

# City of Opa-locka

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



## **REGULAR COMMISSION MEETING Agenda**

**Wednesday, October 13, 2021  
7:00 PM**

### **City Commission**

**Mayor Matthew A. Pigatt  
Vice Mayor Veronica J. Williams  
Commissioner Sherelean Bass  
Commissioner Chris Davis  
Commissioner John H. Taylor Jr.**

### **Appointed Officials**

**City Manager John E. Pate  
City Attorney Burnadette Norris-Weeks  
City Clerk Joanna Flores, CMC**

### **SPEAKING BEFORE THE CITY COMMISSION**

NOTE: All persons speaking shall come forward and give your full name and address, and the name and address of the organization you are representing.

There is a three (3) minute time limit for speaker/citizens forum and participation at all city commission meetings and public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If your matter requires more than three (3) minutes, please arrange a meeting or an appointment with the City Clerk prior to the commission meeting. *City of Opa-locka Code of Ordinances Section 2-57*

### **DECORUM POLICY**

Any person making impertinent or slanderous remarks or who become boisterous while addressing the commission, shall be declared to be out of order by the presiding officer, and shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members. *City of Opa-locka Code of Ordinances Section 2-58*

### **NOTICE TO ALL LOBBYISTS**

Any person appearing in a paid or remunerated representative capacity before the city staff, boards, committees and the City Commission is required to register with the City Clerk before engaging in lobbying activities. *City of Opa-locka Code of Ordinances Section 2-18*

### **FLORIDA STATUTES, CHAPTER 285.0105:**

"If a person decides to appeal any decision made by the Board, Agency or Commission with respect to the proceedings, and that, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

### **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](http://www.opalockafl.gov).



**CITY OF OPA-LOCKA**  
**“The Great City”**

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**AGENDA**  
**REGULAR COMMISSION MEETING**  
**October 13, 2021**  
**7:00 P.M.**

- 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:**  
  
**First Budget Hearing Minutes – September 15, 2021**  
**Second Budget Hearing Minutes – September 22, 2021**
- 9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:**
- 10. PUBLIC PRESENTATIONS:**
  - 1. The Integrity Group**  
**re: Grant Program Management Consulting**
- 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, RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES BUREAU OF FINANCE AND ACCOUNTING FOR TWELVE THOUSAND DOLLARS**

**(\$12,000.00) TO BE USED TO DEVELOP COMMUNITY GARDENS AT SEGAL PARK AND SHERBONDY VILLAGE PARK, WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

*Sponsored by City Manager*

**2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING EXECUTION OF A SETTLEMENT AGREEMENT IN THE CASE OF GEORGE SUAREZ, ET AL. V. CITY OF OPA-LOCKA, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION; PROVIDING FOR AN EFFECTIVE DATE.**

*Sponsored by City Manager and City Attorney*

**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 OF OPA-LOCKA, FLORIDA, ESTABLISHING A CHARTER REVIEW BOARD FOR THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR METHOD OF APPOINTMENT AND COMPOSITION OF THE BOARD; ESTABLISHING MEMBERSHIP, TERMS, DUTIES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Commissioner Taylor, Mayor Pigatt, Vice Mayor Williams and Commissioner Davis*

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

**1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A REQUEST FROM AMDI USA, INC. TO CLOSE, VACATE AND ABANDON A PORTION OF NW 130TH STREET BETWEEN NW 30TH AVENUE AND NW 30TH COURT AND A PORTION OF NW 30TH COURT BETWEEN NW 130TH STREET AND NW 131ST STREET FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002-0020, 08-2128-002-0030, 08-2128-002-0040, 08-2128-002-0050, 08-2128-002-0060, 08-2128-002-0090, 08-2128-004-0380, AND 08-2128-004-0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on September 22, 2021).** *Sponsored by City Manager*

**C. RESOLUTION(S)/PUBLIC HEARING:**

**17. CITY MANAGER’S REPORT:**

**18. OFFICIAL BOARD REPORTS:**

**19. FUTURE AGENDA ITEMS:**

**20. MAYOR/COMMISSION REPORTS:**

**21. OFFICIAL BOARD APPOINTMENTS:**

**Civil Service Board**

**1 individual appointment (Commissioner Taylor)**

**1 individual appointment (Vice Mayor Williams)**

**1 individual appointment (Mayor Pigatt)**

**Historic Environmental Preservation Board**

**2 at-large appointments**

**Fair Housing and Nuisance Abatement Board**

**1 individual appointment (Commissioner Taylor)**

**1 individual appointment (Vice Mayor Williams)**

**Community Relations, Recreation and Activities Board**

**1 individual appointment (Commissioner Taylor)**

**1 individual appointment (Commissioner Davis)**

**1 individual appointment (Vice Mayor Williams)**

**1 individual appointment (Mayor Pigatt)**

**Planning & Zoning Board**

**1 at-large appointment**

**22. ADJOURNMENT:**

**SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES**

**A. City of Opa-locka and Feeding South Florida Drive-Thru Food Distribution, every 2nd and 4th Tuesday from 9:00 a.m. – 11:00 a.m., Sherbondy Village Park, 215 Perviz Avenue, Opa-locka, Florida.**

**B. *You’re Invited* - Please join the City of Opa-locka for Conga Loca Hispanic Street Festival on Saturday, **October 16, 2021** at 12:00 p.m., Opa-locka City Hall, 780 Fisherman Street, Opa-locka, Florida. Food, Music & more. *Hosted by Commissioner John H. Taylor***

- C. Opa-locka Community Redevelopment Agency Meeting, Tuesday, **October 19, 2021** at 5:30 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.
- D. City of Opa-locka Workshop on Wednesday, **October 20, 2021** at 5:30 p.m., Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida. The purpose of this workshop is to discuss the American Rescue Plan Act (ARPA) funding.
- E. City of Opa-locka Human Resources Department presents “Who wants to work Wednesdays” Open House, every **Wednesday** from 10:00 a.m. – 11:30 a.m., Opa-locka City Hall, 780 Fisherman Street, 1st Floor lounge, Opa-locka, Florida. Offering on the spot interviews.

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

# APPROVAL OF MINUTES

# **CITY OF OPA-LOCKA**

**“The Great City”**

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## **CLERK’S ACTION SUMMARY MINUTES**

### **FIRST BUDGET HEARING**

**September 15, 2021**

**5:01 P.M.**

**1. CALL TO ORDER:**

Mayor Pigatt called the meeting to order at 5:04 p.m. on Wednesday, September 15, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

**2. ROLL CALL:**

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Chris Davis and Mayor Matthew A. Pigatt. Commissioner John H. Taylor Jr. arrived at 5:16 PM, Vice Mayor Veronica J. Williams arrived at 5:17 PM. Also, in attendance were City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

**3. INVOCATION:**

The Invocation was delivered by Commissioner Bass.

**4. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**5. FIRST READING ORDINANCES/PUBLIC HEARINGS:**

- a) **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING A FINAL MILLAGE RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES, FOR FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; SETTING FORTH PUBLIC HEARING DATES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

The above ordinance was read by Assistant City Attorney Candice Cobb.

It was moved by Commissioner Davis, seconded by Commissioner Bass to discuss Agenda Item 5-a.

Mayor Pigatt opened the Public Hearing for Agenda Item 5-a.

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings and informed the Commission that two members of the public registered to speak during the public hearing, including former Commissioners Dorothy Johnson and Rev. Joseph Kelley.

Mayor Pigatt recognized Ms. Dorothy Johnson who connected to the meeting via Zoom, but was unable to address the Commission because of technical issues.

Rev. Joseph Kelley of 485 Dunad Avenue thanked the Commission for increasing the \$1,000 budget allocation for the annual Martin Luther King Jr. Walk to \$2,000 but he expressed disappointment with the depiction of the event as a casual walk by elected officials around the City, urging them to revisit how such an important legacy is portrayed. Rev. Kelley pointed out that nothing has been included in the budget for raises for all employees and asked that at least a 3% increase be considered, to account for the cost of living. He also asked that the Seniors on the Move logo be put on the bus that was purchased for the transportation of the Seniors of the City, lamenting that he was told last year that it would be addressed later because there was no money. Rev. Kelley also encouraged the Commission to allocate funding to address the homeless and mental health challenges in the community.

There being no additional members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 5-a.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 5-a.

City Manager Pate asked Budget Administrator Anathan to introduce Agenda Item 5-a.

Budget Administrator Anathan stated that the proposed millage rate was 9.6500 mills to fund the City's tentative FY 2022 budget, which he said was 4.72% greater than the current year rollback rate of 9.2148 mills. Mr. Anathan added that the proposed millage rate is projected to generate \$11.2 million for the City's general fund and \$884,000 for the CRA fund.

Mayor Pigatt pointed out that the millage rate was being reduced as proposed by the City's 5-year recovery plan, recognizing the burden that taxes place on the City's businesses and residents.

There being no additional discussion, the ordinance passed first reading by a 3-0 vote.

|                     |             |
|---------------------|-------------|
| Commissioner Davis  | Yes         |
| Commissioner Taylor | Not Present |
| Vice Mayor Williams | Not Present |
| Commissioner Bass   | Yes         |
| Mayor Pigatt        | Yes         |

- b) **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND ADOPTING THE CITY'S GENERAL, PROPRIETARY AND SPECIAL FUNDS BUDGET FOR THE FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGET EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATION AND AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

The above ordinance was read by Assistant City Attorney Candice Cobb.

Mayor Pigatt opened the Public Hearing for Agenda Item 5-b.

There being no members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 5-b.

It was moved by Commissioner Davis, seconded by Commissioner Bass to discuss Agenda Item 5-b.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 5-b.

City Manager Pate explained that each of the City's Department Directors would provide a briefing on their budget in addition to their accomplishments and goals, and he asked Budget Administrator Anathan to introduce Agenda Item 5-b.

Budget Administrator Anathan reviewed the City's proposed FY 2022 budget. Mr. Anathan also reminded the Commission that the Second Budget Hearing was scheduled



for September 22nd, and if they made changes to the proposed budget, it would go back to the State of Florida for approval with their response being received no later than October 15th. He pointed out that if the Commission chose to make changes to the proposed budget, it could be passed as currently submitted and a budget amendment could be submitted in October. He explained that he would review the budget and then invite department directors to present their proposed budgets individually.

Commissioner Davis asked about the \$700,000 allocated for new construction during the current fiscal year and Budget Administrator Anathan's statement that new developments could lead to the reduction in the millage rate.

Budget Administrator Anathan explained that property tax base growth is 99% driven by market forces and grows a little each year from new construction. Mr. Anathan pointed out that of the \$82 million of growth seen in FY 2021, only \$700,000 was related to property that was improved. Additionally, he said that the FY 2021 building permits will be more than \$1 million, and he concluded that what is going on, should lead to a bigger number in FY 2022 or FY 2023.

Vice Mayor Williams asked if the \$15,000 being proposed for professional development was spent this year or was a projection for the coming year, and she asked if the money would be spent for all City Staff or for the City Manager's Office Staff.

City Manager Pate explained that the \$15,000 being proposed for professional development was a projection for the coming year for the staff in his office. The Manager also informed the Commission that Citywide professional development is housed within the Human Resources Department, and that it is also part of the negotiations with the unions.

Vice Mayor Williams recalled that she asked about City Staff salaries in July and asked if she could be provided with a 3-year history of salaries for all employees, including any increases.

Budget Administrator Anathan stated that the proposed budget only increases salaries for 2 employees. Mr. Anathan committed to providing the requested list of employees and their salaries including any increases, but he pointed out that there have not been many increases except for 3 employees who had their salaries brought back up after they were reduced because of the City's financial emergency.

Vice Mayor Williams asked for clarification on whether all City employees had their salaries restored, except for the 3 employees that were mentioned by Budget Administrator Anathan.

City Manager Pate stated that while he would love to raise salaries for all employees, he is limited to adjusting salaries for exempt positions because the City is in negotiations with the unions, which have not seen a salary increase for their union employees for many years. The Manager reminded the Commission that when they voted to raise the salaries of all employees to a minimum of \$30,000, it created an issue with the unions because the raise had not been bargained for.

Commissioner Taylor asked if the 3 employees who had not had their salaries restored were union employees and if they were not, why they received the restoration of their salaries so late.

City Manager Pate stated that he did not know why the 3 employees Commissioner Taylor inquired about had not had their salaries restored previously, because it occurred before he began serving as Manager.

Mayor Pigatt asked why the revenues included in the proposed operating budget reflected \$34 million, despite the 5-year recovery plan having projected that the revenue would be \$35 million.

Budget Administrator Anathan explained that the analysis of the revenue in the operating budget is a work in progress, but he assured the Commission that the general fund revenue is above what was projected in the 5-year recovery plan.

Mayor Pigatt expressed concerns about revenues being lower and expenditures being higher than what was projected in the 5-year recovery plan.

City Clerk Joanna Flores presented her Department's proposed budget for FY 2021-2022 to the Commission.

Commissioner Bass asked for clarification on the City Clerk's Office organizational chart and the role of the Legislative Aide, requesting details on the job description for that position as well as for the Executive Assistant.

City Clerk Joanna Flores explained that the Legislative Aide is going to be under the City Manager's Office handling the legislative process including any research that is needed while the City Clerk's Office will have an Executive Assistant to the Mayor and City Commission who will handle the administrative and clerical work.

Commissioner Bass asked why the Legislative Aide's position would be put under the City Manager's Office.

City Clerk Joanna Flores explained that the request to have the Legislative Aide position put under the City Manager's Office came from the Manager's Office in a public meeting

and she agreed to it, pointing out that historically the Clerk's Office has had an Executive Secretary to the Mayor and Commission and that this is the first time that the office has had a Legislative Aide. The Clerk suggested that perhaps the Manager could shed light on the purpose for transferring the position to his office.

City Manager Pate explained that because his office is responsible for developing legislation on behalf of the Commission, he felt the position of the Legislative Aide was better suited under the Manager's Office. The Manager stated that currently his Executive Assistant along with City Staff, develop legislation through various meetings with the members of the Commission. He said that through conversations with Clerk Flores, he felt it was prudent that the Clerk have the administrative support needed with the Executive Assistant, while the Legislative Aide will work on developing legislation under his office.

City Clerk Joanna Flores stated that her goal is to ensure that the Commission's needs are met, and she is okay with the staff person in her office being either a Legislative Aide or Executive Assistant, based on what most of the Commission requests.

Vice Mayor Williams suggested that the word "legislative" be taken away from the title of the position under the City Clerk's Office, so that the position will be simply an aide to the Commission, and she added that a legislative position could be created in the City Manager's Office to do the legislative leg work. The Vice Mayor also asked if the work currently done by Mr. Randy Grice under the title of Legislative Aide, would be the same work done by the Executive Secretary, and stated that she just wants to make sure that the Commission is provided the same service under the new job title that was proposed.

City Clerk Joanna Flores confirmed that the administrative duties currently being performed by Mr. Randy Grice under his title as Legislative Aide, would fall under the position of Executive Secretary.

Commissioner Davis stated that because the position is already budgeted for, he recommended re-allocating the position as he said he had previously mentioned on the dais, and he suggested having a conversation with the employee to see where they want to fit in. The Commissioner added that he did notice a lag in the development of legislative items and said that he doesn't feel like the responsibility is solely on the City Manager's Office given the resources they have.

Commissioner Taylor stated that the new role being proposed should be offered to the person that's already in the position. The Commissioner also explained his understanding that the person in the role is currently playing two separate roles on the clerical side and on the legislative side, so that what is being proposed is to divide the roles to be filled by 2 different individuals. He also asked for assurances that the Commission will have access

to both the Legislative Aide in the City Manager's Office and the Executive Secretary in the City Clerk's Office.

Both City Clerk Flores and City Manager Pate confirmed that Commissioner Taylor was correct, and the Commission will have access to both the Legislative Aide in the City Manager's Office and the Executive Secretary in the City Clerk's Office.

Mayor Pigatt asked why the breakdown of the City Manager's Office did not include a Legislative Aide if it was being proposed to create the position under his office.

City Manager Pate explained that the job title will be a Special Assistant to the City Manager with the role of a Legislative Aide.

Mayor Pigatt expressed his opinion that the job description for the proposed position of Special Assistant to the City Manager, should include the role of the Legislative Aide very clearly because as Vice Mayor Williams pointed out, it is very common for the Mayor and Commission to have a Legislative Aide and in approving the budget, that title will no longer exist in the City of Opa-locka.

Noting that the Commission has an Executive Session scheduled, the Mayor asked for a motion to recess the First Budget Hearing.

It was moved by Vice Mayor Williams, seconded by Commissioner Taylor at 6:44 PM, to recess the First Budget Hearing until after the Executive Session.

Mayor Pigatt reconvened the First Budget Hearing at 7:32 PM and asked City Manager Pate to continue with the presentation of the proposed City budget.

City Manager Pate asked Budget Administrator Anathan to continue with the presentation of the proposed City budget.

Budget Administrator Anathan apologized that his planned 20-minute presentation took about 45 minutes. Recognizing that it could become an inordinately long night, he informed the Commission that he recommended to the City Manager that they adopt the budget and then have another Workshop in October to propose any amendments to the budget that may be needed.

Mayor Pigatt asked if Budget Administrator Anathan was proposing to stop the budget presentations from the City Departments and to have the Commission pass the proposed budget now.

Budget Administrator Anathan stated that he wasn't necessarily suggesting that the Commission stop now but did suggest that they not go through the budget presentations from every City Department.

Mayor Pigatt asked if the City Department Directors could limit their budget discussion to their objectives for the coming year and any significant budget changes.

Budget Administrator Anathan stated that the budget presentations from the City Departments are already structured as Mayor Pigatt suggested, but he pointed out that there is still a lot of information to look at.

Mayor Pigatt asked his colleagues on the Commission if they preferred to just ask specific questions about the budget or if they wanted a brief review of the budget from City Staff.

Vice Mayor Williams pointed out that she asked her questions about the proposed budget earlier and she did not have any specific City Department related questions.

Commissioner Taylor stated that he didn't have any targeted questions about the proposed budget at the moment, and he said that once he did, he would refer them to the City Manager.

Commissioner Davis stated that he has a question related to beautification of the City but noted that the discussion would probably take place during the first budget amendment. The Commissioner said that he didn't have any questions relevant to the proposed budget.

Commissioner Bass shared that she went through the budget and that if she had any questions, she would call the parties in charge.

Mayor Pigatt asked for information from the Public Works Department, including how many people the City has picking up trash as well as information on the Department's projects for the coming year.

City Manager Pate asked Public Works Director Airia Austin to deliver his budget presentation, to answer the Commission's questions about beautification and capital improvement projects.

Public Works Director Airia Austin delivered his Department's proposed budget presentation to the Commission.

Mayor Pigatt asked what staffing increases were being budgeted for by the Public Works Department for basic maintenance.

Public Works Director Airia Austin informed the Commission that the increases in staff for his department include 4 for maintenance of tree trimming and signs, 1 for maintenance of buildings and 2 for illegal dumping in the City's commercial corridors.

Mayor Pigatt asked if increasing the staff also meant that the Public Works Department would get another truck to increase the efficiency of trash pickup.

Public Works Director Airia Austin informed the Commission that the long-term plan was to have 2 trash trucks, but that they can't tell if it will be needed until they have dedicated individuals to perform the task. Mr. Austin stated that if the need for another truck arises, it will come before the Commission as a proposed budget amendment.

Mayor Pigatt asked how many miles of sidewalk and roadway were planned to be paved in the proposed budget.

Public Works Director Airia Austin stated that 2.5 miles of sidewalk and 3 lane miles of roadway will be paved as proposed in the budget for the upcoming year.

Commissioner Davis asked about including garbage cans in the City's public spaces, in the proposed budget.

Public Works Director Airia Austin informed the Commission that the request for proposals for the City's bus benches includes a stipulation that they will have trash cans and the contractor will be responsible. Mr. Austin also assured the Commission that his Department can also address including trash cans in the City's public spaces.

Commissioner Taylor suggested that the Public Works Department develop a yearly maintenance schedule to put a focus on areas like the parks, gateways and the trees at different times of the year, so that they get painted and maintained every year.

Public Works Director Airia Austin agreed with Commissioner Taylor.

Commissioner Bass asked about the installation of lights and cameras to help stop illegal dumping.

Public Works Director Airia Austin stated that lights and cameras will first be installed in hot spots, which he explained are areas where illegal dumping is cleaned up frequently.

Vice Mayor Williams suggested that research be done to determine why illegal dumping is a problem in Opa-locka, including what neighboring cities have done. She shared that another municipality sent letters advising residents they would be fined and urged the creation of a complete campaign that the entire City gets behind, to combat illegal dumping.

Mayor Pigatt asked what the status of the Code Enforcement Department was and if there were any additions to the budget, including funding for professional development, so that the Code can be effectively applied to maintain and beautify the City.

Police Chief Steven Barreira informed the Commission that his Department's proposed budget includes funding for an additional staff member to handle the clerical needs of Code Enforcement, noting that from 2019 to present time, they issued over 943 warnings, 250 citations and approximately 450 lien requests. The Chief also said that the Police Department is working on e-filing of Code Enforcement citations, to reduce the lag time when filing with Miami-Dade County. He shared that he is trying to increase efficiency and that if an additional staff member is needed, an official request will be made through the Manager's Office.

Mayor Pigatt asked Police Chief Barreira if his Department's proposed budget included any training for Code Enforcement staff.

Police Chief Steven Barreira stated that professional development is included in the operational costs of his Department's proposed budget.

Mayor Pigatt asked what was being proposed in the budget to make the Building & Licensing Department more efficient in addition to addressing financial oversight.

Building & Licensing Department Director Gregory Gay informed the Commission that the proposed budget for his Department reflects modifications to staffing, including the addition of 2 to 3 staff members. Mr. Gay stated that the staff modifications are being made to allow people that are applying for permits that can be easily obtained, to not have to wait weeks.

City Manager Pate informed the Commission that while it is not reflected in the proposed budget, financial oversight in the Building & Licensing Department is being addressed by handling all transactions in the Utility Billing Office using the cashiering system, with all the transactions being reconciled on a constant basis. The Manager assured the Commission that taking cash and giving a hand receipt does not occur anymore and that the change was made prior to the City being put on notice about probable criminal activity in the Public Works Department.

Mayor Pigatt asked how evaluations are being handled by the Human Resources Department and whether a move to an electronic system was being included in the proposed budget. The Mayor also asked for information about the proposal to remove the Commission's healthcare coverage.

City Manager Pate informed the Commission that a request to implement an automated evaluation system for the Human Resources Department would be included in the City's first budget amendment process. The Manager also shared that he hopes to complete a full assessment of the Department within the next 90 days, to put together a plan of action to improve the overall employee experience within Opa-locka. He asked Financial Consultant Gerri Lazarre to address the Commission's questions about the removal of their healthcare coverage, stating that in the results of the last audit completed by Mr. Anthony Brunson, he recommended that it be looked at because based insurance is considered additional compensation in the City's Charter.

