, mozzarella, salsa measured 47 to 60 degrees after five hours. Stop Sales on all of them for not being at or under 41 degrees.

“Equipment and utensils not properly air-dried...observed wet nesting at the air drying rack in front of the reach-in cooler.”

The wiping cloth sanitizer solution “exceeds the maximum concentration allowed,” a polite way of saying it was just this side of paste — it measured 1,130 parts per million and had to be diluted to 700 parts per million.

The Factory re-opened after passing inspection the next day.

Chipotle, 18299 NW 27th Ave., Miami Gardens: Routine inspection, seven total violations, two High Priority violations.



CITY OF OPA-LOCKA REQUEST FOR PROPOSALS RFP 24-1025200

STORMWATER DRAINAGE SYSTEM CLEANING AND CCTV INSPECTION

The sealed proposal for Drainage Cleaning and CCTV Inspection for the City of Opa-locka will be received by the City’s Clerk Office, 780 Fisherman St, 4th Floor, Opa-locka, Florida 33054, **Friday, October 25, 2024, by 2:00 p.m.** Any RFP Package received after the designated closing time will be returned unopened. The City will accept proposals by mail; however, the proposal must be received by 2:00 p.m. ET on the due date. In addition, the proposal may be submitted via www.demandstar.com (e-bid) by 2:00 p.m. ET. The address to submit sealed proposal is listed below:

CITY OF OPA-LOCKA
Office of the City Clerk
780 Fisherman Street, 4th Floor
Opa-locka, Florida 33054

An original and six (6) copies for a total of seven (7) plus 1 copy of the Proposal package on USB Flash Drive in PDF format shall be submitted in sealed envelopes/packages addressed to the City Clerk, City of Opa-locka, Florida, and marked **RFP 24-1025200 Drainage Cleaning and CCTV Inspection**.

Proposers desiring information for use in preparing proposals may obtain a set of such documents by visiting the City’s website at www.opalockafl.gov or www.demandstar.com.

The City reserves the right to accept or reject any and all proposals and to waive any technicalities or irregularities therein. The City further reserves the right to award the contract to that proposer whose proposal best complies with the **RFP NO: 24-1025200** requirements.

Joanna Flores, CMC
City Clerk



CITY OF OPA-LOCKA REQUEST FOR PROPOSALS RFP 24-1023200

CONSULTANT SERVICES FOR ANNEXATION REPORTS

The sealed proposal for Consultant Services for Annexation Reports for the City of Opa-locka will be received by the City’s Clerk Office, 780 Fisherman St, 4th Floor, Opa-locka, Florida 33054, **Wednesday, October 23, 2024, by 2:00 p.m.** Any RFP Package received after the designated closing time will be returned unopened. The City will accept proposals by mail; however, the proposal must be received by 2:00 p.m. ET on the due date. In addition, the proposal may be submitted via www.demandstar.com (e-bid) by 2:00 p.m. ET. The address to submit sealed proposal is listed below:

CITY OF OPA-LOCKA
Office of the City Clerk
780 Fisherman Street, 4th Floor
Opa-locka, Florida 33054

An original and six (6) copies for a total of seven (7) plus 1 copy of the Proposal package on USB Flash Drive in PDF format shall be submitted in sealed envelopes/packages addressed to the City Clerk, City of Opa-locka, Florida, and marked **RFP 24-1023200 CONSULTANT SERVICES FOR ANNEXATION REPORTS**.

Proposers desiring information for use in preparing proposals may obtain a set of such documents by visiting the City’s website at www.opalockafl.gov or www.demandstar.com.

The City reserves the right to accept or reject any and all proposals and to waive any technicalities or irregularities therein. The City further reserves the right to award the contract to that proposer whose proposal best complies with the **RFP NO: 241023200** requirements.

Joanna Flores, CMC
City Clerk



CITY OF OPA-LOCKA
Request for Proposals
RFP 24-1024200
BUS BENCHES / SHELTERS AND TRASH RECEPTACLE
ADVERTISING WITH MAINTENANCE PROGRAM

The sealed proposal for Bus Benches/ Shelters and Trash Receptacle Advertising with Maintenance Program for the City of Opa-locka will be received by the City's Clerk Office, 780 Fisherman St, 4th Floor, Opa-locka, Florida 33054, **Thursday, October 24, 2024, by 2:00 p.m.** Any RFP Package received after the designated closing time will be returned unopened. The City will accept proposals by mail; however, the proposal must be received by 2:00 p.m. ET on the due date. In addition, the proposal may be submitted via www.demandstar.com (e-bid) by 2:00 p.m. ET. The address to submit sealed proposal is listed below:

CITY OF OPA-LOCKA
 Office of the City Clerk
 780 Fisherman Street, 4th Floor
 Opa-locka, Florida 33054

An original and six (6) copies for a total of seven (7) plus 1 copy of the Proposal package on USB Flash Drive in PDF format shall be submitted in sealed envelopes/packages addressed to the City Clerk, City of Opa-locka, Florida, and marked **RFP 24-1024200 Bus Benches / Shelters and Trash Receptacle Advertising with Maintenance Program**.

Proposers desiring information for use in preparing proposals may obtain a set of such documents by visiting the City's website at www.opalockafl.gov or www.demandstar.com.

The City reserves the right to accept or reject any and all proposals and to waive any technicalities or irregularities therein. The City further reserves the right to award the contract to that proposer whose proposal best complies with the **RFP NO: 24-1024200** requirements.

Joanna Flores, CMC
 City Clerk



CITY OF OPA-LOCKA
REQUEST FOR PROPOSALS
RFP 24-1023200
CONSULTANT SERVICES FOR ANNEXATION REPORTS

The sealed proposal for Consultant Services for Annexation Reports for the City of Opa-locka will be received by the City's Clerk Office, 780 Fisherman St, 4th Floor, Opa-locka, Florida 33054, **Wednesday, October 23, 2024, by 2:00 p.m.** Any RFP Package received after the designated closing time will be returned unopened. The City will accept proposals by mail; however, the proposal must be received by 2:00 p.m. ET on the due date. In addition, the proposal may be submitted via www.demandstar.com (e-bid) by 2:00 p.m. ET. The address to submit sealed proposal is listed below:

CITY OF OPA-LOCKA
 Office of the City Clerk
 780 Fisherman Street, 4th Floor
 Opa-locka, Florida 33054

An original and six (6) copies for a total of seven (7) plus 1 copy of the Proposal package on USB Flash Drive in PDF format shall be submitted in sealed envelopes/packages addressed to the City Clerk, City of Opa-locka, Florida, and marked **RFP 24-1023200 CONSULTANT SERVICES FOR ANNEXATION REPORTS**.

Proposers desiring information for use in preparing proposals may obtain a set of such documents by visiting the City's website at www.opalockafl.gov or www.demandstar.com.

The City reserves the right to accept or reject any and all proposals and to waive any technicalities or irregularities therein. The City further reserves the right to award the contract to that proposer whose proposal best complies with the **RFP NO: 241023200** requirements.

Joanna Flores, CMC
 City Clerk

CITY OF MIAMI BEACH
HOW A PERSON MAY PARTICIPATE
DURING THE OCTOBER 9, 2024 HYBRID
PRESENTATIONS AND
AWARDS COMMISSION MEETING

In-Person/Virtual Participation:

On **October 9, 2024**, commencing at 5:00 p.m., the City of Miami Beach will host a Hybrid Presentations and Awards Commission Meeting. During the Hybrid Commission Meeting, the City Commission will be physically present in the Commission Chamber at **1700 Convention Center, 3rd Floor**, Miami Beach, Florida, 33139.

Members of the public who wish to attend this Commission Meeting in person may appear at the Commission Chamber. Members of the public who wish to attend virtually may join the webinar at: <https://miamibeachfl-gov.zoom.us/j/81392857671> or via telephone at: 1.305.224.1968 (U.S.) or 888.475.4499 (Toll-Free). Webinar ID: 81392857671 #.

Observing the Commission Meeting:

The Commission Meeting will be broadcast live on Miami Beach TV (MBTV), viewable on the City's website at, <https://www.miamibeachfl.gov/government/mbtv/> as well as on Breezeline Cable channel 660 or 2004 (HD), AT&T U-verse channel 99, Hotwire Communications channel 395, and ROKU device on PEG.TV channel. Closed captioning displays of the audio portion of the Commission Meeting are available in English and Spanish on MBTV. The Commission Meeting will also be broadcast live on social media at facebook.com/cityofmiamibeach. Closed captioning displays of the audio portion of the Commission Meeting are available in English on Facebook.

Submitting Written Public Comment Before the Commission Meeting:

The public may submit written comments by sending an email to CityClerk@miamibeachfl.gov by 5:00 p.m. the day before the Commission Meeting. Please identify the Agenda Item Number in the email subject line. Emails received will be forwarded to the Mayor and Commissioners and will be included as a part of the meeting record.

Before every Commission meeting, an Agenda and backup materials are published by the Administration. The Agenda and backup materials are available on the City's website: <https://www.miamibeachfl.gov/city-hall/city-clerk/agendas> the Thursday before a regularly scheduled Commission Meeting. Interested parties are invited to take part in this meeting or be represented by an agent. This meeting, or any item therein, may be continued, and under such circumstances, additional legal notice need not be provided.

To request this material in an alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Parking

Meeting attendees can park at the City Hall Garage, 1755 Meridian Avenue, Miami Beach, Florida

MIAMI BEACH

Rafael E. Granado, City Clerk
 City of Miami Beach
CityClerk@miamibeachfl.gov
 305.673.7411

AD: 10092024-01 AVM

1. Summary

Meeting title	Evaluation Meeting RFP 24-1023200 Consultant Services for Annexation Reports
Attended participants	4
Start time	11/08/24, 9:51:48 AM
End time	11/08/24, 10:40:03 AM
Meeting duration	48m 14s
Average attendance time	33m 41s

2. Participants

Name	First Join	Last Leave	In-Meeting Duration	Email	Participant ID (UPN)	Role
Junior Bergel	11/08/24, 10:01:55 AM	11/08/24, 10:39:57 AM	38m 2s	jbergel@Opalockafl.gov	jbergel@OpalockaFL.gov	Organizer
Kathia Green - E.L. Waters & Co (Unverified)	11/08/24, 10:02:14 AM	11/08/24, 10:39:59 AM	37m 44s			Presenter
13057859757 (Unverified)	11/08/24, 10:05:30 AM	11/08/24, 10:39:59 AM	33m 19s			Attendee
19546543057 (Unverified)	11/08/24, 10:14:22 AM	11/08/24, 10:40:03 AM	25m 40s			Attendee

3. In-Meeting Activities

Name	Join Time	Leave Time	Duration	Email	Role
Junior Bergel	11/08/24, 10:01:55 AM	11/08/24, 10:39:57 AM	38m 2s	jbergel@Opalockafl.gov	Organizer
Kathia Green - E.L. Waters & Co (Unverified)	11/08/24, 10:02:14 AM	11/08/24, 10:39:59 AM	37m 44s		Presenter
13057859757 (Unverified)	11/08/24, 10:05:30 AM	11/08/24, 10:06:30 AM	1m		Attendee
13057859757 (Unverified)	11/08/24, 10:07:40 AM	11/08/24, 10:39:59 AM	32m 19s		Attendee
19546543057 (Unverified)	11/08/24, 10:14:22 AM	11/08/24, 10:40:03 AM	25m 40s		Attendee

EVALUATION MATRIX

RFP NO: 24-1023200 CONSULTANT SERVICES FOR ANNEXATION REPORTS

Firm Name:

E.L. Waters and Company, LLC

Evaluation

Reviewer Name:

Criterion	Weight Points	Robert Anathan		Solomon Bankole		Gerald Lee		Rating	Score	Rating	Score
		Rating	Score	Rating	Score	Rating	Score				
Qualifications	15.00	15	15.00	15	15.00	12	12.00		0.00		0.00
Experience	15.00	15	15.00	15	15.00	13	13.00		0.00		0.00
Resources and Approach	20.00	10	10.00	20	20.00	15	15.00		0.00		0.00
Experience with City of Opa-locka Annexation Report	20.00	20	20.00	15	15.00	16	16.00		0.00		0.00
Price Proposal	30.00	20	20.00	20	20.00	20	20.00		0.00		0.00
Total	100.00		80.00		85.00		76.00		0.00		0.00

FIRM SELECTED

Reviewer:

		E.L. Waters and Company, LLC				
Robert Anathan		80.00				
Solomon Bankole		85.00				
Gerald Lee		76.00				
AVERAGE RATING		80.33				



**CITY OF OPA-LOCKA
CERTIFICATION**

**REQUEST FOR PROPOSALS
RFP NO. 24-1023200**

Consultant Services for Annexation Reports

I, Joanna Flores, City Clerk of the City of Opa-locka, Florida, do hereby certify that sealed proposals were received and opened at the Opa-locka Municipal Complex, 780 Fisherman Street, 4th Floor, Opa-locka, Florida, at 2:20 p.m. this 23rd day of October, 2024.

PROPOSAL(S) RECEIVED

NAME/ADDRESS

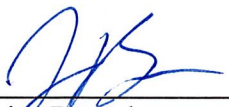
Lump Sum Cost

1. E.L. Waters and Company, LLC
6625 Miami Lakes Dr, Suite 238
Miami Lakes, FL 33014
Contact: Elbert L. Waters, President
Ofc: 305.777.3800 Ext. 1152
Cell: 305.785.9757
Email: elwatersandcompanyllc@gmail.com

Area A - \$15,000
Area B - \$35,000
Area C -
Not to Exceed \$35,000

Please note that the proposal from E.L. Waters and Company LLC was submitted via DemandStar (e-bid) and provided to the City Clerk's Office by Junior Bergel, City of Opa-locka Procurement Office since the Office of the City Clerk does not have access to DemandStar.

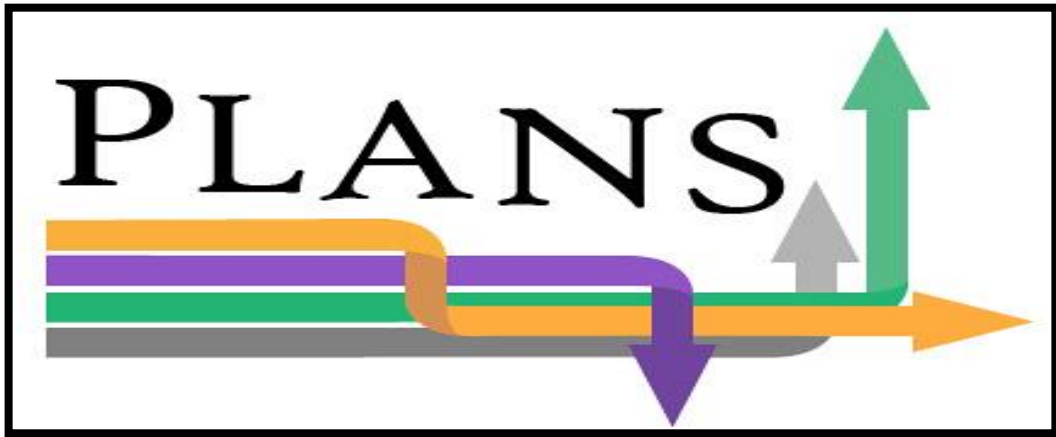
I further certify that proposal(s) were submitted and properly opened in the presence of the following:



Junior Bergel
Procurement Officer
City of Opa-locka



Joanna Flores, CMC
City Clerk
City of Opa-locka



**CITY OF OPA-LOCKA
RFP NO. 24-1023200
CONSULTANT SERVICES FOR
ANNEXATION REPORTS**

SUBMITTAL DEADLINE: 10/23/2024



**Submitted by:
Elbert L. Waters, President
E. L. Waters and Company, LLC
6625 Miami Lakes Dr., Suite 238, Miami Lakes, FL 33014
Office (305) 777-3800; ext.11152 Cell (305) 785-9757**

CONTENTS

TAB	PAGE #	PROPOSAL RESPONSE REQUIREMENTS
1	2	Table of Contents
2	3-4	Letter of Transmittal
3	5-7	General Information
4	8-10	Project Approach
5	11-24	Experience and Qualifications ▪ Past performance
6	25	Schedule
7	26	Pricing of Services
8	27-28	References
9	29-37	Additional Forms ▪ Proposer Qualifications ▪ Certification regarding debarment and suspension ▪ Drug Free workplace certification ▪ Non-Collusion Affidavit ▪ Non-Discrimination Affidavit ▪ E-Verification ▪ Anti-Kickback Affidavit

October 22, 2024

Jay Bergel
Procurement Officer
City of Opa-Locka
Office of the City Clerk
780 Fisherman Street, 4th Floor
Opa-Locka, Florida 33054

RE: RFP 24-1023200 CONSULTANT SERVICES FOR ANNEXATION REPORTS

Dear Mr. Bergel, City Manager Darvin Williams and Members of the Evaluation Committee:

E.L. Waters and Company, LLC (ELWC) along with our team of expert consultants is delighted to present our response to the above referenced project solicitation. The contents of our proposal submission will demonstrate the ELWC Team's extensive experience with urban planning principles that makes us more than capable, committed and available to successfully assist the City in the development and approval of its annexation applications as outlined in the scope of services.

ELWC is a minority owned Florida-based company established in 2005 and located at 6625 Miami Lakes Dr., Suite 238, Miami Lakes, FL 33014 in Miami-Dade County. The company phone number is (305) 777-3800; ext.11152. Elbert L. Waters will serve as the person responsible for this project and authorized to make representations for the firm and bind the firm (ELWC).

The ELWC Team assembled for this project has a wide array of experience spanning over forty (40⁺) years with both public and private sector with preparing Comprehensive, Economic and Redevelopment Plans. Specific to City of Opa-Locka's objective, our demonstrated experience in the areas of annexation planning and management of complex urban projects, community redevelopment planning, comprehensive land use planning, land use and zoning, architecture/urban design, engineering design and construction; government relations, community engagement, and economic development are provided in the past performance list and resumes in Tab 5 under Experience and Qualifications. The following is an overview of these qualifications

- Serving as the Prime, Elbert L. Waters, founder and president of E.L. Waters and Company, LLC, has provided consulting planning, zoning, and development services for public and private clients in South Florida for over four decades. Clients include the City of Miami, City of Miramar, City of North Miami, City of Opa-Locka, City of West Park, South Florida Water Management District. Other experiences include employment as Broward County Service Center Director; City of West Palm Beach Mayor's Office/City Administration Assistant City Administrator; U.S. Department of Housing and Urban Development, Miami, Florida Community Builder Fellow; City of Miami Planning and Development Department Chief of Land Development.
- Serving as the Project Manager, Dr. Raymond White, Sr. has a 40⁺ year career in the field of city and regional planning including a range of services, from conducting economic development planning, to serving as an expert witness in zoning and planning legal cases, to developing community development concept plans for rural sites. Project highlights include proposing economic development action plans for local Florida communities in 2015 and authoring a dissertation on the rise of economic development overlay districts in response to industrial land loss in 2015.

LETTER OF TRANSMITTAL

- Serving as the Chief Researcher, Jefferey Watson has a 30+ year career as a seasoned economic development and finance professional with expertise in nonprofit, public and corporate strategy and economic development consulting and financial and business strategy development in public and private sectors within the U.S. and multinational markets. He demonstrates a consistent history of working beyond traditional infrastructure strategies to leverage networks, partnerships and cultural assets for optimized outcomes for cities and state governments.
- Serving as the GIS Analyst, Harold A. Ruck has over three decades of experience in government planning and zoning performing advanced professional and technical analysis, design, and modification of a variety of Geographic Information System (GIS) data such as demographic & income census data, TAZ data, land use & zoning data, FEMA data, City GIS data. Using the most powerful mapping & spatial analytics technology such as ESRI GIS software he continues to offer his expertise as an independent planning consultant for both public and private clients.

The ELWC Team has worked together on numerous planning projects in the past and are excited for the opportunity to work with the City of Opa-Locka. We look forward to a favorable response to our structured approach as outlined in our submittal. Please do not hesitate to contact me if you have any questions or concerns or need additional information in connection with this proposal. My direct number is (305) 785-9757 and e-mail address is elwatersandcompanyllc@gmail.com.

Respectfully,



Elbert L. Waters, M.C.P., L.F., J.D.
President

a) Firm Profile			
E.L. Waters and Company, LLC, established in 2005, provides consulting, urban planning, land use & zoning and real estate development services for public and private clients in Miami-Dade, Broward, and Palm Beach Counties. Currently, the Firm is the Planning and Zoning Consultants for the City of West Park, Florida; City of Miami Gardens, Florida (pop. 110,000). Also, the Firm served as Planning and Development Consultants for the City of Opa-Locka, Florida and prepared a FINDING OF NECESSITY for the Southeast Overtown Park West Redevelopment Agency of the City of Miami, Florida.			
b) Proposer firm name, address, telephone number, cell number, firm's website address			
E.L. Waters and Company, LLC 6625 Miami Lakes Dr., Suite 238, Miami Lakes, FL 33014 Office (305) 777-3800; ext.11152 Cell (305) 785-9757 Website: https://www.elwatersandcompanyllc.com/			
c) Principal's name and phone number (authorized to execute contracts for the firm)			
Elbert L. Waters, M.C.P.,L.F. J.D. Owner / Principal Office (305) 777-3800; ext.11152 Cell (305) 785-9757 E-mail: elwatersandcompanyllc@gmail.com			
Secondary Contact			
Kathia Green, Business Development Consultant Direct (954) 654-3057 email: KathiaGreenMarketing@gmail.com			
d) Regular Business Hours			
8:00 A.M. to 6:00 P.M., Monday through Friday, excluding Legal Holidays Text messaging available after-hours for emergency contact Cell (305) 785-9757			
e) Date firm established		g) Number of years in business in the State of Florida	
02/14/2005		19 years	
g) Business Structure	h) Federal Employer ID#	i) Firm License#	j) D&B D-U-N-S® Number
Limited Liability Corporation	65-1242627	Florida does not require state licensure or certification to work as a Professional Planner.	19-691-4639
k) Size of Organization			
Small Business 2 employees 5-8 sub-consultants Work is performed in a hybrid environment that supports working in the office and remote work in a variety of different work schedules Small Business Certifications: <u>State/County/Local:</u> ▪ DBE - Disadvantaged Business Enterprise - Florida unified Certification Program - Florida Department of Transportation (FDOT) ▪ E/S/MBE - Emerging/Small/Minority Business Enterprise (Broward County Public Schools (BCPS)) ▪ Goldman Sachs 10,000 Small Businesses Alumni			

2024 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

DOCUMENT# L05000015297

Entity Name: E. L. WATERS & COMPANY, LLC

Current Principal Place of Business:

6625 MIAMI LAKES DRIVE
SUITE 238
MIAMI LAKES, FL 33014

Current Mailing Address:

8264 NW 195 TERRACE
MIAMI, FL 33015 US

FEI Number: 65-1242627

Certificate of Status Desired: Yes

Name and Address of Current Registered Agent:

LAW OFFICES OF MARLON E. BRYAN, P.A.
101 N.E. THIRD AVENUE
1500
FT. LAUDERDALE, FL 33301 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent

_____ Date

Authorized Person(s) Detail :

Title PRESIDENT
Name WATERS, ELBERT L
Address 8264 NW 195 TERRACE
City-State-Zip: MIAMI FL 33015

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: ELBERT L. WATERS

PRESIDENT

02/06/2024

_____ Electronic Signature of Signing Authorized Person(s) Detail

_____ Date

Local Business Tax Receipt

Miami-Dade County, State of Florida
-THIS IS NOT A BILL - DO NOT PAY

6906276

BUSINESS NAME/LOCATION
E L WATERS & COMPANY LLC
8264 NW 195TH TER
HIALEAH, FL 33015-5945

OWNER
E L WATERS & COMPANY LLC

RECEIPT NO.
RENEWAL
7182140



SEC. TYPE OF BUSINESS
212 CONSULTANT

LBT

EXPIRES
SEPTEMBER 30, 2025

Must be displayed at place of business
Pursuant to County Code
Chapter 8A - Art. 9 & 10

**PAYMENT RECEIVED
BY TAX COLLECTOR**
100.00 07/25/2024
INT-24-447986

This Local Business Tax Receipt only confirms payment of the Local Business Tax. The Receipt is not a license, permit, or a certification of the holder's qualifications, to do business. Holder must comply with any governmental or nongovernmental regulatory laws and requirements which apply to the business.

The RECEIPT NO. above must be displayed on all commercial vehicles - Miami-Dade Code Sec 8a-276.
For more information, visit www.miamidade.gov/taxcollector





License Number: 8036
Issued: 4/18/2017

LICENSE TYPE
CONSULTANT

BUSINESS TAX RECEIPT

Town of Miami Lakes
THIS IS NOT A BILL - DO NOT PAY

EXPIRES
September 30, 2025

BUSINESS NAME / LOCATION
E.L. WATERS AND CO., LLC
ELBERT WATERS
6625 MIAMI LAKES DR #238
MIAMI LAKES, FL 33014

This business tax receipt does not permit the holder to operate in violation of any City law, ordinance or regulation. Any change in location or ownership must be approved by the City Business Tax Section, subject to zoning restrictions. This Receipt does not constitute an endorsement, approval or disapproval of the holder's skill or competence or of the compliance or noncompliance of the holder with other laws, regulations or standards.

RECEIPT MUST BE CONSPICUOUSLY DISPLAYED IN YOUR PLACE OF BUSINESS

E.L. Waters and Company, LLC (ELWC) will prepare an application to Amend the City of Opa-Locka Annexation Area A and B; pursuant to the **Miami-Dade County Code**, Chapter 20 as follows:

1. **Filing a Petition:** The municipality must file a formal request (petition) with the **Miami-Dade County Board of County Commissioners (BCC)** to amend an annexation proposal. This petition will include the reasons for the amendment and the areas affected by the proposed annexation.
2. **Public Notice:** The municipality is required to provide public notice of the proposed annexation amendment. Notices shall be published in a newspaper of general circulation in the affected area and must meet the timing and content requirements set forth in the Code.
3. **Public Hearings:** The Consultant will lead the discussions to the Board of County Commissioners through public hearings with City of Opa-Locka to allow residents, property owners, and interested parties to voice their opinions. ELWC and City Staff will conduct its public hearings (to be determined by the City) to obtain input and consensus.
4. **Review by the Planning Advisory Board (PAB):** The petition to amend the annexation request must be reviewed by the **Planning Advisory Board (PAB)**, which evaluates the impact of the annexation on issues such as service provision, tax implications, and land use planning.
5. **Comprehensive Plan Consistency:** Any proposed amendment must be consistent with the Miami-Dade County Comprehensive Development Master Plan (CDMP). The municipality will need to provide evidence that the amended annexation and any proposed amendments align with the county's long-term land use and development goals.
6. **Intergovernmental Review:** ELWC will lead the required coordination between the City of Opa-Locka and the county, as well as with any affected special taxing districts, utility providers, and other governmental entities.
7. **Fiscal Impact Analysis:** The municipality will provide a fiscal impact analysis, demonstrating the financial viability of the annexation amendment, including the ability to provide necessary public services to the annexed area.
8. **Final Approval by the Board of County Commissioners (BCC):** ELWC Team will lead the discussions in conjunction with the city to ultimately obtain approval from the BCC to approve or deny the amendment to the annexation request.

Relevant Parties Involved with Annexation



OVERVIEW OF ELWC URBAN PLANNING APPROACH

ELWC has developed a standard model for implementing consulting engagements. Typically, the Firm works for local governments as a professional services consultant and/or project manager. ELWC provides a multi-disciplinary team of professionals to address the needs or issues of the client. The following captures our approach and methodology:

- Initiate the planning and research process and engage client to confirm and clarify expectations, collect data, maps;
- Collect all relevant data; hold a project kickoff meeting with key staff and city stakeholders;
- Preparation of preliminary findings and briefings with client; and
- Implement project task orders by the City and incorporate City staff comments for instructions and guidance.

The approach will ensure that all goals and objectives of the City are fully implemented by the Project Team. ELWC has been very successful completing Task Order Contracts with various scopes of service and has experienced Project Team Members to handle each work assignment.

The Team will begin work upon receipt of written notice to proceed. The goal is to complete Task Orders on-time and within budget. Project meetings with the City's Project Managers is highly recommended to ensure a constant line of communication for consistency and responsiveness.

QUALITY CONTROL

Our QA/QC processes are built into our schedules and budgets to ensure the tasks are internally done. Documents are reviewed on several levels at set intervals related to the actual specific tasks throughout the process. These reviews include, but are not limited to, quality of overall document, including visual presentations, clarity of communication, technical accuracy of data and analysis and adherence to answering the needs posed by visioning and specific project questions and goals.

The Team takes great pride in quality control and ensures that all deliverables undergo a rigorous quality control procedure. This procedure is also distributed to all subconsultants so that they employ the same when developing all deliverables prior to submittal.

The Team's core philosophy is to provide practical solutions to the most complex planning and design problems on time, within budget and at the highest quality. We understand the demands of today's government and our approach has been to ensure that we comprehend our client's goals and provide options on how to achieve them efficiently and effectively.

TEAM QUALIFICATIONS AND EXPERIENCE

Elbert L. Waters, M.C.P., J.D.



AWARDS AND HONORS

John L. Loeb Fellow in Advanced Environmental Design
Harvard University Graduate School of Design
Executive Leadership Institute (ELI) Fellow National Forum for
Black Public Administrators
U. S. Department of Housing & Urban Development
Community Builder Fellow
Executive Certificate in Public Management
Harvard University John F. Kennedy School of Government
Who's Who in Black South Florida 2006-2007

EDUCATION

Juris Doctor
University of Miami School of Law
Graduate Studies in Advanced Real Estate Finance
Florida International University
Master of City and Regional Planning/Urban Design
Georgia Institute of Technology
Bachelor Architecture and Engineering Technology
Florida A&M. University

PROFESSIONAL AFFILIATIONS (PAST & PRESENT)

National Council for Urban Economic Development
American Planning Association / Planning Accreditation Board
Architectural Design and Review Advisory Committee
(ADRAC) - Miami-Dade Housing Finance Authority

CIVIC AND FRATERNAL AFFILIATIONS (PAST & PRESENT)

MetroBroward, Inc.
Urban League of Greater Miami, Inc.
Urban League of Broward County (Board Member)
Broward League of Cities
South Florida Regional Planning Council
One Hundred Black Men of South Florida, Inc.
Omega Psi Phi Fraternity, Inc. (Life Member)
Broward County Symphonic Band Band Member-
(Trumpet/Flugelhorn)

ROLE IN THIS CONTRACT:

**PRIME / PRINCIPAL-IN-CHARGE
PROJECT MANAGEMENT**

YEARS OF EXPERIENCE: 45

SUMMARY OF QUALIFICATIONS

Elbert L. Waters is the founding principal and Senior Executive Manager/Consultant of E.L. Waters and Company, LLC, which is a Planning and Development Consulting Firm established in 2005. Services include consulting planning, zoning, and community and economic development services for public and private clients.

RELEVANT PROJECTS (HIGHLIGHTS)

Opa-Locka Community Development Corporation
Neighborhood Renaissance Initiative at Nile Gardens
Planning and Zoning Consultants for the City of West
Park, FL (pop. 15,324)
Planning and Zoning Consultants for the City of Miami
Gardens, FL (pop. 112,534)
Planning and Development Consultants for the City of
Opa-Locka, FL (pop. 16,711)
Highest and Best Use Market-Based Assessment and
Development Strategy - City of North Miami, FL
Finding of Necessity Study and 2018 Redevelopment
Plan - Southeast Overtown/Park West Community
Redevelopment Agency - City of Miami, FL
Access Control Area Pilot Program - U.S. HUD
(program is now the national policy of U.S. HUD)

WORK EXPERIENCE (HIGHLIGHTS)

South Florida Water Management District
Broward Service Center Director
City of West Palm Beach, FL Mayor's Office
Assistant City Administrator
City of North Miami, FL
Director of Community Planning & Development
Miami-Dade Empowerment Zone Trust, Inc.
U.S. HUD Community Builder Fellow
City of Miami, FL
- Director of Community Development Housing
- Assistant Director of Planning, Building and Zoning
- Chief of Land Development-Planning and Development
Department
- Neighborhood Administrator - Office of City Manager
- Planning Department Urban Designer/ Downtown Planner

(305) 785-9757 | ELWatersandCompanyLLC@gmail.com | <https://www.elwatersandcompanyllc.com/>

TEAM QUALIFICATIONS AND EXPERIENCE

Raymond White, Sr., Ph.D., MCP, AICP



PROFESSIONAL REGISTRATIONS / DESIGNATIONS

Certificate of Public Management (CPM)
University of Georgia, Carl Vinson Institute of Government
Facilitation Certificate, Leadership Strategies, Inc.
American Institute of Certified Planners (AICP) No. 8579

EDUCATION

Doctor of Philosophy: City and Regional Planning/Economic
Development, Georgia Institute of Technology
Master of City Planning: Housing/Economic Development,
Georgia Institute of Technology
Bachelor of Arts: Community Development (with honors),
Rutgers University

PROFESSIONAL AFFILIATIONS (PAST & PRESENT)

American Planners Association (APA)
Planning Accreditation Board, Practitioner Member - Site Visit
Pool
DeKalb County Green Space
Georgia Planning Memorial Foundation – Member
Georgia International Advisory Council – Member
Urban Land Institute

CIVIC AND FRATERNAL AFFILIATIONS (PAST & PRESENT)

One Hundred Black Men of America, Inc., DeKalb County
Chapter, Founding Member

AWARDS / HONORS (HIGHLIGHTS)

One Hundred Black Men of America/DeKalb Chapter 30
Year Legacy Member Award 2022
Marquis Who's Who 2024
DeKalb County Planning Department 21 Year
Distinguished Director Certificate 2004

ROLE IN THIS CONTRACT:

URBAN PLANNER PROJECT MANAGER

YEARS OF EXPERIENCE: 41

SUMMARY OF QUALIFICATIONS

Dr. Raymond White is a Certified Planner and devoted economic development leader with expertise in all facets of program development, instructional training, and public policy implementation.

RELEVANT PROJECTS (HIGHLIGHTS)

Opa-Locka Community Development Corporation
Neighborhood Renaissance Initiative at Nile Gardens

Planning and Zoning Consultants for the City of West
Park, FL (pop. 15,324)

Planning and Zoning Consultants for the City of Miami
Gardens, FL (pop. 112,534)

Planning and Development Consultants for the City of
Opa-Locka, FL (pop. 16,711)

Highest and Best Use Market-Based Assessment and
Development Strategy - City of North Miami, FL

Finding of Necessity Study and 2018 Redevelopment
Plan - Southeast Overtown/Park West Community
Redevelopment Agency - City of Miami, FL

WORK EXPERIENCE (HIGHLIGHTS)

The Collaborative Firm, LLC (2023 -2024)

Principal Planner Consultant

City of Stonecrest, GA (2022-2023)

Planning and Zoning Director

White Strategic Services, LLC (2004 – Present)

Principal / Project Manager/Acting Senior P.M.