Financial Consultant Gerri Lazarre explained that because the City was paying for the Commission's health insurance benefit without any paycheck deductions, the Finance Department was having reconciliation issues during the audit. She pointed out that per the City Charter, the compensation for the Commission is only \$500 and it does not say that health care benefits are considered compensation, creating a conflict between the City's laws and what is being done in practice. Ms. Lazarre informed the Commission that through the accounting cleanup process, it was realized that a lot of things happened in the past that should not have happened, and they wanted to bring it up to the City Manager and give him recommendations on what should be done to fix it going forward.

Vice Mayor Williams stated she is just a little confused about the Commission's health insurance coverage being considered additional compensation, despite them recently having a conversation about things that were paid that weren't considered additional compensation. Noting that the Commission's health care benefits were offered for many years, she asked if it went through a particular City Department.

City Manager Pate noted Vice Mayor Williams concerns about the Commission's health insurance coverage being removed but reminded the Commission that they were provided a briefing with the Manager, Financial Consultant Gerri Lazarre and Budget Administrator Bob Anathan, to go over what the auditor discovered to affect how it may affect them.

Mayor Pigatt recalled the briefing that City Manager Pate alluded to, but he stated that what is confusing is that despite the Commission being told that the removal of health insurance benefits may occur, it wasn't in the operational audit finding report at all, despite it including other findings on healthcare. The Mayor pointed out that his wife and 3 kids are going to lose their health care on October 1st upon the passing of the City's budget and that he doesn't know how many others on the Commission will lose their healthcare as well. He noted that providing the Commission with health care benefits has been a practice in the City for many years, and that because of this change, the only benefit that anybody that comes to serve on the dais will receive is \$550 a month before taxes reduce it to \$491, which he said is a very difficult situation in which to put a body of citizens who want to



serve their community. The Mayor acknowledged that he is hoping that legislation comes up through the Charter review process to rectify it, because he doubts that anybody would say that people shouldn't have healthcare in this community.

City Manager Pate stated that despite his fiduciary responsibility to bring up the information about the Commission's health insurance as it was provided to him, he is happy to continue the coverage beyond October 1st if the Commission wants to pass legislation to maintain the coverage.

Commissioner Davis recalled that when he first got into office, many of the items that were deemed as compensation for the Commission were taken away, including City vehicles, which he said the State of Florida had a problem with because they weren't outlined in the City Charter by ordinance. The Commissioner acknowledged Mayor Pigatt's concern and pointed out that medical insurance is more of a need, but he said that he doesn't have a family tied to the City's health care benefit and he has employers outside of the City who subsidize his personal health insurance premium. He suggested that the Commission should consider bringing up the issue, provided there is no legal liability, reminding his colleagues that we are still in the middle of a pandemic, and he wouldn't want to see anyone go without adequate insurance to protect them.

Mayor Pigatt stated that he started the process that led to the Commission not receiving any benefits that were not outlined in the City's Charter including cars, but he urged his colleagues to really think about this in terms of the future of those who serve in the community. He added that it is a very normal thing throughout the State of Florida in all municipalities and governments.

Commissioner Taylor asked City Attorney Norris-Weeks if the Commission can legally pass legislation to maintain its health insurance coverage.

City Attorney Norris-Weeks stated that it sounds to her like a determination was made by somebody that it is not legal for the City to pay for the Commission's health insurance because it is considered additional compensation. She pointed out that it's the same issue that came up recently with funeral expenses and the case law that addresses additional compensation for the Commission. Because of that and because it has been flagged as a possible audit finding, she asserted that the best advice would be to go through a Charter review and have it put before the voters in a referendum.

Commissioner Taylor inquired about whether the City has someone who handles procurement.

City Manager Pate informed the Commission that the proposed budget includes funding for a person to handle procurement part time at first. He stated that right now procurement

is split between two staff members, but what is being proposed is to have one who will work on procurement with Budget Administrator Anathan as their sole responsibility.

City Attorney Norris-Weeks asked if the person being proposed to be hired to handle procurement would handle all procurement, pointing out that it is something the Legal Department has been doing.

City Manager Pate stated that the person being recommended to be hired in the proposed budget, would handle all procurement, to take the heavy lifting off the Legal Department.

Mayor Pigatt asked how much the City spends on procurement annually and inquired why a full-time person will be handling legislation for the Commission while the person who handles procurement for the City will only be part time.

Budget Administrator Bob Anathan stated that he believed the City spends \$30-\$35 million on procurement annually, but he later stated that he needed to revise that number down.

City Manager Pate recalled that the City had a procurement officer when he began serving as Manager, but that they were not able to recruit for the position. He also pointed out that some of the City's procurements are subcontracted through the engineers who are working on projects for the City, as well as other third-party entities.

Budget Administrator Anathan reminded the Commission that larger procurements are done through requests for proposals.

Mayor Pigatt pointed out that the City processes millions of dollars worth of procurement, that 13 of the operational audit findings were solely on procurement, and that many of the previous meetings included the re-bidding out of requests for proposals. He firmly asserted that the City needs to have someone in procurement and thanked Commissioner Taylor for bringing it up.

City Manager Pate offered to make the procurement official full time during the Commission's first budget amendment.

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

|                     |     |
|---------------------|-----|
| Commissioner Taylor | Yes |
| Vice Mayor Williams | Yes |
| Commissioner Bass   | Yes |
| Commissioner Davis  | Yes |
| Mayor Pigatt        | Yes |

**6. ADJOURNMENT:**

There being no further business to come before the City Commission, it was moved by Commissioner Taylor, seconded by Commissioner Davis to adjourn the meeting at 8:40 p.m.

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**Matthew A. Pigatt**  
**Mayor**

**Attest:**

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**Joanna Flores, CMC**  
**City Clerk**

**CITY OF OPA-LOCKA**  
“The Great City”

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**CLERK’S ACTION SUMMARY MINUTES**  
**SECOND BUDGET HEARING**  
**September 22, 2021**  
**5:01 P.M.**

**1. CALL TO ORDER:**

Mayor Pigatt called the meeting to order at 5:09 p.m. on Wednesday, September 22, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

**2. ROLL CALL:**

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Chris Davis, Commissioner John H. Taylor Jr., Vice Mayor Veronica J. Williams and Mayor Matthew A. Pigatt. Also, in attendance were: City Manager John E. Pate, City Attorney Norris-Weeks, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

**3. INVOCATION:**

The Invocation was delivered by Vice Mayor Williams.

**4. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**5. FIRST READING ORDINANCES/PUBLIC HEARINGS:**

- a) **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING A FINAL MILLAGE RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES, FOR FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; SETTING FORTH PUBLIC HEARING DATES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on September 15, 2021). *Sponsored by City Manager***

The above ordinance was read by Assistant City Attorney Candice Cobb.

Mayor Pigatt opened the Public Hearing for Agenda Item 5-a.

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings and informed the Commission that several members of the public registered to address the Commission, but that they registered to make their comments during the public hearing for Agenda Item 5-b.

There being no members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 5-a.

It was moved by Commissioner Taylor, seconded by Commissioner Davis to discuss Agenda Item 5-a.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 5-a.

City Manager Pate asked Budget Administrator Anathan to introduce Agenda Item 5-a.

Budget Administrator Anathan announced that the tentative millage rate for the City of Opa-locka is 9.650 mills, to fund the tentative FY 22 budget and that it is 4.72% higher than the current year rollback rate. Mr. Anathan stated that the increase in property tax revenue will be used primarily to further enhance public safety and broaden the services provided by the Parks & Recreation Department. He stated that the 9.65 mills produces \$11.32 million in revenue, which he said is deemed to be an appropriate amount to fund what is being recommended in the FY 22 budget.

Commissioner Davis stated the increase in revenue generated by the millage rate that was proposed by the Commission, will allow the City to provide more services to Opa-locka's residents.

There being no discussion on Agenda Item 5-a, the ordinance passed by a 5-0 vote.

|                     |     |
|---------------------|-----|
| Commissioner Davis  | Yes |
| Commissioner Taylor | Yes |
| Vice Mayor Williams | Yes |
| Commissioner Bass   | Yes |
| Mayor Pigatt        | Yes |

**b) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND ADOPTING THE CITY'S**

**GENERAL, PROPRIETARY AND SPECIAL FUNDS BUDGET FOR THE FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGET EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATION AND AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on September 15, 2021). *Sponsored by City Manager***

The above ordinance was read by Assistant City Attorney Candice Cobb.

Mayor Pigatt opened the Public Hearing for Agenda Item 5-b.

Ms. Dorothy Johnson of 13724 NW 22nd Place urged the Commission to allocate funding in their budget for the washing of the new vehicles that were being proposed to be purchased for the Parks & Recreation Department as well as the Police Department. She stated that she sees Opa-locka losing residents to the Seniors programs in neighboring cities, and while she noted a little increase in the proposed budget, she urged the Commission to look at the issue. Ms. Johnson asked the Commission to consider increasing the salaries of City staff who are considered boots on the ground. She also said that she didn't see any legislation for prisoners coming back to help with the cleaning and beautification of the City and suggested that the Commission consider these items.

Rev. Joseph Kelley of 485 Dunad Avenue expressed his hope that the things he brought up at the Commission's First Budget Hearing could be included in the services provided by the City, including signage on the Seniors on the Move vehicle, cost of living adjustments for City employees in addition to funding for mental health and homelessness.

Ms. Bacardi Jackson introduced herself as a Deputy Legal Director of the Southern Poverty Law Center based in their Miami office and explained that she and her colleagues would be speaking about the proposal to expand Opa-locka's Police Department budget, the implications of Section 1 of the recently passed HB 1 and their plans to challenge it. Ms. Jackson informed the Commission that they are building a growing coalition of cities including Gainesville, Miramar, Wilton Manors and Lake Worth who have passed resolutions authorizing litigation against HB1 in addition to Lauderhill which has also reached consensus in finding the law to be problematic for home rule and the ability of local governments to structure budgets that best meet the needs, values and priorities of their constituents. She explained that if a municipality makes a reduction to the operating budget of its Law Enforcement Agency, HB 1 authorizes certain elected officials to file an

appeal with the Florida Administration Commission, which is composed of the Governor and their cabinet. Ms. Jackson pointed out that HB 1 could be triggered by a municipality failing to maintain any increase to a Police budget and that the Governor is working to expand the number of people who can appeal any budget reduction, to include County Sheriffs. She also explained that HB 1 empowers the Administration Commission to amend or modify any item within the operating budget of a municipality's Law Enforcement Agency and does not set forth any mechanism for judicial review. Ms. Jackson asserted that it is unconstitutional for the Governor and his cabinet to insert themselves between local government and their constituents. She concluded by stating that based on all the ongoing conversations with local elected officials, she is confident that the coalition of cities will be able to successfully challenge HB1.

Ms. Burbeth Foster introduced herself as an attorney with Community Justice Project and shared some of the success that the coalition including more than 20 attorneys who are challenging HB1 have had in protecting cities from overreach from the government of the State of Florida.

Mayor Pigatt reminded the members of the public that the Public Hearing is for the City's proposed budget and that conversation about signing on to litigation must be relegated to the Public Comments of the Regular Commission Meeting that begins at 7:00 PM.

Jonathan Miller introduced himself as the legal director for the Public Rights Project and explained that the proposed litigation that he and the members of the coalition against HB1 were proposing, goes to the heart of budgetary decision making by the City of Opa-locka and other cities in Florida because the State Constitution protects local budgetary authorities from State overreach. Mr. Miller asserted that it is unlawful, unconstitutional and should be challenged in court.

Mr. Paul Chavez introduced himself as a Senior Supervising Attorney at the Southern Poverty Law Center, calling in from his home in Miami Shores. Mr. Chavez informed the Commission that the coalition against HB is recommending an affirmative litigation strategy on behalf of the cities joining the coalition. He stated that now is the time to challenge HB1 and urged Opa-locka to join the growing coalition.

Jannie Russell of 1210 Peri Street introduced herself as the Executive Director of Teen Upward Bound and noted that the Commission was proposing an increase to the Police Department budget, urging them to increase resources for community policing.

There being no additional members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 5-b.

It was moved by Commissioner Davis, seconded by Commissioner Taylor to discuss Agenda Item 5-b.

Mayor Pigatt thanked all those who took the time to come out to the Budget Hearing to speak and share information, thoughts and ideas, to help the Commission make better decisions. The Mayor then asked City Manager Pate to introduce Agenda Item 5-b.

City Manager Pate informed the Commission that the Community Redevelopment Agency did not pass its budget at their last meeting, and after consultation with the representatives of the State of Florida it was agreed to separate their budget from the City's budget and to have it treated as a separate entity. The Manager informed the Commission that a 15-day extension on the budget can only be granted if there are additional funds to move into the next budget year, and that it doesn't work with salaries and fringe benefits. Stating that accountability starts with everybody, he acknowledged that the ball was dropped during the transition at the CRA, and as a result the CRA Board Members got the proposed budget at the last minute and he agreed that the board should not be forced to vote on short notice. Mr. Pate assured the Commission that he is working closely with the CRA Interim Manager Corion DeLaine and said that individual meetings with each CRA Member will be scheduled prior to their budget workshop and the final approval of their proposed budget, to ensure that all their needs are funded and that the CRA is placed in a successful fiscal and fiduciary position by September 30th.

Commissioner Taylor asked City Manager Pate to clarify if the Community Redevelopment Agency would be able to continue operating if they are unable to pass their budget.

City Manager Pate stated that if the Community Redevelopment Agency does not approve its budget, they will be unable to fund things like salaries which are not eligible for the 15-day extension.

Mayor Pigatt asked for clarification on the policy on specific line items of the budget being ineligible for the 15-day extension, in addition to how the budget for the Community Redevelopment Agency is tied to the City's budget.

Budget Administrator Anathan explained that he could not comment on the 15-day extension for specific budget line items, because he was not part of that conversation.

Commissioner Davis pointed out that the Community Redevelopment Agency bylaws stipulate that the CRA budget must be presented to Miami-Dade Board of County Commissioners by October 30th.



Mayor Pigatt asked for clarification on whether it would be possible to pass the Community Redevelopment Agency budget by October 30th, instead of September 30th.

Commissioner Davis said that he thinks City Manager Pate was referring to the September 30th deadline because of the budgetary oversight by the State of Florida.

City Manager Pate reminded the Commission that because the City is under financial emergency and has an agreement with the State of Florida, all budgets including the CRA's must be submitted by September 30th. The Manager acknowledged that the September 30th deadline is contrary to the City's bylaws. He also pointed out that the City has had a great track record over the last few years, submitting its budgets in a timely manner.

Commissioner Davis stated his support for separating the Community Redevelopment Agency from the City's budget.

Budget Administrator Anathan informed the Commission that the department within Miami-Dade County that oversees the Community Redevelopment Agencies has said that there is no need for the City Commission to approve the CRA's budget, and that the representatives of the State of Florida have no problem with the City's budget going forward without the CRA budget in it. Mr. Anathan also recalled that he had previously mentioned the intention to have the CRA break away and said that what occurred in the last 24 hours just made that occur earlier. Mr. Anathan went on to review the City's FY22 budget as proposed in Agenda Item 5-a.

Mayor Pigatt expressed his concern that the proposed budget included an increase of \$1.1 million including City Staff salaries, which he noted was larger than the amount that was projected to be collected in property taxes that had grown by \$476,000.

Budget Administrator Anathan assured the Commission that while employee salaries increased in the proposed budget, he anticipates that the cost will level off for the following year, when he expects that property tax revenue will continue to increase.

Commissioner Taylor asked if the Code Enforcement Department had a night shift.

City Manager Pate informed the Commission that additional shifts are being considered to be added to the Code Enforcement Department as has been done before to address significant issues, but he said that currently the Police Department patrols the City at night and has the authority to issue code enforcement citations.

Vice Mayor Williams expressed her concerns about how salary increases were determined and asserted that they need to be based on evaluations and work history.

Commissioner Bass stated that she counted 12 employees who are still making less than \$30,000 because \$29,996 is not \$30,000.

Mayor Pigatt echoed the sentiments from Vice Mayor Williams and Commissioner Bass, stating that the document the Commission received does not reflect that all City employees are making over \$30,000 and that multiple employees received significant raises. The Mayor asked what the justification was for those raises and why the Commission was told something different than what is reflected in the document provided to them.

City Manager Pate stated that any salaries that are reflecting as being under \$30,000 on the document provided to the Commission, is an ADP calculation issue and he offered assurances that it will be addressed with the Human Resources Department. The Manager also pointed out that salary increases can be a result of promotions, reassignments, step changes or based on collective bargaining agreements. He agreed that the boots on the ground should receive a salary increase but noted that when a 3% cost of living increase was calculated, the amount was a very large dollar amount. Additionally, Mr. Pate reminded the Commission that the majority of the City's employees are members of a union and union negotiations are underway, making a unilateral salary increase impossible.

Vice Mayor Williams stated that she had asked for a list of those City employees whose salaries were impacted by the financial crisis and said that most of the salary increases went to one department, asserting that she is not OK with it.

Mayor Pigatt echoed the concern expressed by Vice Mayor Williams and he joined in proposing to increase the salaries for those City employees who are boots on the ground, as expressed by Ms. Dorothy Johnson during the Public Hearing. The Mayor noted that the budget included significant salary increases for Department Directors, some of whom had only been with the City for a limited time, and he said that there is an imbalance with the salaries between the top and bottom people as well as between the different City departments. He reminded his colleagues that one of the findings of the operational audit, included making sure that all pay increases are appropriately supported.

Budget Administrator Bob Anathan reported that every City employee is getting paid at least \$14.43 per hour, which when multiplied by 2,080 hours for the year, is over \$30,000. Mr. Anathan informed the Commission that the document provided to them includes a lot of part-time employees who work much less than 40 hours a week and will show up at less than \$30,000. He also pointed out that many of the salary increases that the Commission was questioning were contractually obligated.

City Manager Pate assured the Commission that the recommendations of the operational audit have been followed since he began serving as Manager but offered to pull the personnel action forms for any City employees that they have questions on.

Commissioner Taylor asked if union employees had a minimum wage.

City Manager Pate explained the step increase process for union employees.

Commissioner Taylor asked if there was a consequence when the salary increase was previously given to all employees, including union employees.

City Manager Pate said that because the previous salary increase had not been negotiated with the union, the City was unable to use it during bargaining. The Manager stated that he did not recommend that the Commission consider a cost-of-living increase until they know the financial implications of the agreement made with AFCSME and the Police Union, which are both currently being negotiated with.

Mayor Pigatt recalled that one of the reasons the Commission decided to ensure that all City employees were paid at least \$30,000 was because they wanted to have them make a living wage, and he suggested that they pass an ordinance or resolution to ensure that.

Commissioner Davis asked what the rationale was to provide salary increases for Police Department Employees who are members of the Police Benevolent Association, while also stating that AFSCME employees can't have a cost-of-living increase, despite the ongoing negotiations with both unions.

Budget Administrator Bob Anathan explained that any salary increases for union employees that the Commission sees on the document provided to them, were part of contractual agreements that require automatic increases, and he stated that once the union agreements have been worked out, the large contingencies in the proposed budget will be allocated to the union employee salaries.

Mayor Pigatt said that he would love to hear his colleagues' thoughts on the budgetary impact of HB 1, adding that there is a 25% increase in the proposed Police Department budget which, according to the new law, would have to be maintained.

Budget Administrator Bob Anathan said that the increase in the proposed Police Department budget is less than 25% and includes staffing and other things that were not brought into the prior budget.

Vice Mayor Williams asked City Attorney Norris-Weeks if City staff who are members of a union can receive a one-time bonus, without it being connected to union negotiations.

City Attorney Burnadette Norris-Weeks cautioned the Commission to allow the process of the shade meetings for the negotiations with the unions to work, because hearing what the Commission is saying in public meetings, gives the unions the upper hand in those negotiations. Ms. Norris-Weeks also stated that generally speaking, City Manager Pate is

correct that salary increases must be bargained for, and the City does not get credit for any increases enacted that are not negotiated with the union, and they could still ask for a percentage of salary increase on top of whatever the Commission might grant. She also stated that she has gotten several calls from the organizations that are part of the litigation to fight back against HB1. Attorney Norris-Weeks explained the implications of HB1 and reported that she suggested that the organizations which contacted her, should call the Mayor or Commissioners to discuss having the City of Opa-locka join the municipalities that are signing on to be plaintiffs in the litigation.

Commissioner Davis pointed out that he was against HB1 and signed on too many refusal letters to the Governor's office, because he said he was concerned about home rule powers being edged away and the power to control the City's Law Enforcement budget being preempted. The Commissioner said that before any increases are made to the Police Department budget, he wants to be sure that they have the foundation, because it must be sustained. He also stated that he wants to be sure that the money allocated in the budget reflects the needs of the community, noting that more officers on the ground may not be necessary if community policing and preventative strategies are employed.

City Manager Pate pointed out that the Commission discussed HB1 in July and August, and he offered assurances that Budget Administrator Anathan has provided the revenue analysis to demonstrate that the budget is sustainable. The Manager expressed his feeling that it would not be a great position for the City to make any significant changes to the budget after the Budget Workshops and First Budget Hearing, because of the implications.

Budget Administrator Bob Anathan stated that he thinks the City's staffing level has been stabilized, and assuring the Commission that he understands HB1, he asserted that even if the decision is made to cut back on some portions of the proposed budget, because of the year-to-year contractual increases, the chances of pulling back from the current levels are probably remote.

Vice Mayor Williams recognized both the implications if the Commission doesn't pass the budget as well as the implications of HB1. The Vice Mayor said that while the Commission has had multiple budget meetings, everything the Commission is saying has always been among the concerns they have had, and no additional options were presented. She expressed that she felt like it was meant to be passed whether the Commission liked it or not. The Vice Mayor pointed out that because HB1 requires that any increases to the Police Department budget be sustained, if the Commission doesn't get the funding they need in the future, the funding may potentially have to come from the Parks & Recreation Department programs like the Senior program because the money must come from somewhere.

Mayor Pigatt said that he thinks Vice Mayor Williams hit it right on the head in terms of the major concerns that the Commission has. The Mayor also pointed out that the Commission had to decide to vote or recess until another day, because it was after 7 PM and they had a Regular Commission Meeting scheduled. He asked City Manager Pate to speak on the item before the Commission makes their decision.

City Manager Pate asked Budget Administrator Anathan if he had anything else to say on Agenda Item 5-b.

Budget Administrator Bob Anathan said he would take the wrap for not giving the Commission budget options, but he noted that throughout the discussions that he has participated in, he never heard any consensus on giving the Commission something else.

City Manager Pate informed the Commission that after each of the budget workshops, there have been several meetings with City staff to look at other options. The Manager said that if the Commission would have directed City staff to find another option, they would have attempted to. He offered assurances that there was no intent to try and shove the budget through and said it was the same that happened yesterday during the CRA meeting, with the exception that there were several meetings to discuss the City's budget. Mr. Pate recommended that the Commission pass the budget and make any significant changes through a budget amendment in October.

Mayor Pigatt suggested that the Commission can recess, vote on the budget or they could direct City Manager Pate to put the staff increases into reserve until after they pass the budget, to give them more time to discuss what happens with those funds during the budget amendment.

Commissioner Davis recalled that during the first Budget Workshop, he asked if the Commission could increase or decrease line items in the budget upon the second reading, and he stated that he has a problem with having the Commission's back against the wall to approve the budget, when they were told that changes could be made to line items, but that has not happened.

City Manager Pate stated that he would not want to see the City engage in unfair labor practices, pointing out that the proposal to put budget funding in reserve may impact Police Officers being able to get their wages. The Manager pointed out that the changes to the Police Department budget are for community-oriented policing, noting that it does not exist in the City of Opa-locka. He asserted that Police Chief Barreira has done an excellent job. The Manager also reminded the Commission that his job is to develop the budget and that one of the Commission's key roles according to the City Charter, is to approve the budget.

Mayor Pigatt stated that as representatives of the people, the Commission has ideas and looks to City Staff to let them know how to make them happen, ensuring that all contracts and laws are followed.

Financial Consultant Gerri Lazarre responded to Commissioner Davis' concern about making changes to line items in the proposed budget, and she said that changes can be made today but certain line items would be easier to change than others that have broader implications. Ms. Lazarre also reviewed the laws and rules associated with recessing the Second Budget Hearing. She added that if the CRA's budget is passed at the next meeting, the Commission can include it in the proposed City budget.

Mayor Pigatt asked about his idea to make a motion, directing City Manager Pate to amend the budget to remove all staff increases that are not tied to contractual increases.

Financial Consultant Gerri Lazarre informed the Commission that they could amend the proposed budget to have time to work on it.

City Manager Pate stated that there would be legal implications to amending the proposed budget.

Mayor Pigatt asked what the legal implications were of amending the budget to remove all staff increases.

City Manager Pate informed the Commission that stopping the compensation for Police Department Officers who are tied to step increases, gets into a dicey environment and he suggested that they consult with City Attorney Norris-Weeks.

City Attorney Burnadette Norris-Weeks said that she was not completely familiar with what City Manager Pate was talking about, but she did say that because the Commission does approve the budget, they have the legal authority to follow the guidance offered by Financial Consultant Gerri Lazarre to continue the Second Budget Hearing on a date certain they announce.

Mayor Pigatt asked his colleagues if they would want to vote on the budget now, recess until a date certain or make a motion to amend the budget to put any increases in Police and City Staff into a reserve that can later be decided on at the budget amendment.

Commissioner Davis stated that he would be in favor of a recess, to provide the Commission an opportunity to engage with all the concerns on the City's budget and because it could be sent up as one document with the CRA budget.

Commissioner Bass and Commissioner Taylor also indicated that they were in favor of a recess.

Commissioner Taylor asked if the CRA meeting would have to be held before the City's budget is approved.

Financial Consultant Gerri Lazarre explained that the Commission could include the CRA budget in the City's budget if the CRA is able to get their budget together. Ms. Lazarre informed the Commission that she spoke with Community Redevelopment Agency Interim Manager Corion DeLaine and City Manager Pate about the process to separate the CRA from the City, and she said that she doesn't know if the City is at that stage because some steps need to happen that won't happen October 1st. She stated that just because the budgets are separated, it doesn't mean that the CRA is ready to function as a separate entity and she said she thinks it's probably best to have it included with the City's budget.

Mayor Pigatt noted that the Community Redevelopment Agency is looking to have a meeting on Wednesday at 5:30 PM and asked his colleagues if they want to continue the Second Budget Hearing at 7 PM, or the day after, noting that Thursday is probably the last day they could do it.

Vice Mayor Williams asked if an hour and a half was needed just to approve the Community Redevelopment Agency budget since it is not a full agenda, and she suggested that the CRA meeting be scheduled for 30 minutes to then come back with the Commission Meeting.

Mayor Pigatt stated that there may be some significant changes to the Community Redevelopment Agency budget, and he thinks 30 minutes for the CRA meeting may be a little too restrictive.

Commissioner Taylor asked if the Community Redevelopment Agency meeting could be moved to 5 PM and the Commission meeting to 6 PM.

Mayor Pigatt said he always advocated for meetings at 5:30 PM to give the members of the Commission time to get to the meeting from work.

City Manager Pate pointed out that the Community Redevelopment Agency will have a workshop and a meeting back-to-back, and he suggested that 1 hour for both will not work, recommending at least 2 hours.

Mayor Pigatt asked Community Redevelopment Agency Interim Manager DeLaine if he had any other comments.

Community Redevelopment Agency Interim Manager Corion DeLaine informed the Commission that an hour should be fine for the CRA's Budget Workshop to be held from 5:30 to 6:30 PM, with an additional 30 minutes being sufficient to approve the budget. Mr. DeLaine also said that he should be able to clarify all the concerns of the CRA board

members by meeting with them individually, and he committed to ratifying all their requests on Tuesday, so that the Commission can continue their Second Budget Hearing at 7 PM on Wednesday.

It was moved by Commissioner Davis, seconded by Commissioner Taylor to recess the Budget Hearing for reasons beyond the Commission's control, until Wednesday, September 29th at 7 PM at Sherbondy Village Auditorium.

There being no further discussion, the motion to recess the final budget hearing to September 29, 2021 at 7:00 p.m. passed by a 5-0 vote.

|                     |     |
|---------------------|-----|
| Vice Mayor Williams | Yes |
| Commissioner Bass   | Yes |
| Commissioner Davis  | Yes |
| Commissioner Taylor | Yes |
| Mayor Pigatt        | Yes |

**6. ADJOURNMENT:**

Mayor Pigatt recessed the Second Budget Hearing at 7:37 PM.

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**Matthew A. Pigatt**  
**Mayor**

**Attest:**

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**Joanna Flores, CMC**  
**City Clerk**



# PUBLIC PRESENTATION

# THE INTEGRITY GROUP



THE  
INTEGRITY  
GROUP



GRANT PROGRAM  
MANAGEMENT CONSULTING  
FOR CITY OF OPA LOCKA



# WHO IS THE INTEGRITY GROUP?

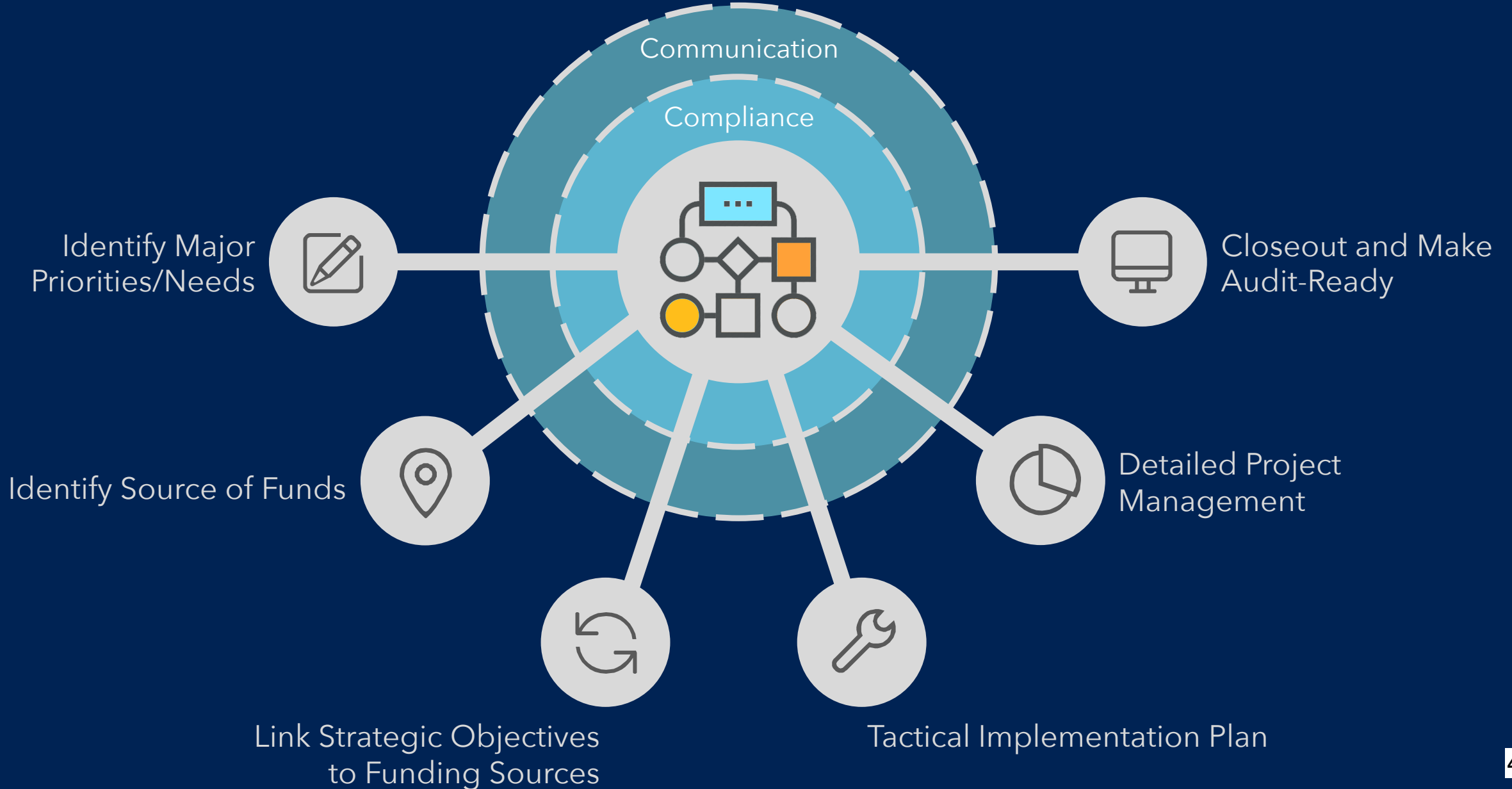
- Based in Tallahassee, with offices throughout Florida
- Focus on high quality service to maximize benefits to clients
- Partners and Staff with Significant Experience in Local, State & Federal Government
- Well known/connected with key decision makers
- Disaster Recovery Consulting & Funding Management
  - Billions in FEMA Grant Funding (Public Assistance, Mitigation, Individual Assistance)
  - Multiple Millions in U.S. HUD Community Development Block Grant and other Federal and State Recovery Programs
  - Millions in Local COVID-19 Related Funding
- Offer Full Array of Grant and Program Management Services
- Technology Tools (Portals, Project Management Systems)
- Focus on Risk Management (Identify and Minimize)
- Major emphasis on Compliance with all Federal, State & Local Guidelines





**OUR JOB IS TO FOCUS ON THE GOALS  
AND OBJECTIVES OF OPA LOCKA**

# The Integrity Group Solution





# THE OPPORTUNITY

## American Rescue Plan Act

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**\$7.9 Million allocated to Opa Locka (2 Phases)**

### Allowable Uses of Funding

Support public health expenditures, including mitigation, medical expenses, behavioral healthcare, and certain public health and safety staff

Address negative economic impacts on workers, households, small businesses, impacted industries, and the city

Replace lost city revenue

Provide enhanced pay for essential workers

Water, sewer, and broadband infrastructure



# HOW TO GET STARTED?

**Step 1: Contract with The Integrity Group to establish a fully compliant ARPA program, including all reporting to U.S. Treasury, ongoing compliance assessments; periodic reporting required; and City-wide outreach and support for grant programs (if desired).**

**Step 2: Immediately request and draw down the first tranche of funding, placing these funds in an interest-bearing account (interest earned can be spent on any items deemed necessary by the City).**

**Step 3: Conduct an analysis of loss revenue due to COVID-19 (utilizing U.S. Treasury Guidelines). This analysis will determine the amount of funding that may be used for any purpose identified by the City.**

**Step 4: Determine amount of funding to be allocated to infrastructure needs and grants to residents, businesses, and non-profit organizations.**

**Step 5: Develop a detailed spending plan for submission to U.S. Treasury, including critical compliance monitoring processes.**

**Step 6: Begin pursuit of plan, including all required compliance monitoring.**

**The goal is maximum success and benefits to the City, its residents and businesses.**



# CONSENT AGENDA

**RESOLUTION NO. 21-**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES BUREAU OF FINANCE AND ACCOUNTING FOR TWELVE THOUSAND DOLLARS (\$12,000.00) TO BE USED TO DEVELOP COMMUNITY GARDENS AT SEGAL PARK AND SHERBONDY VILLAGE PARK, WITHIN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, due to the growing need of healthy initiatives, community gardens are needed to supply healthy food to residents and to increase awareness of healthy eating. Urban farming has the potential to provide residents with fruits and vegetables so they may enjoy a healthier diet and lifestyle. According to a Johns Hopkins report, urban farming's most significant benefits center around its ability to increase social capital, community well-being and civic engagement with the food systems; and

**WHEREAS**, the City of Opa-Locka ("City") has engaged the firm of RMPK Funding, Inc. to assist the City's staff in the preparation and submission of grant applications; and

**WHEREAS**, on August 31, 2021, RMPK Funding, Inc. submitted a grant application, attached hereto as Exhibit "A", to the Florida Department of Agriculture and Consumer Services Bureau of Finance and Accounting, which is designed to fund gardening projects for Twelve Thousand Dollars (\$12,000.00) to develop community gardens at Segal Park and Sherbondy Village Park, within the City; and

**WHEREAS**, to fund this project, a grant application for Twelve Thousand Dollars (\$12,000.00) has been submitted. There is a Twenty-Five percent (25%) cost sharing match requirement, which can be satisfied by either cash or in-kind services. All design activity undertaken after the grant has been awarded as well as all construction costs will be covered by the grant; and

**WHEREAS**, the City Commission finds it in the best interest of the City and its residents to ratify the submission of the grant application on the City's behalf, attached hereto as Exhibit "A", to the Florida Department of Agriculture and Consumer Services Bureau of Finance and Accounting to develop community gardens at Segal Park and Sherbondy Village Park.

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

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

**SECTION 2. AUTHORIZATION**

The City Commission of the City of Opa-Locka, Florida hereby ratifies the submission of a grant application, attached hereto as Exhibit "A", for Twelve Thousand Dollars (\$12,000) to the Florida Department of Agriculture and Consumer Services Bureau of Finance and Accounting on August 31, 2021, to be used to develop community gardens at Segal Park and Sherbondy Village Park.

**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, or the City Manager's designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

**SECTION 4. EFFECTIVE DATE**

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

**PASSED and ADOPTED** this \_\_\_\_\_ day of October, 2021.

\_\_\_\_\_  
Matthew A. Pigatt, Mayor

**ATTEST:**

\_\_\_\_\_  
Joanna Flores, City Clerk

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

\_\_\_\_\_  
Burnadette Norris-Weeks, P.A.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Resolution No. 21-

**VOTE:**

|                     |       |
|---------------------|-------|
| Commissioner Bass   | _____ |
| Commissioner Davis  | _____ |
| Commissioner Taylor | _____ |
| Vice-Mayor Williams | _____ |
| Mayor Pigatt        | _____ |



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

|                                                    |                                                             |           |                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                       |                  |                    |                |
|----------------------------------------------------|-------------------------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|------------------|--------------------|----------------|
| <b>Department Director:</b>                        | Delven Patterson                                            |           | <b>Department Director Signature:</b>                                                                                                                                                                                                                                                                                                                                |                                                                                                       |                  |                    |                |
| <b>City Manager:</b>                               | John E. Pate                                                |           | <b>CM Signature:</b>                                                                                                                                                                                                                                                                                                                                                 |                                                                                                       |                  |                    |                |
| <b>Commission Meeting Date:</b>                    | 10/13/2021                                                  |           | <b>Item Type:</b><br>(Enter X in box)                                                                                                                                                                                                                                                                                                                                | <b>Resolution</b><br>X                                                                                | <b>Ordinance</b> | <b>Other</b>       |                |
| <b>Fiscal Impact:</b><br>(Enter X in box)          | <b>Yes</b><br>X                                             | <b>No</b> | <b>Ordinance Reading:</b><br>(Enter X in box)                                                                                                                                                                                                                                                                                                                        | <b>1st Reading</b>                                                                                    |                  | <b>2nd Reading</b> |                |
|                                                    |                                                             |           | <b>Public Hearing:</b><br>(Enter X in box)                                                                                                                                                                                                                                                                                                                           | <b>Yes</b>                                                                                            | <b>No</b><br>X   | <b>Yes</b>         | <b>No</b><br>X |
| <b>Funding Source:</b><br>Account# :               | (Enter Fund & Dept.)<br>Ex:<br>See Financial Impact Section |           | <b>Advertising Requirement:</b><br>(Enter X in box)                                                                                                                                                                                                                                                                                                                  | <b>Yes</b>                                                                                            |                  | <b>No</b><br>X     |                |
| <b>Contract/P.O. Required:</b><br>(Enter X in box) | <b>Yes</b><br>X                                             | <b>No</b> | <b>RFP/RFQ/Bid#:</b>                                                                                                                                                                                                                                                                                                                                                 |                                                                                                       |                  |                    |                |
| <b>Strategic Plan Related</b><br>(Enter X in box)  | <b>Yes</b><br>X                                             | <b>No</b> | <b>Strategic Plan Priority Area:</b><br>Enhance Organizational <input checked="" type="checkbox"/><br>Bus. & Economic Dev <input type="checkbox"/><br>Public Safety <input checked="" type="checkbox"/><br>Quality of Education <input type="checkbox"/><br>Qual. of Life & City Image <input checked="" type="checkbox"/><br>Communication <input type="checkbox"/> | <b>Strategic Plan Obj./Strategy:</b><br>(list the specific objective/strategy this item will address) |                  |                    |                |
| <b>Sponsor Name</b>                                | City Manager                                                |           | <b>Department:</b> Parks and Recreation                                                                                                                                                                                                                                                                                                                              | City Manager                                                                                          |                  |                    |                |

## **Short Title:**

**Grant Submission To Develop Community Gardens at Segal and Sherbondy Village Parks**

## **Staff Summary:**

**Issue / Recommendation** – Staff recommends the City Commission ratify the submission of a grant application to develop community gardens at Segal and Sherbondy Village Parks.

**History** – Due to the growing need of healthy initiatives, community gardens are needed to supply healthy food to residents and to increase awareness of healthy eating. Urban farming has the potential to provide residents with fruits and vegetables so they may enjoy a healthier diet and lifestyle. According to a Johns Hopkins report, urban farming's most significant benefits center around its ability to increase social capital, community well-being, and civic engagement with the food systems.

**Current Activity** – Staff has been working extensively with the City's grant writing firm, RMPK Funding, approved by the Commission in January 2021. Consequently, there are a series of proposed grant applications

in the pipeline, including one to build community gardens. The grant application was submitted on August 31, 2021, under the Florida Department of Agriculture and Consumer Services Bureau of Finance and Accounting, which is designed to fund gardening projects. Many municipalities and private organizations have been awarded this grant.

To fund this project, a grant application for no more than \$12,000 has been submitted. There is a 25% cost sharing match requirement, which can be satisfied by either cash or in-kind services. All design activity undertaken after the grant has been awarded and all construction costs will be covered by the grant. Notification as to whether the City has been awarded this grant is anticipated to be around September, 2021.

### **Financial Impact**

The only expense associated with this grant application is for the grant writing services (\$2,500). The contract for these services involved establishing a \$25,000 budget in the Non-Department Division, Other Professional Services. Results have been excellent so far with the one grant application prepared and submitted so far, at a cost of \$3,000, has resulted in receipt of a grant for up to \$150,000 for improvement of the Ingram Park trail, with the City required to fund 20% of the project cost.

| Account   | Description                 | Available | Project  | Remaining Balance |
|-----------|-----------------------------|-----------|----------|-------------------|
| 19-519312 | Other Professional Services | *         | \$2,5000 | NA                |

\* This account has a budget of \$144,350, including \$25,000 for grant writing services, of which \$10,000 has been used thus far. However, other unanticipated pressing needs arose which were approved by the State and charged to this account, but for which there hasn't been time yet to submit a budget amendment to cover these additional needs. Consequently, currently there are insufficient available funds in this account for this expense. This will be corrected in the forthcoming Budget Amendment #4.

### **Proposed Action:**

Staff recommends the City Commission ratify the submission of a grant application on August 31, 2021 to the Florida Department of Agriculture and Consumer Services Bureau of Finance and Accounting Program for \$12,000 to build community gardens inside two City parks.

### **Attachment:**

#### **1. Resolution**





CITY OF  
**OPA LOCKA**  
FLORIDA

## *Community Urban Farming Initiative*



Florida Department of Agriculture and Consumer Services  
Florida Urban and Community Farming Pilot Program  
21-DE-FOA-0000052-C







NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**APPLICATION FOR FEDERAL FINANCIAL ASSISTANCE SUBAWARD**

2 CFR 200

**Instructions for Application Packet - Coversheet**

\*Each field of the coversheet must be completed.

\*If a field does not apply, indicate N/A in the field.

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Amount of funds requested for this project - List the total amount of funds required to complete the scope of work.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM.
4. Subrecipient FEIN - Record the employer or taxpayer identification number as assigned by the Internal Revenue Service.
5. Subrecipient DUNS Number - Record the applicant's DUNS number received from Dun and Bradstreet Data Universal Numbering System (DUNS).
6. Subrecipient Registered in SAM - All applicants must be registered in the System of Award Management (SAM) to obtain federal financial assistance. Individuals are not required to register in SAM.
7. Street Address - Record the street address as recognized by the U.S. Postal Service. Do not record a P.O. Box.
8. City - Record the city.
9. State - Record the state.
10. Zip Code plus 4 - Record the nine-digit U.S. Postal Code.
11. Mailing address (if different from above) - Record a different mailing address.
12. Phone Number - Record a 10 digit (xxx-xxx-xxxx) daytime phone number.
13. Fax Number - Record a 10 digit (xxx-xxx-xxxx) fax number.
14. Is the subrecipient delinquent on any federal debt? Record yes or no. The question applies to the applicant. Categories of federal debt include, but are not limited to, delinquent loans, tax, and audit disallowances. If yes, provide an explanation.
15. Cost Sharing (Match) - Record the value of cost share to be provided.
16. Congressional District - Record the applicant's congressional district.
17. Name and contact information for matters involving this application.
18. Subrecipient Type - Circle the type of subrecipient.
19. Descriptive title of Subrecipient Project - Record a brief descriptive title of the project.
20. Funding Period - Enter the dates, within the award period, as to when the project will begin and finish.
21. Location of Proposed Program/Project - Record the physical address of where the scope of work will be completed.
22. Total # of full-time employees - Record the number of full-time employees. A full-time employee works 40 hours per week.
23. Total # of part-time employees - Record the number of part-time employees. A part-time employee works less than 40 hours per week.
24. Is your organization a 501(c)(3) tax exempt organization? Record yes or no.
25. Has your organization previously received federal financial assistance from FDACS? Record yes or no. Please answer yes if the funding has been received within the last three years.
26. The application must be signed and dated by an authorized representative of the applicant organization.