Dekalb County Planning Department

Planning Director (1992-2004)

Economic Development Manager (1983-1992)



Jeffrey Watson

ROLE IN THIS CONTRACT:
CHIEF RESEARCHER

YEARS OF EXPERIENCE: 30⁺

Jeffrey H. Watson is a seasoned economic development and finance professional with expertise in nonprofit, public and corporate strategy with a consistent history of working beyond traditional infrastructure strategies to leverage networks, partnerships and cultural assets for optimized outcomes for cities and state Governments. Having over 30 years of experience in economic development consulting and financial and business strategy development in public and private sectors within the U.S. and multinational markets Mr. Watson Founded J. Watson & Company, an economic development consulting and government relation firm in 1996.

Mr. Watson is the CEO of Solairgen Energy Corp. a renewable energy developer and operator of solar parks and wind farms with 435 MW's of projects under development, to respond to the need for innovative renewable energy solutions in markets that are energy deficient and over reliant on fossil fuels. Solairgen is currently developing projects in Africa, the Caribbean and Central America using three different types of technologies.

Prior to founding J. Watson & Company, Mr. Watson was a Vice President for Government Relations at The Jefferson Group, a Washington, DC based consulting firm, where he formulated legislative strategy for public and non-profit entities seeking to obtain federal financial assistance.

Mr. Watson's national public career includes serving as an Interim Assistant and Deputy Assistant to the President for Intergovernmental Affairs in the White House under the Clinton Administration. Mr. Watson served as a Director of the Presidential transition team and served in various states as a State Field Director and ultimately the Deputy National Field Director of the Clinton/Gore 1992 Presidential election campaign. At the White House, Mr. Watson coordinated the development of the Administration's policy initiatives and facilitated communications between the White House and state and local government officials.

Prior to joining the Clinton White House, Mr. Watson served as a Senior Administrative Assistant for Mayor of Miami Xavier Suarez, and also served as Finance Administrator for the City of Miami's Department of Development and Housing Conservation Agency where he successfully directed the City's efforts to obtain federal funding (i.e. HUD Section 108 loans and Section 312 loans) for retirement of debt and commercial rehabilitation projects.

Mr. Watson served as Senior Tax Accountant with Arthur Anderson & Company CPA's and Senior Auditor for Coopers and Lybrand CPA's.

Mr. Watson currently serves as a board of director member for the Institute of Caribbean Studies. He has served as member of the board of directors for RENEX Corp. (a publicly traded dialysis company) and Vice Chair of the Miami-Dade County Housing and Finance Authority.

Mr. Watson was presented with an Honorary Degree by Miami Dade College, received the African- American Achievers Award sponsored by JM Family Enterprises, Inc., and received a National Community Service Award sponsored by Support Network, Inc.

TEAM QUALIFICATIONS AND EXPERIENCE

Harold A. Ruck



EDUCATION

Master in Planning (MCP)

Massachusetts Institute of Technology (MIT)

Master of Architecture in Advanced Studies (M.Arch A.S.)

Massachusetts Institute of Technology (MIT)

Bachelors of Architecture

University of Tennessee

ROLE IN THIS CONTRACT: GIS ANALYST

YEARS OF EXPERIENCE: 33

SUMMARY OF QUALIFICATIONS

Following a four decade long professional career in planning and zoning, Harold A. Ruck continues to offer his expertise as an independent planning consultant for both public and private clients.

RELEVANT EXPERIENCE (HIGHLIGHTS)

- City of North Miami, FL *August 2019 - Present*
Created Demographic tables and GIS mapping for a Highest and Best Use Feasibility Study using 2010
- Census Data and ESRI GIS software. Prepared U.S. HUD required Consolidated Plans and Annual Action Plans for Broward and Miami-Dade Counties.
- City of West Park, FL *January 2018 - Present* -
Evaluated Zoning Use Reviews submitted by applicants for consistency with the City's Zoning Code.
- Evaluated plans submitted by applicants for consistency with City's Zoning Code.
- Produced GIS mapping of selected facilities, BTR data, with buffers, street jurisdictions using ESRI GIS software.
- City of Miami Gardens, FL *February 2016 - March 2019*
Evaluated Community Residential Home, (CRH), applications for distance requirements. Created illustrated GIS mapping using ESRI GIS software.
- Southeast Overtown Park West (SEOPW), CRA
City of Miami, FL *January 2017-September 2018* -
Created updated graphics for an updated SEOPW Community Redevelopment Plan utilizing demographic & income census data, TAZ data, land use & zoning data, FEMA data, City of Miami GIS data, using ESRI GIS software.
- Assisted in updating section on demographics and income data for updated SEOPW Community Redevelopment Plan.

WORK EXPERIENCE (HIGHLIGHTS)

City of Miami, Planning and Zoning Department

- Subject Matter Expert
- Chief of Community Planning
- Planner I & Planner II

City of Hollywood, Hollywood, FL

Assistant Planner

US Agency for International Development, Kingston, Jamaica
Regional Housing Officer

US Agency for International Development, Washington DC
Housing Officer/International Development Intern (IDI)

TEAM QUALIFICATIONS AND EXPERIENCE

Nicholas B. Waters



EDUCATION

Master of Applied Social Science (Public Administration Concentration)
Florida A&M University | Tallahassee, Florida

Bachelor of Arts (Business Administration)
Florida A&M University | Tallahassee, Florida

PROFESSIONAL LICENSES

Licensed Real Estate Salesperson
State of Georgia Real Estate Commission

ROLE IN THIS CONTRACT: PROJECT ADMINISTRATION

YEARS OF EXPERIENCE: 14

SUMMARY OF QUALIFICATIONS

Nicholas B. Waters has provided project management, procurement and project delivery services in Florida and Georgia in the areas of transportation, aviation, and public health since 2010.

RELEVANT PROJECTS (HIGHLIGHTS)

Opa-Locka Community Development Corporation
Neighborhood Renaissance Initiative at Nile Gardens

Planning and Zoning Consultants for the City of West Park, FL (pop. 15,324)

Planning and Zoning Consultants for the City of Miami Gardens, FL (pop. 112,534)

Planning and Development Consultants for the City of Opa-Locka, FL (pop. 16,711)

Highest and Best Use Market-Based Assessment and Development Strategy - City of North Miami, FL

Finding of Necessity Study and 2018 Redevelopment Plan - Southeast Overtown/Park West Community Redevelopment Agency - City of Miami, FL

WORK EXPERIENCE (HIGHLIGHTS)

HNTB

Deputy Project Manager – Contracts II

Hartsfield-Jackson Atlanta International Airport Judson
Assistant Director – Planning and Development

Metropolitan Atlanta Rapid Transit Authority (MARTA)
Manager of Contracts, Sr. Contract Specialist

Georgia Department of Behavioral Health
Contract Specialist

Florida Department of Children and Families
Contract Manager , Budget Analyst

TEAM QUALIFICATIONS AND EXPERIENCE

Kathia Green



EDUCATION

Executive MBA

Florida International University

Bachelor of Science Telecommunicaion Production
University of Florida

PROFESSIONAL, CIVIC AND FRATERNAL AFFILIATIONS

Notary Public, State of Florida

National Notary Association Signing Agent

Society for Marketing Professionals South Florida

- 2017-2018 Chapter President
- 2016-2017 Chapter President-Elect

National Association of REALTORS®

Florida Licensed REALTOR®

National Association of Hispanic Real Estate
Professionals® West Broward Chapter

National Association of Professional Women

CERTIFICATIONS

Freddie Mac CreditSmart® Curriculum Instructor

National Association of REALTORS®

Pricing Strategy Advisor

ROLE IN THIS CONTRACT:

ADMINISTRATION SUPPORT

YEARS OF EXPERIENCE: 25

SUMMARY OF QUALIFICATIONS

Kathia Green has provided independent consulting services in the areas of business development, grant writing, proposal development, management and marketing for over two decades. Her professional experience also includes non-profit management and business consulting services for startups and small businesses. The list of clients ranges from various industry sectors as indicated below:

Architecture/Engineering/Construction

- E.L. Waters and Company
- METCO SE (Engineering)
- Stuart Architecture
- MC Designers
- Lunacon Construction
- Design2Form
- Castellanos Design Studio
- Soares da Costa Construction
- The EFCA Group

Manufacturing

- Nova Manufacturing

Real Estate

- Brick House Collective
- Realty by MGM
- Marian Meyers/Charlotte Vacation Homes

Non-Profit

- Mount Olive Development Corporation
- Veterans Empowerment Organization Georgia
- North Miami Police Athletic League
- Artz -N-the Hood
- Inner City Children's Touring Dance Co.

Arts and Design

- Bien Aime Photography
- DJ Dash / DAMN Dash Entertainment
- Pinnacle Productions
- Alex Joseph Photography
- Crystal Clear Productions
- Backstage Productions

Law

- Tanya Milhomme-Simmons Advocacy & Mentoring Services
- Law Office of Tanya Milhomme-Simmons

WORK EXPERIENCE (HIGHLIGHTS)

R.J. Heisenbottle Architects, PA

Director of Business Development

Office Manager

Judson Architecture

Music Fest Miami, Inc.

Executive Director

PAST PERFORMANCE STRATEGIC ASSESSMENTS AND IMPLEMENTATION PLANS

The ELWC Team commands over forty (40+) years of experience in this holistic service for government and the private sector. Established in 2005, the ELWC firm has been in business for 19 years.

The following is a list of relevant projects that have been completed:

- Opa-Locka Community Development Corporation Neighborhood Renaissance Initiative at Nile Gardens
- Planning and Development Consultants for the City of Opa-Locka, FL
- Consultant to the City Manager on planning and development projects which included, the review and recommendation for 780 Fisherman Street Town Center One project and negotiated lease for the town center property.
- Management oversight for Annexation Sites A and B for the City of Opa Locka.



***City of Miami Gardens
Planning and Zoning
Activity Report 2015-2018***



***City of North Miami – Family
Entertainment Sports Center:
Highest
and Best Use Analysis***



***Southeast Overtown + Park
West – Community
Redevelopment
Plan Update***

- Engaged as Project Mgt. Consultant in the facilitation of a team driven 5-10 Year Strategic Plan for City of Miami Gardens. (Population 115k;650+employees (2023)

NEW ENGAGEMENT

- Little Haiti Revitalization Trust
Organization and Community Revitalization Strategic Plan

1. Project Client Project Name Address E-mail Phone City of Miramar - Various Projects on an ongoing basis Kelvin Baker, Deputy City Manager Office of the City Manager 2300 Civic Center Place, Miramar, FL 33025 Phone: (954) 883-6888 E-mail klbaker@miramarfl.gov	
☒ GOVERNMENTAL AGENCY	☒ Service as Primary
Description of the Contract (Scope of Services) Planning and Development Services Consulting; Community and Economic Development Site plan and urban design reviews; miscellaneous on-going projects	
Sample List of Types of Materials or Services Provided Community Appearance Board (CAB) Comments  City of Miramar Community Development Department Community Appearance Board (CAB) Review Project Name: Breathless Banquet Hall Application No.: 2300455 CAB Architect: Anson M. Stuart, AIA <u>CAB Comments</u> 1. Provide color renderings for all exterior elevations. 2. Provide color finish legend for all exterior elements (painted stucco, doors, light fixtures, canopies, glazing, etc.) 3. Remove sectional information from elevation drawings. Provide break in elevation wall surfaces with use of vertical and horizontal reveals. 4. Can parking layout flip so patrons don't have to cross drive to enter the building? 5. 813.3.2.1.2. Signs. Signage to comply with this section. 6. 813.3.2.1.3. Lighting. Lighting shall be incorporated into proposed plans to be approved by the city. Provide site lighting and photometric plans. 7. 803.3.1 (d) All mechanical equipment (including roof-mounted equipment) shall be screened with materials consistent and architecturally compatible with those used in the construction of the building. The location of the mechanical units and equipment is not clear. Please provide location and compliance with the above code. 8. 803.3.1 (g) All dumpster and trash handling areas shall have a concrete slab and an enclosure composed of a finished masonry wall with opaque gates and shall have hedges planted on the outside of the walls which do not have the gated opening, as well as trees, whenever feasible. Chain link enclosure does not comply.	
Demonstration of Work Activity: Samples, Documents, Photos, Links N/A	
Turnaround Times and/or Quantities 10 days/set; Estimated time for response is always met for each corresponding project; no deadlines have been missed throughout the duration of the continuing service contract.	
Project Budget / Service Award \$125,000	
<u>Challenges</u> Reviews pursuant to code	<u>Resolutions</u> Site plan comments
Contract Start and End Dates May 2019 to Present- continuing services contract	

2.	Project Client Project Name Address E-mail Phone City of North Miami Community Planning & Development Highest and Best Use Market-Based Assessment and Development Strategy for City-Owned Nine (9) Acre Parcel 776 NE 125 Street, North Miami, FL Phone (305) 895-9825 E-mail cpd@northmiamifl.gov	
	☒ GOVERNMENTAL AGENCY	☒ Service as Primary
	Description of the Contract (Scope of Services) Planning and Development Services Consulting; Community and Economic Development This process began with a site-specific characterization of the property, historic use and development potential. An assessment of the existing market conditions surrounding the subject site was performed in a 1, 2- and 5-mile radius and greater. The factors considered included demographic analysis consisting of Population, Education, Income, Housing, Poverty, and Occupation. A Strength, Weakness, Opportunity and Threats (S.W.O.T.) Analysis, a Citizens Survey Analysis and sustainability factors were considered. We compiled our findings into an analysis that consists of over 80 pages of rigorous research and strategy. We determined the highest best use of the land would be a Family Entertainment Sports Center for an exceptional opportunity for entertainment, sports and recreation.	
	Sample List of Types of Materials or Services Provided N/A	
	Demonstration of Work Activity: Samples, Documents, Photos, Links City of North Miami Family Entertainment Sports Center: Highest and Best Use Analysis (12/30/2019)	
	Turnaround Times and/or Quantities N/A	
	Project Budget / Service Award \$25,000	
	<u>Challenges</u> N/A	<u>Resolutions</u> N/A
	Contract Start and End Dates June 2019 to January 2020 (6 months)	

3.

Project Client Project Name Address E-mail Phone	
City of West Park Planning and Zoning Department Evaluation and Appraisal Report (EAR) & EAR Based Amendments Process 1965 South State Road 7, West Park, FL 33023 Stephen David, Director of Economic Development Ph: (954) 989-2688 Ext. 222 Fax: (954) 989-2684 E-mail: sdavid@cityofwestpark.org	
☒ GOVERNMENTAL AGENCY	☒ Service as Primary
Description of the Contract (Scope of Services) Planning and Zoning Consulting Services Housing/Rezoning Site Plan Reviews/Comp Plan Preparation/Land Use Every seven years, the Comprehensive Development Master Plan (CDMP) is reviewed and updated as required per Chapter 163 of the Florida Statutes. The Evaluation and Appraisal Report (EAR) evaluates the progress in implementing the goals, objectives, policies, maps and text of the CDMP and recommends changes through EAR-based plan amendments, which are to be prepared and adopted within 18 months of a sufficiency review conducted by the Florida Department of Community Affairs.	
Sample List of Types of Materials or Services Provided N/A	
Demonstration of Work Activity: Samples, Documents, Photos, Links City of West Park Evaluation and Appraisal Report (EAR) Presentation 04142021REVISED04152021A	
Turnaround Times and/or Quantities 6 months	
Project Budget / Service Award: \$205,000	
<u>Challenges</u> Update to the EAR	<u>Resolutions</u> Preparation of State required EAR
Contract Start and End Dates January 2017 to January 2022 (5 year contract)	

4. **Project Client | Project Name | Address | E-mail | Phone**
 Miami-Dade County
 Miami Dade Economic Advocacy Trust (MDEAT) Disparity Study
 601 NW 1st Court, Suite 2132 Miami, FL 33136
 Zachary Rinkins, Public Information Officer
 Phone (305) 375-5661 | E-mail: MDEATInfo@miamidade.gov

☒ GOVERNMENTAL AGENCY	☒ Service as Sub-Contractor Prime: CMA Enterprise Incorporated
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Description of the Contract (Scope of Services)
 Contracted to provide urban planning data analysis and strategies for improvement to the 17 Targeted Urban Areas (TUA) within Miami-Dade County, Florida which includes housing availability, costs, access and affordability in Miami-Dade County.

Sample List of Types of Materials or Services Provided

Materials - Online Survey - Maps - Photos - On-site visits - Analysis - Financial projects	Services - Community Outreach and Engagement https://www.cma-ent.com/mdeat-transformation305-webpage - Design workshops - Stakeholder meetings - Undertake historic and cultural preservation consultations
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Demonstration of Work Activity: Samples, Documents, Photos, Links
<https://www.miamidade.gov/global/government/trusts/economicadvocacy/black-disparity-study.page>

MDEAT - Phase I & II

	Description
Firm's Initiation	2014 - Phase II – 5 year Strategic Plan Part One The CMA Team was engaged to create the Phase II 5 year strategic Plan for the agency. This entailed, interviews and focus groups with staff, and the board of directors and committee chairs. CMA also reviewed historical strategic plans and most important the County's BluePrint for Sustainable Success. CMA facilitated a one day retreat for the board and staff which included an orientation for the board (new and existing) of the agency's mandate, transition into MDEAT as well as the overall requirements for sustainable relevancy. 2017 – Phase II – 5 year plan Part two The CMA Team was engaged to facilitate and compose the second phase of the 5 year plan to track the progress of the Agency since the original document was generated in 2014. Included in the phase two document are enhance of the marketing strategies, strengthening the advocacy mission, building the relationships within the county and other public/private partnerships. Staffing requirements were also identified to build capacity and capability in the implementation phase of the plan.
Implementation Process	The team met initially with leadership (Board and Senior Officers) to determine outcomes. The team met with the respective divisions to create goals, objectives, performance metrics, strategic partnerships, etc.
Outcomes	Deliverables: 160 and 250+ page document respectively that lays out the components for sustainable success for the Black Community the agency advocates for, for the next 5 years. This document also brought the agency into alignment with the County's Strategic BluePrint - One day strategic planning and board orientation for MDEAT Board of Directors and Staff - A planning toolbox that empowers staff to craft and implement their vision statements, monitor goals and performance metrics, re-address areas of interest as they arise in a timely manner. - Introduced innovative funding source recommendations that had not yet been formally addressed by the agency The agency was able to reposition itself and align with the mandate of advocating for the underserved residents and businesses in the targeted black community in Miami Dade
Organization-wide/Department	Department wide and targeted community

Miami Dade Economic Advocacy Trust (MDEAT) Disparity Study (continued)

Turnaround Times and/or Quantities	
1 year / Final report (digital)	
Project Budget / Service Award: \$235,000	
<u>Challenges</u>	<u>Resolutions</u>
N/A	N/A
Contract Start and End Dates October 2022 to June 2023 (9 month contract)	

5.

Project Client Project Name Address E-mail Phone Miami-Dade County Office of Management and Budget Goulds Florida Finding of Necessity (FON) Study - July 2022 Jason Emilio Rodriguez, Sr. Business Analyst 111 NW 1 st Street- 22 nd Floor, Miami, FL Phone (305) 375-2820 E-mail Jason.Rodriguez2@miamidade.gov	
☒ GOVERNMENTAL AGENCY	☒ Service as Sub-Contractor Prime: CMA Enterprise Incorporated
Description of the Contract (Scope of Services) This Finding of Necessity (FON) report seeks to document evidence of slum and blight conditions in the proposed Goulds Community Redevelopment Area in Miami-Dade County.	
Sample List of Types of Materials or Services Provided	
Materials ▪ Maps ▪ Photos ▪ On-site visits	Services ▪ Community Outreach and Engagement ▪ Design workshops ▪ Stakeholder meetings ▪ Undertake historic and cultural preservation consultations
Demonstration of Work Activity: Samples, Documents, Photos, Links https://www.miamidade.gov/redevelopment/library/studies/goulds-florida-study.pdf	
Turnaround Times and/or Quantities Delivered 27 copies of the FON Study	
Project Budget / Service Award: \$90,500	
<u>Challenges</u> Documenting the work area	<u>Resolutions</u> On-site surveys
Contract Start and End Dates January 2022 - July 2022	

6.

Project Client Project Name Address E-mail Phone Fort Lauderdale Community Redevelopment Agency (CRA) Historic Sistrunk Corridor Clarence Woods, Executive Director 914 Sistrunk Blvd., Ft. Lauderdale, FL Phone (954) 829-4508 E-mail: cwoods@fortlauderdale.gov	
☒ GOVERNMENTAL AGENCY	☒ Service as Primary
Description of the Contract (Scope of Services) Preparation of a historic Sistrunk arts and culture district plan, programs, projects and initiatives.	
Sample List of Types of Materials or Services Provided Community meetings (3), presentations, in-person interviews	
Demonstration of Work Activity: Samples, Documents, Photos, Links Draft not yet published for public viewing	
Turnaround Times and/or Quantities Monthly updates, reports, etc.	
Project Budget / Service Award: \$195,000	
<u>Challenges</u> Conducting interviews with community leaders	<u>Resolutions</u> Conducted community meetings
Contract Start and End Dates January 12, 2023 to January 2024	

- The ELWC Team is available to start working on the project within 2 weeks following the Notice to Proceed.
- 8 month completion date projection
ELWC reserves the right to negotiate time extensions as deemed mutually appropriate.

Scope of Services	Approach to Scope of Services	Timetable
Task 1 Issue Identification and Collection of Data	Prepare an update on the current conditions: Land use categories of all three proposed areas.	2 months completion
Task 2 Review and Evaluation of Data	Property data tabulations: based on total number of properties.	1 month completion
Task 3 Develop and Prepare Draft Reports for City	Delineation of current land use categories; residential commercial, industrial, institutional and vacant. The draft report will include an assessment of all of the land uses stipulated.	1 month completion
Task 4 Final Reports Submittal to City	Upon Review and acceptance of the draft report a final report will be prepared and submit it to the city for its adoption.	1 month completion
Task 5 Filing of Applications to Miami-Dade County	ELWC Team will file an application for review and adoption by Miami-Dade County.	1 month completion
Task 6 Facilitation of County Review Process	ELWC Team will meet with Miami Dade County to review and address necessary changes, clarifications of the Opa-Locka Application.	1 month completion
Task 7 Miami-Dade County Annexation Review Process	ELWC Team and Opa-Locka Staff will meet with Miami-Dade County to address and clarify.	1 month completion
Task 8 Documented City of Opa-Locka Annexation Report	Prepare final report for presentation and adoption to Miami-Dade County for adoption.	1 month completion

COST PROPOSAL SHEET

Pease make sure that the cost proposal includes all fixed fees, deliverables, and any other related costs that may arise if the contract is awarded to the contractor. Additionally, all project management and subcontracting expenses should be detailed in the cost proposal using the provided format.

Item Line Description	Lump sum Cost/ Service Fee	Total Cost
Area A, Consisting of 56 acres		
▪ Prepare and update of the current conditions: Land use ▪ Property data tabulations: Total number of properties. ▪ Delineation of current land use categories; residential, commercial, industrial, institutional and vacant ▪ Assess current conditions: demographics ▪ Review and assess Miami Dade County update of annexation process regarding annexation areas ▪ Assessed the proposed financing of municipal services and calculate the estimated mileage rate. This will include city county current expenditures and revenues. ▪ Assess Revenue by current property tax. This will include total number of properties, assessed values for 2023 and or 2024 if data is available. ▪ Prepare A report of the findings for discussion with executive management and legislative body.		
TOTAL	\$15,000	\$15,000

Item Line Description	Lump sum Cost/ Service Fee	Total Cost
Area B, Consisting of 822 Areas		
▪ Prepare and update of the current conditions: Land use ▪ Property data tabulations: Total number of properties. ▪ Delineation of current land use categories; residential, commercial, industrial, institutional and vacant ▪ Assess current conditions: demographics ▪ Review and assess Miami Dade County update of annexation process regarding annexation areas ▪ Assessed the proposed financing of municipal services and calculate the estimated mileage rate. This will include city county current expenditures and revenues. ▪ Assess Revenue by current property tax. This will include total number of properties, assessed values for 2023 and or 2024 if data is available. ▪ Prepare A report of the findings for discussion with executive management and legislative body.		
TOTAL	\$35,000	\$35,000

Item Line Description	Lump sum Cost/ Service Fee	Total Cost
Area C		
Consisting of an area bounded by south boundary of Opa-Locka to the North, Hialeah Boundary to the West along NW 37 th Avenue, the North Miami, El Portal, and Miami Shores boundaries to the east; and the City of Miami boundaries to the South, and to Identify other unincorporated portions of Miami Dade County that border the city of Opa-Locka for potential future and annexation.		
▪ Prepare and update of the current conditions: Land use ▪ Property data tabulations: Total number of properties. ▪ Delineation of current land use categories; residential, commercial, industrial, institutional and vacant ▪ Assess current conditions: demographics ▪ Review and assess Miami Dade County update of annexation process regarding annexation areas ▪ Assessed the proposed financing of municipal services and calculate the estimated mileage rate. This will include city county current expenditures and revenues. ▪ Assess Revenue by current property tax. This will include total number of properties, assessed values for 2023 and or 2024 if data is available. ▪ Prepare A report of the findings for discussion with executive management and legislative body.		
TOTAL	Not to exceed \$35,000	Not to exceed \$35,000

RELATED EXPERIENCE REFERENCES

Project Client Project Name	Scope of Services	Point of Contact	Phone	E-mail
	Dates of Service			
1. City of Miramar Project: Various Projects on an ongoing basis	Planning and Development Services Consulting; Community and Economic Development ; Site plan and urban design reviews; miscellaneous on-going projects May 2019 to Present (continuing services contract)	Kelvin L. Baker Sr.-Deputy City Manager	(P) 954-883-6888	klbaker@miramarfl.gov
2. City of North Miami	Highest and Best Use Market-Based Assessment and Development Strategy for City-Owned Nine (9) Acre Parcel June 2020 to May 2021	Tanya Wilson, AICP Assistant Village Manager Miami Shores Village <i>(Former Director of Community Planning and Development - City of North Miami)</i>	(P) 305) 795-2207 Ext. 5 Village Clerk (C) 954-815-3268	WilsonT@msvfl.gov
3. City of West Park Planning and Zoning Department	Planning and Zoning Consulting Services (Housing/Rezoning Site Plan Reviews/Comp Plan Preparation/Land Use January 17, 2017 to Present	W. Ajibola Balogun, ICMA-CM City Manager	P: (954) 989-2688 F: (954) 989-2684	ABalogun@cityofwestpark.org
4. City of Miami Redevelopment Agency Southeast Overtown/Park West (SEOPW) CRA Community Redevelopment Agency	Finding of Necessity and 2018 Development Plan Update June 2016 to April 2017	Cornelius Shiver Executive Director North Miami CRA <i>(Former Executive Director City of Miami CRA)</i>	P: (305) 895-9839	cshiver@northmiamifl.gov
5. Fort Lauderdale Community Redevelopment Agency (CRA) Project: Historic Sistrunk Corridor	Preparation of a historic Sistrunk arts and culture district plan, programs, projects and initiatives. Draft plan, Preparation of a historic Sistrunk arts and culture district plan, programs, projects and initiatives. Monthly updates, reports 01/2023 to 01/2024	Clarence Woods, Executive Director	(954) 829-4508	cwoods@fortlauderdale.gov

RELATED EXPERIENCE REFERENCES

Project Client Project Name		Scope of Services	Point of Contact	Phone	E-mail
6.	Miami-Dade County Office of Management and Budget Project: Goulds Florida Finding of Necessity (FON) Study - July 2022	This Finding of Necessity (FON) report seeks to document evidence of slum and blight conditions in the proposed Goulds CRA in Miami-Dade County; public engagement and further analysis of existing conditions and land use and design guidelines and principles. https://www.miamidade.gov/redevelopment/library/studies/goulds-florida-study.pdf 01/2022 - 07/2022	Jason Emilio Rodriguez, Sr. Business Analyst	(305) 375-2820	Jason.Rodriguez2@miamidade.gov
7.	Miami Dade Economic Advocacy Trust Project: Miami Dade Economic Advocacy Trust (MDEAT) Disparity Study	Contracted to provide urban planning data analysis and strategies for improvement to the 17 Targeted Urban Areas (TUA) within Miami-Dade County, Florida which includes housing availability, costs, access and affordability in Miami-Dade County; drive-by site reviews, anonymous surveys, community listening sessions, focus groups and individual interviews. 10/2022 - 06/2023	Zachary Rinkins, Public Information Officer	(305) 375-5661	MDEATInfo@miamidade.gov

PROPOSER QUALIFICATIONS

The Proposer MUST hold a County and/or Municipal Contractor's Occupational License in the area of their fixed business location. The following information MUST be completed and submitted with the proposal to be considered:

1. Legal Name and Address:

Name: E.L. Waters and Company, LLC

Address: 6625 Miami Lakes Dr., Suite 238

Miami Lakes, FL 33014

City, State, Zip: _____ Phone/Fax: Office (305) 777-3800; ext.11152 Cell (305) 785-9757

2. Check One: Corporation ☒ Partnership ☐ Individual ☐

3. If Corporation, indicate:

Date of Incorporation: 02/14/2005 State in which Incorporated: Florida

4. If an out-of-state Corporation, currently authorized to do business in Florida, give date of such authorization: N/A

5. Name and Title of Principal Officers

Date Elected:

Elbert L. Waters, President

02/14/2005

6. The length of time in business: 19 years

7. The length of time (continuous) in business as a service organization in Florida:
19 years

8. Provide a list of at least three commercial or government references that the bidder has supplied service/commodities meeting the requirements of the City of Opa-locka RFP during the last twenty-four months. SEE TAB 8 References

9. A copy of County and/or Municipal Occupational License(s) SEE Tab 3 - General Information (pg. 3)

Note: Information requested herein and submitted by the Proposers will be analyzed by the City of Opa-locka and will be a factor considered in awarding any resulting contract. The purpose is to ensure that the Contractors, in the sole opinion of the City of Opa-locka, can sufficiently and efficiently perform all the required services in a timely and satisfactory manner as will be required by the subject contract. If there are any terms and/or conditions that are in conflict, the most stringent requirement shall apply.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION
PROPOSED DEBARMENT AND OTHER MATTERS OF
RESPONSIBILITY**

1. The Proposer certifies, to the best of its knowledge and belief, that the Proposer and/or any of its Principals:

A. Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency.

B. Have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

C. Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph 1-B of this provision.

2. The Proposer has not, within the three-year period preceding this offer, had one or more contracts terminated for default by any City, State or Federal agency.

A. "Principals," for the purposes of this certification, means officers; directors; owners; partners; and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions). This Certification Concerns a Matter Within the Jurisdiction of an Agency of the United States and the Making of a False, Fictitious, or Fraudulent Certification May Render the Maker Subject to Prosecution Under Section 1001, Title 18, United States Code.

B. The Proposer shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Proposer learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

C. A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Proposer's responsibility. The failure of the Proposer to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Proposer non-responsive.

D. Nothing contained in the foregoing shall be construed to require the establishment of a system of records to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of a Proposer is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

E. The certification in paragraph 1(a) of this provision is a material representation of the fact upon which reliance was placed when making an award. If it is later determined that the Proposer knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

AS THE PERSON AUTHORIZED TO SIGN THE STATEMENT, I CERTIFY THAT THIS FIRM COMPLIES FULLY WITH THE ABOVE REQUIREMENTS.

Signature Elbert L. Waters

Printed Name Elbert L. Waters

CITY OF OPA-LOCKA
DRUG-FREE WORKPLACE CERTIFICATION FORM

Whenever two (2) or more bids/proposals, which are equal with respect to price, quality, and service, are received by the City of Opa-locka for the procurement of commodities or contractual services, a bid/proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. To have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
4. In the statement specified in number (1), notify the employees that as a condition for working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction on or plea of guilty or no contest to any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any singular state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of Section 287.087, Florida Statutes.

This Certification is submitted by Elbert L. Waters
the Owner / Principal of E.L. Waters and Company, LLC
(Title/Position) (Name)
(Company)

who does hereby certify that said Company has implemented a drug-free workplace program, which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

10/22/2024
Date


Signature

**CITY OF OPA-LOCKA NON-COLLUSION AFFIDAVIT
STATE OF FLORIDA - COUNTY OF MIAMI DADE**

- (1) He/She/They is/are the
(Owner, Partner, Officer, Representative or Agent) of E.L. Waters and Company, LLC
- the Proposer that has submitted the attached
proposal.
- (2) He/She/They is/are fully informed respecting the preparation and contents of the
attached Proposal and of all pertinent circumstances respecting such Proposal.
- (3) Such Proposal is genuine and is not a collusive or sham Proposal.
- (4) Neither the said Proposer nor any of its officers, partners, owners, agents,
representatives, employees or parties in interest, including this affiant, have in any
way colluded, conspired, connived or agreed, directly or indirectly, with any other
Proposer, firm, or person to submit a collusive or sham Proposal in connection with the
Work for which the attached Proposal has been submitted; or to refrain from
Proposing in connection with such Work; or have in any manner, directly or indirectly,
sought by agreement or collusion, or communication, or conference with any Proposer,
firm, or person to fix any overhead, profit, or cost elements of the Proposal or of any
other Proposer, or to fix any overhead, profit, or cost elements of the Proposed Price or
the Proposed Price of any other Proposer, or to secure through any collusion, conspiracy,
connivance, or unlawful agreement any advantage against (Recipient), or any person
interested in the proposed Work;
- (5) The price or prices quoted in the attached Proposal are fair and proper and are not
tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of
the Proposer or any other of its agents, representatives, owners, employees, or parties of
interest, including this affiant.

Signed, sealed, and delivered in the presence of:

Kathia Green

Witness

Brittany Dash

Witness

By: 

Signature
Elbert L. Waters, M.C.P., L.F. J.D.
Owner / Principal

Print Name _____ and _____ Title

NON-DISCRIMINATION AFFIDAVIT

I, the undersigned, hereby duly sworn, depose and say that the organization, business, or entity represented herein shall not discriminate against any person in its operations, activities, or delivery of services under any agreement it enters with the City of Opa-locka. The same shall affirmatively comply with all applicable provisions of federal, state, and local equal employment laws and shall not engage in or commit any discriminatory practice against any person based on race, age, religion, color, gender, sexual orientation, national origin, marital status, physical or mental disability, political affiliation or any other factor which cannot be lawfully used as a basis for service delivery.