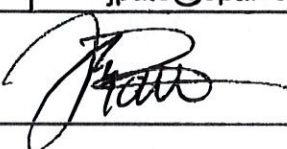


Florida Department of Agriculture and Consumer Services  
Division of Administration

APPLICATION FOR FEDERAL FINANCIAL ASSISTANCE SUBAWARD

2 CFR 200

NICOLE "NIKKI" FRIED  
COMMISSIONER

|                                                                                                                                                                                                                                                                               |                                 |                                                                   |                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------------------------------------------|---------------------------------------------------|
| <b>1. Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C                                                                                                                                                                                     |                                 | <b>2. Amount of funds requested for this project:</b><br>\$12,000 |                                                   |
| <b>3. Subrecipient Legal Name:</b><br>City of Opa-Locka                                                                                                                                                                                                                       |                                 |                                                                   |                                                   |
| <b>4. Subrecipient FEIN:</b><br>59-6000394                                                                                                                                                                                                                                    |                                 | <b>5. Subrecipient DUNS Number:</b><br>831118230                  | <b>6. Subrecipient Registered in SAM :</b><br>Yes |
| <b>7. Street Address:</b><br>780 Fisherman Street                                                                                                                                                                                                                             |                                 |                                                                   |                                                   |
| <b>8. City:</b><br>Opa-Locka                                                                                                                                                                                                                                                  |                                 | <b>9. State:</b><br>FL                                            | <b>10. Zip Code plus 4:</b><br>33054-3596         |
| <b>11. Mailing address (If different from above):</b><br>N/A                                                                                                                                                                                                                  |                                 |                                                                   |                                                   |
| <b>12. Phone Number:</b> 305-953-2868                                                                                                                                                                                                                                         |                                 | <b>13. Fax Number:</b> 305-953-2870                               |                                                   |
| <b>14. Is the subrecipient delinquent on any federal debt?</b><br>No                                                                                                                                                                                                          |                                 | <b>15. Costing Sharing (Match):</b><br>\$3,000                    | <b>16. Congressional District:</b><br>24          |
| <b>17. Name and contact information of person to be contacted on matters involving this application:</b><br>Name: Delven Patterson<br>Phone Number: 305-953-2868<br>Email: dpatterson@opalockafl.gov                                                                          |                                 |                                                                   |                                                   |
| <b>18. Subrecipient Type: (Circle one)</b> Indian Tribal Government    Individual    Institution of Higher Education<br><u>Local Government</u> Non-Profit Organization    State Government    Other                                                                          |                                 |                                                                   |                                                   |
| <b>19. Descriptive Title of Subrecipient Project:</b><br>Community Urban Farming Initiative                                                                                                                                                                                   |                                 |                                                                   |                                                   |
| <b>20. Funding Period:</b>                                                                                                                                                                                                                                                    | <b>Start Date</b><br>10/01/2021 | <b>End Date</b><br>08/30/2022                                     |                                                   |
| <b>21. Location of Proposed Program/ Project:</b><br>215 N. Perviz Ave, Opa-Locka, FL 33054                                                                                                                                                                                   |                                 |                                                                   |                                                   |
| <b>22. Total # of full-time employees:</b> 8                                                                                                                                                                                                                                  |                                 | <b>23. Total # of part-time employees:</b> 4                      |                                                   |
| <b>24. Is your organization a 501(c)(3) tax exempt organization?</b> Yes                                                                                                                                                                                                      |                                 |                                                                   |                                                   |
| <b>25. Has your organization previously received federal financial assistance from FDACS?</b> No                                                                                                                                                                              |                                 |                                                                   |                                                   |
| <b>26. By signing this application, I certify that the statements herein are true, complete and accurate to the best of my knowledge. I have also provided the required attachments and assurances. I agree to comply with all terms and conditions if I accept an award.</b> |                                 |                                                                   |                                                   |
| <b>Authorized Representative Name:</b><br>John Pate                                                                                                                                                                                                                           |                                 | <b>Title:</b><br>City Manager & Director of Public Safety         |                                                   |
| <b>Phone Number:</b> 305-953-2821                                                                                                                                                                                                                                             |                                 | <b>Email:</b> jpate@opalockafl.gov                                |                                                   |
| <b>Signature of Authorized Representative:</b><br>                                                                                                                                         |                                 | <b>Date Signed:</b><br>08/18/2021                                 |                                                   |



NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**KEY CONTACT FORM**

2 CFR 200

**Instructions for Application Packet - Key Contact Form**

\*Each field of the key contact form must be completed.

\*If a field does not apply, indicate N/A in the field.

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Subrecipient FEIN - Record the employer or taxpayer identification number as assigned by the Internal Revenue Service.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM.
4. Contact Project Role: Authorized Representative - Record requested information.
5. Contact Project Role: Grant Manager - Record requested information.
6. Contact Project Role: Fiscal Contact - Record requested information.
7. Contact Project Role: Principal Investigator - Record requested information.





NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**KEY CONTACT FORM**

2 CFR 200

|                                                                                        |                     |                                         |                           |
|----------------------------------------------------------------------------------------|---------------------|-----------------------------------------|---------------------------|
| <b>Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C |                     | <b>Subrecipient FEIN:</b><br>59-6000394 |                           |
| <b>Subrecipient Legal Name:</b><br>City of Opa-Locka                                   |                     |                                         |                           |
| <b>Contact Project Role: Authorized Representative</b>                                 |                     |                                         |                           |
| <b>Name:</b><br>John Pate                                                              |                     |                                         |                           |
| <b>Title:</b><br>City Manager                                                          |                     | <b>Phone Number:</b><br>305-953-2821    | <b>Fax Number:</b><br>N/A |
| <b>Street Address:</b><br>780 Fisherman Street, Fourth Floor                           |                     |                                         |                           |
| <b>City:</b><br>Opa-Locka                                                              | <b>State:</b><br>FL | <b>Zip Code plus 4:</b><br>33054-3596   |                           |
| <b>Mailing address (If different from above):</b><br>N/A                               |                     |                                         |                           |
| <b>Contact Project Role: Grant Manager</b>                                             |                     |                                         |                           |
| <b>Name:</b><br>Delven Patterson                                                       |                     |                                         |                           |
| <b>Title:</b><br>Parks and Recreation Director                                         |                     | <b>Phone Number:</b><br>305-953-2868    | <b>Fax Number:</b><br>N/A |
| <b>Street Address:</b><br>215 N Perviz Ave                                             |                     |                                         |                           |
| <b>City:</b><br>Opa-Locka                                                              | <b>State:</b><br>FL | <b>Zip Code plus 4:</b><br>33054-3387   |                           |
| <b>Mailing address (If different from above):</b><br>N/A                               |                     |                                         |                           |
| <b>Contact Project Role: Fiscal Contact</b>                                            |                     |                                         |                           |
| <b>Name:</b><br>Robert Anathan                                                         |                     |                                         |                           |
| <b>Title:</b><br>Budget Administrator                                                  |                     | <b>Phone Number:</b><br>305-953-2868    | <b>Fax Number:</b><br>N/A |
| <b>Street Address:</b><br>780 Fisherman Street                                         |                     |                                         |                           |
| <b>City:</b><br>Opa-Locka                                                              | <b>State:</b><br>FL | <b>Zip Code plus 4:</b><br>33054        |                           |
| <b>Mailing address (If different from above):</b><br>N/A                               |                     |                                         |                           |

|                                                          |                      |                                |                           |
|----------------------------------------------------------|----------------------|--------------------------------|---------------------------|
| <b>Contact Project Role: Principal Investigator</b>      |                      |                                |                           |
| <b>Name:</b><br>N/A                                      |                      |                                |                           |
| <b>Title:</b><br>N/A                                     |                      | <b>Phone Number:</b><br>N/A    | <b>Fax Number:</b><br>N/A |
| <b>Street Address:</b><br>N/A                            |                      |                                |                           |
| <b>City:</b><br>N/A                                      | <b>State:</b><br>N/A | <b>Zip Code plus 4:</b><br>N/A |                           |
| <b>Mailing address (If different from above):</b><br>N/A |                      |                                |                           |



NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**PROJECT NARRATIVE**

2 CFR 200

**Instructions for Application Packet - Project Narrative**

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Amount of funds requested for this project - List the total amount of funds required to complete the scope of work.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM. **Please note section XII Public Records in the Notice of Federal Financial Assistance Funding Opportunity before including any proprietary or confidential information.**
4. The header section of each page of the project narrative must have the funding opportunity number, subrecipient federal identification number and subrecipient legal name.
5. The project narrative must not exceed (insert #) 8 ½" by 11" single sided pages. Additional pages beyond the page limitation will not be considered.
6. The project narrative must include, but is not limited to:
  - A statement of need for the federal financial assistance and how the project will address the need.
  - A description of the expected project outcomes. The measurable objectives and specific targets of the expected project outcomes should be specified.
  - A plan of action to achieve the projected outcomes and how the plan of action will be accomplished.
  - A timeline of activities or implementation schedule.
  - Collaboration details, if any.
  - Information on key personnel including their background and experience with the project objectives. An indication of the amount of effort the key personnel will provide to the project.
  - Precise location of the project or the area to be served/benefited by the project.
  - A statement of whether this project relates to any other project, current or anticipated.





NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**PROJECT NARRATIVE**

2 CFR 200

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <b>1. Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>2. Amount of funds requested for this project:</b><br>\$12,000 |
| <b>3. Subrecipient Legal Name:</b><br>City of Opa-Locka                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                   |
| <b>Please note section XII Public Records in the Notice of Federal Financial Assistance Funding Opportunity before including any proprietary or confidential information.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                   |
| <b>Project Narrative:</b><br><br><p>The City of Opa-Locka is a densely populated urban community located in northern Dade County. The City of over 18,000 was established in 1926 and has a rich history. Originally developed based on the Arabian Nights theme with a large collection of Moorish architecture and street names such as Sabur, Sultan, and Ali Baba, the community has seen many ups and down over the last 95 years. Recently, the City has stabilized its financial situation and is embarking on a redevelopment effort to impact almost every aspect of the residents' lives.</p> <p>Along with addressing critical infrastructure needs such as roads and drainage, the City has made focusing on sustainability and the health of every resident a priority. This effort includes making park improvements, developing non-motorized transportation access, and active programming. The City is in need of federal financial assistance in the amount of \$12,000 to further this initiative by developing two new community gardens at Sherbondy Park and the Helen Miller Community Center. The establishment of a garden at each of the sites will enable the City to reach two important groups, children and seniors.</p> <p>While each garden will be open to all members of the community, their locations are important to the impact each facility will have. Sherbondy Park is an active site with multiple athletic fields and home to the City's youth activities including the after school and summer camp programs. Locating the garden at this site will provide easy access for thousands of children throughout the year.</p> <p>The second garden facility will be developed at the Helen Miller Community Center. The facility is home to the senior programming the City provides for its older residents. While not the only programming at the Center, the senior activities will provide an opportunity to remove the barriers of transportation and access by allowing the hundreds of seniors that visit the facility to use the new garden.</p> |                                                                   |



NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**PROJECT NARRATIVE**

2 CFR 200

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| <b>1. Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>2. Amount of funds requested for this project:</b><br>\$12,000 |
| <b>3. Subrecipient Legal Name:</b><br>City of Opa-Locka                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                   |
| <b>Please note section XII Public Records in the Notice of Federal Financial Assistance Funding Opportunity before including any proprietary or confidential information.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                   |
| <b>Project Narrative:</b><br>(continued)<br><br>The immediate impact of the project will be to provide residents with the ability to grow their own food close to home, reducing food insecurities and leading to healthy eating habits. The project will target the City's most vulnerable with 85% of the population identified as low to moderate income (LMI). However, the long-term impacts such as reducing the carbon emissions will also be significant. The following outcomes are anticipated for the project: <ul style="list-style-type: none"><li>• Provide free access to local and healthy produce at two locations within the community.</li><li>• Reduce food insecurity for the community's most vulnerable residents.</li><li>• Demonstrate the link between local food production and its effect on public health.</li><li>• Increase awareness of the impact local food production plays on sustainability, specifically reducing energy consumption.</li></ul><br>The City does not have sufficient funding to complete the project without federal funding assistance. A 20% cash match will be provided to assist with implementation, and additional resources such as City personnel will be used to construct the gardens in a cost-effective manner. Preliminary planning has allowed the City to develop not only the most impactful locations but also the supplies needed for the gardens to be a success. Each garden will be similar in construction including access and plantings. With the planning accomplished already, the final layout for each garden will take one month and procurement of the materials will require another month. With City personnel performing the installation and residents handling the planting, both facilities can be completed within six months of execution of a grant agreement. |                                                                   |





NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**SCOPE OF WORK**

2 CFR 200

**Instructions for Application Packet - Scope of Work**

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Subrecipient FEIN - Record the employer or taxpayer identification number as assigned by the Internal Revenue Service.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM. **Please note section XII Public Records in the Notice of Federal Financial Assistance Funding Opportunity before including any proprietary or confidential information.**
4. The header section of each page of the scope of work must have the funding opportunity number, subrecipient federal identification number and subrecipient legal name.
5. The scope of work must not exceed (insert #) 8 ½" by 11" single sided pages. Additional pages beyond the page limitation will not be considered.
6. The scope of work must include, but is not limited to:
  - Describe in detail the activity or work to be conducted. Include project location information.
  - Describe specific project objectives, tasks, and deliverables and related timelines for each. Include who will perform the tasks.
  - Objectives and tasks should relate to the project narrative.
  - Discuss how the scope of work is feasible and can be completed within the award period.
  - Provide quantifiable, measureable and verifiable units of deliverables.
  - Deliverables must be directly related to the scope of work.





Florida Department of Agriculture and Consumer Services  
Division of Administration

**SCOPE OF WORK**

2 CFR 200

NICOLE "NIKKI" FRIED  
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|                                                                                           |                                           |
|-------------------------------------------------------------------------------------------|-------------------------------------------|
| <b>1. Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C | <b>2.Subrecipient FEIN:</b><br>59-6000394 |
|-------------------------------------------------------------------------------------------|-------------------------------------------|

**3. Subrecipient Legal Name:**  
City of Opa-Locka

**Please note section XII Public Records in the Notice of Federal Financial Assistance Funding Opportunity before including any proprietary or confidential information.**

| Performance Measures |       |                           |           |                |                                               |
|----------------------|-------|---------------------------|-----------|----------------|-----------------------------------------------|
| Deliverable #        | Tasks | Task Description          | Indicator | Costs per Unit | Outcome Measures                              |
| 1                    | 1     | Site Layout Plans         | 1         | \$0.00         | Complete final design layout for construction |
| 2                    | 2     | Construct Garden          | 1         | \$13,500       | Garden complete with plantings                |
| 3                    | 1     | Administration and Report | 1         | \$1,500        | Grant Reports and Assessment                  |
|                      |       |                           |           |                |                                               |
|                      |       |                           |           |                |                                               |
|                      |       |                           |           |                |                                               |
|                      |       |                           |           |                |                                               |
|                      |       |                           |           |                |                                               |
|                      |       |                           |           |                |                                               |
|                      |       |                           |           |                |                                               |
|                      |       |                           |           |                |                                               |

**Describe in detail the activity or work to be conducted.**

The proposed project will consist of constructing two community gardens and making them operational by planting a wide variety of produce suitable for the South Florida climate. To successfully complete this project and have the greatest impact on the community, the scope of work needed has been divided into three deliverables with four total tasks. A detailed explanation of each task is below:

**Deliverable 1 (Task #1):**

Upon execution of a funding agreement, the City's Parks and Recreation Department will prepare final plans consisting of location, connection to existing water, and access points. The site layout plans will be developed in coordination with the City's Public Works and Planning Department as well as several of the local community organizations that will partner with the City on programming for the gardens. The work associated with this task will take approximately one month, and the costs associated will not be part of the grant funding or match.

**Deliverable 2 (Task #1):**

The second deliverable will result in the installation of each garden and plantings. After this deliverable is complete, the gardens will be fully operational. Two tasks are needed for this deliverable. Task #1 will be the purchase of the supplies needed to complete the project. The items needed for each garden include but are not limited to:

- 50 Quart Potting Soil Mixed (Bags)
- 100 ft. Water Hose (Each)
- 4 ft. x 8 ft. x 17.5 in. Original Pine Raised Garden Bed
- 51 in. Garden Hoe
- Garden Bow Wood Handle Rake
- 31 in. Fiber Glass Garden Shovel
- Garden Trowel
- Large NitGarden Gloves
- Water Spray Nozzle
- Irrigation system
- Weed Barrier Landscape Fabric 3 ft. x 50 ft.

In addition to the materials need for the installation of the gardens, the fruit and vegetable seeds needed to bring the garden to life will be purchased. Initially each garden will start with four plantings. These will include Tomato Plants, Green Bean Seeds, Bell Pepper Plants, and Green Romaine Lettuce Plant.



NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**SCOPE OF WORK**

2 CFR 200

|                                                                                           |                                           |
|-------------------------------------------------------------------------------------------|-------------------------------------------|
| <b>1. Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C | <b>2.Subrecipient FEIN:</b><br>59-6000394 |
|-------------------------------------------------------------------------------------------|-------------------------------------------|

**3. Subrecipient Legal Name:**  
City of Opa-Locka

**Please note section XII Public Records in the Notice of Federal Financial Assistance Funding Opportunity before including any proprietary or confidential information.**

**Performance Measures**

| <b>Deliverable #</b> | <b>Tasks</b> | <b>Task Description</b>   | <b>Indicator</b> | <b>Costs per Unit</b> | <b>Outcome Measures</b>                       |
|----------------------|--------------|---------------------------|------------------|-----------------------|-----------------------------------------------|
| 1                    | 1            | Site Layout Plans         | 1                | \$0.00                | Complete final design layout for construction |
| 2                    | 2            | Construct Garden          | 1                | \$13,500              | Garden complete with plantings                |
| 3                    | 1            | Administration and Report | 1                | \$1,500               | Grant Reports and Assessment                  |
|                      |              |                           |                  |                       |                                               |
|                      |              |                           |                  |                       |                                               |
|                      |              |                           |                  |                       |                                               |
|                      |              |                           |                  |                       |                                               |
|                      |              |                           |                  |                       |                                               |
|                      |              |                           |                  |                       |                                               |
|                      |              |                           |                  |                       |                                               |

**Describe in detail the activity or work to be conducted.**

(continued)

Deliverable 2 (Task #2):

The second task for this deliverable will be the installation of the gardens at each location. City personnel will use the materials acquired in Task #1 to construct the gardens at each site. Each garden will consist of 4 ft. x 8 ft. x 17.5 in. Original Pine Raised Garden Beds. The garden beds will be placed near a water source on the park for irrigation and watering. Access paths will also be constructed.

Once the garden facilities are installed, the City will coordinate the plantings of the four types of seeds with several local organizations. Both children and seniors will be engaged as part of a special event at each site to plant the seeds themselves. The anticipated time needed to complete this task is three months.

Deliverable 3 (Task #1):

The third deliverable will require one task for successful project management and grant administration. City staff will work with an experienced consultant to meet at all requirements of the City and the grant program. The City has experience in administering federal and state funding. From the execution of the grant agreement through procurement, commencement of work and ending with grant reporting, the City and its project team will ensure that the project is completed as identified and that all the grant requirements are met.

The City anticipates the completion of the project within six months of executing the grant agreement. A detailed schedule is below:

Estimated schedule from date of executed Project Agreement:

- Finalize Site Layouts – 1 month
- Procurement Completed – 2 month
- Installation and Planting Complete – 3 months
- Project Reporting and Administration – 6 months and post completion as required by program





NICOLE "NIKKI" FRIED  
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Florida Department of Agriculture and Consumer Services  
Division of Administration

**BUDGET PLAN NARRATIVE**  
2 CFR 200

**Instructions for Application Packet - Budget Plan Narrative**

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Subrecipient FEIN - Record the employer or taxpayer identification number as assigned by the Internal Revenue Service.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM. **Please note section XII Public Records in the Notice of Federal Financial Assistance Funding Opportunity before including any proprietary or confidential information.**
4. The header section of each page of the budget plan narrative must have the funding opportunity number, subrecipient federal identification number and subrecipient legal name.
5. The budget plan narrative must not exceed (insert #) 8 ½" by 11" single sided pages. Additional pages beyond the page limitation will not be considered.
6. Describe line items for each applicable budget category shown on the budget plan. Provide sufficient detail to clearly indicate the estimated funding amounts for each project task contained in the scope of work.
7. Project costs will be evaluated for reasonableness and necessity. Any travel costs must be in compliance with the State of Florida travel rules.
8. Indirect costs are at the rate approved by the applicant's cognizant agency. A copy of the approved rate must be attached to the application. If the applicant has never received a negotiated indirect cost, provide a statement indicating the applicant is electing to charge a de minimis rate of 10% of modified total direct costs.



NICOLE "NIKKI" FRIED  
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Florida Department of Agriculture and Consumer Services  
Division of Administration

**BUDGET PLAN NARRATIVE**

2 CFR 200

|                                                                                        |         |                                                                                                                                   |
|----------------------------------------------------------------------------------------|---------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C |         | <b>Subrecipient FEIN:</b><br>59-6000394                                                                                           |
| <b>Subrecipient Legal Name:</b> City of Opa-Locka                                      |         |                                                                                                                                   |
| <b>Direct Costs</b>                                                                    |         |                                                                                                                                   |
| Personnel Costs                                                                        |         | N/A                                                                                                                               |
|                                                                                        | Example | N/A                                                                                                                               |
|                                                                                        | Example | N/A                                                                                                                               |
| Fringe Benefits                                                                        |         | N/A                                                                                                                               |
| Travel (if authorized)                                                                 |         | N/A                                                                                                                               |
| Equipment (if authorized)                                                              |         | N/A                                                                                                                               |
| Supplies                                                                               |         | \$13,500 is needed to purchase the materials and plants needed to implement the project.                                          |
| Contractual (if authorized)                                                            |         | \$1,500 is needed to assist with the cost for contracting, administration, and reporting to meet the requirements of the program. |
| Other Expenses                                                                         |         | N/A                                                                                                                               |
| <b>Indirect Costs</b>                                                                  |         |                                                                                                                                   |
| Indirect Charges                                                                       |         | N/A                                                                                                                               |



NICOLE "NIKKI" FRIED  
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Florida Department of Agriculture and Consumer Services  
Division of Administration

**BUDGET PLAN**  
2 CFR 200

**Instructions for Application Packet - Budget Plan**

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Subrecipient FEIN - Record the employer or taxpayer identification number as assigned by the Internal Revenue Service.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM.

The header section of the budget plan must have the funding opportunity number, subrecipient federal identification number and subrecipient legal name.

The applicant shall submit a budget plan for its projected costs to implement the scope of work submitted with the application. The budget plan shall provide the estimated costs by category in order to carry out the scope of work.