By: Elbert L. Waters
Elbert L. Waters, M.C.P., L.F. J.D.
Title: Owner / Principal

Sworn and subscribed before this

Oct
22nd day of, 20 24

Kathia Green

Notary Public, State of Florida

Kathia Green
(Printed Name)

My commission expires: _____



KATHIA GREEN
Commission # HH 244298
Expires June 19, 2026

E-VERIFY

Effective January 1, 2021, public and private employers, contractors, and subcontractors will be required to register with, and use the E-Verify system to verify the work authorization status of all newly hired employees. Vendor/Consultant/Contractor acknowledges and agrees to utilize the U.S. Department of Homeland Security's E-Verify System to verify the employment eligibility of:

- a) All persons employed by Vendor/Consultant/Contractor to perform employment duties within Florida during the term of the contract; and
- b) All persons (including sub-vendors/sub-consultants/sub-contractors) assigned by Vendor/Consultant/ Contractor to perform work pursuant to the contract with the Department. The Vendor /Consultant/ Contractor acknowledges and agrees that use of the U.S. Department of Homeland Security's E-Verify System during the term of the contract is a condition of the contract with the City; and

By entering a Contract, the Contractor becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of this affidavit for the duration of the contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute, the subcontract must be terminated immediately. If t contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination. The Contractor acknowledges it is liable to the City for any additional costs because of termination of the contract due to the Contractor's failure to comply with the provisions herein.

E-VERIFY FORM

Definitions:

“Contractor” means a person or entity that has entered or is attempting to enter a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration.

“Subcontractor” means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

Effective January 1, 2021, public and private employers, contractors, and subcontractors will begin the required registration with, and use of the E-Verify system to verify the work authorization status of all newly hired employees. Vendor/Consultant/Contractor acknowledges and agrees to utilize the U.S. Department of Homeland Security’s E-Verify System to verify the employment eligibility of:

- a) All persons employed by Vendor/Consultant/Contractor to perform employment duties within Florida during the term of the contract; and
- b) All persons (including sub-vendors/subconsultants/subcontractors) assigned by Vendor/Consultant/Contractor to perform work pursuant to the contract with the Department. The Vendor/Consultant/Contractor acknowledges and agrees that use of the U.S. Department of Homeland Security’s E-Verify System during the term of the contract is a condition of the contract with the City of Opa-locka; and

Should vendor become successful Contractor awarded for the above-named project, by entering this Contract, the Contractor becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of this affidavit for the duration of the contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute, the subcontract must be terminated immediately. If this contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination.

Company Name: E.L. Waters and Company, LLC

Authorized Signature: 

Print Name: Elbert L. Waters

Title: Owner / Principal

Date: 10/22/2024

ANTI-KICKBACK AFFIDAVIT

STATE OF FLORIDA)

) ss:

COUNTY OF MIAMI-DADE)

I, the undersigned, hereby duly sworn, depose and say that no portion of the sum herein proposed, or compensation that may be received as a result of this Proposal, will be paid to any employees of the City of Opa-Locka, its elected officials, and

- or its design consultants, as a commission, kickback, reward or gift, directly or indirectly by me or any member of my firm or by an officer of the corporation.

By: Elbert L. Waters
Elbert L. Waters, M.C.P., L.F. J.D.
Title: Owner / Principal

Sworn and subscribed before me this

22nd day of October, 2024

Kathia Green
Notary Public
State of Florida at Large

My commission expires:



KATHIA GREEN
Commission # HH 244298
Expires June 19, 2026

**FAILURE TO COMPLETE, SIGN AND RETURN THIS FORM
MAY DEEM YOUR PROPOSAL NON-RESPONSIVE**

Prime: Elbert L. Waters | E.L. Waters and company, LLC

Florida does not require state licensure or certification to work as a Professional Planner.

Local Business Tax Receipt Miami-Dade County, State of Florida -THIS IS NOT A BILL - DO NOT PAY		LBT EXPIRES SEPTEMBER 30, 2025 Must be displayed at place of business Pursuant to County Code Chapter 8A - Art. 9 & 10
6906276	RECEIPT NO. RENEWAL 7182140	
BUSINESS NAME/LOCATION E L WATERS & COMPANY LLC 8264 NW 195TH TER HIALEAH, FL 33015-5945		
		
OWNER E L WATERS & COMPANY LLC	SEC. TYPE OF BUSINESS 212 CONSULTANT	PAYMENT RECEIVED BY TAX COLLECTOR 100.00 07/25/2024 INT-24-447986

This Local Business Tax Receipt only confirms payment of the Local Business Tax. The Receipt is not a license, permit, or a certification of the holder's qualifications, to do business. Holder must comply with any governmental or nongovernmental regulatory laws and requirements which apply to the business.

The RECEIPT NO. above must be displayed on all commercial vehicles - Miami-Dade Code Sec 8a-276.
For more information, visit www.miamidade.gov/taxcollector



	BUSINESS TAX RECEIPT <i>Town of Miami Lakes</i> THIS IS NOT A BILL - DO NOT PAY	EXPIRES September 30, 2025
	License Number: 8036 Issued: 4/18/2017	<u>BUSINESS NAME / LOCATION</u> E.L. WATERS AND CO., LLC ELBERT WATERS 6625 MIAMI LAKES DR #238 MIAMI LAKES, FL 33014

LICENSE TYPE
CONSULTANT

This business tax receipt does not permit the holder to operate in violation of any City law, ordinance or regulation. Any change in location or ownership must be approved by the City Business Tax Section, subject to zoning restrictions. This Receipt does not constitute an endorsement, approval or disapproval of the holder's skill or competence or of the compliance or noncompliance of the holder with other laws, regulations or standards.

RECEIPT MUST BE CONSPICUOUSLY DISPLAYED IN YOUR PLACE OF BUSINESS

Urban Planning Project Manager: Dr. Raymond White, Sr. Ph.D., MCP, AICP

**American
Institute of
Certified
Planners**
An Institute of the
American Planning Association

AICP

1776 Massachusetts Ave. NW
Washington, DC 20036
Phone 202/682.0611

July 10, 1990

MEMORANDUM

TO: Newly Certified Planners

FROM: Is Stollman, AICP

RE: CONGRATULATIONS

It's a pleasure to tell you that you have passed the AICP examination. This is a mark of professional achievement, a milestone in your career that, I trust, will lead to many other accomplishments as a planner.

You have a certificate number that appears after your name on the mailing label on the back of this memorandum. You may use this number when appropriate in signing professional reports as a certified planner. Please record your number. The initials, AICP, should be used following your name on stationery, cards and any articles that you write.

Your certificate is now being prepared. You should receive it in about six weeks. You will also receive your AICP pin and a copy of the most recent roster of members. The roster is published every other year. The invoice for AICP dues that will be sent to you is for the part of the current year that will match the billing cycle for your APA dues.

You now join some 7,000 certified planners in AICP. I look forward to working with you in the ongoing development of the profession especially in our programs of certification, school accreditation, professional ethics and continuing education.

Let me know whenever we can be of help.



Attachment: Score Report

cc: Professional Development Chair
Chapter Newsletter Editor

CERTIFICATE No. 8579

Raymond Rodney White, Sr.
3972 Cheru Drive
Decatur, GA 30034

Code Memo: I(1)

Hello Raymond <https://www.planning.org/myapa/>

My APA (/myapa/) Log Out (/logout/)

Enter keyword or phrase

My 2022 - 2023 period has been successfully completed and closed.

Dismiss X

Home (/) > AICP (/aicp/) > Certification Maintenance (/cm/)

CM Log : 044575 | Raymond White, AICP

2007-2009 (/cm/log/JAN2010/)	2010-2011 (/cm/log/JAN2012/)	2012-2013 (/cm/log/JAN2014/)	2016-2017 (/cm/log/JAN2018/)
2018 - 2019 (/cm/log/JAN2020/)	2020 - 2021 (/cm/log/JAN2022/)	2022 - 2023 (/cm/log/JAN2024/)	2024 - 2025

2024 - 2025 Reporting Period (current)

January 1, 2024 - December 31, 2025

CM Status: Exempt - Life

16.00 Credits required

1.00 Credits earned

0.00 Law credits
earned of 1.00 required

0.00 Ethics credits
earned of 1.00 required

0.00 Equity credits
earned of 1.00 required

0.00 Sustainability & Resilience credits
earned of 1.00 required

0.00 Self-reported
applied of 8.00 available

0.00 Authored
applied of 16.00 available

15.00 Remaining credits needed

0.00 for carry over of 16.00 maximum

**Request for Taxpayer
Identification Number and Certification**

**Give Form to the
requester. Do not
send to the IRS.**

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Elbert L. Waters

2 Business name/disregarded entity name, if different from above

E.L. Waters and Company, LLC

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► **S**
Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

6625 Miami Lakes Drive- Suite 238

6 City, state, and ZIP code

Miami Lakes, Florida 33014

Requester's name and address (optional)

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - ____

or

Employer identification number

6 5 - 1 2 4 2 6 2 7

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign
Here**

Signature of
U.S. person ►

Elbert L. Waters

Date ►

11/03/2022

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)
Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

PUBLIC ENTITY CRIMES LAW

Pursuant to Section 287.133, Florida Statutes, you are hereby notified that a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a RFQ on a contract to provide any goods or services to a public entity, may not submit a RFQ on a contract with a public entity for the construction or repair of a public building or public work, may not submit RFQs on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section. 287.017, Florida Statutes for CATEGORY TWO [\$35,000.00] for a period of 36 months from the date of being placed on the convicted vendor list.

Acknowledged by:

E. L. Waters and Company, LLC

Firm Name:



Signature

Elbert L. Waters, Principal

Name & Title (Print or Type)

CITY OF OPA-LOCKA
DRUG-FREE WORKPLACE CERTIFICATION FORM

Whenever two (2) or more bids/proposals, which are equal with respect to price, quality, and service, are received by the City of Opa-locka for the procurement of commodities or contractual services, a bid/proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. To have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
4. In the statement specified in number (1), notify the employees that as a condition for working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction on or plea of guilty or no contest to any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any singular state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of Section 287.087, Florida Statutes.

This Certification is submitted by Elbert L. Waters
the Owner / Principal of E.L. Waters and Company, LLC
(Title/Position) (Name)
(Company)

who does hereby certify that said Company has implemented a drug-free workplace program, which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

10/22/2024
Date


Signature



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/08/24

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER BENDELL INSURANCE GROUP INC PO Box 164235 Miami, FL 33116-4235 License #:A195277		CONTACT NAME: PHONE (A/C, No, Ext): (305)249-5055 FAX (A/C, No): (305)249-5057 E-MAIL ADDRESS: big@bendellinsurance.com	
INSURED E.L. WATERS & COMPANY,LLC 8264 NW 195 TERRACE MIAMI, FL 33015 305-785-9757 FL 33015		INSURER(S) AFFORDING COVERAGE INSURER A : CERTAIN UNDERWRITERS AT LIOYDS INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☐ OCCUR DED.\$1,000 GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		PSM0439766336	09/07/23	09/07/24	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
	GENERAL AGGREGATE \$ 2,000,000						
							PRODUCTS - COMP/OP AGG \$ 1,000,000
							\$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			NA			COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$			NA			EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		NA			PER STATUTE ☐ OTH-ER ☐
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
A	PROFESSIONAL LIABILITY *CLAIM MADE*			PSM0439766336	09/07/23	09/07/24	\$1,000,000 RETRO DATE:09/07/12

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

THE CERTIFICATE HOLDER HUNDREDFOLD HOLDINGS, LLC & THE WARD GROUP, ARE NAMED AS ADDITIONAL INSURED WITH RESPECT TO THE GENERAL LIABILITY.

CERTIFICATE HOLDER**CANCELLATION**

Hundredfold Holdings, LLC &
The Ward Law Group, PL
6625 Miami Lakes Dr
Miami Lakes, Florida 33014

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**CITY OF OPA-LOCKA NON-COLLUSION AFFIDAVIT
STATE OF FLORIDA - COUNTY OF MIAMI DADE**

- (1) He/She/They is/are the
(Owner, Partner, Officer, Representative or Agent) of E.L. Waters and Company, LLC
- the Proposer that has submitted the attached
proposal.
- (2) He/She/They is/are fully informed respecting the preparation and contents of the
attached Proposal and of all pertinent circumstances respecting such Proposal.
- (3) Such Proposal is genuine and is not a collusive or sham Proposal.
- (4) Neither the said Proposer nor any of its officers, partners, owners, agents,
representatives, employees or parties in interest, including this affiant, have in any
way colluded, conspired, connived or agreed, directly or indirectly, with any other
Proposer, firm, or person to submit a collusive or sham Proposal in connection with the
Work for which the attached Proposal has been submitted; or to refrain from
Proposing in connection with such Work; or have in any manner, directly or indirectly,
sought by agreement or collusion, or communication, or conference with any Proposer,
firm, or person to fix any overhead, profit, or cost elements of the Proposal or of any
other Proposer, or to fix any overhead, profit, or cost elements of the Proposed Price or
the Proposed Price of any other Proposer, or to secure through any collusion, conspiracy,
connivance, or unlawful agreement any advantage against (Recipient), or any person
interested in the proposed Work;
- (5) The price or prices quoted in the attached Proposal are fair and proper and are not
tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of
the Proposer or any other of its agents, representatives, owners, employees, or parties of
interest, including this affiant.

Signed, sealed, and delivered in the presence of:

Kathia Green

Witness

Brittany Dash

Witness

By: 

Signature
Elbert L. Waters, M.C.P., L.F. J.D.
Owner / Principal

Print Name _____ and _____ Title

CITY OF OPA-LOCKA

RFP NO: 24-1023200

Oct. 30, 2024 @ 10:00 A.M.

EVALUATION MEETING, 780 FISHERMAN STREET, 4th floor, OPA-LOCKA, FL 33054

NAME	COMPANY NAME	EMAIL	PHONE #
R. ANATHAN	CITY OF O-L	ranathan@opalocka fl.gov	305-953-2868x124
Sol Bankole	CITY OF OPA-LOCKA	Sbankole@opalocka fl.gov	786-835-4561
GERALD LEE	"	glee@opalockafl.gov	305 953 2868

Evaluation Meeting Script

Steps of Organizing an Evaluation Meeting:

1. Send an email to the members detailing the rules of the meeting.
2. Schedule Meetings via Zoom or Teams, confirming the availability of the members
3. Share the link with RFP respondents. (All the respondents to the bid or shortlist candidates).

Evaluation Committee Script for Meeting Lead/Organizer:

Good Day, Welcome, and thank you for participating in the City of Opa-locka Committee Evaluation meeting **for RFP NO: 24-1023200 Consultant Services for Annexation Reports**

Today's Date: Friday, November 08, 2024

This meeting is being recorded and is open to the public (Inform participants)

My Name is Jay Bergel Procurement Officer for the City

THE MEETING OBJECTIVE: Committee members will evaluate submitted proposals for this RFP. The committee members may ask the bidding firm questions. The bidding firm may only answer questions posed by the committee. No comments are allowed, and guests are not allowed to dictate the scoring outcome of the committee.

The meeting will go as followed: The firms will be asked questions in the order of the meeting agenda that was shared previously.

At this time, I invite all City personnel, consultants, and committee members to introduce themselves for the record.

Now, I'll allow you to introduce yourself. Please state your name, company, and title when called.

With that being said, committee members will begin your evaluation.

Committee Members will have 15 minutes for Q&A.

After all the questions are answered, the meeting will adjourn.

EVALUATION FORM

RFP NO: 24-1023200
CONSULTANT SERVICES FOR ANNEXATION REPORTS

Criterion	Weight Points	
Qualifications	15.00	Qualifications of professional personnel assigned to project 1. Qualifications and experience of assigned staff
Experience	15.00	Experience and success in providing services outlined in the RFP to companies and governmental agencies. 1. Evaluation of Reference Information – Tab 7 – Section 3.2.8.
Resources and Approach	20.00	1. Proposed plan and approach to fulfilling scope
Experience with City of Opaloka Annexation Report	20.00	Documented Reports
	30.00	Fees and Other Charges
Total	100.00	

EVALUATION FORM

RFP NO: 24-1023200
CONSULTANT SERVICES FOR ANNEXATION REPORTS

By signing this form as an Evaluator, I certify that I have no conflict of interest.

Reviewer Name: R. ANASTAS Date: 11-8-24
Signature: R. Anastas

Firm Name: E.L. Waters and Company, LLC

Evaluation		Notes:
Criterion	Rating	
Qualifications	15	Very experienced and was the author of the original annexation. Didn't delineate the time line and effort required for AEB versus the new area Total price is \$85,000 for those areas vs. budget of \$25,000
Experience	15	
Resources and Approach	10	
Experience with City of Opelika Annexation Report	20	
Price Proposal	20	
Total	0.00	

EVALUATION FORM

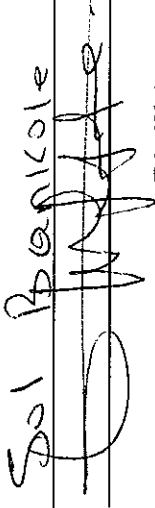
RFP NO: 24-1023200
CONSULTANT SERVICES FOR ANNEXATION REPORTS

By signing this form as an Evaluator, I certify that I have no conflict of interest.

Reviewer Name:

Sol Bankole

Signature:



Firm Name:

E.L. Waters and Company, LLC

Date:

11/08/2024

Evaluation

Notes:

Consultant meets all
Criteria that is required
to perform this Project.

Criterion	Rating
Qualifications	15
Experience	15
Resources and Approach	20
Experience with City of Opa- locka Annexation Report	15
Price Proposal	20

Total

0.00
85

EVALUATION FORM

RFP NO: 24-1023200
CONSULTANT SERVICES FOR ANNEXATION REPORTS

By signing this form as an Evaluator, I certify that I have no conflict of interest.

Reviewer Name: GERALD LEE Date: 11/8/24

Signature: [Signature]

Firm Name: E.L. Waters and Company, LLC

Evaluation

Notes:

Participated in previous Annexation Submission; Experienced Planning Firm;

Criterion	Rating
Qualifications	12.00
Experience	13.00
Resources and Approach	15.00
Experience with City of Opelika Annexation Report	16.00
Price Proposal	20.00
Total	0.00

CITY OF OPA-LOCKA



RFP NO: 24-1023200 CONSULTANT SERVICES FOR ANNEXATION REPORTS

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I. Proposal Guidelines

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- b. Proposal Submission
- c. Cone of Silence
- d. Calendar Events/Important Dates

II. Nature of Services Required

- a. Purpose
- b. Scope of Work
- c. Contents of Proposal

III. General Requirements

- a. Rules for Proposal
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IV. Evaluation and Selection Process

- a. Review of Proposals
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V. Attachments

- a. PROPOSER QUALIFICATIONS
- b. PRICE PROPOSAL FORM
- c. CERTIFICATION REGARDING DEBARMENT
- d. DRUG-FREE WORKPLACE
- e. NON-COLLUSION AFFIDAVIT
- f. NON-DISCRIMINATION AFFIDAVIT
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- h. ANTI-KICKBACK AFFIDAVIT

ADVERTISEMENT



RFP 24-1023200

CONSULTANT SERVICES FOR ANNEXATION REPORTS

The sealed proposal for Consultant Services for Annexation Reports for the City of Opa-locka will be received by the City's Clerk Office, 780 Fisherman St, 4th Floor, Opa-locka, Florida 33054, **Wednesday, October 23, 2024, by 2:00 p.m.** Any RFP Package received after the designated closing time will be returned unopened. The City will accept proposals by mail; however, the proposal must be received by 2:00 p.m. ET on the due date. In addition, the proposal may be submitted via www.demandstar.com (e-bid) by 2:00 p.m. ET.

The address to submit sealed proposal is listed below:

CITY OF OPA-LOCKA
Office of the City Clerk
780 Fisherman Street, 4th Floor
Opa-locka, Florida 33054

An original and six (6) copies for a total of seven (7) plus 1 copy of the Proposal package on USB Flash Drive in PDF format shall be submitted in sealed envelopes/packages addressed to the City Clerk, City of Opa-locka, Florida, and marked **RFP 24-1023200 CONSULTANT SERVICES FOR ANNEXATION REPORTS**.

Proposers desiring information for use in preparing proposals may obtain a set of such documents by visiting the City's website at www.opalockafl.gov or www.demandstar.com.

The City reserves the right to accept or reject any and all proposals and to waive any technicalities or irregularities therein. The City further reserves the right to award the contract to that proposer whose proposal best complies with the **RFP NO: 241023200** requirements.

Joanna Flores
City Clerk

PART I
PROPOSAL GUIDELINES

1-1. Introduction: The City of Opa-locka seeks proposals for Consultant Services for Annexation Reports. These services must be efficient, and economical, and adhere to industry standards and best practices. The Contract will be awarded to the highest ranked Proposer, as described in the Evaluation Procedures Section below.

1-2. Proposal Submission and Withdrawal: The City of Opa-locka will be accepting proposals by mail. However, it is Proposer's responsibility to submit Proposer's proposal by the due date. In addition, proposals may be submitted via www.demandstar.com (e-bid). The City must receive all proposals by 2:00 p.m. ET on 10/23/2024. The address to submit sealed proposals is listed below:

CITY OF OPA-LOCKA
Office of the City Clerk
780 Fisherman Street, 4th Floor
Opa-locka, Florida 33054

To facilitate processing, please clearly mark the outside of the proposal package as follows: **RFP NO. 24-1023200 CONSULTANT SERVICES FOR ANNEXATION REPORTS**

This package shall also include the Proposer's return address. Proposers may withdraw their proposals by notifying the City in writing at any time prior to the deadline for proposal submittal. After the deadline, the proposal will constitute an irrevocable offer, for a period of 90 days. Once opened, proposals become a record of the City and will not be returned to the Proposer.

The City cautions Proposers to ensure actual delivery of mailed or hand-delivered proposals directly to the City Clerk's Office at 780 Fisherman Street, 4th Floor, Opa-locka, Florida 33054 prior to the deadline set for receiving proposals. Telephone confirmation of timely receipt of the proposal may be made by calling (305) 688-4611 option 1 before proposal closing time. Any proposal received after the established deadline **will not** be considered and will be returned unopened to the Proposer(s).

1-3. Number of Copies: Proposers shall submit an **original and six (6) copies (a total of 7) plus one copy on USB flash drive in PDF format** of the proposal in a sealed, opaque package marked as noted above. The Proposer will be responsible for timely delivery, whether by personal delivery, US Mail or any other delivery medium.

1-4. Development Costs: Neither the City nor its representatives shall be liable for any expenses incurred in connection with the preparation of a response to this Request for Proposal. Proposers should prepare their proposals simply and economically, providing a straightforward and concise description of the Proposer's ability to meet the requirements of the RFP.

1-5. Inquiries: The City Clerk will receive written requests for clarification concerning the meaning or interpretations of the RFP until eight (8) days before the submittal date. City personnel are authorized only to direct the attention of prospective Proposers to various portions of the RFP so that they may read and interpret such for themselves. The City's Procurement Officer is authorized to interpret any portion of this RFP or give information as

to the requirements of the RFP in addition to what is contained in the written RFP document.

1-6. Addendum: The City may record its response to inquiries and any supplemental instructions as a written addendum. The City may post written addenda on its website up to three (3) calendar days before the date fixed for receiving the proposals. Proposers shall contact the City to ascertain whether any addenda have been issued. Failure to do so could result in an unresponsive proposal. Any oral explanation given before the RFP opening will not be binding.

All Proposers are expected to carefully examine the proposal documents. Any ambiguities or inconsistencies should be brought to the attention of the City's Procurement Officer through written communication prior to the opening of the proposals.

1-7. Contract Awards: The City anticipates entering into an Agreement with the Proposer who submits the proposal judged by the City to be most advantageous.

The Proposer understands that this RFP does not constitute an offer or an Agreement with the Proposer. An offer or Agreement shall not be deemed to exist and is not binding until proposals are reviewed, accepted by appointed staff, the best proposal has been identified, approved by the appropriate level of authority within the City and executed by all parties. The City reserves the right to reject all proposals, to abandon the project and/or to solicit and re-advertise other proposals.

1-8. Contractual Agreement: This RFP and Contractor proposal shall be included and incorporated in the final award. The order of contractual precedence will be the Contract or Agreement document, original Terms and Conditions, and Proposer response. All legal action necessary to enforce the award will be held in Miami-Dade County and the contractual obligations will be interpreted according to the laws of Florida. **Any additional contract or agreement requested for consideration by the Proposer must be attached and enclosed as part of the proposal.**

1-9. Selection Process: The proposals will be evaluated and assigned points. The Proposer with the highest number of points will be ranked first; however, nothing herein will prevent the City from assigning work to any firm deemed responsive and responsible.

1-10. Public Records: Upon award recommendation or ten (10) days after opening, whichever occurs first, proposals become "public records" and shall be subject to public disclosure consistent with Chapter 119 Florida Statutes. Proposers must invoke exemptions to disclosure provided by law in the response to the RFP and must identify the data or other materials to be protected and must state the reasons why such exclusion from public disclosure is necessary. Document files may be examined during normal working hours.

1-11. News Releases: The Proposer shall obtain the prior approval of the City Manager's Office for all news releases or other publicity pertaining to this RFP or the service, study, or project to which it relates.

1-12. Insurance: The awarded Proposer(s) shall maintain insurance coverage reflecting at least the minimum amounts and conditions specified herein. In the event the Proposer is a governmental entity or a self-insured organization, different insurance requirements may

apply. Misrepresentation of any material fact, whether intentional or not, regarding the Proposers' insurance coverage, policies or capabilities may be grounds for rejection of the proposal and rescission of any ensuing Agreement.

1. Evidence of General Liability coverage with limits not less than \$1,000,000 per Occurrence/ \$2,000,000 Aggregate (Including Policy Number and Policy Period);
2. Evidence of Auto Liability coverage with limits not less than \$1,000,000 per Occurrence/\$1,000,000 Aggregate (Including Policy Number and Policy Period);
3. Evidence of Workers' Compensation coverage with statutory limits and Employer's Liability coverage with limits not less than \$100,000 (Including Policy Number and Policy Period);
4. The City listed as an additional insured (this may be specifically limited to the specific job(s) the contractor will be performing);
5. Minimum 30-day written notice of cancellation.

1-13. Licenses: Proposers, both corporate and individual, must be fully licensed and certified in the State of Florida at the time of RFP submittal. The proposal of any Proposer that is not fully licensed and certified shall be rejected.

1-14. Public Entity Crimes: Award will not be made to any person or affiliate identified on the Department of Management Services' "Convicted Vendor List". This list is defined as consisting of persons and affiliates who are disqualified from public contracting and purchasing processes because they have been found guilty of a public entity crime. No public entity shall award any contract to or transact any business in excess of the threshold amount provided in Section 287.017 Florida Statutes for Category Two (currently \$35,000) with any person or affiliated on the "Convicted Vendor List" for a period of thirty-six (36) months from the date that person or affiliate was placed on the "Convicted Vendor List" unless that person or affiliate has been removed from the list. By signing and submitting the RFP proposal forms, Proposer attests that it has not been placed on the "Convicted Vendor List".

1-15. Code Of Ethics: If any Proposer violates or is a party to a violation of the code of ethics of the City of Opa-locka or the State of Florida with respect to this proposal, such Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and may be further disqualified from submitting any future proposals for work, goods or services for the City of Opa-locka.

1-16. Drug-Free Workplace: Preference shall be given to businesses with Drug-Free Workplace (DFW) programs. Whenever two or more proposals which are equal with respect to price, quality, and service are received by the City for the procurement of commodities or contractual services, a proposal received from a business that completes the attached DFW form certifying that it is a DFW shall be given preference in the award process.

1-17. Permits and Taxes: The Proposer shall procure all permits, pay all charges, fees, and taxes, and give all notices necessary and incidental to the due and lawful execution of the work.

~~**1-18. Protests:** Protests of the plans, specifications, and other requirements of the request for~~

proposal and bids must be received in writing by the City Clerk's Office within at least ten (10) working days after the scheduled bid opening. A detailed explanation of the reason for the protest must be included. Protests of the award or intended award of the bid or contract must be in writing and received in the City Clerk's Office within seven (7) working days of the notice of award. A detailed explanation of the protest must be included.

1-19. Termination for Convenience: A contract may be terminated in whole or in part by the City at any time and for any reason in accordance with this clause whenever the City determines that such termination is in the best interest of the City. Any such termination shall be initiated by the delivery to the contractor at least five (5) working days before the effective date of a Notice of Termination specifying the extent to which performance shall be terminated and the date upon which termination becomes effective. An equitable adjustment in the contract price shall be made for the completed service, but no amount shall be allowed for anticipated profit on unperformed services.

CONE OF SILENCE

This solicitation is subject to a Cone of Silence pursuant to Section 2-320.2 of the City of Opa-Locka's Code of Ordinances.

A cone of silence shall be applicable to all city staff, the mayor and city commission and its staff, the city attorney and his/ her staff, the city clerk and his/ her staff regarding any communication relating to requests for proposal (RFP), requests for qualification (RFQ), invitations to bid (ITB), request for letters of interest (RFLI), or any other advertised solicitations for the provision of goods and services, professional services, and public works or improvements.

CALENDAR EVENTS

EVENT	DATE/LOCATION	
Release Date	9/18/24	
Pre-Bid Meeting	TBA	
Written Questions Due	10/02/2024 @ 5:00pm Email questions to jbergel@opalockafl.gov With Subject line "RFP No: Bid Questions"	
Response to Questions	10/09/2024 @ 5:00pm	
Due Date/Bid Opening	10/23/2024 @ 2:00 pm	
1st Evaluation Committee Meeting	TBA	
Award Recommendation	TBA	
Commission Approval	TBA	
Post Award	TBA	

PART II SCOPE OF SERVICES

CONSULTANT SERVICES FOR ANNEXATION REPORTS

The following Scope of Services details the steps by which the consultant shall assist the City in the development and approval of its annexation applications.

The scope of this project is to review, compile new data and prepare an update of the 2013 Annexation Reports for areas A and B to be submitted to the City of Opa-Lock. These Reports shall be in conformance with the requirements of *Section 20-3. Initiated by governing body of municipality* Code of Miami-Dade County.

The City will provide the following documents, if available: the City's Comprehensive Plan; the Future Land Use Plan Map, Existing Land Use Map, Zoning Map, and other available maps; the most current inventory of existing land uses in the City, broken out by type and acreage; the adopted budget for the current fiscal year, and Five- and Ten-Year Capital Improvements Plan; other relevant special studies or plans, and; other readily available materials that document and allow a detailed financial analysis of the City. To the extent that such documents and maps are available electronically and in editable versions, electronic copies will be provided.

Task 1 – Issue Identification and Collection of Data

Data requests will be made to facilitate the completion of the Report. All pertinent documentation from the incorporation process, including all interlocal agreements, fiscal impacts analyses and incorporation reports, will be reviewed and assessed. This will include data on services to be provided by the City. As required, meetings with City staff will be initiated to garner additional information. Meetings with property owners and adjacent municipalities will be held as deemed necessary by the City.

Task 2 – Review and Evaluation of Data

The consultant will update existing parcel data. This includes gathering data on land use amendments, rezonings, new development and development potential for the four annexation areas. Additionally, data on the following services will be gathered: Police, Fire Protection, Water Supply and Distribution, Facilities for Collection and Treatment of Sewage, Garbage and Refuse Collection and Disposal, Street Lighting, Street Construction and Maintenance, Park and Recreation Facilities and Services, Building Inspection, Zoning Administration, Local Planning Services, Special Services Not Listed Above, General Government. The tax load for the proposed annexation areas will also be calculated.

Task 3 – Develop and Prepare Draft Reports for City

Draft Reports will be developed and delivered to the City for review and comment.

Deliverable – 10 copies of draft reports and 1 electronic copy

Task 4 – Final Reports Submittal to City

Final Reports will be submitted to the City and presentations made to the City Commission will be made, if required.

Deliverable – 10 copies of final reports and 1 electronic copy

Task 5 – Filing of Applications to Miami-Dade County

The required applications and Annexation Reports will be filed with Miami-Dade County.

Deliverable – 3 copies each of applications and reports

Task 6 – Facilitation of County Review Process

BDPG will coordinate, facilitate and negotiate with County staff in order to meet any additional benchmarks set by the County to obtain authorization to proceed by the City Commission.

Task 7 – Miami-Dade County Annexation Review Process

Continue negotiations and attend and represent the City at all Boards, sub-committees of the Commission and Commission hearings related to said Annexation Application.

Task 8 – Documented City of Opa-locka Annexation Report

Provide documentation of prior exposure to the City's Annexation report (If Applicable).

Total Cost of Agreement –

For Area A, consisting of 56 acres: Updates needed: Maps, verification letter from County, review of acreages, tax rolls, department estimates

For Area B, consisting of 822 acres: Updates needed: Map, land use analysis updates in relation to County North Corridor and RTZ (requires new section write-ups), verification letter from County, review of acreages, tax rolls processing, department estimates.

For Area C: The Professional consultant with qualified experience will provide an in-depth and comprehensive analysis for -AREA C- with the composite description of:

An area bounded by South Boundary of Opa-locka to the North, Hialeah Boundary to the West along NW 37th Avenue, the North Miami, EL Portal, and Miami Shores Boundaries to the East. And the City of Miami Boundaries to the South, and to identify other unincorporated portions of Miami-Dade County that border the City of Opa-locka for potential future annexation.

PART III PROPOSAL REQUIREMENTS

3-1 RULES FOR PROPOSALS

In order to maintain comparability and enhance the review process, proposals shall be organized in the manner specified below and include all information required herein. The proposal must name all persons or entities interested in the proposal as principals. The proposal must declare that it is made without collusion with any other person or entity submitting a proposal pursuant to this RFP.

3-2 MINIMUM SUBMISSION REQUIREMENTS

The proposal shall be submitted on 8 ½ "x 11" paper, portrait orientation, with headings and sections numbered appropriately. Ensure that all information is written legibly or typed. The following should be submitted for a proposing firm to be considered:

3.2.1 Cover Page - Show the name of Proposer's agency/firm, address, telephone number, name of contact person, date, and the proposal number and description.

3.2.2 Tab 1 - Table of Contents

Include a clear identification of the material by section and by page number.

3.2.3 Tab 2 - Letter of Transmittal

3.2.3.1 Limit to one or two pages.

3.2.3.2 Briefly state the Proposer's understanding of the work to be done and make a positive commitment to perform the work.

3.2.3.3 Give the names of the persons who will be authorized to make representations for the Proposer, their titles, addresses and telephone numbers.

3.2.3.4 Provide an official signature of a Corporate Officer certifying the contents of the Proposer's responses to the City's Request for Proposal.

3.2.4 Tab 3 - General Information

3.2.4.1 Name of Business.

3.2.4.2 Mailing Address and Phone Number.

3.2.4.3 Names and contact information of persons to be contacted for information or services if different from name of person in charge.

3.2.4.4 Normal business hours.

3.2.4.5 State if business is local, national, or international and indicate the business legal status (corporation, partnership, etc.).

3.2.4.6 Give the date business was organized and/or incorporated, and where.

3.2.4.7 Give the location of the office from which the work is to be done and the number of professional staff employees at that office.

3.2.4.8 Indicate whether the business is a parent or subsidiary in a group of firms/agencies. If it is, please state the name of the parent company.

3.2.4.9 State if the business is licensed, permitted and/or certified to do business in the State of Florida and attach copies of all such licenses issued to the business entity.