NICOLE "NIKKI" FRIED  
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Florida Department of Agriculture and Consumer Services  
Division of Administration

**BUDGET PLAN**

2 CFR 200

| <b>Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C |             |             |             | <b>Subrecipient FEIN:</b><br>59-6000394 |                        |
|----------------------------------------------------------------------------------------|-------------|-------------|-------------|-----------------------------------------|------------------------|
| <b>Subrecipient Legal Name:</b> City of Opa-Locka                                      |             |             |             |                                         |                        |
|                                                                                        |             |             |             |                                         |                        |
| Category                                                                               | 1st Quarter | 2nd Quarter | 3rd Quarter | 4th Quarter                             | Total Estimated Budget |
| Personnel                                                                              |             |             |             |                                         |                        |
| Fringe Benefits                                                                        |             |             |             |                                         |                        |
| Travel (if authorized)                                                                 |             |             |             |                                         |                        |
| Equipment (if authorized)                                                              |             |             |             |                                         |                        |
| Supplies                                                                               |             | \$13,500    |             |                                         | \$13,500               |
| Contractual (if authorized)                                                            |             |             |             | \$1,500                                 | \$1,500                |
| Other Expenses                                                                         |             |             |             |                                         |                        |
| <b>Total Direct Charges</b>                                                            |             | \$13,500    |             | \$1,500                                 | \$15,000               |
| Indirect Charges                                                                       |             |             |             |                                         |                        |
| <b>Total Amount</b>                                                                    |             | \$13,500    |             | \$1,500                                 | \$15,000               |





NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**KEY PERSON / STAFF**

2 CFR 200

**Instructions for Application Packet - Key Person / Staff**

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Subrecipient FEIN - Record the employer or taxpayer identification number as assigned by the Internal Revenue Service.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM.

The header section of the key person/staff must have the funding opportunity number, subrecipient federal identification number and subrecipient legal name.

Each application must include descriptions of key personnel and their qualifications to meet the requirements of the notice of funding opportunity. An individual form will be completed for each key person/staff member. Include an estimate of the number or hours or percentage of time devoted to the project.

Key personnel are individuals who contribute in a substantive and meaningful way to the execution or development of the project. Reimbursement of salary costs are not required for an individual to be considered key personnel. Consultants or contract employees may be included if they meet the definition.





NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**KEY PERSON / STAFF**

2 CFR 200

**An individual form must be completed for each key person/staff member. Include an estimate of the number of hours or percentage of time devoted to the project.**

**Federal Financial Assistance Funding Opportunity Number:**  
21-DE-FOA-0000052-C

**Subrecipient FEIN:**  
59-6000394

**Subrecipient Legal Name:**  
City of Opa-Locka

**Person Name:**

Delven Patterson

**Title:**

Parks and Recreation Director

**Hours or % of time devoted to the project:** 10

**Phone Number:**

305-953-2868

**Email Address:**

dpatterson@opalockafl.gov

**Qualifications:**

The development of the project has been led by the City's Parks and Recreation Department in coordination with the Opa-Locka Community Redevelopment Agency (CRA). While the majority of the project planning affects the Recreation Department since the project will occur at their sites and programming will implemented by Department personnel, the CRA has been involved because the project is seen as part of the redevelopment effort and the locations are located within the state designated CRA district.

The project will be managed directly by the Parks and Recreation Director. A recent hire, Delven Patterson became the Director in 2020. Mr. Patterson has over 14 years' experience in developing recreation facilities and programming. All of this experience was with local municipalities in Dade County. The years spent with Miami-Dade County Parks and the City of Miami Beach Parks have provided valuable experience in implementing projects that impact both children and seniors. Currently, Mr. Patterson is overseeing several park redevelopment projects including one with State grant funding.

Utilizing partnerships will also be critical for the project's implementation and long-term success. Mr. Patterson and his Department will engage several community organizations to assist with implementation, community engagement, and operation of each garden. Personnel from these groups have proven they can work with the City by providing programming and maximizing participation. The anticipated local partners for the project include:

- Teen Upward Bound
- Opa-Locka Community Redevelopment Association
- Be Strong International
- Learning for Life



NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**PERFORMANCE SITE / LOCATIONS**

2 CFR 200

**Instructions for Application Packet - Performance Site / Locations**

1. Federal Financial Assistance Funding Opportunity Number - Record the number shown on the Notice of Funding Opportunity.
2. Subrecipient FEIN - Record the employer or taxpayer identification number as assigned by the Internal Revenue Service.
3. Subrecipient Legal Name - Record the legal name of applicant that will undertake the scope of work. The name must match the name listed in SAM.

Each application must include a list of site(s)/locations(s) where the work will be performed.

The reimbursement of facilities cost will only be allowable for site(s)/location(s) listed on the form. The allocation of facilities cost must be based upon the square footage used by the project activities.



NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**PERFORMANCE SITE / LOCATIONS**

2 CFR 200

|                                                                                                                                                               |                           |                                         |                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------|----------------------------------------------------------------|
| <b>Federal Financial Assistance Funding Opportunity Number:</b><br>21-DE-FOA-0000052-C                                                                        |                           | <b>Subrecipient FEIN:</b><br>59-6000394 |                                                                |
| <b>Subrecipient Legal Name:</b><br>City of Opa-Locka                                                                                                          |                           |                                         |                                                                |
| I am submitting an application as an individual, and not on behalf of a company, state, local, or tribal government, academia, or other type of organization. |                           |                                         | <b>Check Box</b><br><input type="checkbox"/>                   |
| <b>Project/Performance Site Primary Location</b>                                                                                                              |                           |                                         |                                                                |
| <b>Street Address:</b><br>Sherbondy Park, 215 N. Perviz Avenue                                                                                                |                           |                                         |                                                                |
| <b>City:</b><br>Opa-Locka                                                                                                                                     | <b>State:</b><br>FL       | <b>Zip Code plus 4:</b><br>33054        |                                                                |
| <b>Mailing address (If different from above):</b><br>N/A                                                                                                      |                           |                                         |                                                                |
| <b>Phone Number:</b><br>305-953-2868                                                                                                                          | <b>Fax Number:</b><br>N/A | <b>County:</b><br>Broward               | <b>Project/Performance Site Congressional District:</b><br>24  |
| <b>Project/Performance Site Location 1</b>                                                                                                                    |                           |                                         |                                                                |
| <b>Street Address:</b><br>Helen Miller Center, 2331 NW 143rd Street                                                                                           |                           |                                         |                                                                |
| <b>City:</b><br>Opa-Locka                                                                                                                                     | <b>State:</b><br>FL       | <b>Zip Code plus 4:</b><br>33054        |                                                                |
| <b>Mailing address (If different from above):</b><br>N/A                                                                                                      |                           |                                         |                                                                |
| <b>Phone Number:</b><br>305-953-2868                                                                                                                          | <b>Fax Number:</b><br>N/A | <b>County:</b><br>Broward               | <b>Project/Performance Site Congressional District:</b><br>24  |
| <b>Project/Performance Site Location 2</b>                                                                                                                    |                           |                                         |                                                                |
| <b>Street Address:</b><br>N/A                                                                                                                                 |                           |                                         |                                                                |
| <b>City:</b><br>N/A                                                                                                                                           | <b>State:</b><br>N/A      | <b>Zip Code plus 4:</b><br>N/A          |                                                                |
| <b>Mailing address (If different from above):</b><br>N/A                                                                                                      |                           |                                         |                                                                |
| <b>Phone Number:</b><br>N/A                                                                                                                                   | <b>Fax Number:</b><br>N/A | <b>County:</b><br>N/A                   | <b>Project/Performance Site Congressional District:</b><br>N/A |
| <b>Project/Performance Site Location 3</b>                                                                                                                    |                           |                                         |                                                                |
| <b>Street Address:</b><br>N/A                                                                                                                                 |                           |                                         |                                                                |
| <b>City:</b><br>N/A                                                                                                                                           | <b>State:</b><br>N/A      | <b>Zip Code plus 4:</b><br>N/A          |                                                                |



|                                                          |                           |                       |                                                                |
|----------------------------------------------------------|---------------------------|-----------------------|----------------------------------------------------------------|
| <b>Mailing address (If different from above):</b><br>N/A |                           |                       |                                                                |
| <b>Phone Number:</b><br>N/A                              | <b>Fax Number:</b><br>N/A | <b>County:</b><br>N/A | <b>Project/Performance Site Congressional District:</b><br>N/A |
| <b>Project/Performance Site Location 4</b>               |                           |                       |                                                                |
| <b>Street Address:</b><br>N/A                            |                           |                       |                                                                |
| <b>City:</b><br>N/A                                      | <b>State:</b><br>N/A      |                       | <b>Zip Code plus 4:</b><br>N/A                                 |
| <b>Mailing address (If different from above):</b><br>N/A |                           |                       |                                                                |
| <b>Phone Number:</b><br>N/A                              | <b>Fax Number:</b><br>N/A | <b>County:</b><br>N/A | <b>Project/Performance Site Congressional District:</b><br>N/A |
| <b>Project/Performance Site Location 5</b>               |                           |                       |                                                                |
| <b>Street Address:</b><br>N/A                            |                           |                       |                                                                |
| <b>City:</b><br>N/A                                      | <b>State:</b><br>N/A      |                       | <b>Zip Code plus 4:</b><br>N/A                                 |
| <b>Mailing address (If different from above):</b><br>N/A |                           |                       |                                                                |
| <b>Phone Number:</b><br>N/A                              | <b>Fax Number:</b><br>N/A | <b>County:</b><br>N/A | <b>Project/Performance Site Congressional District:</b><br>N/A |
| <b>Project/Performance Site Location 6</b>               |                           |                       |                                                                |
| <b>Street Address:</b><br>N/A                            |                           |                       |                                                                |
| <b>City:</b><br>N/A                                      | <b>State:</b><br>N/A      |                       | <b>Zip Code plus 4:</b><br>N/A                                 |
| <b>Mailing address (If different from above):</b><br>N/A |                           |                       |                                                                |
| <b>Phone Number:</b><br>N/A                              | <b>Fax Number:</b><br>N/A | <b>County:</b><br>N/A | <b>Project/Performance Site Congressional District:</b><br>N/A |
| <b>Project/Performance Site Location 7</b>               |                           |                       |                                                                |
| <b>Street Address:</b><br>N/A                            |                           |                       |                                                                |
| <b>City:</b><br>N/A                                      | <b>State:</b><br>N/A      |                       | <b>Zip Code plus 4:</b><br>N/A                                 |
| <b>Mailing address (If different from above):</b><br>N/A |                           |                       |                                                                |
| <b>Phone Number:</b><br>N/A                              | <b>Fax Number:</b><br>N/A | <b>County:</b><br>N/A | <b>Project/Performance Site Congressional District:</b><br>N/A |



NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Bureau of Finance and Accounting

**FEDERAL ASSURANCE FOR FEDERAL FINANCIAL  
ASSISTANCE SUBRECIPIENT AWARD**

CFR 200

**Federal Financial Assistance Funding Opportunity Number:** 21-DE-FOA-0000052-C

**Subrecipient Legal Name:** City of Opa-Locka

**Subrecipient FEIN:** 59-6000394

As the duly authorized representative of the Subrecipient, I certify that to the extent applicable, the Subrecipient:

1. Has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the Recipient, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the subrecipient award; and will establish a proper accounting system in accordance with generally accepted accounting principles or Recipient directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frames after receipt of approval of the Recipient.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205). |
| 12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR, Part 200 Uniform Administrative Requirements, Costs Principles and Audit Requirements for Federal Awards, Subpart F Audit Requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a subrecipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect, (2) Procuring a commercial sex act during the period of time that the award is in effect or, (3) Using forced labor in the performance of the award or subawards under the award.

20. Will comply with and enforce the requirements for a drug-free workplace as mandated in 2 CFR Part 421, "Requirements for Drug-Free Workplace".

21. Will comply with 2 CFR 417, Subpart C to ensure that any vendor or subcontractor that carries out the provisions of this agreement are not debarred or suspended.

22. Will comply with the Executive Order 13513 entitled "Federal Leadership on Reducing Text Messaging While Driving" by prohibiting employees, contractors, and subcontractors from texting while driving on official business and or in federally owned, rented or leased vehicles or privately owned vehicles when on official government business or when performing any work for or on behalf of or in cooperation with the federal government.

**Authorized Representative Name:**

John Pate

**Title:**

City Manager

**Signature of Authorized Representative:**



**Date Signed:**

02/18/2021

**Applicant Organization:**

City of Opa-Locka

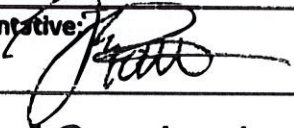


NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**CERTIFICATION REGARDING LOBBYING**

2 CFR 200

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>Federal Financial Assistance Funding Opportunity Number:</b> 21-DE-FOA-0000052-C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                |
| <b>Subrecipient Legal Name:</b> City of Opa-Locka                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                |
| <b>Subrecipient FEIN:</b> 59-6000394                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                |
| The undersigned certifies, to the best of his or her knowledge and belief, that:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                |
| 1. 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 an 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. |                                |
| 2. 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 of Lobbying Activities" in accordance with its instructions.                                                                                                        |                                |
| 3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.                                                                                                                                                                                                                                                                                                   |                                |
| 4. 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 1352, Title 31, U.S. Code. 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>Authorized Representative Name:</b> John Pate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Title:</b> City Manager     |
| <b>Signature of Authorized Representative:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Date Signed:</b> 08/18/2021 |
| <b>Applicant Organization:</b> City of Opa-Locka                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                |





NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**CERTIFICATION REGARDING DEBARMENTS, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER  
FEDERALLY FUNDED TRANSACTIONS**

2 CFR 200

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Federal Financial Assistance Funding Opportunity Number:</b> 21-DE-FOA-0000052-C                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Subrecipient Legal Name:</b> City of Opa-Locka                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Subrecipient FEIN:</b> 59-6000394                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| This certification is pursuant to Executive Order 12549, Debarment and Suspension and implemented at 2 CFR parts 180 and 1880.                                                                                                                                                                                                                                                                                                                                                            |
| <b>Instructions for Certification</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 1. By signing and submitting this proposal, the prospective lower tier participant is providing the certifications set out below.                                                                                                                                                                                                                                                                                                                                                         |
| 2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant 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.             |
| 3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.                                                                                                                                                                            |
| 4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. |
| 5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.                                                 |
| 6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.                                                                                                             |
| 7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List. |

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participating in this transactions, 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.

#### **Certification**

1. The prospective lower tier participant certifies to the best of its knowledge and belief, that it and its principals;

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency.

b. Have not within a three-year period preceding this proposal 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) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective lower tier participant shall attach an explanation to this proposal.

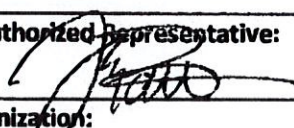
**Authorized Representative Name:**

John Pate

**Title:**

City Manager

**Signature of Authorized Representative:**



**Date Signed:**

08/18/2021

**Applicant Organization:**

City of Opa-Locka



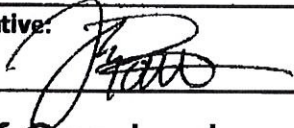


NICOLE "NIKKI" FRIED  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Division of Administration

**CERTIFICATION STATEMENT**

2 CFR 200

|                                                                                                                                                                                                                                                     |                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| <b>Federal Financial Assistance Funding Opportunity Number:</b> 21-DE-FOA-0000052-C                                                                                                                                                                 |                                |
| <b>Subrecipient Legal Name:</b> City of Opa-Locka                                                                                                                                                                                                   |                                |
| <b>Subrecipient FEIN:</b> 59-6000394                                                                                                                                                                                                                |                                |
|                                                                                                                                                                                                                                                     |                                |
| By signing this page, the undersigned certifies that:                                                                                                                                                                                               |                                |
| A. This application is in all respects fair and submitted in good faith, without collusion or fraud;                                                                                                                                                |                                |
| B. If selected through this application process, the subrecipient will work in good faith and in partnership with the Florida Department of Agriculture and Consumer Services to manage its subrecipient agreement in a timely and accurate manner; |                                |
| C. Any funds awarded as a result of this application process will not be used to supplant or replace any state or local funds;                                                                                                                      |                                |
| D. Any funds awarded as a result of this application process will not be used as matching funds to apply for or receive other federal funds;                                                                                                        |                                |
| E. No federal funds will be used as match for funds awarded as a result of this application process.                                                                                                                                                |                                |
| F. The undersigned has full authority to bind the applicant.                                                                                                                                                                                        |                                |
| <b>Authorized Representative Name:</b> John Pate                                                                                                                                                                                                    | <b>Title:</b> City Manager     |
| <b>Signature of Authorized Representative:</b>                                                                                                                   | <b>Date Signed:</b> 08/18/2021 |
| <b>Applicant Organization:</b> City of Opa-Locka                                                                                                                                                                                                    |                                |

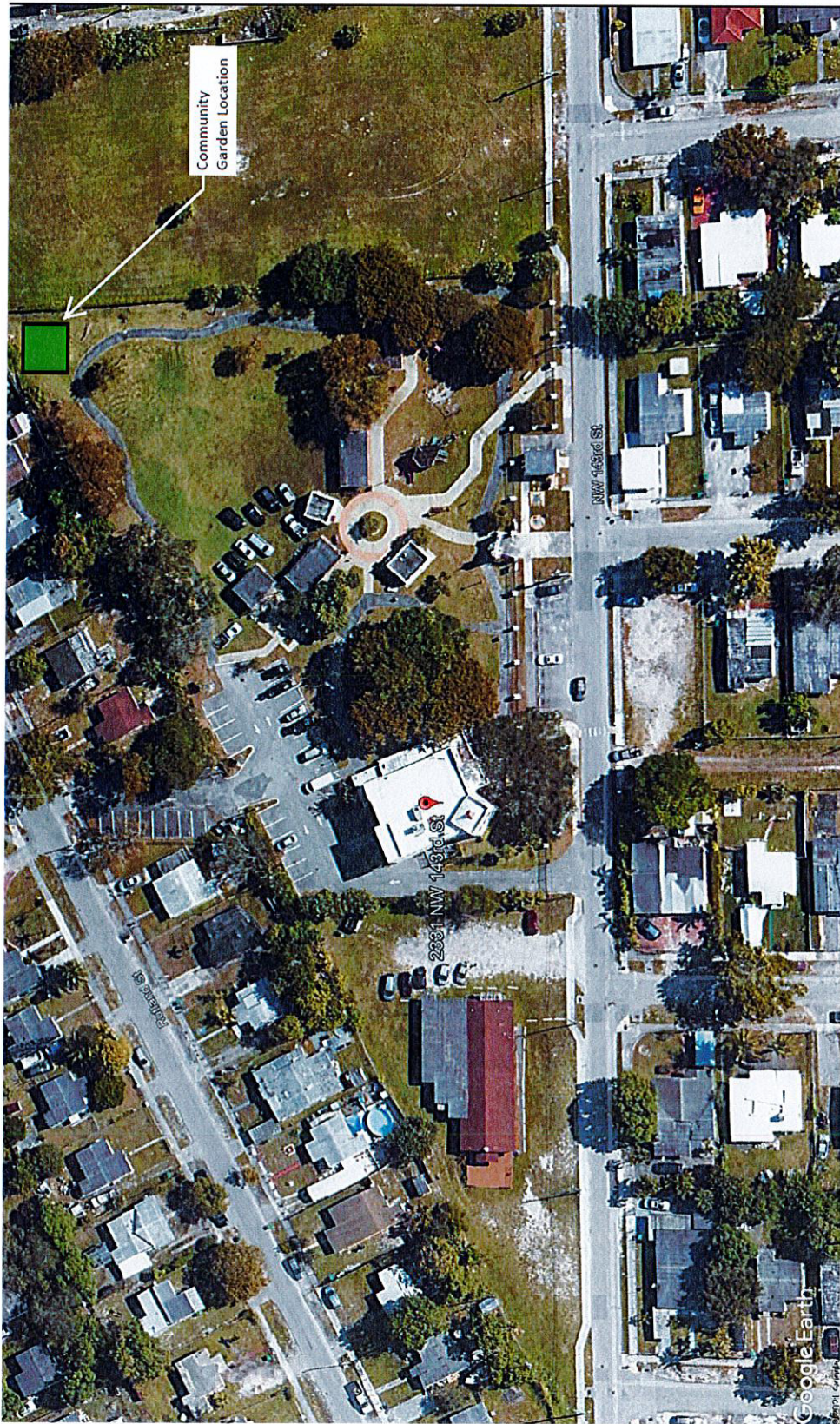


**Sherbondy Park**





Helen Miller Center





RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING EXECUTION OF A SETTLEMENT AGREEMENT IN THE CASE OF GEORGE SUAREZ, ET. AL. V. CITY OF OPA-LOCKA, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION; PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, on August 26, 2021, the parties in the case of *George Suarez et. al. vs. City of Opa-Locka*, Case Number 2017-008285-CA-01, began Court ordered mediation proceedings; and

**WHEREAS**, neither party admits liability in this matter, however, in an effort to resolve the pending controversy, all parties desire to amicably resolve all claims and avoid continued litigation; and

**WHEREAS**, pursuant to the terms of the settlement, as well as time constraints imposed due to the case's status, the settlement agreement, attached hereto as Exhibit "A", was executed by the City Manager, and

**WHEREAS**, the City Commission desires to ratify the execution of the Settlement Agreement with the intended purpose of resolving all claims, as set forth in Exhibit "A".

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

**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 Resolution.

**Section 2. Approval of Settlement Agreement.**  
The City Commission of the City of Opa-Locka hereby ratifies the execution of the settlement agreement between the Plaintiffs George Suarez, et. al. and the City of Opa-Locka, consistent with the Agreement attached hereto as Exhibit "A"; and further authorizes the City Manager to take all necessary action consistent with this Resolution.

Resolution No. \_\_\_\_\_

**Section 3. Scrivener's Errors.**

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

**Section 4. Effective Date.**

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

**PASSED AND ADOPTED this \_\_\_\_ day of October, 2021.**

\_\_\_\_\_  
Matthew A. Pigatt, Mayor

**ATTEST:**

\_\_\_\_\_  
Joanna Flores, City Clerk

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

\_\_\_\_\_  
Burnadette Norris-Weeks, P.A.  
City Attorney

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**VOTE:**

|                     |             |            |
|---------------------|-------------|------------|
| Commissioner Taylor | _____ (Yes) | _____ (No) |
| Commissioner Bass   | _____ (Yes) | _____ (No) |
| Commissioner Davis  | _____ (Yes) | _____ (No) |
| Vice-Mayor Williams | _____ (Yes) | _____ (No) |
| Mayor Pigatt        | _____ (Yes) | _____ (No) |



# EXHIBIT A

## SETTLEMENT AGREEMENT AND GENERAL RELEASE

This Settlement Agreement and General Release ( "Agreement") dated September 30<sup>th</sup>, 2021 ("Effective Date") is entered into among the named Plaintiffs and Class Representatives: GEORGE SUAREZ, TANIA SUAREZ, ROSCOE PENDLETON, CHARAF RAAD, STEVEN BARRETT, NATASHA ERVIN, TAXES BY NATASHA ERVIN, a Florida Corporation, and ALFONSO ERVIN III (Plaintiff/Class Representative Adel Raad was removed as Class Representative by Court Order due to health issues), for themselves and on behalf of all similarly situated persons ("Class Plaintiffs" or "Class Representatives"); and the CITY OF OPA-LOCKA, FLORIDA ("City" or "Defendant") (and together with the Class Plaintiffs referred to individually as a "Party" or collectively as the "Parties").