3.2.5 Tab 4 – Project Approach

Describe in detail the proposal to fulfill the requirements of the scope of services listed in Part II of this RFP.

3.2.6 Tab 5 – Experience and Qualifications

3.2.6.1 Specify the number of years the Proposer has been in business.

3.2.6.2 Identify the Proposer's qualifications to perform the services identified in this RFP.

3.2.7 Tab 6 – Schedule

3.2.7.1 Include a timetable that identifies the amount of time required to complete each component of the Program.

3.2.7.2 Indicate the earliest available start date for Proposer's project team.

3.2.7.3 Indicate the project completion date based on the date provided in 3.2.7.1.

3.2.8 Tab 7 – Pricing of Services

3.2.8.1 The fee basis should be based on the Pricing Proposal

3.2.9 Tab 8 – References

3.2.9.1 List a minimum of three (3) references in Florida for which the Proposer has provided Vulnerability Assessment, Adaptions and Resiliency Plan Services. Include the name of the organization, brief description of the project, name of contact person telephone number and email address.

3.2.10 Tab 9 – Additional Forms

Proposers must complete and submit as part of its Proposal all the following forms and/or documents.

- Proposer Qualifications
- Certification regarding debarment and suspension
- Drug Free workplace certification
- Non-Collusion Affidavit
- Non-Discrimination Affidavit
- E-Verification

FAILURE TO SUBMIT ALL OF THE ABOVE REQUIRED DOCUMENTATION MAY DISQUALIFY THE PROPOSER.

PART IV EVALUATION OF PROPOSALS

4-1 SELECTION COMMITTEE

A Selection Committee, consisting of City personnel, will convene, review, and discuss all proposals submitted. The Selection Committee will use a point formula during the review process to score proposals and assign points in the evaluation process in accordance with the evaluation criteria. The Proposer shall satisfy and explicitly respond to all the requirements of the RFP, including a detailed explanation of how the services shall be performed.

Each proposal will be reviewed to determine if the Proposal is responsive to the submission requirements outlined in the Solicitation. A responsive Proposal is one which follows the requirements of this Solicitation that includes all documents submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the Proposal being deemed non-responsive. The Contract (s) will be awarded to the most responsive Proposer whose Proposal best serves the interest of and represents the best value to the City of Opa-locka.

4-2 EVALUATION CRITERIA

The Committee may select and choose to invite any and/or or all firms to make presentations and be interviewed by the Committee as part of the evaluation process for this Solicitation. The Committee's decision will be communicated by staff to all Proposers. The Proposer's presentation may clarify but may not modify their submitted Proposal. Any discussion between the presenter and Evaluation Committee during presentations is intended only for purposes of providing clarification in response to questions from the Committee.

4-3 ORAL PRESENTATIONS

Proposers may be required to make individual presentations to the City Selection Committee to clarify their proposals. Only those firms with the highest rated scores in accordance with the stated criteria and their weights will be invited to give oral presentations. However, the City has the right to accept the best proposal as submitted, without discussion or negotiation.

If the City determines that such presentations are needed, a time and place will be scheduled for oral presentations. Each Proposer shall be prepared to discuss and substantiate any of the areas of the proposal submitted, and its qualifications to perform the specified services. During the oral presentations, the Proposers should relate their discussion to the evaluation criteria, which will include (but not be limited to) their approach to the project. The proposed Project Manager must be in attendance.

The Evaluation Criteria may be changed for the oral presentation evaluation phase. References and site visits (if completed) shall be included in the final evaluation criteria, along with other criteria and weights as determined by the Selection Committee. Finalists will be informed as to the revised criteria, if any, prior to their oral presentation.

Additionally, prior to award of an Agreement pursuant to this RFP, the City may require Proposers to submit such additional information bearing upon the Proposer's ability to perform the services in the Agreement as the City deems appropriate.

4-4 FINAL SELECTION

The City of Opa-locka will select the firm that meets the best interests of the City. The City shall be the sole judge of its own best interests, the proposals, and the resulting negotiated Agreement. The City's decisions will be final. Following the selection of firm, the expectation is that an Agreement will be executed between both parties. City staff will recommend the award to the responsible Proposer whose Proposal is determined to provide overall best value to the City, considering the evaluation factors in this RFP.

4-5 AWARD AND CONTRACT EXECUTION

After review by the Selection Committee of the proposals and oral presentations a recommendation will be made to the City Manager for submission to the City Commission for final approval. Upon Commission authorization, contract negotiations will be initiated with the first ranked firm. If those negotiations are unsuccessful, the City will formally terminate negotiations with the first ranked firm and will commence contract negotiations with the next ranked firm, etc. Upon successful contract negotiations with the prevailing firm, the remaining firms will be notified that the process has been completed and that they were not selected.

Category	Points
Qualifications of professional personnel assigned to project. 1. Qualifications and experience of assigned staff	15
Experience and success in providing services outlined in the RFP to companies and governmental agencies. 1. Evaluation of Reference Information – Tab 7 – Section 3.2.8.	15
Resources and approach 1. Proposed plan and approach to fulfilling scope	20
Consultants prior experience with conducting City of Opa-locka Annexation Report 1. Documentation	20
Price Proposal – 1. Fees and Other Charges	30
TOTAL	100

COST PROPOSAL SHEET

Please make sure that the cost proposal includes all fixed fees, deliverables, and any other related costs that may arise if the contract is awarded to the contractor. Additionally, all project management and subcontracting expenses should be detailed in the cost proposal using the provided format.

Item Line Description	Lump Sum Cost/ Service Fee	Total Cost
Area A, consisting of 56 acres		
TOTAL	0	0

Item Line Description	Lump Sum Cost/ Service Fee	Total Cost
Area B, consisting of 822 acres		
TOTAL	0	0

Item Line Description	Lump Sum Cost/ Service Fee	Total Cost
Area C		
TOTAL	0	0

PROPOSER QUALIFICATIONS

The Proposer MUST hold a County and/or Municipal Contractor's Occupational License in the area of their fixed business location. The following information MUST be completed and submitted with the proposal to be considered:

1. Legal Name and Address:

Name: _____

Address: _____

City, State, Zip: _____ Phone/Fax: _____

2. Check One: Corporation () Partnership () Individual ()

3. If Corporation, indicate:

Date of Incorporation: _____ State in which Incorporated: _____

4. If an out-of-state Corporation, currently authorized to do business in Florida, give date of such authorization: _____

5. Name and Title of Principal Officers Date Elected:

_____	_____
_____	_____
_____	_____
_____	_____

6. The length of time in business: _____ years

7. The length of time (continuous) in business as a service organization in Florida:
_____ years

8. Provide a list of at least three commercial or government references that the bidder has supplied service/commodities meeting the requirements of the City of Opa-locka RFP during the last twenty-four months.

9. A copy of County and/or Municipal Occupational License(s)

Note: Information requested herein and submitted by the Proposers will be analyzed by the City of Opa-locka and will be a factor considered in awarding any resulting contract. The purpose is to ensure that the Contractors, in the sole opinion of the City of Opa-locka, can sufficiently and efficiently perform all the required services in a timely and satisfactory manner as will be required by the subject contract. If there are any terms and/or conditions that are in conflict, the most stringent requirement shall apply.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION
PROPOSED DEBARMENT AND OTHER MATTERS OF
RESPONSIBILITY**

1. The Proposer certifies, to the best of its knowledge and belief, that the Proposer and/or any of its Principals:

A. Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency.

B. Have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

C. Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph 1-B of this provision.

2. The Proposer has not, within the three-year period preceding this offer, had one or more contracts terminated for default by any City, State or Federal agency.

A. "Principals," for the purposes of this certification, means officers; directors; owners; partners; and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions). This Certification Concerns a Matter Within the Jurisdiction of an Agency of the United States and the Making of a False, Fictitious, or Fraudulent Certification May Render the Maker Subject to Prosecution Under Section 1001, Title 18, United States Code.

B. The Proposer shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Proposer learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

C. A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Proposer's responsibility. The failure of the Proposer to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Proposer non-responsive.

D. Nothing contained in the foregoing shall be construed to require the establishment of a system of records to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of a Proposer is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

E. The certification in paragraph 1(a) of this provision is a material representation of the fact upon which reliance was placed when making an award. If it is later determined that the Proposer knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

AS THE PERSON AUTHORIZED TO SIGN THE STATEMENT, I CERTIFY THAT THIS FIRM COMPLIES FULLY WITH THE ABOVE REQUIREMENTS.

Signature_____

Printed Name _____

CITY OF OPA-LOCKA
DRUG-FREE WORKPLACE CERTIFICATION FORM

Whenever two (2) or more bids/proposals, which are equal with respect to price, quality, and service, are received by the City of Opa-locka for the procurement of commodities or contractual services, a bid/proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. To have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
4. In the statement specified in number (1), notify the employees that as a condition for working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction on or plea of guilty or no contest to any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any singular state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of Section 287.087, Florida Statutes.

This Certification is submitted by _____

(Name)

the _____ of _____

(Title/Position)

(Company)

who does hereby certify that said Company has implemented a drug-free workplace program, which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

Date

Signature

**CITY OF OPA-LOCKA NON-COLLUSION AFFIDAVIT
STATE OF FLORIDA - COUNTY OF MIAMI DADE**

- (1) He/She/They is/are the
(Owner, Partner, Officer, Representative or Agent) of
- the Proposer that has submitted the attached
proposal.
- (2) He/She/They is/are fully informed respecting the preparation and contents of the
attached Proposal and of all pertinent circumstances respecting such Proposal.
- (3) Such Proposal is genuine and is not a collusive or sham Proposal.
- (4) Neither the said Proposer nor any of its officers, partners, owners, agents,
representatives, employees or parties in interest, including this affiant, have in any
way colluded, conspired, connived or agreed, directly or indirectly, with any other
Proposer, firm, or person to submit a collusive or sham Proposal in connection with the
Work for which the attached Proposal has been submitted; or to refrain from
Proposing in connection with such Work; or have in any manner, directly or indirectly,
sought by agreement or collusion, or communication, or conference with any Proposer,
firm, or person to fix any overhead, profit, or cost elements of the Proposal or of any
other Proposer, or to fix any overhead, profit, or cost elements of the Proposed Price or
the Proposed Price of any other Proposer, or to secure through any collusion, conspiracy,
connivance, or unlawful agreement any advantage against (Recipient), or any person
interested in the proposed Work;
- (5) The price or prices quoted in the attached Proposal are fair and proper and are not
tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of
the Proposer or any other of its agents, representatives, owners, employees, or parties of
interest, including this affiant.

Signed, sealed, and delivered in the presence of:

Witness

By: _____
Signature

Witness

Print Name and Title

NON-DISCRIMINATION AFFIDAVIT

I, the undersigned, hereby duly sworn, depose and say that the organization, business, or entity represented herein shall not discriminate against any person in its operations, activities, or delivery of services under any agreement it enters with the City of Opa-locka. The same shall affirmatively comply with all applicable provisions of federal, state, and local equal employment laws and shall not engage in or commit any discriminatory practice against any person based on race, age, religion, color, gender, sexual orientation, national origin, marital status, physical or mental disability, political affiliation or any other factor which cannot be lawfully used as a basis for service delivery.

By:_____

Title:_____

Sworn and subscribed before this

_____ day of_, 20____

Notary Public, State of Florida

(Printed Name)

My commission expires:_____

E-VERIFY

Effective January 1, 2021, public and private employers, contractors, and subcontractors will be required to register with, and use the E-Verify system to verify the work authorization status of all newly hired employees. Vendor/Consultant/Contractor acknowledges and agrees to utilize the U.S. Department of Homeland Security's E-Verify System to verify the employment eligibility of:

- a) All persons employed by Vendor/Consultant/Contractor to perform employment duties within Florida during the term of the contract; and
- b) All persons (including sub-vendors/sub-consultants/sub-contractors) assigned by Vendor/Consultant/ Contractor to perform work pursuant to the contract with the Department. The Vendor /Consultant/ Contractor acknowledges and agrees that use of the U.S. Department of Homeland Security's E-Verify System during the term of the contract is a condition of the contract with the City; and

By entering a Contract, the Contractor becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of this affidavit for the duration of the contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute, the subcontract must be terminated immediately. If t contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination. The Contractor acknowledges it is liable to the City for any additional costs because of termination of the contract due to the Contractor's failure to comply with the provisions herein.

E-VERIFY FORM

Definitions:

“Contractor” means a person or entity that has entered or is attempting to enter a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration.

“Subcontractor” means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

Effective January 1, 2021, public and private employers, contractors, and subcontractors will begin the required registration with, and use of the E-Verify system to verify the work authorization status of all newly hired employees. Vendor/Consultant/Contractor acknowledges and agrees to utilize the U.S. Department of Homeland Security’s E-Verify System to verify the employment eligibility of:

- a) All persons employed by Vendor/Consultant/Contractor to perform employment duties within Florida during the term of the contract; and
- b) All persons (including sub-vendors/subconsultants/subcontractors) assigned by Vendor/Consultant/Contractor to perform work pursuant to the contract with the Department. The Vendor/Consultant/Contractor acknowledges and agrees that use of the U.S. Department of Homeland Security’s E-Verify System during the term of the contract is a condition of the contract with the City of Opa-locka; and

Should vendor become successful Contractor awarded for the above-named project, by entering this Contract, the Contractor becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of this affidavit for the duration of the contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute, the subcontract must be terminated immediately. If this contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination.

Company Name: _____

Authorized Signature: _____

Print Name: _____

Title: _____

Date: _____

ANTI-KICKBACK AFFIDAVIT

STATE OF FLORIDA)
) ss:
COUNTY OF MIAMI-DADE)

I, the undersigned, hereby duly sworn, depose and say that no portion of the sum herein proposed, or compensation that may be received as a result of this Proposal, will be paid to any employees of the City of Opa-Locka, its elected officials, and
- or its design consultants, as a commission, kickback, reward or gift, directly or indirectly by me or any member of my firm or by an officer of the corporation.

By: _____

Title: _____

Sworn and subscribed before me this

_____ day of _____, 20____

Notary Public
State of Florida at Large

My commission expires:

**FAILURE TO COMPLETE, SIGN AND RETURN THIS FORM
MAY DEEM YOUR PROPOSAL NON-RESPONSIVE**

Sponsored by: City Clerk

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, after several years, CivicPlus, LLC conducted a review of the City of Opa-Locka's ("City") Code of Ordinances; and

WHEREAS, the conducted review included updating past amended Ordinances for the purpose of the recodification; and

WHEREAS, all ordinances of a general and permanent nature enacted on or before April 10, 2024 have been reviewed by Civic Plus (Municode) and codified to align with the City's Code of Ordinances; and

WHEREAS, the City desires to incorporate the Land Development Regulations into the City's Code of Ordinances so that those provisions are searchable online; and

WHEREAS, the City Commission finds that it is in the best interest of the City and its residents to adopt and enact a new City Code of Ordinances, as provided herein, which can be found at <https://opalocka305-my.sharepoint.com/my?id=%2Fpersonal%2Fjflores%5Fopalockafl%5Fgov%2FDocuments%2FOpa%2Dlocka%20Code&ct=1742586776730&or=OWA%2DNT%2DMail&cid=94599db3%2De823%2D58c1%2D9994%2De9eeddf9e646&ga=1>.

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

SECTION 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated into this Ordinance by reference.

SECTION 2. The Code entitled "City of Opa-Locka, Florida Code of Ordinances" published by CivicPlus, LLC, consisting of chapters 1 through 23, each inclusive, is adopted.

SECTION 3. All ordinances of a general and permanent nature enacted on or before April 10, 2024, are hereby included in the Code or recognized and continued in force by reference therein, are repealed and replaced accordingly.

SECTION 4. The repeal provided for in Section 3 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

SECTION 5. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days, or by both such fine and imprisonment. Each day any violation of any provision of the Code shall continue shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

SECTION 6. Additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

SECTION 7. Ordinances adopted after April 10, 2024, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

SECTION 8. Severability. The provisions of this Ordinance are severable, and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 9. Conflict & Repealer. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 10. Inclusion In Code. It is the intention of the City Commission of the City of Opa-locka that the provisions of this Ordinance shall, at some time in the future, become and be made a part of the General Code of Ordinances of the City of Opa-locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed. The recodified code shall be viewed within the Office of the City Clerk for the City of Opa-Locka or may be viewed at https://opalocka305-my.sharepoint.com/personal/jflores_opalockafl_gov/_layouts/15/onedrive.aspx?ga=1&id=%2Fpersonal%2Fjflores%5Fopalockafl%5Fgov%2FDocuments%2FOpa%2Dlocka%20Code%2FOpa%2Dlocka%2C%20FL%20Recod%2Epdf&parent=%2Fpersonal%2Fjflores%5Fopalockafl%5Fgov%2FDocuments%2FOpa%2Dlocka%20Code.

SECTION 11. 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 without need of public hearing following review by the City Attorney, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 12. Effective Date. This ordinance shall become effective upon adoption by the City Commission and review by the Governor of the State of Florida or designee.

PASSED FIRST READING this __ day of _____ 2025.

PASSED SECOND READING this __ day of _____ 2025.

John Taylor, Mayor

ATTEST:

Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY AS TO FORM:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bass	_____
Commissioner Santiago	_____
Commissioner Ervin	_____
Vice Mayor Kelley	_____
Mayor Taylor	_____



City of Opa-locka Agenda Cover Memo

Department Director:	Joanna Flores		Department Director's Signature		
Interim City Manager:	Sha'mecca Lawson		ICM Signature:		
Commission Meeting Date:	3.26.2025	Item Type: (Enter X in box)	Resolution	Ordinance	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	2nd Reading
		X		Yes	No
				X	
Funding Source: <i>Account# :</i>	(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 Clerk		Department:	City Clerk	

Short Title:

AN ORDINANCE OF THE CITY COMMISSION ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF OPA-LOCKA.

Staff Summary:

Civic Plus conducted a rigorous review of the City's Code of Ordinances. The purpose of the recodification was to identify antiquated sections of the Code. It has been determined that there were several ordinances, amendments and repeals that were not included. All ordinances of a general and permanent nature enacted on or before April 10, 2024 were codified to align the City's Code. Ordinances adopted after April 10, 2024, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code. The Land Development Regulations will also be included in the Code for the first time in the City's history. Adoption of this ordinance will enable all re-codification to be published on the Municode website.

Financial Impact - This is an administrative action with no expense associated with it.

Proposed Action:

Staff recommends the City Commission approve the legislation adopting and enacting a new Code for the City.

Attachment:

Draft Ordinance

ORDINANCE NO. 2025-XX-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is incumbent upon the City to ensure that properties are constructed and maintained in accordance with the City's Code of Ordinance, the City's Zoning Regulations and other City Codes, including but not limited to Building Code and life safety requirements; and

WHEREAS, pursuant to the 7th Edition (2020) of the Florida Building Code, Building Volume permits the use of intermodal shipping containers as commercial buildings; and

WHEREAS, the Florida Building Code permits the use of Intermodal Shipping Containers (ISO) Repurposed as Buildings and Building Components; and

WHEREAS, the City desires to amend the Permitted Use Tables found in Sections 22-80, Permitted Use - Commercial; 22-81, Permitted Use-Industrial and 22-82, Permitted Use-Mixed Use & Civic District to allow the use of intermodal shipping containers as commercial buildings as a permitted use in the City; and

WHEREAS, City Staff has been informed that new and used containers are being repurposed at an increasing rate and that they are being repurposed and converted into Florida Building Code, Building occupancy uses, such as office uses and as a building material, the applications are diverse as is the extent to which the container is used as a structural building element; and

WHEREAS, the primary benefits of using containers are availability, safety and security, strength and durability, mobility, speed of construction and containers were manufactured to be stackable; and

WHEREAS, Miami-Dade County and other local municipalities have adopted regulations to be able to utilize containers as prescribed by the Florida Building Code and the purpose of this Ordinance to permit use of containers in commercial, industrial and civic zoning districts in accordance with the requirements of Miami-Dade County Code and Florida Building Code.

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

SECTION 1. ADOPTION OF REPRESENTATIONS.

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

SECTION 2. The City Commission of the City of Opa-Locka, Florida hereby amends Article I, Chapter 7 Section 7-1 of the Code of Ordinances to allow the use of intermodal shipping containers as permitted uses in Section 22-80, entitled Permitted Use Table - Commercial; Section 22-81, entitled Permitted Use Table - Industrial and Section 22-82, entitled Permitted Use Table - Mixed Use & Civic District, of the Land Development Regulations.

The City Commission of the City of Opa-locka hereby amends the City's Code of Ordinances, ARTICLE I, CHAPTER 7, SECTION 7-1, entitled "**LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS**" to state:

Sec. 7-1. - Florida Building Code applicable.

Pursuant to F.S. § 553.73, and the provisions of the Miami-Dade County Municipal Code, Chapter 8, the Florida Building Code, as amended from time to time, is hereby adopted as the building code of the city. The Florida Building Code includes the following four (4) volumes: Building, plumbing, mechanical, and fuel gas, and all appendices thereto, with the National Electrical Code adopted by reference. The Florida Building Code addresses container use as building structures for Commercial, Industrial and Mixed-Uses which was adopted by Miami-Dade County in Code of Ordinance Section 33-32. In the City of Opa-locka, this is applicable in Commercial, Industrial, Civic and Mixed-Use Zoning Districts.

SECTION 3. CONFLICT & REPEALER.

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

SECTION 4. SEVERABILITY.

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

SECTION 5. INCLUSION IN CODE.

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

SECTION 6. SCRIVENER' 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, and without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa- Locka on second reading.

PASSED FIRST READING this ____ day of _____ 2025.

PASSED SECOND READING this ____ day of _____ 2025.

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 Santiago	_____
Commissioner Ervin	_____
Vice-Mayor Kelley	_____
Mayor Taylor	_____



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory D. Gay		Department Director Signature:				
Interim City Manager:	Shamecca Lawson		ICM Signature:				
Commission Meeting Date:	January 22, 2025		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Resolution Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
				X			
			Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
		X		X		X	
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex: N/A See Financial Impact section below		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
				X			
ILA Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid#:				
	X						
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
	X						
Sponsor Name	Interim City Manager		Department: Planning & Community Development	City Manager			

Short Title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

It is incumbent upon the city to ensure that properties are constructed and maintained in accordance with the City's Code of Ordinance, the City's Zoning regulations and other City Codes, including but not limited to the Florida Building Code and life safety requirements. It has been brought to the City's

attention that, under the 7th Edition (2020) Florida Building Code, Building Volume permits the use of intermodal shipping containers as commercial and residential buildings. It has also been brought to the City's attention that, the Florida Building Code permits the use of ISO Intermodal Shipping Containers Repurposed as Buildings and Building Components. City Staff has been informed that new and used containers are being repurposed at an increasing rate and that they are being repurposed and converted into Florida Building Code, Residential and Florida Building Code, Building occupancy uses, such as office uses and as a building material, the applications are diverse as is the extent to which the container is used as a structural building element.

The primary benefits of using containers are availability, safety, security, strength and durability, mobility, speed of construction and containers were manufactured to be stackable. Miami-Dade County and other local municipalities have adopted regulations to be able to utilize containers as prescribed by the Florida Building Code and the purpose of this Ordinance to permit use of containers in residential, commercial, industrial and civic zoning districts in accordance with the requirements of Miami-Dade County Code and the Florida Building Code.

This amendment was presented to the Planning & Zoning Appeals Board on November 19, 2024 to consider this request and after presentation, discussion and review they recommended approval by a 4-0 vote.

Financial Impact: Approval of this legislation poses no negative financial impact. Additionally, the City may generate increased revenue through business-related fees and permitting licenses.

Proposed Action:

PCD Staff recommends approval of this legislation.

Attachment:

Draft Ordinance
Section 7-1 Florida Building Code
Sec 33-32 Use of Metal Containers for Buildings & Additions
PZAB Meeting Minutes 11-19-24
Two Story Duplex Example Pics
PowerPoint Presentation – Container Use in Commercial-Residential Districts



CITY OF OPA-LOCKA, FLORIDA

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on Wednesday, February 12, 2025 at 7:00 p.m., in the City Commission Chambers at the Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES / PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ADOPT A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS, ORDINANCE 15-31, TO PERMIT CONSTRUCTION TRADES & EQUIPMENT/VEHICLE STORAGE; VEHICLE RECOVERY (REPOSSESSION) AND STORAGE; TOW TRUCK AND TOW VEHICLE STORAGE; SHIPPING CONTAINER STORAGE YARD; UTILITY VEHICLES & EQUIPMENT PARKING AND STORAGE USES IN THE I-4 ZONING DISTRICT; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 8, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, CONSIDERING APPROVAL FOR THE RENAMING OF THE CITY OF OPA-LOCKA POLICE DEPARTMENT, TO THE "OPA-LOCKA POLICE DEPARTMENT TIMOTHY HOLMES HEADQUARTERS"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 8, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE III, DIVISION 3, SECTION 2-132(A), ENTITLED "CALLING AND NOTICE"; ARTICLE VI, DIVISION 1, SECTION 2-316(3)(B), ENTITLED "ADMINISTRATIVE POLICIES; POWERS, DUTIES AND FUNCTIONS OF CITY MANAGER"; ARTICLE VI, DIVISION 1, SECTION 2-320.2(D)(1), ENTITLED "CONE OF SILENCE"; CHAPTER 8.5, SECTION 8.5-3(B), ENTITLED "RESOLUTION CALLING ELECTION REQUIRED; CONTENTS; PUBLICATION"; ARTICLE V, SECTION 13-102(A), ENTITLED "SALE OF SEIZED MACHINE; DISPOSITION OF MONIES"; ARTICLE III, SECTION 19-29(B), ENTITLED "PUBLIC HEARING AND NAMING BY CITY COMMISSION; REFERENDUM"; ARTICLE III, DIVISION 1, SECTION 21-110(F), ENTITLED "EXCEPTION FOR INTERIM PACKAGE TREATMENT FACILITIES", TO ELIMINATE THE REQUIREMENT FOR NEWSPAPER PUBLICATION; PROVIDING FOR SEVERABILITY, CONFLICT AND REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 8, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 OF THE LAND DEVELOPMENT REGULATIONS, ARTICLE IV, SECTION 22-101 (O), RELATED TO THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT (HDOD) TO INCREASE THE MAXIMUM BUILDING HEIGHTS TO NO HIGHER THAN 105 FEET AND TEN STORIES TO COMPLY WITH FEDERAL AVIATION ADMINISTRATION REGULATIONS, PART 77 TO ENSURE SAFETY AND LIVABILITY; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025).

All interested persons are encouraged to participate and will be heard with respect to the public hearings.

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on the scheduled meeting date.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

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

Joanna Flores, CMC
City Clerk
City of Opa-locka

LEGAL NOTICE



NOTICE IS HEREBY GIVEN that on Wednesday, FEBRUARY 12TH, 2025 at 6:00 PM., the City of Hialeah planning and zoning board will hold A Public Hearing in the Council Chambers of City Hall, 3rd Floor, 501 Palm Avenue.

THE PLANNING AND ZONING BOARD WILL CONSIDER THE FOLLOWING REQUESTS:

Petition to close, vacate, and abandon for public use the western portion of the 10-foot utility easement running east and west through portions of lots 5, 6, 7, 8, 9, 10, 11, 20, 21, 22, 23, 24, 25, and 26 of Block 100B of Hialeah 13th Addition as Amended in Plat Book 51 Page 68 of the Public Record of Miami-Dade County, Florida, encompassing approximately 2,804 square feet, more or less, contingent to relocation agreements with the City of Hialeah Public Works, FPL, AT&T, Florida City Gas, and Comcast.

Closing, vacating, and abandoning for public use a portion of the right-of-way located on East 27th Street, east of East 11th Avenue and west of the railroad tracks.

Rezoning properties from R-1 (One-Family District), C-1 (Restricted Retail Commercial District), and C-2 (Liberal Retail Commercial District) to TOD (Transit-Oriented Development District). Properties are located at 2590 East 9th Avenue, 851 East 25th Street, 865 East 25th Street, 879 East 25th Street, 899 East 25th Street, 820 East 26th Street, 824 East 26th Street, 830 East 26th Street, 838 East 26th Street, 846 East 26th Street, 854 East 26th Street, 860 East 26th Street, 866 East 26th Street, 874 East 26th Street, 880 East 26th Street, and 890 East 26th Street, Hialeah, zoned R-1 (One-Family District), C-1 (Restricted Retail Commercial District), and C-2 (Liberal Retail Commercial District).

Rezoning properties from R-1 (One-Family District) and R-2 (One- and Two-Family Residential District) to R-3-3 (Multiple-Family District). Special Use Permit (SUP) to allow the expansion of the Neighborhood Business District (NBD) overlay in relation to a proposed development including 40 residential units. Variance permit to allow residential use only, where mixed use is required; allow 28 units (70%) with total area less than 700 square feet, where 700 square feet is required and only 25% of residential units may have a minimum area of 500 square feet; Variance to waive the building mass and building frontage development standards; allow front setback of 5 feet, where 10 feet built-to-line are required; allow rear setback of 5 feet, where 15 feet are required; allow 42 parking spaces, where 50 parking spaces are required, and allow 14.7% pervious area, where 30% pervious area is the minimum required. Properties are located at 4935 East 8th Avenue and 4955 East 8th Avenue, Hialeah, zoned R-1 (One-Family District) and R-2 (One- and Two-Family Residential District).

Rezoning properties from R-3 (Multiple-Family District) to R-3-3 (Multiple-Family District). Special Use Permit (SUP) to allow the expansion of the Neighborhood Business District (NBD) overlay in relation to a proposed development including 176 residential units; allow 80 units (45%) with total area less than 700 square feet, where 700 square feet is required and only 25% of residential units may have a minimum area of 500 square feet; Variance to waive the building mass and building frontage development standards; allow rear setback of 12.2 feet, where 15 feet are required, and allow 12.2% pervious area, where 30% pervious area is the minimum required. Properties are located at 1155 West 24th Street, 1165 West 24th Street, 1175 West 24th Street, 1150 West 25th Street, 1160 West 25th Street, 1170 West 25th Street, 2415 West 12th Avenue, 2435 West 12th Avenue, 2465 West 12th Avenue, and 2495 West 12th Avenue, Hialeah, zoned R-3 (Multiple-Family District).

Special Use Permit (SUP) to allow the expansion of the Neighborhood Business District (NBD) overlay in relation to a proposed development including 18 residential units; allow 12 units (67%) with a total area of less than 700 square feet, where 700 square feet is required and only 25% of residential units may have a minimum area of 500 square feet; Variance permit to allow front setback of 7.1 feet, where 10 feet are required; allow interior west side setback of 10 feet, where 15 feet required, and to allow 7% of pervious area, where 30% is the minimum required. Properties are located at 167 East 6th Street, and 175 East 6th Street, Hialeah, zoned CBD (Central Business District).

ALL RECOMMENDATIONS MADE AT THIS MEETING WILL BE PRESENTED FOR HEARING TO THE CITY COUNCIL AT ITS MEETING OF TUESDAY, FEBRUARY 25TH, 2025.

Written objections must be filed prior to hearing date with the Hialeah Planning Division, 501 Palm Avenue, Hialeah, Florida 33010. Oral objections will be heard at the hearing. For additional information, please call (305) 883-8075.

HIALEAH PLANNING DIVISION

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING, A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.

FROM PAGE 4NW

JOBS

data centers and cloud infrastructure services, inventory, monitoring and diagnosing operating systems, data storage, backups, restores, and business continuity services for disaster recovery.

Salary range:
\$113,341.07 to \$235,628.02
Deadline: 5 p.m. March 7, 2025

PROFESSIONAL SURVEYOR AND MAPPER

Description: Work involves responsibility for performing land surveys for the City of Miami or acting as consultant/adviser monitoring the work of private surveying and mapping companies under contract with the city.

Salary: \$81,013.50
Deadline: Continuously accepting applications

STRUCTURAL ENGINEER PLANS EXAMINER

Description: This position requires structural engineering analysis/review of buildings as mandated by the Florida Building Code. This is highly skilled



inspections, enforcement and supervisory work in the examination, review, analysis approval and/or disapproval of plans to ensure compliance with the Florida Building Code and other applicable codes and regulations as

it relates to building and/or structural plans examination.
Salary range:
\$103,396.18 to \$214,953.23
Deadline: Continuously accepting applications



REQUEST FOR QUALIFICATIONS (RFQ) # 2025-01
VILLAGE OF KEY BISCAINE
GRANT ADMINISTRATION SUPPORT SERVICES

Pre-Proposal Conference: MARCH 11, 2025, AT 10:00 AM
Proposal Deadline: APRIL 03, 2025, AT 11:30 AM

The Village of Key Biscayne invites solicitations from qualified firms, licensed in the State of Florida, to provide a proposal for Grant Administration Support Services. The Village of Key Biscayne encourages small and minority businesses, women's business enterprises, and labor surplus area firms to submit proposals.

Proposals must be submitted by the deadline date. Proposal packages will be available on the Village's website www.keybiscayne.fl.gov/procurement or on Demandstar. For further information contact: Procurement at procurement@keybiscayne.fl.gov



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on **Wednesday, MARCH 12TH, 2025 at 6:00 P.M.**, the City of **Hialeah Planning and Zoning Board** will hold A Public Hearing in the Council Chambers of City Hall, 3rd Floor, 501 Palm Avenue.

THE PLANNING AND ZONING BOARD WILL CONSIDER THE FOLLOWING REQUESTS:

Conditional Use Permit (CUP) to allow the expansion of an existing school with grades K-8th, and to allow an increase of students for a maximum population of 740 students. Properties are located at 369 East 10th Street and 1094 East 4th Avenue, Hialeah, zoned B-1 (Highly Restricted Retail District).

Conditional Use Permit (CUP) to allow a K-3rd grade elementary school with a maximum capacity of 26 students in conjunction with a 55-children daycare. Variance permit to allow 11 parking spaces, where 15 parking spaces are required.

ALL RECOMMENDATIONS MADE AT THIS MEETING WILL BE PRESENTED FOR HEARING TO THE **CITY COUNCIL** AT ITS MEETING OF **TUESDAY, MARCH 25TH, 2025.**

Written objections must be filed prior to hearing date with the **Hialeah Planning Division, 501 Palm Avenue, Hialeah, Florida 33010**. Oral objections will be heard at the hearing. For additional information, please call (305) 883-8075.

HIALEAH PLANNING DIVISION

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING, A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.



CITY OF OPA-LOCKA, FLORIDA

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, March 12, 2025 at 7:00 p.m.**, in the City Commission Chambers at the Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES / PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025). Deferred from 02/12/2025 RCM

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 14, OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14-13(1) AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT, FORECLOSURE PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

All interested persons are encouraged to participate and will be heard with respect to the public hearings.

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on the scheduled meeting date.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

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

Joanna Flores, CMC
City Clerk
City of Opa-locka

Two men charged with molesting a teen on a Royal Caribbean cruise bound for PortMiami

BY DAVID J. NEAL
dneal@miamiherald.com

Two men in their 30s are accused of raping a 14-year-old boy in a sauna on a Royal Caribbean cruise ship headed for PortMiami.

Ricardo Daniel Mondragon Leal, 37, Jose Juan Prudencio Diaz, 36, were arrested Friday, the day after the alleged sexual assault on the Independence of the Seas.

Mondragon and Prudencio

Diaz live in the same modern Mexico City apartment building, according to arrest reports from the Miami-Dade Sheriff's Office. As the criminal case finishes, they're both being held at the Miami-Dade Metro West Detention Center.

Mondragon was granted no bond on charges of sexual battery of a minor; lewd and lascivious exhibition by an adult on a minor under 16; and lewd and lascivious molestation on a child aged 12 to 16.

Diaz faces the same lewd and lascivious charges — no bond on those — and a charge of not informing another person in a sexual act of his HIV status. Each has pleaded not guilty to all charges.

As a result of their charges, both have holds for Immigration and Customs Enforcement placed on them.

The arrest paperwork reveals the 14-year-old was in the sauna on Thursday when Mondragon and Prudencio sexually abused the boy.

"We take these allegations very seriously and immediately notified local law enforcement," a Royal Caribbean Group spokesperson emailed. "As this is an ongoing investigation, we have nothing further to share at this time."

David J. Neal:
305-376-3559,
@DavidJNeal

MIAMI-DADE COUNTY

Public Notice

NOTICE OF SALE

Questions? Visit the People and Internal Operations Department Web Site at: <http://www.miamidade.gov/countystore/>
Miami-Dade County is conducting an online auction for various surplus items as listed below and which can be viewed at the following link: <http://www.govdeals.com/index.cfm?fa=Main.AdvSearchResultsNew&agency=7167>
The online auction will begin on April 4, 2025 until April 11, 2025

Miami-Dade County People and Internal Operations Department Surplus Equipment

The viewing times and locations of items are listed in each individual auction. Property may be inspected **BY APPOINTMENT ONLY**, or during the specified times listed on the respective auctions. Please call contact persons for appointment before attempting to inspect property. Please ensure that you have read and understand all the Terms & Conditions included with each item listing prior to placing a bid.

THE PROPERTY IS BEING SOLD "AS IS, WHERE IS" AND THERE IS NO GUARANTEE, WRITTEN, EXPRESS, IMPLIED OR OTHERWISE. BIDDERS ARE CAUTIONED TO INSPECT THE PROPERTY PRIOR TO SUBMITTING A BID. THERE WILL BE NO REFUNDS. MIAMI-DADE COUNTY MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO QUANTITY, KIND, CHARACTER, QUALITY, WEIGHT, SIZE, OR DESCRIPTION OF ANY OF THE PROPERTY, OR ITS FITNESS FOR ANY USE OR PURPOSE. ALL PROPERTY, WHETHER OFFERED AS AN INDIVIDUAL ITEM, LOT, OR SYSTEM MAY ACTUALLY BE INCOMPLETE WITH COMPONENTS MISSING, DEFECTIVE, DAMAGED OR ALTERED OR HAVE LATENT DEFECTS OR OTHERWISE REQUIRE EXTENSIVE REPAIRS OR SERVICING FOR WHICH MIAMI - DADE COUNTY WILL NOT BE RESPONSIBLE. IT IS STRONGLY RECOMMENDED THAT BIDDERS VIEW ITEMS PRIOR TO BIDDING.

This sale is subject to all the terms, requirements and conditions contained in the Notice of Sale, and the Terms and Conditions included with each item listing. The People and Internal Operations Department Director or designee reserves the right to waive any informalities in or to reject any or all bids.

The following items are available for sale and listed by auction number below. Property may be inspected BY APPOINTMENT ONLY, or during the specified times listed on the respective auctions. Please call contact persons listed for an appointment before attempting to inspect property.

DC# 40353/ 2003 Sterling M7500, Dump truck. PROS 25-09 #1
DC# 13-2575/ 2008 Freightliner MT45 Chassis

BOARD OF COUNTY COMMISSIONERS | MIAMI-DADE COUNTY, FLORIDA
By: Raymond Hall, Director | People and Internal Services Department

For legal ads online, go to legalads.miamidade.gov



CITY OF OPA-LOCKA, FLORIDA

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, April 9, 2025 at 7:00 p.m.**, in the City Commission Chambers at the Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES / PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 14, OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14-13(1) AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT, FORECLOSURE PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

All interested persons are encouraged to participate and will be heard with respect to the public hearings.

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on the scheduled meeting date.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

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

Joanna Flores, CMC

City Clerk

City of Opa-locka

DRAFT
MEETING MINUTES
CITY OF OPA-LOCKA
PLANNING AND ZONING BOARD
NOVEMBER 19, 2024, 5:30 P.M.

CALL TO ORDER

Chair Elio Guerrero called the Planning and Zoning Board meeting to order at 5:44 p.m. on November 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.

1. ROLL CALL:

The following members of the Planning and Zoning Board were present: Chair Elio Guerrero, Board Member Audrey Dominguez, Board Member Aldo Mata, and Board Member Claudienne Hibbert Smith.

Absent Board Members: Board Member Germane Barnes, Board Member Dawn Mangham, and Board Member Nikisha Williams.

Also in attendance were Planning and Community Development Director Gregory Gay, Zoning Official Gerald Lee, City Attorney Pam Booker, Economic Development Manager Solomon Bankole, and Planning and Zoning Board Clerk Diana Cheng.

2. INVOCATION:

Chair Guerrero gave the Invocation.

3. PLEDGE OF ALLEGIANCE:

All present stood for the Pledge of Allegiance.

4. APPROVAL OF MINUTES:

- **Approval of Minutes PZAB – 09/03/2024**

Motion made by Board Member Dominguez, and seconded by Board Member Mata, to approve the minutes for the Planning meeting on September third. In a roll call vote, the **motion** passed unanimously (4-0).

5. PUBLIC HEARING:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA PROVIDING APPROVAL OF THE SPECIAL EXCEPTION REQUEST FOR THE OPERATION OF A PLACE OF RELIGIOUS WORSHIP AT 3400 NW 135TH STREET, BUILDING B AND IDENTIFIED BY FOLIO 08-2128-003-0340 IN THE B-O ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Planning and Community Development Director Gregory Gay explained that this Application requests establishment of a place of religious worship, which requires special exception approval. The special exception process determines what conditions may apply to a particular location, whether or not there is adequate parking, and other requirements. The location in this case is a commercially zoned area.

Zoning Official Gerald Lee showed a PowerPoint presentation on the Application. The subject property is approximately 71,874 sq. ft. in size. The Applicant plans to use only Building B of the subject parcel. The zoning district is B-O, which includes office use. Zoning Code permits places of worship within the B-O district.

The City's land development regulations require special exception review to approve places of worship within the B-O zoning district. Special exception review requires that the following criteria be examined:

- The use must be in compliance with the City's Comprehensive Plan
- The use must be consistent with the character and purpose of the zoning district
- The size, shape, and character of the property are suited for the proposed use
- There must be compatibility with the existing uses near the property
- The use should not adversely affect the development of the general neighborhood or the district
- The use will not generate vehicular traffic or create vehicular circulation, ingress or egress problems, or parking demand that have an unfavorable impact on surrounding properties when compared to the uses permitted by right in the same district
- The use must not present the potential for fire and/or other hazards of equal or greater danger in the district
- The proposed development will not create unfavorable environmental impacts or surrounding uses, such as noise, smoke, glare, water pollution, or other impacts
- The use must be consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the property
- The site must be adequately served by essential public services, such as water, sewer, drainage, and other requirements, and may not place an undue burden on infrastructure

- The use may not adversely affect any site or feature of historic, cultural, natural, or scenic importance
- The use may not be contrary to the public health, safety, and welfare, provided that a denial based exclusively on this language shall include explicit findings regarding the way in which granting the special exception would be contrary to the public health, safety, and welfare

Zoning Official Lee continued that the subject property includes buildings designated Building A and Building B. Building A is a school, while church operations would be located in Building B. The north end of the building would include the sanctuary, with office and administrative operations housed in the south part of that building.

With regard to compatibility, the subject B-O zoning district is surrounded by adjacent properties also zoned B-O on the same side of the street. There are also commercial properties zoned B-1 across the street to the north. Industrial uses are located to the west of the site; however, the site is insulated from these by commercial and residential uses. The surrounding land uses include Civic, Residential, and Commercial.

All the criteria listed above are met by the proposed use. It is Staff's conclusion that the Application does not contradict, create difficulty, or bring incompatible use to the area. Staff recommends approval of the Application.

Chair Guerrero asked if parking on the site is shared with the school building. Zoning Official Lee confirmed that while parking is shared, most of the church's operations will take place after the school's hours of operation, on Sundays, afternoons, and evenings rather than during school hours. The administrative facilities in Building B, which constitute a very small use, may operate Monday through Friday; however, the subject site has 50 parking spaces available exclusively for church use during the day, and on weekends the church may use the entire property.

A question was asked regarding the number of members who attend the church. Zoning Official Lee replied that he did not know the exact number of church members, but reiterated that there are more than 100 parking spaces available when the school is not open.

At this time Chair Guerrero opened the public hearing, which he closed upon receiving no input.

Motion made by Board Member Mata, seconded by Board Member Hibbert Smith, to approve. In a roll call vote, the **motion** passed unanimously (4-0).

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, PROVIDING FOR THE REGULATION OF EXISTING OUTDOOR OFF-PREMISE ADVERTISING DISPLAYS/BILLBOARDS

(“BILLBOARDS”) LOCATED WITHIN THE CITY OF OPA-LOCKA; PROVIDING REQUIREMENTS FOR CONVERTING EXISTING, LEGALLY NONCONFORMING BILLBOARDS LOCATED WITHIN THE HIGH TRAFFIC AREAS INTO DIGITAL BILLBOARDS; PROVIDING CRITERIA FOR DISTANCE SEPARATION; PROVIDING VOLUNTARY FUNDING REQUIREMENTS AND PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Director Gay advised that this Item was deferred to a later date.

- 3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR “LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS” IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

Director Gay explained that this Application would allow businesses to use shipping containers for storage or office activities. Some businesses need to expand their operations beyond their existing footprints, and the use of shipping and/or metal containers allows them to do so in a timely and creative manner on a temporary basis.

Director Gay continued that while this particular use has been undertaken mostly on construction sites to provide on-site office operations, other businesses that need additional storage, possibly on a temporary basis, have the option of using these structures.

Zoning Official Lee stated that the proposed Ordinance would allow shipping containers to be repurposed in order to manage operations on an already-established site based on Florida Building Code. It will still be necessary to pull permits for the inclusion of these containers.

Zoning Official Lee continued this amendment would allow City residents and businesses may take advantage of a use that is already in Florida Building Code. Shipping containers are already repurposed and converted to uses allowed under Florida Building Code for residential and commercial use. Opa-locka already allows the use of these containers in industrial districts.

Zoning Official Lee stated that the primary advantages of using shipping containers include their ready availability as well as their multiple sizes. The containers are typically used in industrial districts for safety and security. They are easily moved from one part of a property to another and can also allow for greater speed when connected to an existing foundation, and the interior can be retrofitted more quickly than would be possible in building from the ground up. Manufactured containers are also stackable and can be used to create multiple levels.

Florida Building Code already allows for the use of metal containers in construction. The proposed Ordinance would support this permission and allow for the use of containers in additional districts.

Containers are also used for temporary purposes, such as construction or trade shows. The City hopes to go a step further by allowing these structures to be used on a permanent basis as a part of new development, where they will provide for a sturdier, more mobile, more easily configured, and faster-built space when adhering to the requirements of Florida Building Code.

Zoning Official Lee showed an example of the proposed use, pointing out that while a structure using containers may look rough from the outside, they provide safety, viability, and speed that can provide a significant return on investment. Other cities have allowed this type of use for some time. Staff recommends adding this Ordinance to the City's available options for building homes and/or commercial properties.

Chair Guerrero asked if the use of containers would also be accepted in residential areas as new development. Zoning Official Lee explained that the Ordinance would allow developers to incorporate containers into their properties as permitted by Florida Building Code. He emphasized that a developer may need to retrofit the inside of the container(s) in order to follow this Code.

Chair Guerrero asked if containers would be suitable additions to existing developments. Zoning Official Lee emphasized that this would be permitted as long as the use of the container follows Florida Building Code.

Director Gay noted that the photographic examples in the presentation show that containers are used in development. Some developments in South Florida include container construction that is modified by stucco and finishing, which make it more difficult to identify that containers are being used. Other applications at which containers are used may include "pop-up" events, stages, stores, parks, and others.

At this time Chair Guerrero opened the public hearing.

Arianna Jorge, business owner, provided photos of the prefabricated container used by her business. The structure is fully compliant with Miami-Dade County Code and is used for office purposes only. There is no plumbing, although the container has electricity and air-conditioning. She explained that this was a convenient solution for her business, as it grew very quickly and required expansion into office space.

Ms. Jorge continued that the container is pre-built and resembles an ordinary building on both the inside and outside. She is in the process of seeking a permit for the building, which would be the first office use of a shipping container in Opa-locka.

Motion made, and duly seconded, to approve the new coding in the City. In a roll call vote, the **motion** passed unanimously (4-0).

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS, ARTICLE IV, SECTION 22-101, FOR THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT TO INCREASE BUILDING HEIGHTS TO TEN STORIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Director Gay stated that this Ordinance would address the recently approved Historic Downtown Opa-locka District, which is a “stand-alone” zoning district focusing specifically on the Downtown area. When this district was created, the City took a conservative stance with regard to building heights, which are currently limited to seven stories. Over time, however, developers have approached the City to express interest in constructing taller buildings in the Downtown area. The City would like to consider this as a potential opportunity for development.

Staff has reached out to Miami-Dade Aviation, which provided a graphic of the takeoff and landing configurations in relation to the City. No runways extend directly toward Downtown, but instead move north or south of Downtown at angles. At the edges of the Airport property, the heights allowed are greater than the seven stories permitted within the Historic Downtown Opa-locka District.

Zoning Official Lee advised that Staff has entertained input from several different developers who wanted to build within Opa-locka. While the City offers density at up to 150 units per acre, it would be difficult to build this many units with a height limit of seven stories. He noted that zoning Code for the City’s mixed-use corridor allows up to eight stories, although this corridor does not cover the entire Downtown area.

The Historic Downtown Opa-locka District (HDOD) is a separate zoning district that is not considered commercial or industrial. Increasing the heights permitted within this

district would allow more mixed-use development which would make the area a destination and attract more people and services.

The intent behind creating the HDOD was to provide consistent zoning regulations while redefining the Downtown area as the City's center. This would allow for revitalization of underused areas and improvement of that segment of the City.

Zoning Official Lee continued that most developers indicated they wanted more height in order to attract good retail as well as a strong return on their investment in residential units. The requested increase in height would make the density more attainable and allow the developers to accommodate the cost of bringing in bottom-floor retail.

With respect to the Airport, Zoning Official Lee noted that for many years, proximity to that facility limited the heights to which a developer could build. When Staff reached out to Airport officials to discuss these heights, they determined that greater heights could be accommodated. Staff recommends approval of the Application.

Chair Guerrero requested clarification that the density parameters of the HDOD will not change: the only change would be to the height requirements, which would allow developers to more easily build to that density. Zoning Official Lee reiterated that the current limit of seven stories would not allow developers to build up to 110 or 120 units per acre rather than the permitted density. He estimated that most of the requested heights would be approximately 10 stories or 120 ft.

Director Gay advised that the height limitation provided to Staff through Federal Aviation Administration (FAA) was up to 125 ft. The permitted height may vary depending upon the type of building a developer is seeking to build. Strictly residential development may include a nine- to ten-foot floor plate; however, mixed-use development is proposed for the area, which may require a larger floor plate for the first two floors. If a parking garage is included, the floor heights may be lower for that area. He concluded that the number of stories would depend upon each project's design.

Director Gay further clarified that permission to build to a height of up to 120 ft. was provided on maps that show distance, direction, and angles from the Airport. Zoning Official Lee added that while height opportunities are being increased, the FAA will review all development plans to ensure that they meet the appropriate criteria based on that agency's regulations.

City Attorney Pam Booker noted that the Ordinance includes a typographical error in the eighth "Whereas" clause: the language in that clause should refer to 10 stories rather than 12.

Motion made by Board Member Mata, seconded by Board Member Hibbert Smith, to approve with the change in the “Whereas” clause to make it consistent with the title that it is 10 stories, not 12. In a roll call vote, the **motion** passed unanimously (4-0).

5. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ADOPT A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS, ORDINANCE 15-31, TO PERMIT CONSTRUCTION TRADES & EQUIPMENT/VEHICLE STORAGE; VEHICLE RECOVERY (REPOSSESSION) & STORAGE; TOW TRUCK AND TOW VEHICLE STORAGE; SHIPPING CONTAINER STORAGE YARD; UTILITY VEHICLES & EQUIPMENT PARKING & STORAGE USES IN THE I-4 ZONING DISTRICT; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Director Gay explained that this Ordinance also provides an opportunity for the City to expand on uses in its industrial areas. The I-4 zoning district is typically associated with junkyards, scrap metal operations, and other challenging uses.

Because many other municipalities have eliminated these uses from their zoning Codes over time, Opa-locka is often seen as providing an opportunity for those uses. The Ordinance is an attempt to make I-4 zoning more flexible. Director Gay pointed out that most junkyard or scrap metal operations do not expand; however, there are other heavy industrial uses that could be developed in the City, including logistics and vehicle storage. These uses would be added to the I-4 zoning district.

Director Gay pointed out that uses such as logistics and vehicle storage are cleaner than junkyard or scrap metal operations, with a lesser overall impact on the City’s infrastructure. The intent is to make the I-4 zoning district more integrative by adding these uses.

Zoning Official Lee recalled that for many years, certain areas of the City were home to only junkyards, salvage operations, scrap metal facilities, compacting/shredding of vehicles, and similar uses. The Miami-Dade Department of Environmental Resources Management (DERM) is currently attempting to ensure that uses comply with local, state, and federal Codes, some of which cannot be easily met by the businesses that have traditionally operated in those areas over the last 20 years.

Zoning Official Lee continued that it is in the City’s best interest to expand the uses allowed within those areas, encouraging uses that are cleaner, that can comply with DERM requirements, and do not contaminate soil, water, or air. With this in mind, Staff examined additional uses that need a significant amount of property on which to operate. The proposed Ordinance would amend the Zoning Code to allow these uses, which include construction trades as well as equipment and vehicle storage.

Zoning Official Lee further clarified that vehicle recovery or repossession would allow vehicles to be kept on a site until the vehicle is paid for by some entity. Shipping container storage would mean containers are stacked to a certain level on the property before they are sold or leased to others. Utility vehicles and equipment include Florida Power and Light (FPL) and other utility providers' equipment. These uses would all offer low contamination to the air, water, or soil.

Staff recommends approval of the amendments to provide better use of the I-4 zoning district and attract more businesses to Opa-locka.

Chair Guerrero asked if current uses involving storage of vehicles and equipment would become nonconforming uses under the amendments. Zoning Official Lee explained that there would be no changes to the zoning districts in which these uses are already permitted: the City would instead expand where those uses may be located.

Chair Guerrero asked if an owner seeking to change the use of an area that currently includes uses that may result in contamination would need to mitigate the effects of that contamination. Zoning Official Lee confirmed this, pointing out that these facilities are already required to do so. DERM inspects these facilities annually in order to renew those uses' licenses; if they do not meet DERM's requirements, they would not receive approval to continue their operation, and the City is prohibited from issuing a business license for those uses until requirements have been met.

Board Member Hibbert Smith asked how many businesses such as those described by the Ordinance are already located in the Cairo Lane or Alexandra Drive areas. Zoning Official Lee clarified that while no such uses are currently licensed to be in those areas, the City has received inquiries from users such as equipment storage, vehicle recovery, and construction trades.

Director Gay also pointed out that sufficient acreage is a necessity for these types of uses. Many other municipalities do not have large areas with contiguous acreage, although Opa-locka does.

Chair Guerrero requested clarification of the current zoning category for these uses. It was clarified that this may be I-2 or I-3. Director Gay added that some businesses may be operating in locations where zoning has changed over time, which means they may have become legal nonconforming uses.

Zoning Official Lee called the Board members' attention to a slide showing the entire I-4 zoning district, stating that the intent is to allow new uses on a market-driven basis.

At this time Chair Guerrero opened the public hearing, which he closed upon receiving no input.

Motion made by Board Member Hibbert Smith, seconded by Board Member Mata, to approve. In a roll call vote, the **motion** passed unanimously (4-0).

6. ADJOURNMENT:

Director Gay advised that no Planning and Zoning Board meeting is anticipated for the month of December 2024 at this time. Staff will prepare a year-in-review document in 2025 to show the Board's impact on development in Opa-locka in 2024.

The meeting was adjourned at 6:50 p.m.

ORDINANCE NO. 2022-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE ARTICLE IV, SECTION 22-101, CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land; and

WHEREAS, in 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Downtown Opa-Locka as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength; and

WHEREAS, both the OLCRP and the SOCDMP advanced the idea of implementing revitalization activities as well as a special district designation in order to revitalize a depressed and underutilized segment of the City; and

WHEREAS, the Historic Downtown Opa-Locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network; and

WHEREAS, the zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a

town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations; and

WHEREAS, the intention of this section is to develop the Historic Downtown Opa-Locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain; and

WHEREAS, the overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community; and

WHEREAS, the Planning and Zoning Board of the City of Opa-Locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Historic Downtown Opa-Locka District and provided a recommendation of approval. The district shall be included within the City's Land Development Regulations as Article IV, Section 22-101.

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

SECTION 1. Incorporation of Recitals.

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

SECTION 2. Adoption of the Historic Downtown Opa-Locka District.

The City Commission of the City of Opa-Locka hereby approves an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption and implementation of the Historic Downtown Opa-Locka District, for inclusion within the City's Land Development Regulations as Article IV, Section 22-101. A copy of the code amendment is attached hereto as Exhibit "A".

SECTION 3. Severability.

The provisions of this Ordinance are severable, and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 4. Scrivener's Errors.

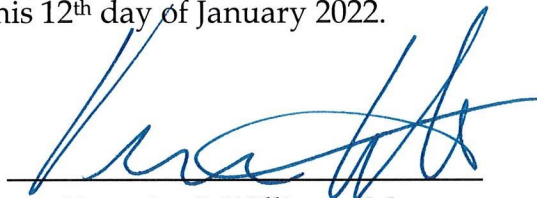
Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager without need of public hearing following review by the City Attorney, by filing a corrected or re-codified copy of same with the City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

SECTION 5. 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.

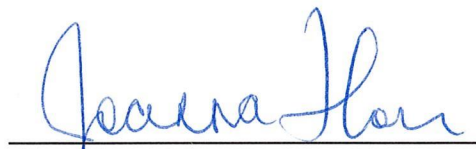
PASSED FIRST READING this 8th day of December 2021.

PASSED SECOND READING this 12th day of January 2022.

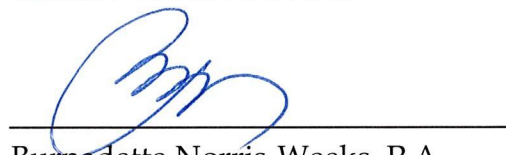


Veronica J. Williams, Mayor

ATTEST:


Joanna Flores, City Clerk

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


Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: Vice Mayor Taylor

Seconded by: Commissioner Bass

VOTE: 5-0

Commissioner Bass	YES
Commissioner Davis	YES
Commissioner Dominguez	YES
Vice Mayor Taylor	YES
Mayor Williams	YES



CITY OF OPA-LOCKA, FLORIDA NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at the Regular Commission Meeting on **Wednesday, January 12, 2022 at 7:00 p.m.**, at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES/PUBLIC HEARING:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, 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 December 8, 2021).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AMENDING CHAPTER 2, ARTICLE XI, DIVISION 13 OF THE CITY'S CODE OF ORDINANCES ENTITLED "HISTORIC ENVIRONMENTAL PRESERVATION BOARD" TO ESTABLISH MINIMUM STANDARDS FOR MUNICIPAL HISTORIC PRESERVATION PROGRAMS AS SET FORTH IN THE MIAMI-DADE COUNTY HISTORIC PRESERVATION ORDINANCE SECTION 16A-3.1; PROVIDING FOR BOARD ORGANIZATION AND QUALIFICATIONS; BOARD DUTIES AND RESPONSIBILITIES; SCOPE OF REGULATIONS; DEFINITIONS; ADMINISTRATION AND ENFORCEMENT RULES AND REGULATIONS; SITE/DISTRICT/ZONE DESIGNATION PROCESS AND PROCEDURES; DEMOLITION PROCESS AND PROCEDURES; PROCEDURES FOR MAINTENANCE OF DESIGNATED PROPERTIES; CERTIFICATE TO DIG PROCEDURES; AN APPEALS PROCESS; PENALTIES AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on December 8, 2021).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-04, FOR THE ALI-BABA NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 45 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 151ST STREET, AND ON THE SOUTH BY N.W. ALI BABA AVENUE; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on December 8, 2021).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-11, FOR THE EAST-WEST SAFE NEIGHBORHOOD DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 100 ACRES, BOUNDED ON THE EAST BY N.W. 17TH AVENUE, ON THE WEST BY N.W. 22ND AVENUE, ON THE NORTH BY N.W. 141ST STREET, AND ON THE SOUTH BY N.W. 135TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on December 8, 2021).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE DISSOLUTION OF A SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT (SPECIAL DISTRICT) IN ACCORDANCE WITH CHAPTER 189.071 FLORIDA STATUTES, AND REPEALING ORDINANCE 88-03 AND ORDINANCE 88-05, FOR THE NILE GARDENS NEIGHBORHOOD IMPROVEMENT DISTRICT WITHIN AN AREA CONTAINING APPROXIMATELY 320 ACRES, BOUNDED ON THE EAST BY N.W. 27TH AVENUE, ON THE WEST BY ALEXANDRIA DRIVE, ON THE NORTH BY N.W. 135TH STREET, AND ON THE SOUTH BY N.W. 128TH STREET; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on December 8, 2021).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE THE MOORISH REVIVAL STYLE DESIGN HANDBOOK; PROVIDING FOR DEFINITIONS, PERMIT AND SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (first reading / public hearing held on December 8, 2021).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE ARTICLE IV, SECTION 22-101, CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE (first reading / public hearing held on December 8, 2021).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS TO INCLUDE ARTICLE IV, SECTION 22-102, CREATING THE OPA-LOCKA INNOVATION DISTRICT, PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES, PROVIDING FOR DEVELOPMENT REGULATIONS AND INCENTIVES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE (first reading / public hearing held on December 8, 2021).

RESOLUTIONS/PUBLIC HEARINGS:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE VARIANCE REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE FINAL SITE PLAN REVIEW REQUEST FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING THE DEVELOPMENT AGREEMENT REVIEW FOR THE CONSTRUCTION AND OPERATION OF AN INDUSTRIAL WAREHOUSE / DISTRIBUTION & OFFICE SPACE DEVELOPMENT BUILDING LOCATED AT 12805 LE JEUNE ROAD AND IDENTIFIED BY FOLIO 08-2129-000-0061 IN THE I-3 ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

All interested persons are encouraged to participate and will be heard with respect to the public hearings.

Additional information on the above item may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on Wednesday, January 12, 2022.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

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

Joanna Flores, CMC
City Clerk
City of Opa-locka



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

Department Director:	Gregory Gay		Department Director Signature:		
Finance Director:			FD Signature:		
City Manager:	John E. Pate		CM Signature:		
Commission Meeting Date:	12-8-21	Item Type: (Enter X in box)	Resolution	Ordinance	Other
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	2nd Reading
				X	
		X	Public Hearing: (Enter X in box)	Yes	No
				X	
Funding Source: Account# :	(Enter Fund & Dept) Ex: PTP		Advertising Requirement: (Enter X in box)	Yes	No
				X	
Contract/P.O. Required: (Enter X in box)	Yes	No	RFP/RFQ/Bi#: N/A		
		X			
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☐ Bus. & Economic Dev ☒ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ 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 PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V – CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

The Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network. , the intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and

functional buildings where people can reside, work and entertain. the Planning and Zoning Board of the City of Opa-locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Historic Downtown Opa-locka District and provided a recommendation of approval.

Proposed Action:

Staff has recommended approval of this legislation.

Attachment:

Draft Ordinance LDR Amendment Article V Historic Downtown Opa-locka District.

ORDINANCE NO.

AN ORDINANCE OF THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31 LAND DEVELOPMENT REGULATIONS PURUSANT TO ARTICLE V - CREATING THE HISTORIC DOWNTOWN OPA-LOCKA DISTRICT PROVIDING FOR DEFINITIONS, PROVIDING FOR PERMITTED AND PROHIBITED USES; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING FOR SPECIAL PERMIT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2011, the City of Opa-Locka adopted the Opa-Locka Community Redevelopment Plan (OLCRP), a conceptual plan prepared by Carras Community Investment, Inc. in conjunction with Urban Revitalization Solutions. The OLCRP sought to capitalize on the area's assets while redressing enduring concerns about building vacancy, crime, public safety, open space, and underutilization of land; and

WHEREAS, in 2015, the OLCRP was followed by more advanced planning effort that culminated in the Sustainable Opa-Locka 2030 Comprehensive Development Master Plan (SOCDMP), an implementation strategy prepared by the Corradino Group. In the OLCRP it identified the Downtown Opa-locka as a challenged economic area in need of revitalization to promote a thriving wealth-creating and job-generating business center with regional strength; and

WHEREAS, both the OLCRP and the SOCDMP advanced the idea of implementing revitalization activities as well as a special district designation in order to revitalize a depressed and underutilized segment of the City; and

WHEREAS, the Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network; and

WHEREAS, the zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a

town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations; and

WHEREAS, the intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain; and

WHEREAS, the overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community; and

WHEREAS, the Planning and Zoning Board of the City of Opa-locka held a public hearing on October 5, 2021, to consider an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption of the Historic Downtown Opa-locka District and provided a recommendation of approval..

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING BOARD OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

SECTION 1. Incorporation of Recitals.

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

SECTION 2. Adoption of the Historic Downtown Opa-locka District.

The City Commission of the City of Opa-locka hereby approves an amendment to Ordinance 15-31 of the Land Development Regulations for the adoption and implementation of the Historic Downtown Opa-locka District. A copy of the code amendment is attached hereto as Exhibit "A".

SECTION 3. Severability.

The provisions of this Ordinance are severable and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 4. Scrivener's Errors.

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

SECTION 5. 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 AND ADOPTED this _____ day of _____, 2021.

Elio Guerrero, Chairman

ATTEST:

Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Section 22-97. – HISTORIC DOWNTOWN OPA-LOCKA DISTRICT

(A) Purpose and intent.

The Historic Downtown Opa-locka District (HDOD) district designation seeks to provide consistent zoning regulations that will redefine the historic center of the city in order to create a unique urban district that will provide a physical place where daily life activities such as shopping, trading, working, governing, faith, the arts and entertainment and dwelling will interact and complement each other into a cohesive whole pattern and network. The zoning district will provide goals and objectives to provide guidance for historic, present and future development with the view toward creating a town center neighborhood that will be a symbol of the community and a reflection of the city's values and aspirations. The intention of this section is to develop the Historic Downtown Opa-locka District ("district") as defined, recognizable area that is community-oriented, surrounded by historic-natural settings and functional buildings where people can reside, work and entertain. The intent of the city in adopting the Historic Downtown Opa-Locka District Ordinance is to:

- (1) Define the boundaries of the historic downtown district;
- (2) Expand the economic base of the city, by providing additional employment opportunities and additional revenues to the city and the region by making the area of the district more attractive in ways that can increase commerce and tourism which will assist in the development of specific plans that will allow for large scale social events and activities within the district to consider the city when choosing their sites;
- (3) Provide the basis for the continued and expanded support for initiatives that will cause the district to be considered as a destination for large scale events and activities in conformance with the goals and objectives of other city policies;
- (4) Enhance the area encompassed by the district through programs that will attract workers, residents and visitors to active public spaces and gathering places and create a pedestrian friendly environment;
- (5) Develop programs to further enhance the pedestrian environment through the establishment of unique streetscape design guidelines providing additional signage opportunities.

(B) Establishment of the district.

The Historic Downtown Opa-locka District shall be established as an area of the city where it has been found that programs which will contribute to economic development through the development of a more active streetscape should be undertaken. The district shall have the following territorial boundaries: Starting from a point in the centerline of Northwest 27th Avenue and Ali Baba Avenue, proceeding west along Ali Baba Avenue /the CRX Railroad ROW including the northern portion of Burlington Street to NW 37th Avenue, North towards Sabur Lane and west to Sharazad Boulevard, Historic City Hall –Sherbondy Village Community Center Complex on the north side and curve East to back to NW 27th Avenue.

(C) Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block means a combination of building lots, the perimeter of which abuts a public right-of-way or public space.

Block face means the right-of-way line that delineates a block edge.

Building height means a limit to the vertical extent of a building measured in feet above grade. Building height shall be measured in feet from the average elevation of the affronting curb to the eave line.

Civic uses means premises used primarily for public education, cultural performances, gatherings and displays administered by not-for-profit cultural, educational, governmental and religious organizations.

Carmenes means secluded inner gardens or courtyards with private-public features such as fountains, benches and ornamental architecture.

Colonnade means a roofed structure, extending over the sidewalk, open to the street except for supporting columns or piers.

Courtyard garden means a grade level garden enclosed on at least three sides, at least two sides by building walls and on its remaining sides by fences or garden walls, with a minimum 30 percent of its area landscaped. The street opening to the courtyard garden shall not exceed the width of the street or square that it fronts.

Curb radius means the curved edge of street paving at an intersection, measured to the inside travel edge of the travel lane.

Easement means an area of private property legally dedicated for public use.

Frontage means the property line or lines of a lot that coincide with a right-of-way or other public space.

Paseo means an easement that allows public pedestrian access traversing private property from one public right-of-way to another.

Public open space means an open space that is accessible to the public all or some of the time, including, public rights-of-way, parks, plazas, squares, canal-walks, alleys, colonnades, carmenes, courtyard gardens, paseos and other easements.

Square means a public space surrounded on four sides by streets or other vehicular passage. Every corner of a square shall have a street intersection.

Street means a thoroughfare for the movement of pedestrians and vehicles, which may be public open space or private property allowing public passage.

Streetwall means the vertical surface of a building or structure that faces public space.

Traffic calming device means a structure or device that is intended to slow the speed of the traffic on a roadway. It is usually constructed at an intersection. Examples of traffic calming devices are traffic circles and roundabouts. Traffic calming devices may include a change of pavement height, texture and materials to identify an area where speed is to be reduced.

Cross reference— Definitions generally, Sec. 22-238.

(D) Uses.