### RECITALS

WHEREAS, Class Plaintiffs filed a class action lawsuit against the City in the Circuit Court for the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, Case No. 2017-008285-CA-01 styled *George Suarez, et al. v. City of Opa-Locka, Florida* (the "Litigation");

WHEREAS, the Class Plaintiffs allege in their Complaint that the City did not provide accurate water billing to the residents and/or commercial water customers and suffered an economic loss as a result of the billings;

WHEREAS, the City denied the Class Plaintiffs' allegations;

WHEREAS, by Order dated June 7, 2019, the Circuit Court certified two classes in this matter, (1) the Deposit Class and (2) the Overcharge Class, as fully defined in the Certification Order, appointed Class Plaintiffs as Class Representatives with full authority to litigate on behalf of all unnamed class members, and appointed Michael A. Pizzi, Jr., David P. Reiner, and Benedict P. Kuehne, and their respective law firms as class counsel ("Class Counsel");

WHEREAS, each Party examined and considered the benefits obtained by this Agreement, the risks associated with continuing this complex, costly and time-consuming Litigation, and the value of certainty of resolution to all Parties. The Class Plaintiffs and Class Counsel concluded that the proposed settlement contained herein is fair, adequate, reasonable, and in the best interests of the members of the class; and,

WHEREAS, nothing in this Agreement constitutes an admission of liability or wrongdoing by any Party;

WHEREAS, the Parties desire to resolve and end any and all claims and potential claims in, related to, or arising from the Litigation.

NOW, THEREFORE, it is agreed between the Parties to fully and finally settle and completely dispose of all existing or potential issues, claims, causes of action, grievances, and disputes between them concerning, alleged in, arising from, or resulting from the Litigation without any admission as to liability. Accordingly, the Parties agree as follows:

### **SETTLEMENT TERMS**

**I. Recitals:** The recitals are incorporated by reference in their entirety as if fully set forth and made a part of this Agreement.

**II. Court and Administrative Approvals:**

a. The Parties acknowledge that this Agreement is subject to both preliminary and final Court approval pursuant to Rule 1.220(e), Florida Rules of Civil Procedure. The Parties stipulate and agree that they will file a joint motion seeking approval of the Settlement Agreement with all the terms set forth herein (the "Joint Motion").

b. The Class Plaintiffs acknowledge that the City must obtain approval of this Agreement from the City Board of Commissioners and the Florida Oversight Board. The City shall take the necessary steps to obtain such approval as expeditiously as possible. The Parties agree they shall file the Joint Motion within three (3) business days of the date this Agreement is fully approved by both the City Board of Commissioners and the Florida Oversight Board.

**III. Settlement Fund:** The City will fund a Class Settlement Fund with a value of up to \$3 million (Three Million Dollars) as follows:

a. **Cash Fund:** Within 30 days of Court's order approving this Agreement (excluding preliminary approval) becoming final, the City will pay \$1 million (One Million Dollars) to a Cash Settlement Account ("Cash Fund") to be administered by a court-appointed claims' administrator (defined below) and distributed pursuant to an agreed upon claims process. As used in this subsection, the term "becoming final" means the expiration of any rehearing, objections, and/or appeal periods (including deadlines for submission of review to the Florida Supreme Court or U.S. Supreme Court appeals) or in the event of an appeal or other certiorari review, the issuance of the mandate from the appeals court finally resolving this matter. The Cash Fund shall be used to pay valid Claims and Court approved fees, costs, including costs to administer the claims process, and Class Representative awards. Any remaining funds shall revert to the City. The Parties acknowledge and agree that a reverter of the remaining Cash Funds is appropriate under the circumstances of the Litigation. To be clear, the City shall not be required to pay more than \$1 million (One Million Dollars) in cash to fund the settlement of the Litigation.

b. **Credit Fund:** The City agrees to provide a credit up to \$2 million (Two Million Dollars) to be applied towards the accounts



receivable balances on City water accounts for water charges during the Class Period, as defined in Section VI below (“Accounts Receivable Credit”) of Class Members, as defined in Section VI below, who submit valid and approved claims. To be clear, the City shall not be required to provide more than \$2 million (Two Million Dollars) in Accounts Receivable Credit and such credits shall not apply to water charges and accounts receivable balances incurred after the Class Period.

**IV. Fees, Costs and Awards:** The City is not responsible for payment of Class Counsels’ attorneys’ fees, costs, Class Representative award(s), expert fees, costs associated with notice and administration of this Agreement, or the Claims Administrator (such fees costs and expenses are referred to herein as “Fees and Costs”). Any Fees and Costs to Class Plaintiffs shall be approved by the Court and shall be paid exclusively from the Cash Fund. The City hereby acknowledges that an award of Fees and Costs from the Cash Fund is appropriate under the circumstances of the Litigation and agrees not to oppose any motion for Fees and Costs filed by the Class Plaintiffs. However, the City’s counsel is not precluded from responding to any statements or representations concerning its fees to the extent the Class Plaintiffs rely on such in support of their requests for fees. This Agreement is not conditioned upon the award of any set or minimum amount of Fees and Costs.

**V. Class Notice:** On September 19, 2019, the Court approved the terms of the Class Notice pursuant to Rule 1.220(d)(2), Florida Rules of Civil Procedure. Class Plaintiffs represented and provided proof that they provided Notice to class members in the form of a mailing to over 12,000 past and present water customers with accounts during the Class Period and via a website at [https://reinerslaw.com/opa\\_locka\\_class\\_action/](https://reinerslaw.com/opa_locka_class_action/). The Class Notice set forth the Court approved Opt-Out deadline. Class Plaintiffs’ counsel represented that they only received 10 Opt-Outs, which have been fully disclosed in the Notice filed on September 17, 2021. The Parties stipulate and agree the Class Notice was sufficient to satisfy the notice requirements under Rule 1.220(d)(2).

**VI. Class Definition and Class Period:** The Parties agree that the Class Definition shall be amended to correct the fail-safe issue and to more clearly define as Class Members all persons and entities who had residential and/or commercial water utility accounts with the City that were active anytime during the Class Period defined as April 1, 2012, up to and including December 31, 2019.

**VII. Third Party Claims Administrator:** The Parties agree that the claims process will be administered by a mutually agreed upon Claims Administrator who shall be identified in the Joint Motion.

**VIII. Class Settlement Notice:** Subject to the Court's approval, the Parties agree that the following Notice Program is sufficient to satisfy the notice requirements of Rule 1.220(e), Florida Rules of Civil Procedure, and the due process rights of the Class Members, and constitutes the best notice practicable under the circumstances of the Litigation:

(a) Within five (5) business days of the Court providing preliminary approval on this Agreement, the Claims Administrator will mail the agreed upon form of Class Settlement Notice to the last known address available in the City's billing system for all Class Members.

(b) The text and format of the Class Settlement Notice shall be mutually agreed to by the Parties and included in the Joint Motion. The Class Settlement Notice shall include the deadline for submitting written objections to the Agreement which must be filed with the Court by the objection deadline.

**IX. Claims Process:** Within 45 (forty-five) days of the Court's Order approving this Agreement becoming final (as defined in Section III(a)), the Claims Administrator shall notify or attempt to notify Class Members ("Notification Period") that they may be entitled to a cash disbursement or Accounts

Receivable Credit. Notification shall be by mailer and by publication. Class Members shall then have 90 (ninety) days ("Claims Period") to complete and present a claim form to the Claims Administrator who shall verify their Class Member status and the validity of the Claim. The minimum requirement to be applied by the Claims Administrator is as follows:

a. The Claim Forms must be returned via mail to the Claims Administrator and postmarked on or before the expiration of the Claims Period.

b. The Claim Form must include a name, coordinating account number and address that matches the name, coordinating account number and address in the City's billing database for an account that was active within the Class Period.

c. The Claim Form must require a copy of a valid form of identification for a residential Class Member and an EIN number for a commercial Class Member.

d. The Claim Form must require the residential Class Members to provide the number of bathrooms and bedrooms in the residence and whether there was a working sprinkler system and/or pool on the premises.

e. The Claim Form must require commercial Class Members to provide their operating hours and any seasonal hours, and the nature of the business.

At the end of the Claims Period, the Claims Administrator shall disburse funds or direct the City to apply the Accounts Receivable Credit to Class Members, as appropriate, after applying the agreed and approved claims procedure set forth in the Joint Motion. The Parties agree that the disbursement criteria will include a rational and reasonable basis for determining those Class Members

entitled to a cash disbursement or Accounts Receivable Credit and the amount thereof. The Parties agree that Class Members with an account receivable balance who submit a valid Claim shall be entitled to a credit from the Credit Fund and shall not be entitled to disbursement from the Cash Fund. Should the valid Claims exceed the balance of the Cash and Credit Funds, the valid Claims shall be paid or applied on a *pro rata* basis. Should there be a balance remaining in the Cash or Credit Funds accounts after all valid Claims are processed those funds or Accounts Receivable Credits shall revert to the City. The Parties agree that the Claims Period shall remain open for no more than three (3) months.

**X. Non-Disparagement/Mutual Statement:** The Parties agree not to disparage each other regarding the issues in the Litigation and/or this Agreement. The Parties agree that any statements to the media will include the statement that this Agreement is fair, adequate, and in the best interest of the Class Members and residents of the City of Opa-Locka.

**XI. Release:** The Class Plaintiffs, on behalf of themselves and as Class Representatives on behalf of Class Members, in consideration for the settlement benefits set forth herein, the sufficiency of which is acknowledged, hereby fully and forever irrevocably and unconditionally waive, abandon, release, discharge, and settle with prejudice any and all claims, demands, causes of action, and any right of any kind or nature whatsoever, whether at law or equity, known or unknown, direct, indirect or consequential, liquidated or unliquidated, foreseen or unforeseen, developed or undeveloped, arising under common law, regulatory law, statutory law, or otherwise, whether based on federal, state, or local law, statutes or ordinance, regulation, code, contract, or any other source, or any claims that Class Plaintiffs or Class Members ever had, now have, may have, or hereafter can, shall, or may ever have against the City of Opa-Locka, its successors, agents, attorneys, consultants, employees, and assigns, in any courtroom tribunal, arbitration panel, commission, agency, or before any governmental and/or administrative body on the basis of, arising from, or relating the claims alleged in the Litigation and/or Chapter 21 of the City of Opa-Locka Municipal Code from the beginning of time through the date of this

Agreement. Nothing contained herein is intended to release the Parties from their obligations under this Agreement.

**XII. Voluntary Dismissal:** Within five days of Court's entry of an Order approving this Agreement, the Class Plaintiffs shall dismiss the Litigation and the pending discretionary review in the Florida Supreme Court, *George Suarez, et al. vs. City of Opa Locka, Florida*, Case Number: SC21-482, **with prejudice**.

**XIII. Miscellaneous Provisions:**

a. **Binding Effect:** This Agreement shall be binding upon and inure to the benefit of, the heirs, successors, and assigns of the Parties.

b. **Cooperation of the Parties:** The Parties agree to cooperate in good faith to timely submit the joint motion for approval and prosecute approval of this Agreement against any objections. The Parties agree to support and pursue approval of a Class Settlement with the terms contained herein and are bound by these terms even if the Court denies approval. If the Court denies approval, the Parties will work cooperatively to obtain approval on terms acceptable to the Court.

c. **Obligation to Meet and Confer:** Prior to filing any motion in the Court raising a dispute arising out of or related to this Agreement, the Parties shall consult each other and certify to the Court that they have consulted each other prior to seeking any Court ruling.

d. **Integration:** This Agreement constitutes a single, integrated written contract expressing the entire agreement of the Parties relative to the Litigation and the matters addressed herein and specifically incorporates and replaces the Mediated Settlement



Term Sheet. To the extent this Agreement conflicts with the Mediated Settlement Term Sheet, this Agreement shall supersede and is deemed to be the governing document for the settlement of the Litigation. No covenants, agreements, representations, or warranties of any kind whatsoever have been made by any Party hereto except as provided for herein.

e. **Modification and Amendment:** This Agreement may be amended or modified only by a written instrument signed by the Parties.

f. **No Waiver:** The waiver by any party of any breach or non-performance of any part of this Agreement by the other Party shall not be deemed or construed as a waiver of any other breach or non-performance under the Agreement, whether prior, subsequent, or contemporaneous.

g. **No Reliance; Independent Investigation:** The Parties acknowledge and agree that each relies on their own investigation and judgment in relation to all matters contained herein and has not relied on any representations made by the other Party except as expressly set forth in this Agreement.

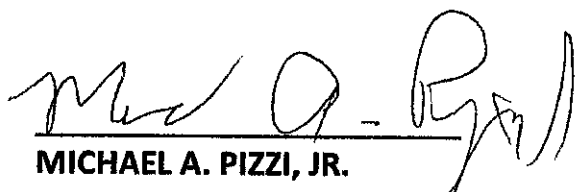
h. **No Admission by the Parties.** The Parties agree that neither this Agreement nor the payment of money or provision of accounts receivable credit or any other consideration under this Agreement shall be interpreted as an admission of liability. This Agreement does not reflect the Parties' views of their legal rights and obligations. The consideration paid under this Agreement is intended solely to avoid the expense and uncertainty of litigation. Neither this Agreement nor any of the negotiations connected with it, nor any action taken to carry out this Agreement shall be referred to or offered as evidence in any pending or future judicial action or adversary proceeding, except in a proceeding to enforce the terms of

this Agreement or to defend against claims subject to the release contained herein or as otherwise required by law.

i. **Authority:** The Parties represent and warrant that the person(s) signing this Agreement on their behalf have full power and authority to bind the Parties to all the terms of this Agreement. Any person executing this Agreement in a representative capacity represents and warrants that he or she is fully authorized to do so and to bind the Party on whose behalf he or she signs this Agreement to all terms and provisions of the Agreement.

j. **Counterparts:** The Parties may execute this Agreement in multiple counterpart originals. Facsimile, email, or other digital signatures shall have the same force and effect as original signatures.

IN WITNESS WHEREOF, the Parties have hereunto executed this Agreement in counterpart.

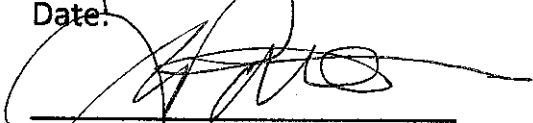


**MICHAEL A. PIZZI, JR.**

Court Approved Class Counsel,  
Authorized Representative of Class Plaintiffs  
and Class Representatives

September 30<sup>th</sup>, 2021

Date:



**JOHN PATE**

City Manager, City of Opa-Locka

9/30/2021

Date:

**FIRST READING  
ORDINANCE / PUBLIC  
HEARING**

Sponsored by: Commissioner John H. Taylor, Jr.  
Co-sponsored by: Mayor Matthew A. Pigatt, Vice Mayor Veronica J. Williams and  
Commissioner Chris Davis

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING A CHARTER REVIEW BOARD FOR THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR METHOD OF APPOINTMENT AND COMPOSITION OF THE BOARD; ESTABLISHING MEMBERSHIP, TERM, DUTIES AND RESPONSIBILITIES OF THE BOARD; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Opa-Locka ("City"), by vote of the citizens, adopted a new Charter on November 6, 2012; and

**WHEREAS**, pursuant to Article III, Section 3.9 of the City Charter "All City boards or agencies existing prior to the adoption of this charter shall be de-authorized subject to reauthorization under the provisions of this charter. The Commission shall establish or terminate such boards and agencies as it may deem advisable from time to time. The boards and agencies shall report to the Commission"; and

**WHEREAS**, the City of Opa-Locka desires to create a Charter Review Board to review its Charter and propose any amendments or revisions that may be advisable for placement on the ballot.

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

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

**Section 2: Creation of a Charter Review Board.** The City Commission of the City of Opa-Locka hereby creates an advisory board to the Commission to be known as the Charter Review Board ("Charter Review Board").

**Section 3: Membership, Term, Duties and Responsibilities.**

A. **Membership.** The Charter Review Board shall consist of (5) resident electors of the City of Opa-Locka appointed by the City Commission (each appointed by one member of the city commission). Each Board member so appointed shall be a qualified elector of the city with an outstanding reputation for civic pride, interest, integrity, responsibility and business or professional ability.

- B. Term. Upon City Commission appointment, the term of each individual member to the Charter Review Board shall commence. Each member so appointed shall be appointed for a term of (1) one year from the date of appointment. The Charter Review Board shall provide its Report and Recommendations to the City Clerk. Any recommended Charter changes shall be prepared for consideration by the City Commission.
- C. Duties. The Charter Review Board may provide recommendations to the City Commission regarding amendments and revisions to the Charter, which may be advisable for placement on the election ballot.
- D. Responsibilities.
1. The Charter Review Board shall have an organization meeting. The Charter Review Board shall elect a Chair and a Vice Chair from among its membership. The meetings shall be held on the call of the Chair or a majority of its members at a noticed meeting. All meetings shall be open to the public and held in the City Commission Chambers. A majority of members shall constitute a quorum to do business.
  2. Notice of all meetings shall be posted at least 48 hours in advance in City Hall and on the City's Website. The City shall provide a written record of each meeting through summary minutes.
  3. The meetings shall be conducted governed by Robert's Rules of Order.
  4. The Charter Review Board shall make recommendations to the City Commission. No amendments or revisions to the Opa-Locka Charter shall be submitted to the City Commission for consideration unless favorably voted upon by an affirmative vote of a majority of the Board members.
    - (a) Any elector of the city who in good faith believes that an amendment should be made to the Charter of the city shall indicate his or her recommendation in writing and shall file the same with the clerk of the city who shall forward a copy of same to each of the members of the charter board and at the next regularly scheduled public meeting of the board, said elector shall be heard and may give evidence concerning his recommendations. The board shall also hear the recommendations of the city commission, the city attorney, the city manager and the city clerk, when presented.
    - (b) The board shall make all recommendations to the city commission as to revisions to the Charter within one hundred twenty (120) days from passage of said recommendations.
  5. The members shall serve without compensation but sufficient funds shall be provided by the city commission in the annual budget for reasonable and necessary expenses to be incurred by the board in performance of its



duties. The city manager shall provide such administrative and clerical staff as may be necessary in the proper performance of its duties.

**Section 4:** Effective Date. This Ordinance shall become effective immediately upon adoption.

**PASSED FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**PASSED SECOND READING** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Matthew A. Pigatt, Mayor

**ATTEST:**

\_\_\_\_\_  
Joanna Flores, City Clerk

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

\_\_\_\_\_  
Burnadette Norris-Weeks, P.A.  
City Attorney

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**VOTE:**

|                     |             |            |
|---------------------|-------------|------------|
| Commissioner Taylor | _____ (Yes) | _____ (No) |
| Commissioner Bass   | _____ (Yes) | _____ (No) |
| Commissioner Davis  | _____ (Yes) | _____ (No) |
| Vice-Mayor Williams | _____ (Yes) | _____ (No) |
| Mayor Pigatt        | _____ (Yes) | _____ (No) |

# SECOND READING ORDINANCES / PUBLIC HEARINGS

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A REQUEST FROM AMDI USA, INC. TO CLOSE, VACATE AND ABANDON A PORTION OF NW 130<sup>TH</sup> STREET BETWEEN NW 30<sup>TH</sup> AVENUE AND NW 30<sup>TH</sup> COURT AND A PORTION OF NW 30<sup>TH</sup> COURT BETWEEN NW 130<sup>TH</sup> STREET AND NW 131<sup>ST</sup> STREET FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30<sup>TH</sup> AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002-0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004-0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Article 1 and Article 2 of the City of Opa-Locka Code of Ordinances, the City Commission has the power to approve and adopt plats; and

**WHEREAS**, AMDI USA, Inc. ("Applicant") has requested the City of Opa-Locka ("City") to close, abandon and vacate a portion of NW 130<sup>th</sup> Street between NW 30<sup>th</sup> Avenue and NW 30<sup>th</sup> Court within the City; and

**WHEREAS**, the Applicant's request is to also close, abandon and vacate a portion of NW 30<sup>th</sup> Court between NW 130<sup>th</sup> Street and NW 131<sup>st</sup> Street within the City; and

**WHEREAS**, the Applicant has submitted a site plan that shows the proposed use of the vacated streets and the surrounding parcels for operation of a concrete batching plant and finished concrete production company facility; and

**WHEREAS**, the Applicant represents that it is following the process regarding the vacation of City streets and alleys, outlined in Ordinance 14-02; and

**WHEREAS**, on March 16, 2021, AMDI USA, Inc. presented their formal application request, all evidence, documents, and marked exhibits before the Planning & Zoning Board and the Planning & Zoning Board recommended approval for the closure, vacation and abandonment of a portion of NW 130<sup>th</sup> Street between NW 30<sup>th</sup> Avenue and NW 30<sup>th</sup> Court and the abandonment of a portion of NW 30<sup>th</sup> Court between NW 130<sup>th</sup> Street and NW 131<sup>st</sup> Street for the Operation of a Concrete Batching Plant on the property located at 13050 NW 30<sup>th</sup> Avenue and identified by folios 08-2128-002-0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-

004-0380; and 08-2128-004-0330, in the I-2 (Industrial Planned) Zoning District by a 4 to 0 vote, pursuant to the City Code of Ordinance and the City Zoning Regulations; and

**WHEREAS**, the City desires to approve the Right-of-Way closure as illustrated on the attached Sketch & Legal Description Street Closure, attached hereto as Exhibit "A".

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

**Section 1.**    Incorporation of Recitals.

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

**Section 2.**    Approval.

The City Commission of the City of Opa-Locka hereby approves a request by AMDI USA, Inc. for the closure, vacation and abandonment of a portion of NW 130<sup>th</sup> Street between NW 30<sup>th</sup> Avenue and NW 30<sup>th</sup> Court and the abandonment of a portion of NW 30<sup>th</sup> Court between NW 130<sup>th</sup> Street and NW 131<sup>st</sup> Street, as provided in Exhibit "A", for the operation of a Concrete Batching Plant on the property located at 13050 NW 30<sup>th</sup> Avenue and identified by folios 08-2128-002-0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; and 08-2128-004-0330, in the I-2 (Industrial Planned) Zoning District.

**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.**    Violations of Conditions.

Failure to adhere to the terms and conditions of this Ordinance shall be considered a violation of the City of Opa-locka Land Development Regulations and shall be subject to the penalty(s), listed in the City Code of Ordinance / Land Development Regulations.

**Section 6.**    Effective Date.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-Locka is subject to the approval of the Governor or Governor's Designee.

**PASSED FIRST READING** this \_\_\_\_ day of \_\_\_\_\_ 2021.

**PASSED SECOND READING** this \_\_\_\_ day of \_\_\_\_\_ 2021.

---

Matthew A. Pigatt, Mayor

**ATTEST:**

---

Joanna Flores, City Clerk

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

---

Burnadette Norris-Weeks, P.A.  
City Attorney



Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

VOTE:

|                     |             |            |
|---------------------|-------------|------------|
| Commissioner Taylor | (Yes) _____ | (No) _____ |
| Commissioner Burke  | (Yes) _____ | (No) _____ |
| Commissioner Davis  | (Yes) _____ | (No) _____ |
| Vice-Mayor Williams | (Yes) _____ | (No) _____ |
| Mayor Pigatt        | (Yes) _____ | (No) _____ |

POLITICS

# Góngora drops reelection bid; total of 14 candidates qualify for Miami Beach election

BY MARTIN VASSOLO  
mvassolo@miamiherald.com

The ballot is now set for Miami Beach’s Nov. 2 election, with a total of 14 candidates qualifying Friday to campaign for three commission seats and the mayor’s job.

The biggest wildcard leading up to the qualifying deadline, incumbent Commissioner Michael Góngora, dropped his bid to seek reelection in

Group 3 following a judge’s order barring him from running due to city term limits.

Góngora instead filed Thursday to run for mayor in 2023, which he said was initially his plan before his supporters told him to run for reelection. He also threw his support behind the newest Group 3 candidate, Planning Board Member Alex Fernandez, whom Góngora said he had initially recruited to run for his seat earlier this

year.

Góngora said he would transfer the more than \$200,000 in his campaign coffers to his next campaign.

“A lot of people invested in my race and want to have my voice on the dais in City Hall,” he said.

Fernandez, who filed to run this week, is joined in the Group 3 race by Michael “Mike B” Barrineau, Melissa Beattie and Stephen Cohen.

There were other surprises Friday, with two candidates switching groups. Gregory Branch, who initially filed in Group 1 before switching to Group 3, jumped back in the Group 1 race. He joins four other candidates in the race, including former Commissioner Kristen Rosen Gonzalez, Adrian Gonzalez, Raquel Pacheco and Blake Young.

In Group 2, a seat held by Commissioner Mark Samuelian, challenger



Courtesy to the Miami Herald

Miami Beach Commissioner Michael Góngora.

Fabián Basabe entered the race on Friday, giving Samuelian his only competition in the election. In the mayor’s race,

Mayor Dan Gelber is running against four other candidates: Jean Marie Echemendia, Ronnie Eith, Carlos Enrique Gutierrez and Gus Manassis.

In a fundraising email sent after Friday’s qualifying deadline, Gelber told his supporters to “expect this to be a competitive election where no one can stay on the sidelines.”

The last day to register to vote in Miami Beach’s November election is by 5 p.m. on Oct. 4. The last day to request a vote-by-mail ballot is Oct. 23. Early voting starts on Oct. 18 and ends Oct. 31.

Martin Vassolo:  
305-376-2071,  
martindvassolo

FROM PAGE 17A

## ABORTION

Court precedent.”

### WHAT TEXAS ENACTED

The announcement comes as Florida Democrats are pledging to fight any bills in the state Legislature inspired by SB 8, the new Texas law that outlaws abortions after six weeks of pregnancy, before most women know they are pregnant. Similar so-called “heartbeat” bills have been previously proposed in other states, including Florida. But in Texas, the new law empowers civilians to report violations that could result in at least \$10,000 in damages if they succeed in court.

The Florida Legislature has taken up efforts to pass new abortion restrictions nearly every session. Florida Senate President Wilton Simpson issued a statement last week when the bill was signed into law, saying “it’s worthwhile to take a look at the Texas law and see if there is more we can

do here in Florida.” But he stopped short of specifying what restrictions Florida lawmakers would consider in the legislative session that begins Jan. 11.

Miami Sen. Annette Taddeo, a Democrat, said during a press conference in Doral she was concerned about Florida Republicans suggesting they are willing to take on new anti-abortion legislation and calling the Texas law the “Rapist’s Bill of Rights,” in reference to the lack of exceptions for rape or incest.

“When we’re talking about abused, in many situations children, they’ve already been abused by their abuser and now they’re going to be abused again by their government,” said Taddeo, who has hinted at a possible run for governor in 2022.

She also compared the civilian enforcement of the ban to a culture of political repression in Cuba, where neighbors have been encouraged to act as vigi-

lantes to report their own neighbors to the regime over anti-government sentiment.

“This law specifically in Texas, the one they want to bring to Florida, would do that here in Florida. That civilians would be the ones who are patrolling: in what car did they get into, where did they go, if they’ve gone to an [abortion] center. Which by the way, many women go to these centers simply so they can prevent getting pregnant,” said Taddeo. “When I was young and I had no health insurance, I used to go to Planned Parenthood to receive the pill. That’s what is happening today with so many people.”

### OUT-OF-STATE PATIENTS SEEKING CARE

Laura Goodhue, executive director for Florida’s Planned Parenthood affiliates, said a Texas-style law in Florida would impose major restrictions on any woman seeking abortion across the entire southern U.S.

She said Planned Parenthood sites in Jackson-

ville and Tallahassee have seen an increase in patients from Georgia and Alabama due to a lack of abortion providers in those states. Another ban on abortions six weeks into pregnancy in the South’s two largest states would mean more patients heading to overworked clinics in Louisiana and other southern states, Goodhue said.

“This means practically one half of the country would be without abortion access,” Goodhue said.

Dr. Samantha Deans, associate medical director at Planned Parenthood of South, East and North Florida, said it was not accurate to say that a heartbeat can be heard after six weeks of pregnancy because a fetus has not yet developed the heart valves that pump blood into the body.

“That is based on the technology and the quality of your ultrasound. The sound that you are referring to is actually just ultrasonic waves that come from the machine and create feedback as they hit the electrical activity of the cells. It is

not a heartbeat, there is no blood that exists in an embryo to beat through a heart,” said Deans during the press conference in Doral. “Valves don’t exist until eight weeks of an embryological development and 10 weeks of pregnancy.”

Democratic U.S. Rep. Debbie Wasserman Schultz, who said her own pregnancy wasn’t detected for eight weeks, said she anticipates a mass public pressure campaign in Texas and Florida if the Legislature chooses to move forward with a Texas-style law.

Wasserman Schultz brought up examples of Atlanta losing the Major League Baseball All-Star Game after the state passed restrictions on voting, and threats from the NCAA and other sporting organizations to cancel events in North Carolina after the state compelled schools to restrict use of bathrooms to users based on the corresponding sex listed on their birth certificates as potential consequences Florida would face if it passes an abortion ban.

But Democratic state Rep. Dotie Joseph said she doesn’t think economic pressure will sway many of her Republican colleagues.

“All we’ll see them is being dubbed a ‘woke corporation,’ ” Joseph said when asked about the prospect of boycotts from businesses. “I don’t know that it moves [Republicans] in any way, shape or form.”

Democratic state Sen. Lori Berman said some elected Republicans could ultimately be swayed not to make abortion restrictions a central part of their campaigns to appeal to suburban women, though she did not anticipate that many Florida Republicans at the state or federal level would vote against enacting Texas-style legislation.

“I don’t think it’s the state boycotts, but I do think there’s an issue with moderate Republican women who do support abortion,” Berman said.

Bianca Padró Ocasio:  
305-376-2649,  
@BiancaJoanie



**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, September 22, 2021 at 7:00 p.m.**, at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following items for adoption:

**RESOLUTIONS/PUBLIC HEARING:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A TENTATIVE PLAT REVIEW REQUEST FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002- 0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004-0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A VARIANCE REQUEST FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002-0020; 08-2128- 002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002- 0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004- 0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE SPECIAL EXCEPTION SITE PLAN REVIEW REQUEST FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002-0020; 08-2128-002-0030; 08-2128-002- 0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004-0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA APPROVING A DEVELOPMENT AGREEMENT FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002-0020; 08-2128- 002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002- 0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004- 0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.**

**FIRST READING ORDINANCE/PUBLIC HEARING:**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A REQUEST FROM AMDI USA, INC. TO CLOSE, VACATE AND ABANDON A PORTION OF NW 130TH STREET BETWEEN NW 30TH AVENUE AND NW 30TH COURT AND A PORTION OF NW 30TH COURT BETWEEN NW 130TH STREET AND NW 131ST STREET FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002- 0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004-0330, IN THE I-2 ZONING DISTRICT; 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 items may be obtained by contacting the Office of the City Clerk by telephone 305-953-2800 or email [jflores@opalockafl.gov](mailto:jflores@opalockafl.gov). To participate or provide comments virtually, please register on the City of Opa-locka website at [www.opalockafl.gov](http://www.opalockafl.gov) no later than 7:00 p.m. on Wednesday, September 22, 2021.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance no later than 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, FLORIDA**  
**NOTICE OF BUDGET HEARINGS**  
**FY 2021-2022**

**NOTICE IS HEREBY GIVEN** that the City of Opa-locka will conduct public hearings on the Fiscal Year 2021-2022 Budget on **Wednesday, September 15, 2021 at 5:01 p.m.** and **Wednesday, September 22, 2021 at 5:01 p.m.** at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida to consider the following:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA LOCKA, FLORIDA, ADOPTING A FINAL MILLAGE RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES, FOR FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; SETTING FORTH PUBLIC HEARING DATES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND ADOPTING THE CITY'S GENERAL, PROPRIETARY AND SPECIAL FUNDS BUDGET FOR THE FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGET EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATION AND AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

The purpose of the Budget Hearings is to allow City of Opa-locka residents the opportunity to speak on the fiscal year 2021-2022 budget. All interested persons are encouraged to attend these meetings and will be heard with respect to the public hearings.

A copy of the Fiscal Year 2021-2022 Proposed Budget is available for review on the City of Opa-locka website at [www.opalockafl.gov](http://www.opalockafl.gov).

**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>

Public Hearings are held in-person while allowing virtual participation. Members of the public wishing to provide comments on the FY 2021-2022 budget may do so in person or virtually.

**To particlpate virtually**, please register by 5:01 p.m. on the scheduled meeting date via the City of Opa-locka website at [www.opalockafl.gov](http://www.opalockafl.gov).

Please contact the City Clerk at (305) 953-2800/2801 or [jflores@opalockafl.gov](mailto:jflores@opalockafl.gov) for additional information.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at 305.953.2800 for assistance no later than 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, FLORIDA NOTICE TO THE PUBLIC

**NOTICE IS HEREBY GIVEN** that the City Commission of the City of Opa-locka, Florida will hold a public hearing at its Regular Commission Meeting on **Wednesday, October 13, 2021 at 7:00 p.m.**, at Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida, to consider the following item for final adoption:

### SECOND READING ORDINANCE/PUBLIC HEARING:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A REQUEST FROM AMDI USA, INC. TO CLOSE, VACATE AND ABANDON A PORTION OF NW 130TH STREET BETWEEN NW 30TH AVENUE AND NW 30TH COURT AND A PORTION OF NW 30TH COURT BETWEEN NW 130TH STREET AND NW 131ST STREET FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002-0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004-0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on September 22, 2021).**

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

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](mailto:jflores@opalockafl.gov). To participate or provide comments virtually, please register on the City of Opa-locka website at [www.opalockafl.gov](http://www.opalockafl.gov) no later than 7:00 p.m. on Wednesday, October 13, 2021.

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 REQUEST FOR PROPOSALS RFP NO: 210928200 Property Management Services

Sealed Proposals for Property Management Services will be received by the City of Opa-locka at the Office of the City Clerk, 780 Fisherman St, 4th Floor, Opa-locka, Florida 33054, Tuesday, October 26, 2021 by 2:00. Any RFP Package received after the designated closing time will be returned unopened. The City of Opa-locka will be accepting proposals by mail, however it is the responsibility to submit your proposal by the due date. In addition, proposals may be submitted via [www.demandstar.com](http://www.demandstar.com) (e-bid). 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

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 for Property Management Services.

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](http://www.opalockafl.gov) or [www.demandstar.com](http://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: 21-0928200 requirements. Proposers may not withdraw their proposal for a period of ninety (90) days from the date set for the opening thereof.

A pre-bid meeting will be held on Wednesday, **October 6, 2021 at 10:00 a.m.** at 780 Fisherman Street, Ste. 220, Opa-locka, FL 33054 AND via zoom. To participate by Zoom please use the call in information listed below:

Join Zoom Meeting  
<https://us02web.zoom.us/j/82921966589?pwd=MjlyR2JUVmQwL01JbmVudVd4S3ZKQT09>  
Meeting ID: 829 2196 6589  
Passcode: 780777

One tap mobile  
+13126266799,82921966589#...780777# US (Chicago)  
+1646588656,82921966589#...780777# US (New York)

Dial by your location  
+1 312 626 6799 US (Chicago)  
+1 646 588 656 US (New York)  
+1 301 715 8592 US (Washington DC)  
+1 346 248 7799 US (Houston)  
+1 669 900 9128 US (San Jose)  
+1 253 215 8782 US (Tacoma)

Joanna Flores, CMC  
City Clerk

# ATTENTION!



## TRANSPORTATION PUBLIC HEARING

Come and learn about the Florida Department of Transportation's District Six Five-Year Tentative Work Program for Fiscal Years 2022/2023 thru 2026/2027



### Miami-Dade County Hearing

Thursday, October 14, 2021  
6 p.m. to 7:30 p.m.

### Attend In Person

FDOT District Six Auditorium  
1000 NW 111 Avenue, Miami, FL 33172

**Space is Limited:** RSVP by October 8, visit [www.fdot.gov/wpph/district6](http://www.fdot.gov/wpph/district6) or scan the QR code.

The in-person Public Hearing will be in compliance with all current Centers for Disease Control and Prevention (CDC) guidelines.

Scan me to RSVP  
for in-person



### Attend Virtually

To attend the Public Hearing via GoToWebinar from your computer, tablet or smartphone please register using the link below or scan the QR Code:

Scan me to attend  
virtually



<https://attendee.gotowebinar.com/register/4697143777893948941>

Participants can also use their phone by dialing:  
**+1 (562) 247-8422; Access code: 547-033-443**

## YOUR OPINION IS IMPORTANT TO US FDOT PROJECT MANAGERS WILL ATTEND VIRTUALLY TO HEAR YOUR THOUGHTS AND ANSWER YOUR QUESTIONS.

Public hearings are being held in accordance with Section 339.135, Florida Statutes and to offer the public an opportunity to comment on all projects for highway systems and public transportation within Florida Department of Transportation District Six's Tentative Five-Year Work Program. District Six comprises Miami-Dade and Monroe Counties. The Tentative Five-Year Work Program the period for 2022/2023-2026/2027.

Send written comments by October 24, 2021 to Tish Burgher, District Public Information Officer, by mail: 1000 NW 111 Avenue, Room 6134, Miami, Florida 33172, or email: [Tish.Burgher@dot.state.fl.us](mailto:Tish.Burgher@dot.state.fl.us). These comments will also be incorporated in to the public document.

The proposed improvements have been developed in accordance with the Civil Rights Act of 1964 and the Civil Right Act of 1968.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Nicholas Danu, P.E. by phone at (305) 470-5219, in writing at FDOT 1000 NW 111 Avenue, Miami, FL 33172, or via email at [Nicholas.Danu@dot.state.fl.us](mailto:Nicholas.Danu@dot.state.fl.us) at least seven days prior to the meeting.



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

|                                                                  |                                                                                         |           |                                                                                                                                                                                                                                                                                                                                               |                                                                                                                      |                       |                    |           |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|-----------|
| <b>Department Director:</b>                                      | Gregory Gay                                                                             |           | <b>Department Director Signature:</b>                                                                                                                                                                                                                                                                                                         |                                                                                                                      |                       |                    |           |
| <b>City Manager:</b>                                             | John E. Pate                                                                            |           | <b>CM Signature</b>                                                                                                                                                                                                                                                                                                                           |                                                                                                                      |                       |                    |           |
| <b>Commission Meeting Date:</b>                                  | May 12, 2021                                                                            |           | <b>Item Type:</b><br><small>(Enter X in box)</small>                                                                                                                                                                                                                                                                                          | <b>Resolution</b>                                                                                                    | <b>Ordinance</b><br>X | <b>Other</b>       |           |
| <b>Fiscal Impact:</b><br><small>(Enter X in box)</small>         | <b>Yes</b>                                                                              | <b>No</b> | <b>Ordinance Reading:</b><br><small>(Enter X in box)</small>                                                                                                                                                                                                                                                                                  | <b>1st Reading</b>                                                                                                   |                       | <b>2nd Reading</b> |           |
|                                                                  |                                                                                         | X         | <b>Public Hearing:</b><br><small>(Enter X in box)</small>                                                                                                                                                                                                                                                                                     | <b>Yes</b>                                                                                                           | <b>No</b><br>X        | <b>Yes</b><br>X    | <b>No</b> |
| <b>Funding Source:</b><br><br><small>Account# :</small>          | <small>(Enter Fund &amp; Dept)</small><br>Ex:<br><br>See Financial Impact section below |           | <b>Advertising Requirement:</b><br><small>(Enter X in box)</small>                                                                                                                                                                                                                                                                            | <b>Yes</b>                                                                                                           |                       | <b>No</b>          |           |
| <b>ILA Required:</b><br><small>(Enter X in box)</small>          | <b>Yes</b>                                                                              | <b>No</b> | <b>RFP/RFQ/Bid#:</b>                                                                                                                                                                                                                                                                                                                          |                                                                                                                      |                       |                    |           |
|                                                                  |                                                                                         | X         |                                                                                                                                                                                                                                                                                                                                               |                                                                                                                      |                       |                    |           |
| <b>Strategic Plan Related</b><br><small>(Enter X in box)</small> | <b>Yes</b>                                                                              | <b>No</b> | <b>Strategic Plan Priority Area:</b><br>Enhance Organizational <input type="checkbox"/><br>Bus. & Economic Dev <input checked="" type="checkbox"/><br>Public Safety <input type="checkbox"/><br>Quality of Education <input type="checkbox"/><br>Qual. of Life & City Image <input type="checkbox"/><br>Communcation <input type="checkbox"/> | <b>Strategic Plan Obj./Strategy:</b><br><small>(list the specific objective/strategy this item will address)</small> |                       |                    |           |
|                                                                  | X                                                                                       |           |                                                                                                                                                                                                                                                                                                                                               |                                                                                                                      |                       |                    |           |
| <b>Sponsor Name</b>                                              | City Manager                                                                            |           | <b>Department:</b> Planning & Community Development                                                                                                                                                                                                                                                                                           | City Manager                                                                                                         |                       |                    |           |

**Short Title:**

A ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A REQUEST FROM AMDI USA INC TO CLOSE, VACATE AND ABANDON A PORTION OF NW 130<sup>TH</sup> STREET BETWEEN NW 30<sup>TH</sup> AVENUE AND NW 30<sup>TH</sup> COURT AND A PORTION OF NW 30<sup>TH</sup> COURT BETWEEN NW 130<sup>TH</sup> STREET AND NW 131<sup>ST</sup> STREET FOR THE OPERATION OF A CONCRETE BATCHING PLANT AND FINISHED CONCRETE PRODUCTION COMPANY FACILITY ON THE PROPERTY LOCATED AT 13050 NW 30<sup>TH</sup> AVENUE AND IDENTIFIED BY FOLIOS 08-2128-002-0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004-0330, IN THE I-2 ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

**Staff Summary:**

The proposed project consists of the assemblage of eight parcels, identified by folios 08-2128-002-0020; 08-2128-002-0030; 08-2128-002-0040; 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0380; AND 08-2128-004-0330, all of which are owned by IDMA Holdings, Inc., c/o Alex Orozco for AMDI USA, Inc. The property site is currently being used for the Concrete Batching Plant Operation, however the review and approval of these requests would bring this operation into compliance with City Land Development Regulations and Miami-Dade County Code of Ordinances. The applicant, AMDI USA, INC., desires to continue the operation of their concrete batching plant on this eight parcel development site in the I-2 (Industrial Planned) zoning district and to comply with the requirements of the City Land Development Regulations. This development site includes the properties listed and a portion of NW 130<sup>th</sup> Street and a portion of NW 30<sup>th</sup> Court between NW 130<sup>th</sup> Street and NW 131<sup>st</sup> Street, and the site is approximately 166,498 square feet or 3.82 Acres according to the site plan. The applicant submitted plans through the site plan review process to illustrate compliance with the requirements of the Land Development Regulations and to illustrate all non-conforming aspects of this operation and the steps the applicant will take to mitigate or reduce the non-conforming aspect by site design or through variance approval request.

The applicant's request is to close, abandon and vacate a portion of NW 130<sup>th</sup> Street between NW 30<sup>th</sup> Avenue and NW 30<sup>th</sup> Court and to also close , abandon and vacate a portion of NW 30<sup>th</sup> Court between NW 130<sup>th</sup> Street and NW 131<sup>st</sup> Street. When the street vacation is granted, the site plan submitted illustrated the use of the vacated streets and the surrounding parcels will be used for the operation of a concrete batching plant and finished concrete production company facility. The right-of-way vacation request was reviewed by the Planning & Zoning Board on March 16, 2021. The Planning & Zoning Board recommended approval of this request by a 4-0 vote.

#### **Financial Impact**

The Concrete Batching Plant operation will continue to obtain City Business Licenses and Certificate of Use. There is no significant financial impact.

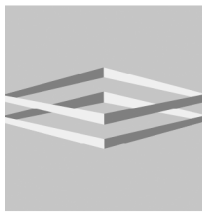
#### **Proposed Action:**

Staff has recommended approval of this request.

#### **Attachment:**

Draft Ordinance  
 PZAB Application  
 PZAB Meeting Minutes (not available)  
 Staff Report  
 Sketch & Legal Description-Street Vacantion  
 Site Plan





**DUNAY  
MISKEL  
BACKMAN** LLP

Gary Dunay  
Bonnie Miskel  
Scott Backman  
Hope Calhoun

Dwayne Dickerson  
Ele Zachariades  
Matthew H. Scott  
Christina Bilenki

Heather Jo Allen  
Lauren G. Odom  
Zach Davis-Walker

### **Project Narrative Right of Way Vacation**

AMDI USA, INC., (“Applicant”) intends to continue the operation of an existing concrete batching plant and finished concrete production company (“Business”) on property located at 13050 NW 30<sup>th</sup> Avenue, which includes unimproved rights of way for portions of NW 130<sup>th</sup> Street and NW 30<sup>th</sup> Court (“Property”). All parcels are further identified on the attached and are in the City of Opa Locka (“City”). The Property is zoned I-2 ( industrial planned district) and consists of 2 gross acres. Access to Property will continue to be provided from NW 131<sup>st</sup> Street pursuant to a public right of way easement. In order to operate the Project on the Property as anticipated, a portion NW 130<sup>th</sup> Street will be vacated, and a portion of NW 30<sup>th</sup> Court will also have to be vacated (collectively called herein “the Roadways”).