(A) Allowed uses.

Accounting, bookkeeping, law and other professional offices.

Agency (for employment, travel and/or services to be performed elsewhere).

Art or photographic studio (commercial).

Automobile rental agency, office use only.

Bank or other financial institution.

Business or commercial school.

Catering and delicatessen (including butcher shop) business.

Civic clubs, lodges and fraternal organization facilities.

Conference, meeting facilities or areas of public assemblage for less than 20 people.

Day care center, nursery school or preschool facility.

Dental care and doctor's offices.

Dog grooming only—prohibiting a "pet shop" type business or the boarding, maintaining or keeping of dogs on-premises anytime between 7:00 p.m. and 7:00 a.m.

Dry cleaning and laundry, drop-off/pick-up only.

Family restaurant/arcade; so long as the arcade use does not exceed 40 percent of the available business space, alcoholic beverages are permitted on the premises pending administrative review, no gambling games/machines are permitted, the arcade area is continually supervised, and the family nature of the operation is maintained. No more than two family restaurant/arcades shall be permitted in the Downtown District.

Gymnasium, health club, dance studio or other center where "physical activity" lessons are conducted.

Insurance agency.

Laundry—No more than two allowed in the Downtown District.

Lodging (Hotels, Motels, Peer to Peer home sharing services)

Museum.

Mixed-use development of residential uses on upper floors above retail, office and related uses.

Office supply or support (office supplies, copying, printing shop).

Personal services (i.e., barbershops, beauty parlors, physical therapy clinics, etc. No physical therapy clinic shall be open for business between the hours of 10:00 p.m. and 6:00 a.m.).

Pharmacy.

Post office.

Restaurant (and lounge), cafe, cafeteria, bar and grill.

Retail use.

Small appliance sales and/or service.

Sporting goods store; excluding the sale of weapons and related products used for sporting and hunting activities, no outdoor store displays or merchandising activities; no more than one store allowed in the district that sell the described merchandise.

Stereo/video/electronics rental, sales and/or service.

Theater (live) or motion picture house.

Veterinary clinic (excluding short-term boarding, for medical purposes only).

Other enterprises or businesses which are similar in character and impact to enterprises or businesses enumerated herein, and which are consistent with the Comprehensive Plan adopted pursuant to Chapter 163, Florida Statutes. A final determination of similarity with listed uses and consistency with the Comprehensive Plan shall be made by the City Commission, after obtaining a recommendation by the Planning and Zoning Board.

(B) *Prohibited uses.*

Adult bookstore;

Adult-related business;

Gaming, gambling and casino machines, billiard and pool parlors;

Automotive auctions, repair, sales and service facilities;

Bar; Package store

Clinical laboratory;

Funeral home;

Gun range;

Gun shop;

Pawn shop, Thrift store;

Tattoo Parlor;

Large-scale administrative offices, big box retail/wholesale sales operations and service and professional facilities;

Any large or medium-scale aviation or marine-related repair or service facilities;

Open air, tented, or booth-operated flea markets or any retail/wholesale sales operation not contained within a business building, except as otherwise permitted by Florida State Statutes, §§ 110-01 through 110-03 and permitted temporary uses in LDR Sec. 22- 119.

Any industrial or manufacturing operation or facilities.

(E) Goals and objectives.

The overall goal and objective of the district is to provide regulation and development guidelines to contribute to the long-term sustainability and quality of life for the community. Specific goals and objectives include, but are not limited to, the following:

- (1) Promote pedestrian-friendly rights-of-way.
- (2) Protect public open spaces.
- (3) Promote mixed-income housing strategies.
- (4) Foster historic preservation.
- (5) Improve code compliance and enforcement.
- (6) Encourage meaningful development boundaries.
- (7) Promote local and regional public transportation.
- (8) Pursue public education on redevelopment.

(F) Implementation concepts.

The concepts of the district shall be as follows:

- (1) *Make pedestrians a high priority.* Enhance the open network of smaller blocks and provide increased access through new sidewalks, paseos and public alleys. Provide a tree canopy planted along sidewalks or medians to create shade from the sun and more attractive streets or sidewalks.
- (2) *Slow down vehicular traffic.* Reduce lanes or lane widths, expand the median and add on-street parking and trees as traffic calming devices. Use swale areas facing streets and sidewalks for trees and shrubs and encourage property owners to enhance landscaping. Provide parking in the rear areas, hidden from the front view. Reconstruct curbs with smaller radii at intersections. Encourage property owners to provide cross access between their parking lots and that of their neighbors.

- (3) *Improve pedestrian corridors.* Improve commercial facades to increase pedestrian comfort and safety through enhanced lighting and landscaping. Improve the network of secondary pedestrian corridors in order to extend existing patterns of pedestrian travel. Create a sense of enclosure and urban character through street facade.
- (4) *Aggregate open space for squares, plazas, passive parks and other public open spaces.* Promote activity and natural surveillance by providing plazas and squares, open to the public and level with the grade of the sidewalk. Create a legible network of open spaces by waiving minimum open space requirements on specific lots or parcels in exchange for a credit to develop larger open public spaces.
- (5) *Extend transit, at a variety of scales and modes of travel.* Implement a circulator system, such as a local bus system, to be used for local service and to connect to the regional system. Increase transit ridership to facilitate growth and mobility without unmanageable traffic congestion.
- (6) *Attack visual blight.* Promote infill development along the edges of blocks to define street space. Inventory vacant or underutilized lots and provide incentives for development. Utilize code enforcement procedures to compel compliance from property owners who have neglected the appearance of their property. Enforce building codes to ensure applicable minimum standards for older buildings.
- (7) *Provide for water retention areas to improve drainage and flooding protection in low-lying areas.* Promote the procurement of vacant or underutilized land that may be reservoirs for additional storage and storm water retention within the district. Provide for a hydric park network to reduce flooding and restore the community's connection to water resources.
- (8) *Promote civic uses.* Encourage public access and participation by providing cultural performances, gatherings and displays for education and enlightenment.

(G) Precedence over other zoning and land use regulations.

In addition to the criteria previously provided in the Downtown Mixed Use Overlay (DMU) land use classification and the Historic Downtown Opa-locka District (HDOD), commercial liberal (B-2), multifamily (R-3), light industrial (I-1), Liberal Industrial (I-3) and civic (C) zoning districts, the requirements provided in this division must also be followed as the requirements of the HDOD shall prevail.

(H) Road classifications in the HDOD district.

To further define the functions of the roads and streets within the district, roads are classified as follows:

- (1) *Major roadways* shall mean those roads that are designed for the efficient movement of people and vehicles to and through the district. The roads enable traffic to easily traverse the area as well as provide access to other areas within and outside the City of Opa-locka. NW 27th Avenue, NW 37th Avenue, State Road 9, Ali Baba Avenue, Opa-locka Boulevard are classified as major roadways within this district.
- (2) *Minor roadways* shall mean those roads that are designed for ease of access for the movement of people and vehicles through the district. Minor roadways generally provide short distance access to individual properties within the district and to adjoining areas. Ali Baba Avenue, from 17th Avenue to LeJeune-Douglass Connector; Sharazad Boulevard from NW 27th Avenue to Ali Baba Avenue, and Opa-locka Boulevard from NW 27th Avenue to Sharazad Boulevard.
- (3) *Local streets* mean those roads in the district that provide access to individual properties that are not designated major or minor roadways.

(I) Zoning regulations.

(a) Mixed Use Residential densities in downtown multifamily R-3, R-4, B-2, I-1 and I-4 zoning districts shall not exceed 150 units per net acre, unless the property owner provides public open space as provided in incentives (2) below, but in no event shall the units per net acre exceed 200 units for affordable/live-work or assisted living. Residential densities outside of the HDOD shall not exceed 150 units.

(b) Landscaping for all property zoned residential or that includes residential uses within the zoning district shall conform to an urban design plan that will be adopted by the city within eight months of the effective date hereof.

(c) The dimensions of squares, plazas, paseos and other open public spaces shall conform to an urban design plan that will be adopted by the city within four months of the effective date of the ordinance from which this section is derived.

(d) The facade and architecture requirements shall conform to a Moorish design plan. The goal of the architectural parameters is to promote creative architectural solutions within an ensemble of basic urban forms that will ensure harmony and continuity without mandating a particular style. Building design shall promote pedestrian safety, comfort and interest for adjoining public spaces. Building design shall promote energy conservation by including self-shading, natural lighting, natural ventilation, outdoor circulation and reduced dependence on artificial lighting and air conditioning.

(e) Streetwalls shall have pedestrian entrances at maximum intervals of 150 feet. The principal pedestrian entrance of all buildings shall be from the street, courtyard garden or from a paseo.

(f) Streetwalls, landscape buffers or a building shall be constructed to screen parking from view.

(J) Incorporation of TOD District

A Transit Oriented Development District is generally characterized as a developed environment within a quarter-mile of a public transit system, with building characteristics and public amenities that promote the safe movement of pedestrians.

The City of Opa-locka's Transit Oriented Development District is located in the HDOD which boundaries stated in item (B).

Opa-locka's Transit Oriented Development District (TODD) is specifically created to facilitate mixed-use development, with access to transit stations or stops along existing and planned high performance transit service corridors.

The TODD Code also encourages commercial functions that include shop-fronts at street level, with residential units and office space above, wide pedestrian-friendly and multimodal sidewalks, rear on-site parking, and possibly public parking facilities.

The TODD incorporates the goals of the HDOD efforts with elements from the previous Commercial Liberal ("B-2") and Downtown Mixed Use Overlay District standards to produce development standards for the TODD. The TODD facilitates mixed-use development, pedestrian-oriented streets, public mobility options, Moorish style architecture, and opportunities for location of work, play, services and entertainment within walking distance.

General. This designation shall be known as the TODD for the City of Opa-locka. The TODD shall promote the Goals, Objectives and Policies contained of the previous Downtown Mixed Use District designation within the Future Land Use Element of the Comprehensive Plan. Specifically, Objective LU-2 of the Sustainable Opa-locka 20/30 Comprehensive Plan Future Land Use Element are designed to maximize the development potential of Historic Downtown Opa-locka.

The TODD designation supplements the Land Development Regulations ("LDR") provisions within the City of Opa-locka for the area known as the HDOD. The TODD is generally described as the area bound to the north by Dunand Avenue, to the east by NW 27th Avenue, to the south by NW 135th Street, and to the west by Sesame Street.

Opa-locka's TODD designation is specifically created to encourage compact first-rate projects based upon smart growth principles; to preserve the existing character of neighborhoods surrounding the Historic Downtown Opa-locka core; to regulate for high-quality infill development, and to create a predictable process for developers and the community to meet these goals.

(J) Incentives.

Incentives to encourage land development to achieve goals and objectives within the district are as follows:

- (1) Land dedication for sidewalks outside of public right-of-way, passive parks, paseos, public use and open spaces, a natural drainage parkway or land for additional

storage and stormwater retention in lieu of payment of a monetary park, recreation and open space fee as provided by (X).

- (2) Increased density for residential or mixed use development for additional units per net acre up to a maximum of 32 units per net acre as provided in the multifamily R-3, R-4 zoning designations in the HDOD zoning districts. Additional units per net acre will be permitted in exchange for land located within the HDOD district, or a monetary contribution equal to the fair market value of the land not to exceed 40 percent of the total donation, donated to the city as a passive park, paseo, public and/or open space or a natural drainage parkway as follows: 1,500 square feet for each of the first two additional units, 1,000 square feet for each of the third, fourth and fifth additional units, and 850 square feet for each additional unit after the fifth additional unit. If land located anywhere within the HDOD district is donated to the city, then the city shall waive the city park, recreation and open space impact fee for each additional unit.
- (3) Financial assistance from the Opa-locka Community Redevelopment Agency to eligible properties for renovation of commercial properties fronting major and minor roadways within the district.
- (4) Provide a perpetual easement to the city on private property for construction of an architectural feature at or near the boundaries of the district as a credit toward satisfaction of minimum open space requirements.
- (5) Provide a perpetual easement to the city on private property for sidewalks, paths and paseos or natural drainage parkways as a credit toward satisfaction of minimum landscaping and open space requirements.
- (6) Contests and prizes offered by a not-for-profit organization or public-private partnership to promote good urban design and innovation for the enhancement and sustainability of the district.
- (7) Five thousand dollars to be paid to the city for each parking space below the minimum parking requirements for on-site parking, but in no event shall the deficiency in on-site parking exceed 30 percent of the minimum parking requirements. These funds shall be placed in a designated account and accumulated by the city to finance a parking system within the HDOD that will include a parking garage within a 1,500-foot radius of boundary lines of the property where city hall is located. Affordable housing properties developed and owned by the city are exempt from the provisions in this paragraph.
- (8) Provide a minimum 20% total combination of affordable/elderly housing.
- (9) The grant of incentives identified in subparagraphs (1), (4), (5), (7) and (8) above, shall require approval of the city commission by ordinance.

(K) Special permit

In order to be granted a permit for such establishments within this district, the property owners/applicant shall obtain a Special Permit as specified in the Opa-locka LDR/Zoning Code Ordinance, as amended, the zoning ordinance of the City. In reviewing an application for establishments serving alcoholic beverages, the director of Planning and Community development shall apply the following review guidelines criteria in addition to the standard criteria of a Special Permit.

In reviewing an application for the District Permit for a supper club, nightclub, restaurant, coffee shop, or bar, the following additional criteria shall apply:

- a. Use requirements and restrictions: To qualify to operate a supper club, nightclub, restaurant or bar & grill, the establishment must have a minimum of 40 seats. To qualify for coffee shop, the establishment must have a max of 20 seats.
- b. Operational Plan: An Operational/business plan that address the hours of operation, number of employees, menu items, goals of the business, and other operational characteristic pertinent to the application.
- c. Parking: Irrespective of parking requirements specified in the LDR/Zoning Code as amended, the zoning ordinance of the City of Opa-locka, adaptive reuse of existing buildings for this function shall be required to provide additional parking via on street parking or parking agreement with established shared parking arrangement; however, new buildings or facilities shall be required to provide a parking plan which fully describes where and how the parking is to be provided and used, e.g. valet, self-parking, shared parking, after-hour metered spaces, and the manner in which the parking is to be managed. By a Special Permit, 100 percent of the required parking may be located offsite within a distance of 500 feet from the subject establishment if the proposed parking is to be self-park, and a distance of 1000 feet from the subject establishment if the proposed parking is to be by valet. For restaurants and other dining establishments, as adaptive re-use of an existing structure, any square footage used of the kitchen and/or storage areas will not be counted towards the parking requirements.
- d. For establishment proposing capacities of more than 200 persons, an indoor/outdoor crowd control plan that addresses how large groups of people waiting to gain entry into the establishment or already on the premises, will be controlled.
- e. A security plan for the establishment and any parking facility.
- f. For establishment proposing capacities of more than 200 persons, a traffic circulation analysis and plan that details the impact of projected traffic on the immediate neighborhood and how to mitigate the impact.
- g. A sanitation plan, which addresses on-site facilities and off-premises issues resulting from the operation of the establishment.
- h. A plan depicting proximity of proposed establishments of residential use

- i. If the proposed establishment is within 500 feet of the residential uses, noise attenuation plan is required.

(L) Alcoholic beverage sales within the district.

(a) *Minimum distance requirements.* There shall be no minimum distance required between any places of business within the entertainment overlay district licensed by the state to sell alcoholic beverages for consumption on the premises and any other place of business similarly licensed within the district.

(b) *Hours of operation.* The hours and days of sale and consumption of alcoholic beverages are set forth in section 6-369.

(c) *Hours for music and entertainment.* Music, singing and other forms of entertainment whether amplified or not, shall be permitted indoors at any time during business hours of any facility or business enterprise within the district, and in addition music, singing and entertainment shall be permitted outdoors within the district, however, such outdoor music, singing and entertainment shall comply with special events and entertainment regulations as set forth in chapter (X) of the City of Opa-Locka Code of Ordinances.

(d) *Outdoor sales of alcoholic beverages.* Those persons or entities within the district licensed under the state beverage license laws, may sell and serve beers, wines and alcoholic beverages of any type regardless of alcohol content at any location within the district licensed for such sale and under the control of such licensee, including, but not limited to, sidewalk cafes, outdoor areas designed for food or beverage consumption on both adjacent to and operated in concert with a business operated within enclosed premises. Alcoholic beverages can only be consumed on premises of purchase.

(M) Signs. See LDR Sec. 22-229.

(N) Parking Standards and Requirements.

1. In the HDOD contingent on use, shall be required to provide any off-street parking in excess of the off-street parking that is currently in existence in this "built-out" area of the City and subjected to administrative review or Planning and Zoning board and approval from City Commission.
2. All existing buildings in the HDOD are subjected to administrative review for any use currently allowed in this district to provide any additional off-street parking despite any change of use that might intensify the use of any building and normally require a corresponding increase in the amount of off-street parking.
3. However as a consequence of this provision, any existing building in the HDOD occupied for any currently allowed use as listed under subsection (2) providing any additional off-street parking due to an increase in any intensity of use shall be subjected to administrative review .

4. Nothing contained herein shall be construed to authorize or permit the physical expansion or addition to any existing building in the HDOD over or in any area of established and existing off-street parking prior to administrative review and approval.
5. That the aforesaid provisions shall not be applicable to any of the following:
 - (a) When an existing building in the HDOD is demolished and subsequently replaced by the construction of a new building on the property.
 - (b) When an existing building in this district is "effectively demolished" by the razing of more than 51 percent of the square footage of the existing structure and the subsequent reconstruction of that portion of the building previously demolished.
 - (c) When any additional area of occupancy and use is physically constructed and added onto, or attached to, any existing building in this district.
 - (d) When a new building is constructed on a previously vacant lot or parcel of property. If any of the foregoing instances occur, all off-street parking requirements and provisions contained in the Code of Ordinances shall remain applicable thereto.

Parking and density calculations.

- (a) All parking allocations must be approved by the DRC.
- (b) All development in the HDOD may be eligible receive a maximum of 35 percent reduction from the parking standards listed in Section 22-153 "Off Street Parking and Loading Standards" of the LDC pending administrative review and approval or Planning, Zoning and Appeals Board and the City Commission review and approval.

Payment-in-Lieu of Parking Fund. A Payment-in-Lieu of Parking Fund shall be established by the City to provide funding specifically for parking and related improvements within the HDOD. Payment-in-Lieu of Parking Fees will be collected from all applicants for development and uses within the HDOD that do not provide sufficient on-site parking spaces or Shared Parking spaces to meet the minimum parking requirements of the Code. The Payment-in-Lieu of Parking Fee option for compliance with this subsection shall become effective upon adoption by the City Commission of a Resolution which specifies the amount of the Payment-in-Lieu of Parking Fund Fee.

(a) *Payment-in-Lieu of Parking Fund Fee Calculation.* The amount of a payment to the Payment-in-Lieu of Parking Fund shall be calculated per parking space which is required but not provided via on-site parking spaces or Shared Parking spaces. The amount per parking space shall be determined by the average cost to the City for the construction of a parking space in a Parking Structure on a program wide basis within the HDOD, which shall be determined by the Building Director in coordination with the

Planning & Community Development Director. The average cost shall include actual costs and fees for land acquisition, design and planning, legal fees, engineering, actual construction, and permit review and inspection.

(b) Payment in Full of Payment-in-Lieu of Parking Fee. For property owners opting to pay in full, or applicants not eligible to provide payment through a Payment in Lieu of Parking Agreement as provided in subsection (D), payment of the full amount of the in-lieu fee shall be due prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner.

(c) Payment in Lieu of Parking Agreement. In-Lieu of Parking Fee Agreements shall only be made between the City and the owner(s) of the subject property. Applicants for an in-lieu fee which is not paid in full prior to issuance of a building permit, must enter into an In-Lieu of Parking Fee Agreement with the City prior to the issuance of a building permit for the development, or prior to issuance of a certificate of use for the use for which the payment is required, whichever occurs sooner. Such agreement shall be approved by the community development director, and shall be recorded at the property owner's expense in the Public Records of Broward County, Florida. The In-Lieu of Parking Fee Agreement shall provide that the obligations imposed by the agreement constitute a restrictive covenant upon the property, and shall bind successors, heirs and assigns, and shall be released by the City upon payment in full of the amount due under the agreement.

(d) Payment in Lieu of Parking Agreement Term. An In-Lieu of Parking Fee Agreement executed by a property owner applicant in accordance with this subsection shall provide that installment payments shall be made over no longer than a 36 month time period in 3 installments. The first installment shall be at least 50 percent of the total fee due, and shall be paid upon signing the agreement, prior to the issuance of a building permit for the development or a certificate of use, whichever occurs sooner. The second installment shall be in the amount of at least 25 percent of the total fee amount due, and shall be paid no later than the second anniversary date of the execution of the agreement. A third and final payment of 25 percent of the total fee may be authorized by the agreement, and shall be due no later than the third anniversary date of the execution of the agreement. A property owner subject to an In-Lieu of Parking Fee Agreement may make a redemption payment of the remainder of the amount due pursuant to the agreement, at any time prior to the final required payment.

On-Site Parking.

(a) All parking lots, garages, and Parking Structures shall be located at the rear of all buildings.

(b) Parking Areas shall be accessed from side and back streets and from adjacent properties.

(c) Large Surface Parking Lots shall be visually and functionally segmented into several smaller lots through the use of structures and landscaping. Designs that

reduce visibility, especially between Parking Areas and business entrances, shall be discouraged.

(d) Surface Parking Areas shall be obscured from Frontages by a building or Street Screen.

(e) Existing Surface Parking Lots are intended to be reduced, over time, through redevelopment and/or construction of structured parking facilities.

(f) Parking Areas shall not abut street intersections or terminate a street vista. On-street parking shall not be closer than 25 feet to a street intersection, measured from the extended right-of-way lines.

On-Street Parking (Parallel Parking).

(a) On-street parking will be allowed on Opa-locka Boulevard.

(b) On-street parking located adjacent to a building or lot shall not count toward fulfilling the parking requirements for that building or function.

Off-Street Parking

a) *Dwelling, multiple-family*: One space per bedroom with maximum two spaces per dwelling unit for residents. An additional five percent of the total residents' spaces shall be provided for visitors.

b) *Hotels and motels, including clubs*: One parking space for each sleeping room. If, in addition to sleeping rooms, there are other uses operated in conjunction with and/or as part of the hotel/motel, additional off-street parking spaces shall be provided for such other uses as would be required by this section if such uses were separate from the hotel/motel to the extent of 35 percent of the off-street parking specified in this article for retail stores, offices, services, establishments, bars, restaurants, dining rooms, night clubs, cabarets, ballrooms, banquet halls meeting rooms, auditoriums.

c) *Commercial uses*: See LDR Sec. 22-155.

d) Developments that provide Affordable/ Elderly Housing may be reduced as stated below. In no event shall parking be reduced by more than thirty-five (35%) percent of the spaces required.

e) A maximum 35% reduction in required parking may be permitted within the HDOD pending administrative review.

Shared Parking.

- (a) The parking requirements for buildings containing more than one function shall be the total of the amount of parking required for each function.
- (b) Shared Parking Areas shall be located no further than one-quarter mile of the building or function utilizing the Shared Parking capacity.
- (c) Cross-access easements or similar mechanisms approved by the City Attorney shall be used to provide joint access between Shared Parking Areas.
- (d) In a Parking Structure or Garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
- (e) Parking Structures shall have Liner Buildings along primary frontages and landscape bufferyards adjacent to residential properties.
- (f) Vehicular entrances to parking lots, Parking Garages, and Parking Structures shall be no wider than 24 feet at the Build-to Line.
- (g) Pedestrian walkways shall be integrated, to the extent possible, into the interior and/or perimeter landscaping of parking lots; constructed with brick pavers, stamped concrete or a paved or similarly firm surface, at least six feet in width; and separated from vehicular and Parking Areas by grade, Curbing and/or vegetation, except for necessary ramps.
- (h) Pedestrian exits from all parking lots, garages, and Parking Structures shall be directly to a Build-to Line except underground levels which may be exited by pedestrians directly into a building.
- (i) Parking facilities and appurtenant driveways shall be designed to maximize the safety and convenience of pedestrians walking between parked cars and business entrances as well as between external points and locations on-site.

Loading and Service Areas.

- (a) Loading docks, solid waste facilities, recycling facilities and other service areas shall be located to the rear or side of a building in visually unobtrusive locations.
- (b) All trash and recycling service areas shall be enclosed so as not to be visible.
- (c) Loading docks and service areas shall be permitted on Frontages only by Administrative Approval.

Amenities. A minimum of one bicycle rack place shall be provided within a Pedestrian Zone for every ten vehicular parking spaces required by this Code within the Mixed-Use High and Mixed-Use Low districts.

Street requirements.

- a) Streets in the HDOD are intended to be inviting public spaces and integral components of community design. HDOD streets shall be organized according to a hierarchy based on function, size, capacity, and Design Speed. In descending order of importance, the hierarchy shall consider pedestrians as the most important, followed by cyclists, mass transit, and automobiles. All design elements must consistently be applied to calm automobile traffic and to facilitate pedestrian activity.
- b) The hierarchy of streets for the HDOD should adhere to Tables 2A. Public Frontages, 2B. Vehicular Thoroughfares, and 2C—2F. Thoroughfare Assemblies. The proposed hierarchy of streets shall be indicated on the submitted site plan with each street type being separately detailed.
- c) Specialty paving required for pedestrian areas and the HDOD entrance is detailed in Tables 2C—2F. Thoroughfare Assemblies.
- d) Streets may be comprised of segments. Each segment shall have the characteristic of one street type.
- e) The elements that comprise a street within the HDOD are listed below and are depicted in detail in Tables 2C—2F. Thoroughfare Assemblies.
 - A. Pedestrian Zone:
 - 1. Curb and Gutter.
 - 2. Planting Area.
 - (a) Street Trees.
 - (b) Shrubs.
 - (c) Ground Cover.
 - 3. Sidewalk.
 - (a) Optional Planting Area.
 - (b) Pedestrian Accessways, Paths or Passages.
 - 4. Street Furniture.
 - 5. Lighting.
 - B. Public Utility Equipment or Public Easement (required if determined to be necessary by the Planning & Community Development Director).
 - C. On-Street Parking.
 - D. Bicycle Lanes.
 - E. Travel Lanes.
 - F. Landscaped Medians.
- f) In the HDOD, Sidewalks in addition to street trees, planting areas and furnishings occur within the Pedestrian Zone, which is comprised of the Build-to Line and the right-of-way.

- g) Sidewalks are required on both sides the street except for a street on the undeveloped edge of a HDOD. Sidewalk requirements are listed in Tables 2C-2F. Thoroughfare Assemblies.
- h) The primary Facades of all buildings shall contain the primary pedestrian Entry and face a public street.
- i) The requirements for placement and types of street trees are specified in Table 4. Public Planting.
- j) Street trees shall be planted on both sides of the street except for a street on the undeveloped edge of the HDOD district.
- k) Depending on the street type, the planting area may contain the required landscaping, the required street trees, or a combination of both.
- l) The required planting area width may be combined with the required Sidewalk to expand the Sidewalk beyond the required width. In this scenario, the street trees must be placed in tree grates.
- m) Utilities shall be placed underground and should be located along Rights-of-Way ("ROWS").
- n) Curbs and gutters shall conform to the City's Engineering design standards.
- o) Parallel on-street Parking Areas (including area of adjacent paved gutter) shall be at least 7 feet wide for Residential streets and at least 7 to 8 feet wide for Primary and Secondary Streets, and at least 22 feet long for all streets.
- p) Angled on-street parking may be provided as long as wheel stops or Curbed Sidewalks are provided.
- q) On-street parking width shall include the adjacent paved gutter area. Curbed bulb-outs containing streets trees and/or other plantings are encouraged to be built at regular intervals and at all intersections within a dedicated on-street Parking Area.
- r) Where provided, Bicycle Lanes shall be at least four feet in width and shall be placed between on-street Parking Areas and travel lanes, or between the Curb and gutter and the travel lanes in the absence of on-street Parking Areas.
- s) City approved bus shelters shall be provided by the property owners or the City on all Primary Streets within the HDOD.

Cross reference— Minimum Parking Ratios, section 22-155; Off-street parking facilities; paving and drainage; lighting; landscaping; and minimum number of off-street parking spaces; off-street parking requirements for single-family residential and multifamily zoning districts, section 22-161.

(O) Building height limit.

The maximum building height shall be no higher than 75 feet, no more than seven stories and shall comply with Federal Aviation Administration Regulations, Part 77 and to ensure safety and livability.

(P) Building site area required.

Commercial or office use only, all floors:

The minimum building site area required shall be a lot or parcel of land 10,000 square feet in area.

Mixed use:

Mixed-use building site area will be determined by FAR as specified under subsection (Q).

(Q) Floor area limitations.

All buildings within this category shall be limited to a floor area ratio (FAR) as listed:

Height of Building	Floor Area Ratio
1 story	0.4
2 story	0.6
3 story	0.8
4 story	1
5 story	1.2
6 story	1.4
7 story	1.6
8 story	1.8
9 story or over	2

(R) Maximum Allowable Density and Square Footage Requirements.

Parcels located in the HDOD may be developed as follows:

1. Residential density shall not exceed one hundred and fifty (150) units per acre
2. Nonresidential developments shall be not less than a floor area ratio of 0.15 and shall not exceed a floor area ration of 3.0.

Commercial or office use only, all floors:

The minimum first floor area of a commercial building in this district shall be 1,500 square feet.

Mixed use:

In addition to the floor area required for the first floor of commercial or office use, the minimum square footage requirement for the upper-floor residential dwellings shall be as follows:

- a) One bedroom – 550 sq. ft. minimum
- b) Two bedroom – 725 sq. ft. minimum
- c) Studio Units – 450 sq. ft. minimum (Seniors Only) capped at 30 percent

Also, the following maximum percentage allocation of total residential area to ground floor business area, per development, shall apply:

Residential: 67 percent (i.e., a 2:1 ratio between residential and business, respectively.)

Front yard. Front yard required for a building designed for commercial or mixed use. All buildings shall be built to the front property line except as follows:

1. A landscaped setback of 15 feet may be permitted for beautification purposes only, at the option of the property owner.
2. Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the front property line.

Side yard required. No side yard is required for a building designed for either commercial or mixed use, except where required for protective screening, as required in subsection (M) below.

Projections beyond the face of the building (such as upper floors that cantilever beyond the footprint of the lower level) cannot extend beyond the side property lines.

Rear yard required for a building designed for commercial or mixed use. There shall be a rear yard consisting of an area which is not less than 30 percent of the lot or building site to be improved. In order to provide space for drains and other uses, except in those cases where the lot or building site abuts upon a dedicated alley which has a width of not less than 40 feet, in which case the rear yard may be 20 percent of the lot or building site area.

(S) Protective screening.

Where any lot in this district adjoins a residential district, a five-foot strip of land adjoining the boundary of the residential district shall be set aside and used for planting or walls by the owner of the commercial or mixed-use lot at his expense, to form an effective screen for the protection of the residential area. No structure, except the screen or wall, or utilities or drainage facilities, shall be placed or permitted in the area. No vehicular access shall be permitted over the area, except for the installation or maintenance of screening, utilities, and drainage facilities.

(T) Open space and landscaping requirements.

- (a) Notwithstanding any provision of this Code to the contrary, each site shall provide a minimum of 12 percent of its net lot area as landscaped open space, except where this requirement is modified per subsection (b) and/or subsection (c).
- (b) In-lieu of providing all or a portion of the landscaped open space required by subsection (a), a property owner may choose to aggregate all or a portion of required landscaped open space together on one site within the HDOD. In order to utilize this option, said aggregated space must be readily accessible to the public, must be a minimum of one-quarter acre, and must be approved through the site plan review process. Additionally, where this option is utilized, in whole or in part, to meet the required landscaped open space for residential uses in the HDOD, said space may be counted toward any land dedication otherwise needed to meet the requirements of parks concurrency. When this option is utilized, a covenant running with the land encumbering all properties involved, and in a form acceptable to the City Manager and the City Attorney, shall be recorded among the public records. The burden shall be on the property owner and/or applicant to demonstrate compliance with landscaped open space requirements, and to produce any documentation as necessary. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.
- (c) Where a building includes a habitable rooftop, including but not limited to a recreation area or outdoor dining space, said habitable rooftop area shall be counted toward the amount of land required for landscaped open space per subsection (a).
- (d) Except as provided in subsection (e), each site shall provide the number of trees, shrubs and other landscape materials as provided in article VII Landscaping and Tree Preservation. However, placement of trees, shrubs and other landscape materials shall be determined through the site plan review process, consistent with the site plan review standards in Section 22-56.
- (e) Where all required trees and shrubs cannot be provided on-site, the property owner may choose a cash in-lieu payment to the city instead of providing that portion of trees or shrubs that cannot be provided on-site, subject to approval by the city commission. In order to utilize this provision, the property owner shall provide to the city a good faith estimate, at the prevailing market rate as approved by the City Manager, of the cost to purchase and install that portion of trees and shrubs that cannot be provided on-site, which shall constitute the amount of the required payment. The city may only use these funds in furtherance of projects identified in the adopted Beautification Master Plan that are within the HDOD. If there are no projects in the HDOD for which these funds may be utilized, the city shall not accept the cash in-lieu, and the property owner/developer shall either modify the proposed project to accommodate the required trees and

shrubs, or apply for a variance. However, notwithstanding the provisions of this subsection, sufficient landscaping shall be provided on-site to appropriately complement building architecture and other functions on each site, as determined through the site plan review process, and to meet other explicit requirements of this Code.

- (f) If a plaza or courtyard is placed in the front or side street setback between any street type and a building, as provided for in (Q)1, said plaza/courtyard shall remain open to the public except in the case of emergencies or in the case of special events, as approved by the city in accordance with Section 22-135. Said plaza/courtyard may be counted as open space, including as aggregated open space per subsection (b).

(U) Off hours security devices.

The use of shutters, awnings, gates, panels or sheets or any other device meant to provide off hours premises security is prohibited. Notwithstanding the foregoing, the provisions contained in sec. 22-118 of the LDR relating to storm protection, shall remain applicable to all district properties. Exterior mounted security gates or solid roll down metal windows shall not be permitted. Link or grill type security devices shall be permitted only if installed from the inside, within the window or doorframe. Other types of security devices fastened to the exterior walls are not permitted.

City of Opa-locka Code of Ordinance

Article I

Sec. 7-1. Florida Building Code applicable.

Pursuant to F.S. § 553.73, and the provisions of the Miami-Dade County Municipal Code, Chapter 8, the Florida Building Code, as amended from time to time, is hereby adopted as the building code of the city. The Florida Building Code includes the following four (4) volumes: Building, plumbing, mechanical, and fuel gas, and all appendices thereto, with the National Electrical Code adopted by reference. The Florida Building Code addresses container use as building structures for Residential, Commercial, Industrial and Mixed-Uses which was adopted by Miami-Dade County in Code of Ordinance Section 33-32. In the City of Opa-locka, this is applicable in Residential, Commercial, Industrial, Civic and Mixed-Use Zoning Districts.

(Code 1955, § 8-8; Ord. No. 18-07, § 2, 7-11-18)

(Code 1955, § 8-8; Ord. No. 18-07, § 2, 7-11-18)

Miami-Dade County Code

Sec. 33-32. - Limitations and restrictions on use of metal covering for buildings and additions.

The limitations and restrictions on the use of metal covering for buildings and additions are as follows:

- (a) That such metal buildings, their components and their use shall conform in every respect with all applicable provisions of the South Florida Building Code.
- (b) That metal sandwich-type panel units, which are approved as conforming to the standards of the South Florida Building Code shall be permitted for construction of all buildings in all zoning districts; provided, the exterior metal walls shall have a noncorrosive surface with a secondary finish, shop or field applied, or integral finish which will not reflect more than sixty (60) percent of the incident light.
- (c) That approved architecturally shaped metal structural sheets may be used for exterior wall and roof covering of buildings in BU and IU Districts and for nonresidential use buildings in the AU District and for nonresidential accessory use buildings in the RU and EU Districts, provided the same, and the use thereof are approved as conforming with all requirements of the South Florida Building Code and the proviso portion of Subsection (b) above.
- (d) Nonstructural aluminum exterior wall lap siding with baked enamel or other approved finish, which is approved as complying with standards of the South Florida Building Code, shall be permitted as veneer siding in all zoning districts.
- (e) This section is not intended to amend, repeal, modify or supersede Article V, Chapter 33 or Section 33-246(23) of this Code or to prevent the use of metal shingles as roofing, if such shingles are approved as complying with the standards of the South Florida Building Code. It is intended, however, that the provisions of this section shall supersede all reference in Chapter 33 of the Code of Miami-Dade County to requirements for masonry construction, and that type of construction shall be governed by the provisions of this section and the South Florida Building Code.

(Ord. No. 57-19, § 28, 10-22-57; Ord. No. 61-14, § 1, 4-11-61; Ord. No. 65-22, § 2, 4-6-65)







Sponsored by: Interim City Manager

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 16-13, the City of Opa- Locka, Florida ("City") established the Historic Environmental Preservation Board ("Board") in order to preserve and protect the City's historic and cultural heritage and foster civic pride; and

WHEREAS the Historic Environmental Preservation Board was also established to protect the green environment within the City, especially, the preservation of its trees in order to support Arbor Day principles; and

WHEREAS, pursuant to Ordinance 2022-02, the City of Opa-locka established the minimum standards and the process governing the preservation, maintenance for historically designated properties as set forth in Miami Dade County's Historic Preservation Ordinance; and

WHEREAS, further, pursuant to Ordinance 2022-02, the City created, provided for composition; term of office; qualifications; organization; meetings, records standards and established duties and responsibilities of the Historic Environmental Preservation Board; and

WHEREAS, the City Commission desires to amend Ordinance 2022-02, relating to the Historic Environmental Preservation Board, to establish an administrative process for the approval of regular certificates of appropriateness for certain improvements, renovations and maintenance projects on historic designated properties listed in the COA Matrix.

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

Section 1. Adoption of Representations.

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

Section 2. Amending Ordinance 2022-02, relating to the Historic Environmental Preservation Board, Section 2-570.84., entitled "Definitions" and Section 2-570.86, entitled "Rules and Regulations", which shall read:

Sec. 2-570.84. Definitions

(2) Certificates of Appropriateness - A certificate issued by the City Commission after recommendation by the Board permitting certain alterations or improvements to a designated property.

(A) Regular Certificate of Appropriateness - A Regular Certificate of Appropriateness shall be issued and approved by the staff of the Preservation Board, City Manager through the administrative review process based on the guidelines for preservation approved by the City Commission. of minor repair and renovation projects.

(B) Special Certificate of Appropriateness - For all applications for a Special Certificate of Appropriateness involving the demolition, removal, reconstruction or new construction at an individual site or in a district a Special Certificate of Appropriateness is required that is issued directly by the Board.

18) Historic Designated Property- Any property listed on the City of Opa-locka Historic Register or contributing property within the designated historic district.

(19) Minor Repair or Renovation Project -Any alteration to an exterior of historic designated property that is considered to be of minimal impact on the property's historic character, such as routine maintenance, replacement of like-for-like materials, minor paint color changes, or minor repairs to windows and doors, as further defined in the COA Matrix.

Sec. 2-570.86. Rules and Regulations

Section 4. Administrative Approval Process for Minor Repair and Renovation Projects:

(a) Application- An owner of a historic designated property seeking to undertake a minor repair or renovation project shall submit a completed application to the Zoning, Planning and Community Development, including detailed plans, photographs, and a description of the proposed work.

- (b) Review by Zoning, Planning and Community Development- The Director and the designated staff shall review the application to determine if the project qualifies as a minor repair or renovation project. If approved, the Zoning, Planning and Community Development shall issue a Certificate of Appropriateness without further review by the HEPB.
- (c) Notification-The applicant shall be required to notify any adjacent property owners of the administrative approval of a minor repair or renovation project.
- (d) Conditions for Administrative Approval - All minor repair or renovation projects must comply with the established City of Opa-locka Historic Preservation Design Guidelines.

Section 45. Appeals

Upon written decision of the City Commission, an aggrieved party may appeal the decision by filing a written notice of appeal with the City Clerk. The notice of appeal shall state the decision which is being appealed, the grounds for the appeal, and a brief summary of the relief which is sought. Subsequently, the City Commission shall conduct a public hearing at which time they may affirm, modify or reverse the decision of the Board or of the City Commission. Nothing contained herein shall preclude the City Commission from seeking additional information prior to rendering a final decision. The decision of the City Commission shall be reflected in the minutes and a copy of the Minutes shall be forwarded to the board and the appealing party.

Within the time prescribed by the appropriate Florida Rules of Appellate Procedure, a party aggrieved by a decision of the City Commission may appeal an adverse decision to the Circuit Court in and for Dade County, Florida. The party taking the appeal shall be required to pay to the City of Opa-locka the sum of One Hundred Dollars (\$100.00) to defray the costs of preparing the record on appeal.

Section 56. Penalties

Failure by an owner of record to comply with any provision of this ordinance shall constitute a violation hereof and shall be punishable by the City Commission by civil or criminal penalties including a fine of not more than \$500.00 per day for each day the violation continues. In addition, the Board may require that any work performed contrary to this ordinance must be removed and the property returned to its condition prior to commencement of said action.

Section 67. Incentives

All properties designated as individual sites or as designated properties within a district shall be eligible, upon application by the owner(s), for any available financial assistance set aside for historic preservation by Metropolitan Dade County contingent on the availability of funds and the scope of the project as described in the application.

Section 3. Conflict & Repealer.

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

Section 4. Severability.

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

Section 5. Inclusion In Code.

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

Section 6. Effective Date.

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

PASSED FIRST READING this ____ day of _____ 2025.

PASSED SECOND READING this ____ day of _____ 2025.

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 Ervin	_____ (Yes)	_____ (No)
Commissioner Santiago	_____ (Yes)	_____ (No)
Vice Mayor Kelley	_____ (Yes)	_____ (No)
Mayor Taylor	_____ (Yes)	_____ (No)



City of Opa-locka Agenda Cover Memo

Department Director:	Gregory Gay		Department Director Signature:		
Interim City Manager:	Sha'mecca Lawson		ICM Signature:		
Commission Meeting Date:	2.12.2025		Item Type: (Enter X in box)	Resolution	Ordinance X
Fiscal Impact: (Enter X in box)	Yes	No	Ordinance Reading: (Enter X in box)	1st Reading	
				2nd Reading	
		X	Public Hearing: (Enter X in box)	Yes X	No
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	Interim City Manager		Department:	City Manager	

Short Title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA AMENDING CHAPTER 2 ARTICLE XI DIVISION 13 TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAIN PROJECTS ON HISTORIC DESIGNATED PROPERTIES.

Staff Summary:

Pursuant to Chapter 2 Article XI Division 13 of the City's Code of Ordinances, historic designated property owners are required to present any requests for rehabilitation, improvements or repairs to the Historic Environmental Preservation Board (HEPB). The Board is tasked with evaluating the projected work and determines whether to approve or deny a Certificate Of Appropriateness (COA). The Planning and Community Development staff believes that properties seeking to undertake minor repairs or renovations should be reviewed administratively and presented to the City Manager or its

designee for final approval. Minor repair or renovation projects are considered to be of minimal impact on the property's historic character, such as routine maintenance, replacement of like-for-like materials, minor paint color changes, or minor repairs to windows and doors, as further defined in the accompanying COA Matrix. A proposed amendment to establish an administrative process for all qualified projects not requiring HEPB review is attached.

Financial Impact – There is no identifiable financial impact associated with this proposed ordinance amendment.

Proposed Action:

Staff recommends the City Commission amends Chapter 2, Article XI, Division 13 to establish an administrative process for the approval of regular certificates of appropriateness for certain improvements.

Attachment:

Memo-Minor Home or Renovation Project
Certificate of Appropriateness Matrix
Draft Ordinance

FROM PAGE 4NW

JOBS

data centers and cloud infrastructure services, inventory, monitoring and diagnosing operating systems, data storage, backups, restores, and business continuity services for disaster recovery.

Salary range:
\$113,341.07 to \$235,628.02
Deadline: 5 p.m. March 7, 2025

PROFESSIONAL SURVEYOR AND MAPPER

Description: Work involves responsibility for performing land surveys for the City of Miami or acting as consultant/adviser monitoring the work of private surveying and mapping companies under contract with the city.

Salary: \$81,013.50
Deadline: Continuously accepting applications

STRUCTURAL ENGINEER PLANS EXAMINER

Description: This position requires structural engineering analysis/review of buildings as mandated by the Florida Building Code. This is highly skilled



inspections, enforcement and supervisory work in the examination, review, analysis approval and/or disapproval of plans to ensure compliance with the Florida Building Code and other applicable codes and regulations as

it relates to building and/or structural plans examining.
Salary range:
\$103,396.18 to \$214,953.23
Deadline: Continuously accepting applications



REQUEST FOR QUALIFICATIONS (RFQ) # 2025-01
VILLAGE OF KEY BISCAINE
GRANT ADMINISTRATION SUPPORT SERVICES

Pre-Proposal Conference: MARCH 11, 2025, AT 10:00 AM
Proposal Deadline: APRIL 03, 2025, AT 11:30 AM

The Village of Key Biscayne invites solicitations from qualified firms, licensed in the State of Florida, to provide a proposal for Grant Administration Support Services. The Village of Key Biscayne encourages small and minority businesses, women's business enterprises, and labor surplus area firms to submit proposals.

Proposals must be submitted by the deadline date. Proposal packages will be available on the Village's website www.keybiscayne.fl.gov/procurement or on Demandstar. For further information contact: Procurement at procurement@keybiscayne.fl.gov



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on **Wednesday, MARCH 12TH, 2025 at 6:00 P.M.**, the City of **Hialeah Planning and Zoning Board** will hold A Public Hearing in the Council Chambers of City Hall, 3rd Floor, 501 Palm Avenue.

THE PLANNING AND ZONING BOARD WILL CONSIDER THE FOLLOWING REQUESTS:

Conditional Use Permit (CUP) to allow the expansion of an existing school with grades K-8th, and to allow an increase of students for a maximum population of 740 students. Properties are located at 369 East 10th Street and 1094 East 4th Avenue, Hialeah, zoned B-1 (Highly Restricted Retail District).

Conditional Use Permit (CUP) to allow a K-3rd grade elementary school with a maximum capacity of 26 students in conjunction with a 55-children daycare. Variance permit to allow 11 parking spaces, where 15 parking spaces are required.

ALL RECOMMENDATIONS MADE AT THIS MEETING WILL BE PRESENTED FOR HEARING TO THE **CITY COUNCIL** AT ITS MEETING OF **TUESDAY, MARCH 25TH, 2025.**

Written objections must be filed prior to hearing date with the **Hialeah Planning Division, 501 Palm Avenue, Hialeah, Florida 33010**. Oral objections will be heard at the hearing. For additional information, please call (305) 883-8075.

HIALEAH PLANNING DIVISION

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING, A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.



CITY OF OPA-LOCKA, FLORIDA

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, March 12, 2025 at 7:00 p.m.**, in the City Commission Chambers at the Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES / PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025). Deferred from 02/12/2025 RCM

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 14, OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14-13(1) AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT, FORECLOSURE PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

All interested persons are encouraged to participate and will be heard with respect to the public hearings.

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on the scheduled meeting date.

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

Joanna Flores, CMC
City Clerk
City of Opa-locka

Two men charged with molesting a teen on a Royal Caribbean cruise bound for PortMiami

By DAVID J. NEAL
dneal@miamiherald.com

Two men in their 30s are accused of raping a 14-year-old boy in a sauna on a Royal Caribbean cruise ship headed for PortMiami.

Ricardo Daniel Mondragon Leal, 37, Jose Juan Prudencio Diaz, 36, were arrested Friday, the day after the alleged sexual assault on the Independence of the Seas.

Mondragon and Prudencio

Diaz live in the same modern Mexico City apartment building, according to arrest reports from the Miami-Dade Sheriff's Office. As the criminal case finishes, they're both being held at the Miami-Dade Metro West Detention Center.

Mondragon was granted no bond on charges of sexual battery of a minor; lewd and lascivious exhibition by an adult on a minor under 16; and lewd and lascivious molestation on a child aged 12 to 16.

Diaz faces the same lewd and lascivious charges — no bond on those — and a charge of not informing another person in a sexual act of his HIV status. Each has pleaded not guilty to all charges.

As a result of their charges, both have holds for Immigration and Customs Enforcement placed on them.

The arrest paperwork reveals the 14-year-old was in the sauna on Thursday when Mondragon and Prudencio sexually abused the boy.

"We take these allegations very seriously and immediately notified local law enforcement," a Royal Caribbean Group spokesperson emailed. "As this is an ongoing investigation, we have nothing further to share at this time."

David J. Neal:
305-376-3559,
@DavidJNeal

MIAMI-DADE COUNTY

Public Notice

NOTICE OF SALE

Questions? Visit the People and Internal Operations Department Web Site at: <http://www.miamidade.gov/countystore/>
Miami-Dade County is conducting an online auction for various surplus items as listed below and which can be viewed at the following link: <http://www.govdeals.com/index.cfm?fa=Main.AdvSearchResultsNew&agency=7167>
The online auction will begin on April 4, 2025 until April 11, 2025

Miami-Dade County People and Internal Operations Department Surplus Equipment

The viewing times and locations of items are listed in each individual auction. Property may be inspected **BY APPOINTMENT ONLY**, or during the specified times listed on the respective auctions. Please call contact persons for appointment before attempting to inspect property. Please ensure that you have read and understand all the Terms & Conditions included with each item listing prior to placing a bid.

THE PROPERTY IS BEING SOLD "AS IS, WHERE IS" AND THERE IS NO GUARANTEE, WRITTEN, EXPRESS, IMPLIED OR OTHERWISE. BIDDERS ARE CAUTIONED TO INSPECT THE PROPERTY PRIOR TO SUBMITTING A BID. THERE WILL BE NO REFUNDS. MIAMI-DADE COUNTY MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO QUANTITY, KIND, CHARACTER, QUALITY, WEIGHT, SIZE, OR DESCRIPTION OF ANY OF THE PROPERTY, OR ITS FITNESS FOR ANY USE OR PURPOSE. ALL PROPERTY, WHETHER OFFERED AS AN INDIVIDUAL ITEM, LOT, OR SYSTEM MAY ACTUALLY BE INCOMPLETE WITH COMPONENTS MISSING, DEFECTIVE, DAMAGED OR ALTERED OR HAVE LATENT DEFECTS OR OTHERWISE REQUIRE EXTENSIVE REPAIRS OR SERVICING FOR WHICH MIAMI - DADE COUNTY WILL NOT BE RESPONSIBLE. IT IS STRONGLY RECOMMENDED THAT BIDDERS VIEW ITEMS PRIOR TO BIDDING.

This sale is subject to all the terms, requirements and conditions contained in the Notice of Sale, and the Terms and Conditions included with each item listing. The People and Internal Operations Department Director or designee reserves the right to waive any informalities in or to reject any or all bids.

The following items are available for sale and listed by auction number below. Property may be inspected BY APPOINTMENT ONLY, or during the specified times listed on the respective auctions. Please call contact persons listed for an appointment before attempting to inspect property.

DC# 40353/ 2003 Sterling M7500, Dump truck. PROS 25-09 #1
DC# 13-2575/ 2008 Freightliner MT45 Chassis

BOARD OF COUNTY COMMISSIONERS | MIAMI-DADE COUNTY, FLORIDA
By: Raymond Hall, Director | People and Internal Services Department

For legal ads online, go to legalads.miamidade.gov



CITY OF OPA-LOCKA, FLORIDA

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, April 9, 2025 at 7:00 p.m.**, in the City Commission Chambers at the Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES / PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

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Joanna Flores, CMC

City Clerk

City of Opa-locka



Memorandum

TO: The Mayor, and City Commission

FROM: Gregory D. Gay, Director
Gerald Lee, Zoning Official
Solomon Bankole, Economic Development Manager
Diana Cheng, Executive Secretary

DATE: January 15, 2025

RE: **Designated Historic Homes**-Approval of Regular Certificate of Appropriateness

Intent and Objectives:

Minor Repair or Renovation Project:

Any alteration to an exterior of historic designated property that is of minimal impact on the property's historic character, such as routine maintenance, replacement of like-for-like materials, minor paint color changes, or minor repairs to windows and doors, as further defined in the accompanying COA Matrix.

Historic Designated Property:

Any property listed on the City of Opa-locka Historic Register or contributing property within the designated historic district.

Certificate of Appropriateness (COA):

A permit required for any exterior alteration to a historic designated property, including minor repair or renovation projects, and determined by the HEPB

An owner of a historic designated property seeking to undertake a minor repair or renovation project shall submit a completed application to the Zoning, Planning and Community Development, including detailed plans, photographs, and a description of the proposed work.

Review by Zoning, Planning and Community Development:

The Director and the designated staff shall review the application to determine if the project qualifies as a minor repair or renovation project. If approved, the Zoning, Planning and Community Development shall issue a Certificate of Appropriateness without further review by the HEPB.

Notification:

The applicant shall be required to notify any adjacent property owners of the administrative approval of a minor repair or renovation project.

END OF MEMORANDUM

Matrix

Administrative Approval vs. Approval by Board Hearing

Action	Admin REVIEW		HEPB REVIEW	
	Regular COA	Special COA	Regular COA	Special COA
Accessory dwellings or structures	☐	☒		
Additions not visible from street and 20% or less of the existing building's square footage	☒	☐		
all other additions	☐	☒		
Awnings (window or porch)	☒	☐		
Carports	☒	☐		
Changes to board-approved plans unless change can otherwise be approved administratively as a Regular COA	☐	☒		
Deck, patio, pergola with structure or on façade of building	☐	☒		
not visible from the right-of-way	☒	☐		
Demolitions non-historic addition that totals 10% or less of building's total square footage of non-historic outbuilding	☒	☐		
all other demolitions	☐	☒		
Doors and garage doors same materials, style or size	☒	☐		
change in materials or style	☒	☐		
change in openings on façade	☐	☒		
change in openings on secondary elevation	☒	☐		
Driveways and sidewalks	☒	☐		
Garages (attached or detached)	☐	☒		
Extension of COA	☒	☐		
Exterior mounted technology - solar, screens, satellite cellular on façade or visible from right-of-way	☐	☒		
on other elevations	☒	☐		
Exterior wall finish change in original materials	☐	☒		
removal of non-historic material to restore original materials	☒	☐		
Fences, walls and hedges feature that does not extend beyond the façade of the structure	☒	☐		
encloses front yard that has previously been enclosed	☒	☐		
encloses a front yard that has previously not been enclosed	☐	☒		
Mechanical Systems with visual impact	☒	☐		

Admin REVIEW HEPB REVIEW

Action	Regular COA	Special COA
Painting	☒	☐
Pools, pool enclosures at rear of structure or not visible from right-of-way	☒	☐
at front of structure or visible from right-of-way	☐	☒
Porches return porch opening to original design	☒	☐
open a historically enclosed porch	☐	☒
enclose a historically open porch on façade or visible from right-of-way	☐	☒
enclose a historically open porch on elevation not visible from right-of-way	☒	☐
Relocation of a structure (s)	☐	☒
Repairs and maintenance (match existing)	☒	☐
Roof same material and shape	☒	☐
change in material consistent with architectural style	☒	☐
change in material not consistent with architectural style	☐	☒
change in shape and/or height	☐	☒
Screen doors	☒	☐
Screening for HVAC, waste collection, etc.	☒	☐
Seawalls, boat lifts and docks	☒	☐
Signage	☒	☐
Sheds	☒	☐
Shutters (including storm shutters)	☒	☐
Skylights on façade of visible from right-of-way	☐	☒
not visible from right-of-way	☒	☐
Windows same materials, style, or size	☒	☐
change in style on façade	☐	☒
change in materials on façade or secondary elevation or style on secondary elevation	☒	☐
change in openings	☐	☒

Staff reserves the right to defer an item to the Board if it does not fit within one of the above categories. Staff and the Board reserve the right to apply additional flexibility in the application of review standards as it relates to the resiliency goals of the proposed scope of work, the resource's proximity to water or shoreline, and other vulnerability factors as considered in the Office of Historic Preservation's Historic Site Vulnerability Matrix.

ORDINANCE 2025-__

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 14 , OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14-13(1) AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT, FORECLOSURE PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa Locka desires to protect the public health, safety, and welfare of the citizens of the incorporated area of City of Opa Locka and maintain a high quality of life for the citizens of the City of Opa Locka through the maintenance of structures and properties in the City of Opa Locka; and

WHEREAS, the City Commission recognizes properties subject to foreclosure action or foreclosed on and vacant properties (hereinafter referred to as "Registrable Properties") located throughout the City of Opa-Locka lead to a decline in community and property value; create nuisances; lead to a general decrease in neighborhood and community aesthetic; create conditions that invite criminal activity; and foster an unsafe and unhealthy environment; and

WHEREAS, the City Commission has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the City Commission recognize in the best interest of the public health, safety, and welfare a more regulated method is needed to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the City Commission has a vested interest in protecting neighborhoods against decay caused by Registrable Property and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration requirements of Registrable Property located within the City of Opa-Locka to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised.

WHEREAS, the City Commission finds that the implementation of the following changes and additions will assist the City in protecting neighborhoods from the negative impact and conditions that occur as a result of vacancy, absentee ownership, and lack of compliance with existing City regulations and laws.

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

Section 1. Adoption of Representations.

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

Section 2. Amending Chapter 14 “Nuisances”, Article I to create new Section 14-13, entitled “REGISTRATION OF ABANDONED, VACANT FORECLOSURE PROPERTIES”, which shall read:

CHAPTER 14. NUISANCES

Sec. 14-13. - REGISTRATION OF ABANDONED, VACANT FORECLOSURE PROPERTIES

14-13 (1) PURPOSE AND INTENT.

It is the purpose and intent of the City Commission to establish a process to address the deterioration, crime, and decline in value of City of Opa Locka neighborhoods caused by property with foreclosing or foreclosed mortgages located within the City of Opa-Locka, and to identify, regulate, limit and reduce the number of these properties located within the City of Opa-Locka. It has been determined that Owner-occupied structures are generally better maintained when compared to vacant structures, even with a diligent off-site property Owner. Vacant structures or structures owned by individuals who are economically strained and unable to meet their mortgage obligations are often not properly or diligently maintained, which contribute to blight, declined property values, and have a negative impact on social perception of the residential areas where they are located. It is the City Commission’s further intent to establish a registration program as

a mechanism to help protect neighborhoods from becoming blighted through the lack of adequate maintenance of properties that are in Foreclosure or Foreclosed, and to provide a mechanism to avert foreclosure actions through timely intervention, education, or counseling of property Owners.

Sec. 14-13 (2) DEFINITIONS

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned personal property means wrecked or derelict property which has been left abandoned and unprotected from the elements and shall include wrecked, inoperative or partially machinery, dismantled motor vehicles, trailers, boats, refrigerators, washing machines, plumbing fixtures, furniture and any other similar article which has been left abandoned and unprotected from the elements.

Accessible property means a property that is accessible through a comprised/breached gate, fence, wall, etc.

Accessible structure means a structure/building that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

Default shall mean that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage or deed of trust.

Enforcement Officer shall mean any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector, building inspector, or other person authorized by the City of Opa Locka to enforce the applicable code(s).

Evidence of Vacancy shall mean any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; past due utility notices and/or disconnected utilities; accumulation of trash junk or debris; abandoned vehicles, auto parts and/or materials; the absence of furnishings and/or personal items consistent with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passers-by, delivery agents or government agents;

and/or the presence of boards over doors, windows or other openings in violation of applicable code.

Foreclosure or Foreclosure Action shall mean the process by which a property, placed as security for a real estate loan, is sold at public sale to satisfy the debt if the borrower defaults. A Foreclosure or Foreclosure Action is deemed commenced upon a Mortgagee's filing of a Notice of Lis Pendens or similar evidence of Default.

Law Enforcement shall mean City of Opa-Locka Police or other officially recognized county, state or federal law enforcement organization recognized by the City of Opa-Locka.

Mortgagee shall mean the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the Real Property, excluding governmental entities as the assignee or owner.

Nominal salvage value means the value of an article of abandoned or derelict property which a reasonably prudent person would believe the fair market value of the property would be nominally greater than the costs of salvage including the removal, transportation, storage, and sale of same. This definition shall take into consideration its useful life, earning capacity or replacement cost, less depreciation and items of general or special depreciation.

Owner shall mean every person, entity, or Mortgagee, who alone or severally with others, has legal or equitable title to any Real Property as defined by this Chapter; has legal care, charge, or control of any such property; is in possession or control of any such property; and/or is vested with possession or control of any such property. The Property Manager shall not be considered the Owner.

Property Manager shall mean any party designated by the Owner as responsible for inspecting, maintaining and securing the property as required in this Chapter.

Real Property shall mean any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the City of Opa Locka limits.

Registrable Property shall mean:

- (a) Any Real Property located in the City of Opa-Locka, whether Vacant or occupied, that is (i) subject of a Foreclosure Action; (ii) has been the subject of a Foreclosure

Action and a judgment has been entered but the property has not yet been sold; (iii) has been the subject of a Foreclosure sale and title was transferred to the Mortgagee or an affiliate entity of the Mortgagee; or (iv) transferred to the Mortgagee or an affiliated entity of the Mortgagee under a deed in lieu of Foreclosure or Foreclosure sale. The designation of a Real Property as a Registrable Property pursuant to this subsection shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the Foreclosure Action has been dismissed; or

- (b) Any property that is vacant for more than thirty (30) days or any cancellation of Utility or Service, whichever occurs first.

Registry shall mean a web-based electronic database of searchable Real Property records, used by the City of Opa-Locka to allow Mortgagees and Owners the opportunity to register properties and pay applicable fees as required in this Chapter.

Semi-Annual Registration shall mean six (6) months from the date of the first action that requires registration, as determined by the City of Opa-Locka, or its designee, and every subsequent six (6) months. The date of the initial registration may be different than the date of the first action that required registration.

Utilities and Services shall mean any utility and/or service that is essential for a building to be habitable and/or perform a service necessary to comply with all City of Opa-Locka codes. This includes, but is not limited to, electrical, gas, water, sewer, trash service, lawn maintenance, and pool maintenance.

Vacant shall mean any parcel of land in the City of Opa Locka that contains any building or structure to be used as a residence or for commercial or industrial purposes that is not lawfully occupied or used for its accustomed and ordinary purpose, as evidenced by conditions set forth in the definition of "*Evidence of Vacancy*". In the case of the use of residential property, "used for its accustomed and ordinary purpose" means as a place of abode.

Sec. 14-13 (3) APPLICABILITY AND JURISDICTION

This Chapter applies to all Real Property within the City of Opa-Locka.

- (1) *Applicability.* This section shall be considered cumulative and not superseding or subject to any other law or provision for same, but shall rather be an additional remedy available to the city above and beyond any other state, county and/or local provisions for same.

- (2) *Penalties.* Any person who shall violate the provisions of this article shall, upon conviction, be punished as provided in this section.
- (3) *Placement of abandoned personal property prohibited.*
- (a) It shall be unlawful for any person to abandon personal property upon private property:
1. Without receiving the property owner's consent; or
 2. In violation of this or any other applicable law, ordinance or regulation.
- (b) Nothing in this section shall be deemed to apply to abandoned personal property authorized to be left on private business property properly operated, licensed and zoned in the city for the purpose of accepting abandoned property.
- (4) *Public nuisance.* All abandoned personal property and foreclosure real property is hereby declared to be a public nuisance, the abatement of which is hereby declared to be necessary for the health, welfare and safety of the residents of the city.
- (5) *Notification procedure.* When an enforcement officer ascertains that an article of personal property having nominal salvage value lies abandoned or derelict upon private property, that officer shall:

- (a) Cause a notice to be placed upon such abandoned property in the substantially following form:

NOTICE TO THE OWNER AND ALL PERSONS INTERESTED IN THE ATTACHED PROPERTY THIS PROPERTY, TO WIT: (setting forth brief description)

LOCATED AT: (setting forth brief description of location) is:

IMPROPERLY STORED AND IS IN VIOLATION OF (setting forth ordinance or violation violated)

AND MUST BE REMOVED WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE; OTHERWISE IT SHALL BE PRESUMED TO BE ABANDONED PROPERTY AND WILL BE REMOVED AND SOLD OR DESTROYED BY ORDER OF THE GOVERNING BODY OF THE CITY OF OPA-LOCKA, FLORIDA

DATED THIS: (setting forth the date of posting of notice);

SIGNED (setting forth name, title, address and telephone number of enforcement officer.)

Such notice shall be not less than eight (8) inches by ten (10) inches and be sufficiently weatherproof to withstand normal exposure to the elements.

- (b) The enforcement officer shall also make reasonable effort to ascertain the name and address of the owner of the abandoned property and, if such address is reasonably available, the officer shall mail by certified mail a copy of the notice

- to the owner on or before the date of posting the above-described notice on the abandoned personal property.
- (c) The enforcement officer shall mail, by certified mail, a copy of the above-described notice to the owner of the real property upon which the abandoned personal property is located, as shown by the real estate tax records used by the county, on or before the date of posting such notice.
- (6) *Removal of abandoned personal property.*
- (a) If at the end of ten (10) days after posting notice under this article, the owner or any person interested in such abandoned personal property described in the notice has not removed same, the enforcement officer may cause the article of abandoned personal property to be removed and destroyed or sold, and the salvage value, if any, of such article shall be retained by the local government to be applied against the cost of removal and destruction thereof.
 - (b) Before sale or destruction, as determined by the City of Opa-Locka, any owner or lienholder of the abandoned personal property shall be permitted to regain possession thereof upon proof of ownership or lien rights entitling the lienholder to possession, upon payment of storage charges and all expenses incurred by the enforcement officer and/or the city.

Sec. 14-13 (4) ESTABLISHMENT OF A REGISTRY

The City of Opa-Locka, or its designee, shall establish a registry cataloging each Registrable Property within the City of Opa Locka, containing the information required by this Chapter.

Sec. 14-13 (5) INSPECTION AND REGISTRATION OF REAL PROPERTY UNDER FORECLOSURE

- (a) Any Mortgagee who holds a mortgage on Real Property located within the City of Opa-Locka shall perform an inspection of the property that upon Default by the mortgagor as evidenced by the filing of a Foreclosure Action, Lis Pendens, or Notice of Trustee's Sale. Inspection means a careful examination of the property to determine occupancy and if it is in compliance with all applicable building, maintenance, and housing codes.
- (b) Property inspected pursuant to subsection (a) above that remains in Foreclosure shall be inspected every thirty (30) days by the Mortgagee or Mortgagee's designee. If an inspection shows a change in the property's occupancy status the

Mortgagee shall, within ten (10) days of that inspection, update the occupancy status of the property registration.

- (c) Within ten (10) days of the date any Mortgagee files a Foreclosure Action, the Mortgagee shall register the Real Property with the City of Opa-Locka Registry, and, at the time of registration, indicate whether the property is Vacant, and if so shall designate in writing a Property Manager to inspect, maintain, and secure the Real Property subject to the mortgage under a Foreclosure Action. A separate registration is required for each property under a Foreclosure Action, regardless of whether it is occupied or vacant.

(1) Mortgagees who have existing registrable property on the effective date of this ordinance have thirty (30) calendar days from the effective date to register the property as indicated in this section. A separate registration is required for each property, whether it is vacant or occupied.

- (d) Registration pursuant to this section shall contain the name of the mortgagee and the mortgage servicer, the direct mailing address of both parties, a direct contact name and telephone number for both parties, a facsimile number and/or e-mail address for both parties, the folio or tax number, and the name and 24-hour contact telephone number of the property management company responsible for the security and maintenance of the property.
- (e) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee of Three Hundred Dollars (\$300.00) for each property. Subsequent non-refundable Semi-Annual renewal registrations of properties and fees in the amount of Three Hundred Dollars (\$300.00) are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Defaulted properties, (3) post-closing counseling and Foreclosure intervention limited to Owner-occupied persons in Default, which may not include cash and mortgage modification assistance, and (4) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the City of Opa-Locka's Department dedicated to the cost of implementation and enforcement of this Ordinance, and fulfilling the purpose and intent of this Chapter. None of the funds provided for in this section shall be utilized for the legal defense of Foreclosure Actions.
- (f) If the mortgage and/or servicing on a Registrable Property is sold or transferred, the new Mortgagee / Servicer is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Mortgagee shall register the property, if not already registered, or update the existing registration. The previous Mortgagee(s) / Servicer(s) will not be released from the responsibility of paying all previous

unpaid fees, fines, and penalties accrued during their involvement with the Registrable Property.

- (g) If the Mortgagee sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including, but not limited to, unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous Mortgagee will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Foreclosed Property.
- (h) If the Foreclosing or Foreclosed Property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be charged for every thirty-day period (30), or portion thereof, the property is not registered and shall be due and payable with the registration.
- (i) This section shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the Mortgagee as well as any properties transferred to the Mortgagee under a deed in lieu of foreclosure or by any other legal means.
- (j) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property remains Registrable Property.
- (k) Any person or corporation that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change to the City of Opa Locka.
- (l) Failure of the Mortgagee and/or property Owner of record to properly register or to modify the registration to reflect a change of circumstances as required by this ordinance is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the City of Opa Locka.
- (m) If any property is in violation of this Chapter the City of Opa Locka may take the necessary action to ensure compliance with and/or place a lien on the property

for the cost of the outstanding obligation and any additional cost incurred to the property into compliance.

**Sec. 14-13 (6) INSPECTION AND REGISTRATION OF REAL PROPERTY
 THAT IS NOT SUBJECT TO A MORTGAGE IN FORECLOSURE**

- (a) Any Owner of Vacant property, as defined in this chapter, located within the City of Opa Locka shall within ten (10) days after the property becomes Vacant, register the Real Property with the City of Opa Locka Registry. Structures that are vacant property at the time of the adoption of this ordinance must register within fifteen (15) days of the date this ordinance takes effect.
- (b) Initial registration pursuant to this section shall contain at a minimum the name of the Owner, the mailing address of the Owner, e-mail address, and telephone number of the Owner, and if applicable, the name and telephone number of the Property Manager and said person's address, e-mail address, and telephone number.
- (c) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee of \$300.00 for each Vacant property. Subsequent non-refundable Semi-Annual renewal registrations of Vacant properties and fees in the amount of \$300.00 are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Vacant properties, and (3) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the City of Opa Locka's Department dedicated to the cost of implementation and enforcement of this Ordinance, and fulfilling the purpose and intent of this Chapter.
- (d) If the property is sold or transferred, the new Owner is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Owner shall register the Vacant property, if not already registered, or update the existing registration. The previous Owner(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Owner's involvement with the Vacant property.
- (e) If the Vacant property is not registered, or either the registration fee or the Semi-Annual Registration fee is not paid within thirty (30) days of when the registration or Semi-Annual Registration is required pursuant to this section, a late fee shall be equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be

charged for every thirty (30) day-period, or portion thereof, the property is not registered and shall be due and payable with the registration. This section shall apply to the initial registration and registrations required by subsequent Owners of the Vacant property.

- (f) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property is Vacant.
- (g) Failure of the Owner to properly register or to modify the registration to reflect a change of circumstances as required by this ordinance is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the City of Opa Locka.
- (h) If any property is in violation of this Chapter the City of Opa Locka may take the necessary action to ensure compliance with and place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to the property into compliance.
- (i) Properties registered as a result of this section are not required to be registered again pursuant to the Foreclosure mortgage property section.

Sec. 14-13 (7)

MAINTENANCE REQUIREMENTS

- (a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material, or any other items that give the appearance that the property is abandoned.
- (b) Registrable Property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Visible Front, side, and rear yards, including landscaping, of Registrable Property shall be maintained in accordance with the applicable code(s) at the time registration is required.
- (d) Registrable yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or

artificial turf/sod. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.

- (e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- (f) Pools and spas of shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code provisions.
- (g) Failure of the Mortgagee, Owner, and transferees to properly maintain the property as required by this Chapter may result in a violation of the ~~City Code~~ applicable code(s) and issuance of a citation ~~by the City's code compliance unit~~ or notice of violation in accordance with the applicable code of the City of Opa Locka. Pursuant to a finding and determination by the City of Opa-Locka, the Special Magistrate or a court of competent jurisdiction, the City of Opa Locka may take the necessary action to ensure compliance with this section.
- (h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s) of the City of Opa Locka.

Sec. 14-13 (8)

SECURITY REQUIREMENTS

- (a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- (b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property and/or structure. Broken windows, doors, gates, and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by re-glazing of the window.
- (c) Failure of the mortgagee and/or property owner of record to properly maintain the property may result in a violation of the City Code and citation by the City's code compliance unit pursuant to a finding and determination by the special magistrate, the City may take the necessary action to ensure compliance with this section.
- (d) If a property is Registrable, and the property has become vacant or blighted, a Property Manager shall be designated by the Mortgagee and/or Owner to perform the work necessary to bring the property into compliance with the applicable code(s),

and the Property Manager must perform regular inspections to verify compliance with the requirements of this Chapter, and any other applicable laws.

- (c) In addition to the above, the property is required to be secured in accordance with the applicable code(s) of the City of Opa-Locka.
- (d) When a property subject to this Chapter becomes Vacant, it shall be posted with the name and twenty-four (24) hour contact telephone number of the Property Manager. The Property Manager shall be available to be contacted by the City of Opa Locka Monday through Friday between 9:00 a.m. and 5:00 p.m., legal holidays excepted. The sign shall be placed in a window facing the street and shall be visible from the street. The posting shall be no less than eighteen (18) inches by twenty-four (24) inches and shall be of a font that is legible from a distance of forty-five (45) feet. The posting shall contain the following language with supporting information:

THIS PROPERTY IS MANAGED BY _____.
AND IS INSPECTED ON A REGULAR BASIS. _____.
THE PROPERTY MANAGER CAN BE CONTACTED _____.
BY TELEPHONE AT _____.
OR BY EMAIL AT _____.

- (e) The posting required in subsection (e) above shall be placed on the interior of a window facing the street to the front of the property so that it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so that it is visible from the street or if no such area exists, on a stake of sufficient size to support the posting in a location that is at all times visible from the street to the front of the property but not readily accessible to vandals. Exterior posting shall be constructed of and printed with weather-resistant materials.
- (f) Failure of the Mortgagee and/or property Owner of record to properly inspect and secure a property subject to this Chapter, and post and maintain the signage noted in this section, is a violation and shall be subject to enforcement by any of the enforcement means available to the City of Opa-Locka. The City of Opa-Locka may take the necessary action to ensure compliance with this section, and recover costs and expenses in support thereof.

Sec. 14-13 (9)

PROVISIONS SUPPLEMENTAL

The provisions of this Chapter are cumulative with and in addition to other available remedies. Nothing contained in this Chapter shall prohibit the City of Opa-Locka from collecting on fees, fines, and penalties in any lawful manner; or enforcing its codes by any

other means, including, but not limited to, injunction, abatement, or as otherwise provided by law or ordinance.

Sec. 14-13 (10) PUBLIC NUISANCE

All Registrable Property is at risk of being a public nuisance and if vacant or blighted can constitute a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare, and safety of the residents of the City of Opa-Locka.

Sec. 14-13 (11) ADDITIONAL AUTHORITY

- (a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health, safety, and welfare, the code Enforcement Officer may temporarily secure the property at the expense of the Mortgagee or Owner, and may bring the violations before the code enforcement City Commission or special magistrate as soon as possible to address the conditions of the property. Nothing herein shall limit the City of Opa-Locka from abating any nuisance or unsafe condition by any other legal means available to it.
- (b) Law enforcement, code enforcement City Commission or special magistrate shall have the authority to require the Mortgagee or Owner affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- (c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety, and welfare, then the law enforcement, code enforcement, City Commission or special magistrate may direct the City of Opa-Locka to abate the violations and charge the Mortgagee or Owner with the cost of the abatement.
- (d) If the Mortgagee or Owner does not reimburse the City of Opa-Locka for the cost of temporarily securing the property, or of any abatement directed by law enforcement, code enforcement officer, code enforcement, City Commission or special magistrate, within thirty (30) days of the City of Opa-Locka sending the Mortgagee or Owner the invoice then the City of Opa-Locka may lien the property with such cost, along with an administrative fee as determined in the City of Opa-Locka's fee ordinance to recover the administrative personnel services. In

addition to filing a lien the City of Opa-Locka may pursue financial penalties against the Mortgagee or Owner.

- (e) The City of Opa-Locka may contract with an entity to implement this Chapter, and, if so, any reference to the Enforcement Officer herein shall include the entity the City of Opa Locka contract with for that purpose.

**Sec. 14-13 (11) OPPOSING, OBSTRUCTING ENFORCEMENT OFFICER;
PENALTY**

Whoever opposes obstructs or resists any Enforcement Officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

Sec. 14-13 (11) IMMUNITY OF ENFORCEMENT OFFICER

Any Enforcement Officer or any person authorized by the City of Opa-Locka to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon Real Property while in the discharge of duties imposed by this Chapter.

Sec. 14-13 (12) PENALTIES

Unless otherwise provided for in this Chapter, a violation of this Chapter is declared unlawful.

Sec. 14-13 (13) AMENDMENTS

Registration fees and penalties outlined in this Article may be modified by resolution, administrative order, or an amendment to this Article, passed and adopted by the City Commission.

Section 3. Conflict & Repealer.

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

Section 4. Severability.

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

Section 5. Inclusion In Code.

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

Section 6. Effective Date.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-Locka and is subject to the approval of the Governor or Governor's Designee.

PASSED FIRST READING this ____ day of _____ 2025.

PASSED SECOND READING this ____ day of _____ 2025.

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 Santiago _____

Commissioner Ervin _____

Vice Mayor Kelley _____

Mayor Taylor _____



City of Opa-Locka Agenda Cover Memo

Interim City Manager:	Sha'mecca Lawson			ICM Signature:			
Commission Meeting Date:	2.12.2025		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		X	
		X	Public Hearing: (Enter X in box)	Yes	No	Yes	No
				X		X	
Funding Source: Account# :	(Enter Fund & Dept) 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#: Piggyback				
Strategic Plan Related (Enter X in box)	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☒ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐	Strategic Plan Obj./Strategy: (list the specific objective/strategy this item will address)			
		X					
Sponsor Name	Mayor Taylor		Department:	City Commission			

Short Title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, CREATING CHAPTER 14, ARTICLE 4, OF THE OPA LOCKA CITY CODE TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT FORECLOSURE PROPERTIES", PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY OF THE ORDINANCE REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN ABANDONED REAL PROPERTIES, AND VACANT AND DILAPITED PROPERTIES BY OWNERS; AUTHORIZING THE CITY ATTORNEY TO INITIATE FORCLOSURE PROCEEDINGS ON ANY AND ALL PROPERTIES AS RECOMMENDED BY THE CITY MANAGER, PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

Staff Summary:

The purpose and intent of the City Commission is to establish a process to address the deterioration and decline of land value in City of Opa-locka neighborhoods caused by vacant and abandoned properties that

become havens for criminal activity. The City Commission desires to identify, register, regulate, limit and reduce the number of these properties located within the City of Opa-locka. It has been determined that Owner-occupied structures are generally better maintained when compared to vacant structures, even with a diligent off-site property Owner. Vacant structures are often not properly or diligently maintained, which contribute to forming of slum and blight, declined property values, and have a negative perception of the residential areas where they are located. It is the City Commission's further intent to establish a registration program as a mechanism to help regulate and protect neighborhoods from becoming blighted through the lack of adequate property maintenance by enforcement actions with the property owner. This will be an extra tool to regulate, manage, and maintain private properties in the City of Opa-locka.

Financial Impact – There is no fiscal impact directly associated with the adoption of this proposed ordinance amendment. The impact of future programs which might result from this amendment, which would first be brought back for Commission approval, could range from revenue from sharing property registration fees to expenditures involved in possible foreclosure actions.

Proposed Action:

Staff recommends the City Commission approves the legislation.

Attachment:

- DRAFT Ordinance
- Memo-Purpose & Intent
- HERAREGISTRY – Executive Summary

FROM PAGE 4NW

JOBS

data centers and cloud infrastructure services, inventory, monitoring and diagnosing operating systems, data storage, backups, restores, and business continuity services for disaster recovery.

Salary range:
\$113,341.07 to \$235,628.02
Deadline: 5 p.m. March 7, 2025

PROFESSIONAL SURVEYOR AND MAPPER

Description: Work involves responsibility for performing land surveys for the City of Miami or acting as consultant/adviser monitoring the work of private surveying and mapping companies under contract with the city.

Salary: \$81,013.50
Deadline: Continuously accepting applications

STRUCTURAL ENGINEER PLANS EXAMINER

Description: This position requires structural engineering analysis/review of buildings as mandated by the Florida Building Code. This is highly skilled



inspections, enforcement and supervisory work in the examination, review, analysis approval and/or disapproval of plans to ensure compliance with the Florida Building Code and other applicable codes and regulations as

it relates to building and/or structural plans examining.
Salary range:
\$103,396.18 to \$214,953.23
Deadline: Continuously accepting applications



REQUEST FOR QUALIFICATIONS (RFQ) # 2025-01
VILLAGE OF KEY BISCAINE
GRANT ADMINISTRATION SUPPORT SERVICES

Pre-Proposal Conference: MARCH 11, 2025, AT 10:00 AM
Proposal Deadline: APRIL 03, 2025, AT 11:30 AM

The Village of Key Biscayne invites solicitations from qualified firms, licensed in the State of Florida, to provide a proposal for Grant Administration Support Services. The Village of Key Biscayne encourages small and minority businesses, women's business enterprises, and labor surplus area firms to submit proposals.

Proposals must be submitted by the deadline date. Proposal packages will be available on the Village's website www.keybiscayne.fl.gov/procurement or on Demandstar. For further information contact: Procurement at procurement@keybiscayne.fl.gov



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on **Wednesday, MARCH 12TH, 2025 at 6:00 P.M.**, the City of **Hialeah Planning and Zoning Board** will hold A Public Hearing in the Council Chambers of City Hall, 3rd Floor, 501 Palm Avenue.

THE PLANNING AND ZONING BOARD WILL CONSIDER THE FOLLOWING REQUESTS:

Conditional Use Permit (CUP) to allow the expansion of an existing school with grades K-8th, and to allow an increase of students for a maximum population of 740 students. Properties are located at 369 East 10th Street and 1094 East 4th Avenue, Hialeah, zoned B-1 (Highly Restricted Retail District).

Conditional Use Permit (CUP) to allow a K-3rd grade elementary school with a maximum capacity of 26 students in conjunction with a 55-children daycare. Variance permit to allow 11 parking spaces, where 15 parking spaces are required.

ALL RECOMMENDATIONS MADE AT THIS MEETING WILL BE PRESENTED FOR HEARING TO THE **CITY COUNCIL** AT ITS MEETING OF **TUESDAY, MARCH 25TH, 2025.**

Written objections must be filed prior to hearing date with the **Hialeah Planning Division, 501 Palm Avenue, Hialeah, Florida 33010**. Oral objections will be heard at the hearing. For additional information, please call (305) 883-8075.

HIALEAH PLANNING DIVISION

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING, A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.



CITY OF OPA-LOCKA, FLORIDA
NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, March 12, 2025 at 7:00 p.m.**, in the City Commission Chambers at the Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES / PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025). Deferred from 02/12/2025 RCM

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 14, OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14-13(1) AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT, FORECLOSURE PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

All interested persons are encouraged to participate and will be heard with respect to the public hearings.

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on the scheduled meeting date.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

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

Joanna Flores, CMC
City Clerk
City of Opa-locka

Two men charged with molesting a teen on a Royal Caribbean cruise bound for PortMiami

BY DAVID J. NEAL
dneal@miamiherald.com

Two men in their 30s are accused of raping a 14-year-old boy in a sauna on a Royal Caribbean cruise ship headed for PortMiami.

Ricardo Daniel Mondragon Leal, 37, Jose Juan Prudencio Diaz, 36, were arrested Friday, the day after the alleged sexual assault on the Independence of the Seas.

Mondragon and Prudencio

Diaz live in the same modern Mexico City apartment building, according to arrest reports from the Miami-Dade Sheriff's Office. As the criminal case finishes, they're both being held at the Miami-Dade Metro West Detention Center.

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Diaz faces the same lewd and lascivious charges — no bond on those — and a charge of not informing another person in a sexual act of his HIV status. Each has pleaded not guilty to all charges.

As a result of their charges, both have holds for Immigration and Customs Enforcement placed on them.

The arrest paperwork reveals the 14-year-old was in the sauna on Thursday when Mondragon and Prudencio sexually abused the boy.

"We take these allegations very seriously and immediately notified local law enforcement," a Royal Caribbean Group spokesperson emailed. "As this is an ongoing investigation, we have nothing further to share at this time."

David J. Neal:
305-376-3559,
@DavidJNeal

MIAMI-DADE COUNTY

Public Notice

NOTICE OF SALE

Questions? Visit the People and Internal Operations Department Web Site at: <http://www.miamidade.gov/countystore/>
Miami-Dade County is conducting an online auction for various surplus items as listed below and which can be viewed at the following link: <http://www.govdeals.com/index.cfm?fa=Main.AdvSearchResultsNew&agency=7167>
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Miami-Dade County People and Internal Operations Department Surplus Equipment

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DC# 40353/ 2003 Sterling M7500, Dump truck. PROS 25-09 #1
DC# 13-2575/ 2008 Freightliner MT45 Chassis

BOARD OF COUNTY COMMISSIONERS | MIAMI-DADE COUNTY, FLORIDA
By: Raymond Hall, Director | People and Internal Services Department

For legal ads online, go to legalads.miamidade.gov



CITY OF OPA-LOCKA, FLORIDA

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that the City Commission of the City of Opa-locka, Florida will hold public hearings at its Regular Commission Meeting on **Wednesday, April 9, 2025 at 7:00 p.m.**, in the City Commission Chambers at the Opa-locka Government Center, 780 Fisherman Street, 3rd Floor, Opa-locka, Florida, to consider the following items for final adoption:

SECOND READING ORDINANCES / PUBLIC HEARINGS:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025).

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AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

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

Joanna Flores, CMC

City Clerk

City of Opa-locka

Sponsored by: Commissioner Ervin

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 15, Article V, Section 15 of the City of Opa-Locka's Code of Ordinances defines the offenses and prohibitions of noise usage within City limits of the City of Opa-Locka; and

WHEREAS, there has been an influx in the amount of complaints regarding the noise disturbances in various areas within the City of Opa-Locka ("City"); and

WHEREAS, after extensive review of the relevant Noise ordinance, the City Commission desires to amend the noise ordinance to identify time restrictions for enforcement and exemptions; and

WHEREAS, the City Commission finds that it is in the best interest of the City and its residents to amend Chapter 15, Article V, Section 15 of the City of Opa-Locka's Code of Ordinances to identify time restrictions for enforcement and exemptions.

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

SECTION 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated into this Ordinance by reference.

SECTION 2. Adoption of the Amendment to Noise Ordinance. The City Commission of the City of Opa-Locka hereby approves an amendment Chapter 15, Article V, Section 15 of the City of Opa-Locka's Code of Ordinances to identify time restrictions for enforcement and exemptions, as set forth herein:

Section 15-75 - Loud or unusual noises on streets.

(c) The use of any amplifier or loudspeaker to play, broadcast or transmit music shall constitute prima facie evidence that the music is being played, broadcasted or transmitted in such a manner as would reasonably be calculated to attract a crowd or cause numbers of persons to congregate. **The use of any amplifier or loudspeaker to play, broadcast or transmit music shall be prohibited between the hours of 1:00 am and 9:00 am daily.**

Sec. 15-80. - Discharging fireworks, combustibles.

It shall be unlawful to fire or discharge squibs, firecrackers, gunpowder or other combustible substances in the streets or elsewhere for the purpose of making noise or disturbance, except **on City observed holidays. In those cases, these activities shall be prohibited daily between the hours of 1:00 am and 9:00 am.** ~~upon proclamation or by written permission of the mayor.~~

Violators shall be issued a warning for a first offense and an fine of \$500.00 for every subsequent offense.

SECTION 3. Severability. The provisions of this Ordinance are severable, and it is the legislative intention to confer upon the whole or any part of the Ordinance the powers herein provided. If any provision of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included herein.

SECTION 5. Conflict & Repealer. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Inclusion In Code. It is the intention of the City Commission of the City of Opa-locka that the provisions of this Ordinance shall, at some time in the future, become and be made a part of the General Code of Ordinances of the City of Opa-locka and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

SECTION 4. 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 without need of public hearing following review by the City Attorney, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 5. 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 this __ day of _____ 2025.

PASSED SECOND READING this __ day of _____ 2025.

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 Santiago	_____
Commissioner Ervin	_____
Vice Mayor Kelley	_____
Mayor Taylor	_____



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

Interim City Manager:	Sha'mecca Lawson		ICM Signature:				
Commission Meeting Date:	2.12.2025		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		X	Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
				X		X	
Funding Source: <i>Account# :</i>	<i>(Enter Fund & Dept)</i> Ex: See Financial Impact Section		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
				X			
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid#:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational ☒ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☒ Communication ☐	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
	X						
Sponsor Name	Commissioner Ervin		Department:	City Commission			

Short Title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA AMENDING CHAPTER 15 ARTICLE V SECTION 15-75 ENTITLED "NOISE" TO DEFINE TIME RESTRAINTS AND EXEMPTIONS AND VIOLATION ENFORCEMENT.

Staff Summary:

Chapter 2 Article V Section 15 of the City's Code of Ordinances defines the offenses and prohibitions of noise usage within City limits. There have been an influx in the amount of complaints regarding the noise disturbances in various areas. After extensive review of the corresponding ordinance, the City Commission desires to amend the ordinance to identify time restrictions for enforcement and exemptions.

Section 15-75 (c) shall read *The use of any amplifier or loudspeaker to play, broadcast or transmit music shall constitute prima facie evidence that the music is being played, broadcasted or transmitted in such a manner as would reasonably be calculated to attract a crowd or cause numbers of persons to congregate shall be prohibited between the hours of 1:00 am and 9:00 am daily.*

Section 15-80 shall read: It shall be unlawful to fire or discharge squibs, firecrackers, gunpowder or other combustible substances in the streets or elsewhere for the purpose of making noise or disturbance, except on *City Observed holidays and shall be prohibited daily between the hours of 1:00 am and 9:00 am.* ~~upon proclamation or by written permission of the mayor.~~ *Violators shall be issued a warning upon first offense and thereafter a fine of \$500 for additional offenses.*

Financial Impact – There is no identifiable financial impact associated with this proposed ordinance amendment.

Proposed Action:

Staff will proceed at the direction of the City Commission.

Attachment:

FROM PAGE 4NW

JOBS

data centers and cloud infrastructure services, inventory, monitoring and diagnosing operating systems, data storage, backups, restores, and business continuity services for disaster recovery.

Salary range:
\$113,341.07 to \$235,628.02
Deadline: 5 p.m. March 7, 2025

PROFESSIONAL SURVEYOR AND MAPPER

Description: Work involves responsibility for performing land surveys for the City of Miami or acting as consultant/adviser monitoring the work of private surveying and mapping companies under contract with the city.

Salary: \$81,013.50
Deadline: Continuously accepting applications

STRUCTURAL ENGINEER PLANS EXAMINER

Description: This position requires structural engineering analysis/review of buildings as mandated by the Florida Building Code. This is highly skilled



inspections, enforcement and supervisory work in the examination, review, analysis approval and/or disapproval of plans to ensure compliance with the Florida Building Code and other applicable codes and regulations as

it relates to building and/or structural plans examining.
Salary range:
\$103,396.18 to \$214,953.23
Deadline: Continuously accepting applications



REQUEST FOR QUALIFICATIONS (RFQ) # 2025-01
VILLAGE OF KEY BISCAINE
GRANT ADMINISTRATION SUPPORT SERVICES

Pre-Proposal Conference: MARCH 11, 2025, AT 10:00 AM
Proposal Deadline: APRIL 03, 2025, AT 11:30 AM

The Village of Key Biscayne invites solicitations from qualified firms, licensed in the State of Florida, to provide a proposal for Grant Administration Support Services. The Village of Key Biscayne encourages small and minority businesses, women's business enterprises, and labor surplus area firms to submit proposals.

Proposals must be submitted by the deadline date. Proposal packages will be available on the Village's website www.keybiscayne.fl.gov/procurement or on Demandstar. For further information contact: Procurement at procurement@keybiscayne.fl.gov



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that on **Wednesday, MARCH 12TH, 2025 at 6:00 P.M.**, the City of **Hialeah Planning and Zoning Board** will hold A Public Hearing in the Council Chambers of City Hall, 3rd Floor, 501 Palm Avenue.

THE PLANNING AND ZONING BOARD WILL CONSIDER THE FOLLOWING REQUESTS:

Conditional Use Permit (CUP) to allow the expansion of an existing school with grades K-8th, and to allow an increase of students for a maximum population of 740 students. Properties are located at 369 East 10th Street and 1094 East 4th Avenue, Hialeah, zoned B-1 (Highly Restricted Retail District).

Conditional Use Permit (CUP) to allow a K-3rd grade elementary school with a maximum capacity of 26 students in conjunction with a 55-children daycare. Variance permit to allow 11 parking spaces, where 15 parking spaces are required.

ALL RECOMMENDATIONS MADE AT THIS MEETING WILL BE PRESENTED FOR HEARING TO THE **CITY COUNCIL** AT ITS MEETING OF **TUESDAY, MARCH 25TH, 2025.**

Written objections must be filed prior to hearing date with the **Hialeah Planning Division, 501 Palm Avenue, Hialeah, Florida 33010**. Oral objections will be heard at the hearing. For additional information, please call (305) 883-8075.

HIALEAH PLANNING DIVISION

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING, A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE PLANNING DIVISION NO LATER THAN SEVEN DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 883-8075 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE) FOR ASSISTANCE.



CITY OF OPA-LOCKA, FLORIDA

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Joanna Flores, CMC
City Clerk
City of Opa-locka

Two men charged with molesting a teen on a Royal Caribbean cruise bound for PortMiami

By DAVID J. NEAL
dneal@miamiherald.com

Two men in their 30s are accused of raping a 14-year-old boy in a sauna on a Royal Caribbean cruise ship headed for PortMiami.

Ricardo Daniel Mondragon Leal, 37, Jose Juan Prudencio Diaz, 36, were arrested Friday, the day after the alleged sexual assault on the Independence of the Seas.

Mondragon and Prudencio

Diaz live in the same modern Mexico City apartment building, according to arrest reports from the Miami-Dade Sheriff's Office. As the criminal case finishes, they're both being held at the Miami-Dade Metro West Detention Center.

Mondragon was granted no bond on charges of sexual battery of a minor; lewd and lascivious exhibition by an adult on a minor under 16; and lewd and lascivious molestation on a child aged 12 to 16.

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The arrest paperwork reveals the 14-year-old was in the sauna on Thursday when Mondragon and Prudencio sexually abused the boy.

"We take these allegations very seriously and immediately notified local law enforcement," a Royal Caribbean Group spokesperson emailed. "As this is an ongoing investigation, we have nothing further to share at this time."

David J. Neal:
305-376-3559,
@DavidJNeal

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Miami-Dade County People and Internal Operations Department Surplus Equipment

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DC# 13-2575/ 2008 Freightliner MT45 Chassis

BOARD OF COUNTY COMMISSIONERS | MIAMI-DADE COUNTY, FLORIDA
By: Raymond Hall, Director | People and Internal Services Department

For legal ads online, go to legalads.miamidade.gov



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AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE I, CHAPTER 7, SECTION 7-1 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES AND THE CITY LAND DEVELOPMENT REGULATIONS FOR SECTIONS 22-79, 22-80, 22-81 AND 22-82, TO INCLUDE PROVISIONS FOR "LIMITATIONS AND RESTRICTIONS ON USE OF METAL COVERING (METAL CONTAINERS) FOR BUILDINGS AND ADDITIONS" IF THEY CONFORM IN EVERY RESPECT WITH ALL APPLICABLE PROVISIONS OF THE FLORIDA BUILDING CODE; PROVIDING FOR REGULATIONS; PROVIDING FOR PENALTIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on January 22, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 2022-02, RELATING TO THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD, TO ESTABLISH AN ADMINISTRATIVE PROCESS FOR THE APPROVAL OF REGULAR CERTIFICATES OF APPROPRIATENESS FOR CERTAIN IMPROVEMENTS, RENOVATIONS AND MAINTENANCE PROJECTS ON HISTORIC DESIGNATED PROPERTIES LISTED IN THE COA MATRIX; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT AND REPEALER; RESCINDING ALL RESOLUTIONS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 14, OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES, ENTITLED "NUISANCES" CREATING NEW SECTION 14-13(1) AND SUBSEQUENT NUMERICAL SECTIONS TO BE ENTITLED, "REGISTRATION OF ABANDONED, VACANT, FORECLOSURE PROPERTIES"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY; PROVIDING FOR REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY OF OPA LOCKA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 15, ARTICLE V, SECTION 15-75 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "LOUD OR UNUSUAL NOISES ON STREETS", AND SECTION 15-80, ENTITLED "DISCHARGING FIREWORKS, COMBUSTIBLES", TO DEFINE TIME RESTRAINTS, EXEMPTIONS AND VIOLATION ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading / public hearing held on February 12, 2025).

All interested persons are encouraged to participate and will be heard with respect to the public hearings.

Additional information on the above items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email jflores@opalockafl.gov. To participate or provide comments virtually, please register on the City of Opa-locka website at www.opalockafl.gov no later than 7:00 p.m. on the scheduled meeting date.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance not later than five (5) days prior to the proceeding. If hearing impaired, you may telephone the Florida Relay Service at (800) 955-8771 (TTY), (800) 955-8770 (Voice), (877) 955-8773 (Spanish) or (877) 955-8707 (Creole).

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

Joanna Flores, CMC

City Clerk

City of Opa-locka

ARTICLE V. - NOISE

Footnotes:

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Cross reference— *Regulation of entertainment at establishments selling alcoholic beverages, § 4-10 et seq.; keeping howling or barking dogs, § 5-18; noise by peddlers, § 13-160; sound amplifiers, musical instruments in parks and recreational areas, § 16-58.*

County Code reference—*Noise generally, § 21-28.*

Sec. 15-73. - Prohibited generally.

It shall be unlawful to make any loud, unnecessary, excessive or unusual noise within the city.

(Code 1955, § 16-43)

Sec. 15-74. - Near hospital or school.

It shall be unlawful for any person by himself or by the operation of any instrument, agency or vehicle, to make any unnecessary or unseemly noises within one hundred and fifty (150) feet of any portion of the grounds and premises on which is located a hospital or other institution reserved for the sick, or any school during school hours. The chief of police shall place, or cause to be placed as many signs as he may deem proper within or near zones hereby created, calling attention to the prohibition against unnecessary noises within such zones.

(Code 1955, § 16-44)

County Code reference—Noise near school, court, church or hospital, § 21-28(g).

Sec. 15-75. - Loud or unusual noises on streets.

- (a) It shall be unlawful for any person to ring any hand bell, beat or strike any pan, pail or other like article, or sound any gong or blow any whistle or horn, or other than musical instrument when used as part of a band of music or orchestra, except to give necessary signals upon a motor vehicle, motorcycle, bicycle or similar vehicle or to cry out the sale of goods, wares or merchandise, or to make, aid, continue or encourage or assist in making any other loud or unusual noises on the streets of the city.
- (b) It shall be unlawful and a violation of this section for any person, firm, partnership or corporation to play, broadcast or transmit music in such manner as would reasonably be calculated to attract a crowd or cause numbers of persons to congregate in or on any space, lot, yard, sidewalk or

street, or to permit the same to occur on or from any property owned, leased or occupied by said person, firm, partnership, or corporation in the city without first having obtained a temporary special permit to do so from the city manager and the police chief.

- (c) The use of any amplifier or loudspeaker to play, broadcast or transmit music shall constitute prima facie evidence that the music is being played, broadcasted or transmitted in such a manner as would reasonably be calculated to attract a crowd or cause numbers of persons to congregate.
- (d) Any person, firm, partnership or corporation who violates any provision of this section commits a misdemeanor of the second degree and shall upon conviction in a court of competent jurisdiction be punished by imprisonment in the county jail for not more than sixty (60) days, or a fine not more than five hundred (\$500.00) dollars.

(Code 1955, § 16-9; Ord. No. 96-04, § 1, 2-28-96)

Sec. 15-76. - At soft drink stands, restaurants.

It shall be unlawful to blow, ring or sound any automobile horn, chime or bell on or about premises used in conjunction with the operation of any barbecue or soft drink stand or restaurant where such barbecue or soft drink stand or restaurant premises shall be located within a distance of three hundred (300) feet from improved residential property, unless such blowing, ringing or sounding shall be necessary for the protection of life or property.

(Code 1955, § 16-10)

Sec. 15-77. - Music prohibited if audible three hundred feet from source.

It shall be unlawful for any person owning, occupying or having charge of any building or premises or any part thereof, in the city, at any time to cause or suffer or allow any loud, unnecessary, excessive or unusual noises in the operation of any radio, phonograph or other mechanical sound-making device, or instrument, or reproducing device or instrument, or in the playing of any band, orchestra, musician or group of musicians, or in the use of any device to amplify the music of any band, orchestra, musician or group of musicians, where the noise or music is plainly audible at a distance of three hundred (300) feet from the building, structure, vehicle or premises in which or from which it is produced. The fact that the noise or music is plainly audible at a distance of three hundred (300) feet from the vehicle or premises from which it originates constitutes prima facie evidence of a violation of this section.

(Code 1955, § 16-55)

County Code reference—Noise from sound amplifying devices, § 21-28(b).

Sec. 15-78. - Hours for jukeboxes.

It shall be unlawful to play or operate any juke organ or jukebox located in, on or about the premises of any barbecue or soft drink stand or restaurant between the hours of 11:00 p.m. and 7:00 a.m. of the following day, unless such barbecue or soft drink stand or restaurant premises shall be located more than three hundred (300) feet distant from improved residential property.

(Code 1955, § 16-40)

Cross reference— Regulation of coin-operated devices generally, § 13-92 et seq.

Note— See note preceding § 15-78.

Sec. 15-79. - Hours for use of noisy construction equipment.

It shall be unlawful for any person in conducting any building operations between the hours of 10:00 p.m. and 7:00 a.m., to the following day to operate or use any pile-driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other apparatus, the use of which is attended by loud or unusual noise, except by written permission of the city manager, and then only in case of emergency.

(Code 1955, § 16-13)

Sec. 15-80. - Discharging fireworks, combustibles.

It shall be unlawful to fire or discharge squibs, firecrackers, gunpowder or other combustible substances in the streets or elsewhere for the purpose of making noise or disturbance, except upon proclamation or by written permission of the mayor.

(Code 1955, § 16-45)

Cross reference— Discharging fireworks in parks, § 16-55.

State Law reference— Exploding fireworks, F.S. § 791.02.

County Code reference—Fireworks in or near county parks, § 26-1, Rule 17.

Sec. 15-81. - Noisy emission of steam, other gases.

It shall be unlawful to permit or cause the emission of steam or other gases if such emission cannot be done without the production of disturbing noises.

(Code 1955, § 16-46)

Sec. 15-82. - Noisy blower, power fan, internal combustion engine.

It shall be unlawful to operate or cause to be operated any noise-creating blower or power fan or any internal combustion engine, the operation of which causes noises due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noises, so that the same shall not cause annoyance to the public or disturb the rest and quiet of persons residing or occupying property near enough thereto to be annoyed by the unmuffled blower, fan or exhaust of any such engine.

(Code 1955, § 16-47)

State Law reference— Exhaust systems for motor vehicles, F.S. § 316.272.

County Code references—Noisy exhausts, § 21-28(e); mufflers and prevention of vehicle noise, § 30-258.

Sec. 15-83. - Steam whistles.

It shall be unlawful to blow any steam whistles except as follows: For an alarm of fire; upon locomotive engines for the purpose only of giving necessary safety signals; upon stationary engines in factories or other industrial establishments at the time of beginning and quitting work in such establishments; upon vessels, crafts and floats for the purpose of giving only necessary marine signals. Air raid warning signals are hereby excepted.

(Code 1955, § 16-64)

County Code reference—Blowing of steam whistles, § 21-28(d).

Secs. 15-84—15-93. - Reserved.