City Ordinance 14-42 (“Ordinance”) outlines the requirements for vacating a street. In accordance with same, the balance of this document shall outline and explain compliance with same.

Section 3.(a) of the Ordinance requires that an accurate legal description of the public street....petitioned to be vacated.

**i. See Attached.**

Section 3.(b) of the Ordinance requires the Applicant to list the property owners’ names, addresses, and the property legal description,...of all property touching or abutting on the public street.

**ii. See attached.**

Section 3.(c) of the Ordinance requires the Applicant to state the reason why the Applicant desires to close the street...The Applicant shall provide a statement as to whether the general public currently uses same.

**iii. The Applicant requests the vacation of the Roadways to allow for safer and better operation of the Business. The Business has been in operation for over 20 years on the Property, and the requested right of way vacations will simply codify the practical operation**

of the Property. The unimproved portions of the right of way are not currently being used by the public because either it is not an existing through street (NW 130<sup>th</sup> Street), or the Business is already operating in the right of way (NW 30<sup>th</sup> Court) and it bisects the Property. Section 3.(d) requires the following recitation:

**iv. The Applicant herein named shall waive, renounce, relinquish, absolve and discharge the city from any claim for damages of any nature and kind whatsoever that such applicant may have or claim or demand, now or in the future, by reason of the vacating, closing, discontinuing and abandoning of the public street, road, alleyway, place or highway or any part or portion thereof.**

Section 3.(e) requires that the application have attached to it a drawing of the subdivision in which the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed and abandoned is located or, if located in an unplatted area, of the streets, highways, roads, alleys and public places in the immediate area surrounding the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed, discontinued and abandoned.

**v. Please see the attached.**

Section 3(f) requires that the application include releases from all utility companies for the public street, road, alleyway, place or highway or any part or portion thereof to be vacated, closed discontinued and abandoned.

**vi. Same shall be provided prior to final approval of this request.**

Received:  
By:  
Date:

" THE GREAT CITY "



City of  
**OPA-LOCKA**  
*Florida*

**PLANNING & ZONING BOARD MEETING SCHEDULE AND REQUIREMENTS  
FY 2019-2020**

**TOTAL FEES:** \$ \_\_\_\_\_ New Fees as of October 1, 2015

**FY 2018-2019 Meeting Dates**  
(1st Tuesday of Each Month)

**Date Application Found Sufficient**

October 1, 2019  
November 5, 2019  
December 3, 2019  
January 7, 2020  
February 4, 2020  
March 3, 2020  
April 7, 2020  
May 5, 2020  
June 2, 2020  
July 7, 2020  
August 4, 2020  
September 8, 2020

August 16, 2019  
September 20, 2019  
October 18, 2019  
November 22, 2019  
December 20, 2019  
January 17, 2020  
February 21, 2020  
March 20, 2020  
April 18, 2020  
May 22, 2020  
June 19, 2020  
July 24, 2020

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

City of Opa-locka  
Planning & Community Development Department  
780 Fishermen Street 1<sup>st</sup> floor  
Opa-locka, FL 33054  
Telephone: 305-953-2868, Ext. 1503  
Facsimile: 305-953-3060

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

Received:  
By:  
Date:

" THE GREAT CITY "



City of  
**OPA-LOCKA**  
*Florida*

**PLANNING & ZONING BOARD APPLICATION**

APPLICATION NUMBER: \_\_\_\_\_ CHECK NUMBER: 4879 DATE RECEIVED: \_\_\_\_\_

PROPERTY OWNER'S NAME: IDMA Holdings, LLC

PROPERTY OWNER'S ADDRESS: 13050 NW 30th Ave, Opa-Locka, FL  
Number/Street City State/Zip Code

APPLICANT'S NAME: AMD I USA, Inc.

APPLICANT'S ADDRESS: 13050 NW 30th Ave, Opa-Locka, FL  
Number/Street City State/Zip Code

PHONE NUMBER: OFFICE \_\_\_\_\_ HOME \_\_\_\_\_ OTHER \_\_\_\_\_

SUBJECT PROPERTY ADDRESS: 13050 NW 30th Ave.  
Number/Street

TAX FOLIO NUMBER: see attached PRESENT ZONING: I-2

LEGAL DESCRIPTION: See attached

Please check specific request:

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

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

Reference to Ordinance 15-13  
Land Development Regulations Zoning Code: Ordinance 15-34

Received:  
By:  
Date:

### PLANNING & ZONING BOARD APPLICATION (Checklist)

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

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

### AFFIDAVIT

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

Signature

11/3/2020

Date

Sworn to and subscribed before me:

This 3 day of November 2020

Notary Public

Attach copy of identification

My commission expires 4/1/23



Reference to Ordinance 15-13

Land Development Regulations/ Zoning Code: Ordinance 15-31





Received:  
By:  
Date:

### PLANNING & ZONING BOARD APPLICATION POWER OF ATTORNEY

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

To: City of Opa-locka  
From:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

I, Alex Orozzco, being first duly sworn, depose and say that I am the owner of the property legally described as:  
see attached

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

Signature

11/3/2020

Date

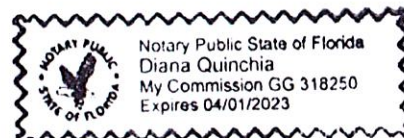
Sworn to and subscribed before me:

This 3 day of November, 2020

Notary Public

My commission expires: 4/1/23

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



# SKETCH & LEGAL DESCRIPTION STREET CLOSURE "EXHIBIT "A"

## LEGAL DESCRIPTION:

All those portions of N.W. 30th. Court and N.W. 130th. Street, as shown on recorded plat of "EAST VIEW GARDEN LAKE ADDITION" according to the plat thereof as recorded in Plat Book 51, Page 17, Public Records of Miami-Dade County, Florida, being bounded by the following lines:

Bounded on the North by the North line of Block 360, extended Westerly to the East line of the West 1/2 of Lot 21, of "NILE GARDENS SECTION 2", according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida;

Bounded on the West by the East line of the West 1/2 of Lot 21, of "NILE GARDENS SECTION 2", according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida;

Bounded on the South by the centerline of N.W. 130th. Street, as shown on recorded plat of "EAST VIEW GARDEN LAKE ADDITION" according to the plat thereof as recorded in Plat Book 51, Page 17, Public Records of Miami-Dade County, Florida, with its Westerly limits being the East line of the West 1/2 of Lot 21, of "NILE GARDENS SECTION 2", according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida, its Easterly limits being the East Lot of Lot 8, in Block 360, extending Southerly to the centerline of said N.W. 130th. Street, its Northerly limits being the Southerly line of said Lot 8;

Bounded on the East by the Westerly limits of Lots 1, 4, 5 and 8 in Block 360, as shown on recorded plat of "EAST VIEW GARDEN LAKE ADDITION" according to the plat thereof as recorded in Plat Book 51, Page 17, Public Records of Miami-Dade County, Florida.

Said portion containing approximately 11,369 square feet.

## SURVEYOR'S NOTES:

- 1) This is not a BOUNDARY SURVEY, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without written consent of the signing party or parties.
- 3) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 4) No Title search has been performed to determine if there are any conflict existing or arising out of the creation of the Easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.
- 5) The North arrow and Bearings shown hereon are based on a bearing of N.00°00'00"E along the East line of Block 360, of "EAST VIEW GARDEN LAKE ADDITION", according to the plat thereof as recorded in Plat Book 51, at Page 17, of the Public Records of Miami-Dade County, Florida, and all other bearings are relative thereto.

NOTE: This Sketch is NOT A BOUNDARY SURVEY.

## SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT: in the professional opinion of the undersigned Professional Surveyor and Mapper in the State of Florida, the following Sketch and Legal Description meets the requirements of the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Copies of this Sketch and Legal Description are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.



LB # 7282  
PHONE: 305-822-6062 \* FAX: 305-827-9669  
6175 NW 153rd ST. SUITE 321, MIAMI LAKES FL 33014  
Job # RP20-1026

JACOB GOMIS  
Professional Surveyor & Mapper  
State of Florida Reg. No. 6231

----- Dated 08/28/20

[illegible]

CFN: 20180469248 BOOK 31086 PAGE 679  
 DATE: 08/02/2018 01:50:49 PM  
 DEED DOC 21,000.00  
 SURTAX 15,750.00  
 HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

Prepared by and return to:  
 Neil A. Milestone, Esq.  
 President  
 Milestone Title Company  
 2999 NE 191st St. Suite 709  
 Aventura, FL 33180  
 305-682-2324  
 File Number: IDMA-FIP2

[Space Above This Line For Recording Data]

## Special Warranty Deed

This Special Warranty Deed made this 30 day of July, 2018 between Florida Industrial Properties Two, LLC, a Florida Limited Liability Company, whose post office address is 2131 NW 139th Street, Suite 22, Opa Locka, FL 33054, grantor, and

IDMA Holdings, LLC, a Florida Limited Liability Company, whose post office address is 13050 NW 30th Avenue, Opa Locka, FL 33054, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida, to-wit:

Lots 1, 2, 3, 4, 5, and 8, Block 360, EAST VIEW GARDEN LAKE ADDITION, according to the plat thereof as recorded in Plat Book 51, Page 17, Public Records of Miami-Dade County, Florida.

AND

The West 1/2 of Tract 21, NILE GARDENS, Section I and II, according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida.

AND

The North 70 feet of the South 95 feet of the East 107.675 feet of Tract 20, NILE GARDENS, Section I and II, according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida.

Parcel Identification Number: 08-2128-002-0020; 08-2128-002-0030; 08-2128-002-0040;  
 08-2128-002-0050; 08-2128-002-0060; 08-2128-002-0090; 08-2128-004-0330;  
 08-2128-004-0380.

Subject to:

1. Taxes for the current year and subsequent years;
2. Zoning and/or restrictions and prohibitions imposed by government authority without serving to reimpose same;
3. Conditions, easements, restrictions, and reservations of record and restrictions and other matters appearing on the Plat and/or common to the subdivision without serving to reimpose same;

DoubleTime®



CFN: 20180469248 BOOK 31086 PAGE 680

4. Utility easements of record, provided said easements do not reasonably interfere with the intended use of the property.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: NEIL A. MILESTONE  
 Witness Name: TETIANA TYSHCHENKO

Florida Industrial Properties Two, LLC, a Florida Limited Liability Company

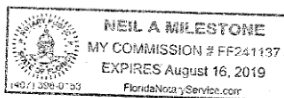
By: Kevin A. Goch, Member

By: Jodi M. Goch, Member

State of Florida  
 County of Miami-Dade

The foregoing instrument was acknowledged before me this 30 day of July, 2018 by Kevin A. Goch, Member and Jodi M. Goch, Member of Florida Industrial Properties Two, LLC, a Florida Limited Liability Company, on behalf of the company. They ☐ are personally known to me or ☒ have produced driver's licenses as identification.

[Notary Seal]



Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



# **APPRAISAL REPORT**

CASE NO. CA2021-77

**REPORT TYPE:**  
RESTRICTED APPRAISAL REPORT

OF

**RIGHT OF WAY TO BE VACATED  
LOCATED AT: INTERSECTION OF NW 130<sup>TH</sup> STREET AND NW 30<sup>TH</sup> COURT,  
OPA-LOCKA, FLORIDA 33054.**

**PREPARED FOR:**  
IDMA HOLDINGS, LLC  
13050 NW 30<sup>TH</sup> AVENUE,  
OPA-LOCKA, FLORIDA 33054.  
AND  
CITY OF OPA-LOCKA  
780 FISHERMAN STREET, 4<sup>TH</sup> FLOOR  
OPA-LOCKA, FLORIDA 33054

**DATE OF VALUATION:**  
JULY 16, 2021

**PREPARED BY:**  
COMMERCIAL APPRAISAL GROUP CO.  
8135 SW 206<sup>TH</sup> TERRACE  
CUTLER BAY, FLORIDA 33189  
TEL: 786-457-5671  
EMAIL: CAG-COM@OUTLOOK.COM

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Commercial Appraisal Group Co.  
8135 SW 206 TERRACE,  
CUTLER BAY, FLORIDA 33189  
Tel: 786-457-5671

---

July 19, 2021

Mr. Alex Orozco, Manager,  
IDMA Holdings, LLC  
13050 NW 30<sup>th</sup> Avenue,  
Opa-Locka, Florida 33054

Re: Appraisal Value Opinion of a right of way to be vacated consisting of vacant industrial zoned land, located at the intersection of hypothetical NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street, Opa-Locka, Florida 33054.

Dear Mr. Orozco,

At your request, I have inspected the above cited property and carried out other pertinent investigations in order to render an Appraisal Opinion of Value for the subject, as of July 16, 2021, the date of the last property inspection, which is also the Effective Appraisal Date. The requested estimate of value is Market Value as defined herein. Valuation is made in “as is” status, and assuming a sale on typical terms basis, within reasonable term of disposal implicit in the definition of Market Value included herewith. This is a Restricted Appraisal report prepared in compliance with the most current Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundations.

*This is a Restricted Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2 (b) of the 2020 -2021 Uniform Standards of Professional Appraisal Practice for a Restricted Appraisal Report. As such, it presents limited discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraisers’ opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraisers’ file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.*

This appraisal was ordered by IDMA Holdings, LLC. IDMA Holdings, LLC and the City of Opa-Locka, Florida City Commission are the only intended users of this appraisal report. The intended use of this appraisal report is for determining decisions that will be made by IDMA Holdings, LLC and the City of Opa-Locka, Florida, City Commission for vacated right of way land area market value.

The subject property consists of an “L” shaped vacant land parcel AKA the right of way to be vacated situated on the intersection of hypothetical NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street, measuring approximately 11,369 square feet net, as reported on survey sketch performed by Royalpoint Land Surveyors Inc, Dated 8-28-2020. This land is currently situated within an area zoned I-2 (Industrial Planned). The subject property is currently mostly asphalt paved and utilized for outdoor storage of vehicles and equipment.

## Commercial Appraisal Group Co.

8135 SW 206 TERRACE,  
CUTLER BAY, FLORIDA 33189  
Tel: 786-457-5671

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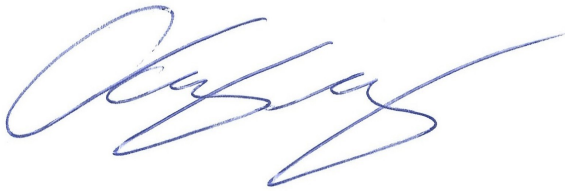
The appraisal report states our opinion of market value, subject to various assumptions and limiting conditions contained in this report. The property visit and analyses forming the basis of our valuation have been performed by the undersigned.

This report relies upon no Extraordinary Assumptions or Hypothetical Conditions.

Based on our investigation and analysis, we have formed the opinion that the market value of the Fee Simple Interest in the subject property in its “as is” condition, as of July 16, 2021 date of value is: **\$341,000.00**

Respectfully Submitted,

Commercial Appraisal Group Co.

A handwritten signature in blue ink, appearing to read 'Angel Fernandez', with a stylized, flowing script.

Angel Fernandez, President  
Cert. Gen. RZ2646

## SUMMARY OF SALIENT FACTS AND CONCLUSIONS

|                                                        |                                                                                                                    |
|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Type Report:</b>                                    | Restricted Appraisal Report.                                                                                       |
| <b>Purpose of Appraisal:</b>                           | Market Value.                                                                                                      |
| <b>Property Rights Appraised:</b>                      | Fee Simple Interest.                                                                                               |
| <b>Location:</b>                                       | Intersection of hypothetical NW 30 <sup>th</sup> Court and NW 130 <sup>th</sup> Street, Opa- Locka, Florida 33054. |
| <b>Folio No.:</b>                                      | N/A.                                                                                                               |
| <b>Census Tract:</b>                                   | 5.03                                                                                                               |
| <b>Site characteristics:</b>                           | Level to grade “L”shaped interior parcel measuring a total of +/- 11,369 SF net as per survey provided.            |
| <b>Existing Improvements:</b>                          | None.                                                                                                              |
| <b>Zoning:</b>                                         | I-2- (Industrial Planned) District.                                                                                |
| <b>Highest and Best Use:<br/>Indications of Value:</b> | Current use “as is vacant”.                                                                                        |
| <b>Direct Sales Comparison Approach</b>                | \$341,000.00 “As Is”                                                                                               |
| <b>Estimated Market Value:</b>                         | \$341,000.00 “As Is”                                                                                               |
| <b>Date of Value Estimate:</b>                         | July 16, 2021                                                                                                      |
| <b>Date of Inspection:</b>                             | July 16, 2021                                                                                                      |
| <b>Date of Report:</b>                                 | July 19, 2021                                                                                                      |



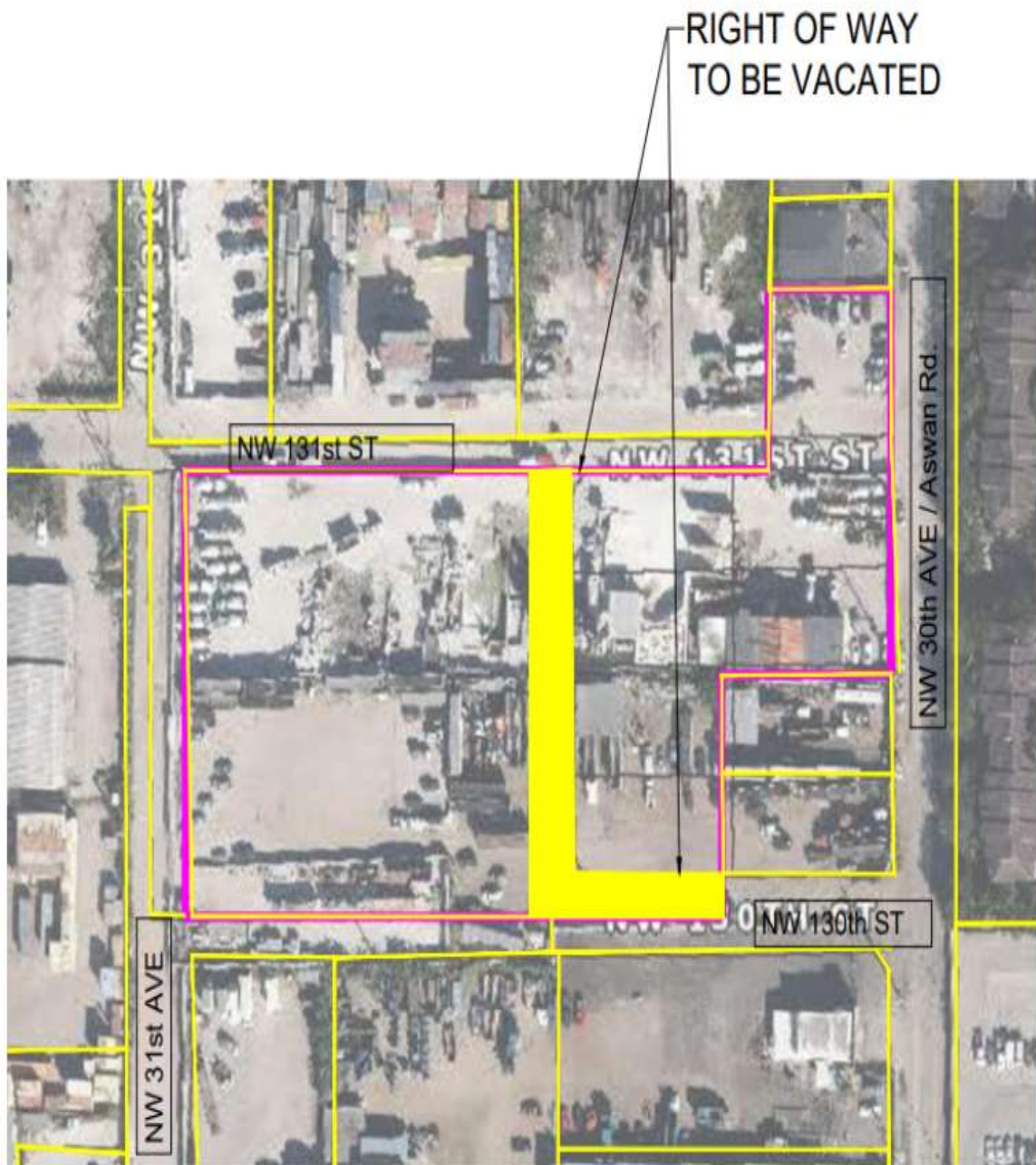
VIEW OF NW 130 STREET WEST BOUND FROM NW 30 AVENUE



VIEW OF HYPOTHETICAL NW 30 COURT NORTH BOUND FROM NW 130 STREET



AERIAL PHOTO SUBJECT PROPERTY



**SECTION I**  
INTRODUCTION

## INTRODUCTION

### PURPOSE OF APPRAISAL, INTENDED USE AND USER

The purpose of the appraisal, as outlined by Mr. Orozco, was to elaborate an appraisal opinion of Market Value for the subject.

The appraisal is to be made "as is" and assuming a sale on typical terms basis, within a reasonable disposal term implicit in the definition of Market Value included, below. The interest appraised is the "Fee Simple Interest." This appraisal was ordered by IDMA Holdings, LLC. IDMA Holdings, LLC and the City of Opa-Locka, Florida City Commission are the only intended users of this appraisal report. The intended use of this appraisal report is for determining decisions that will be made by IDMA Holdings, LLC and the City of Opa-Locka, Florida, City Commission for vacated right of way land area market value. As requested an interior and exterior inspection was performed by Angel Fernandez on July 16, 2021. The information supplied for the appraisal by the client consisted of the subject's location, legal description and survey sketch, performed by Royalpoint Land Surveyors, Inc. All other information presented herein was obtained by our office.

### MARKET VALUE DEFINITION

*Market Value* is the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (A) Buyer and seller are typically motivated;
- (B) Both parties are well informed or well advised, and acting in what they considers their own best interests;
- (C) A reasonable time is allowed for exposure in the open market;
- (D) Payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and
- (E) The price represents the normal consideration for the property sold unaffected by special financing or concessions granted by anyone associated with the sale<sup>1</sup>

*NOTE: The above economic definition has been agreed upon by the federal financial institutions in the United States of America. This definition is shown in 2020-2021 USPAP under Advisory Opinion 22 (AO-22) on page 118.*

---

<sup>1</sup>

*The Appraisal of Real Estate, 13<sup>th</sup> Ed, (Chicago: The Appraisal Institute, 2008)*

**STATEMENT OF COMPETENCY**

In accordance with the competency provision of USPAP, prior to accepting an assignment or entering into an agreement to perform an assignment, an appraiser must: (1) be competent to perform the assignment; (2) acquire the necessary competency to perform the assignment; or (3) decline or withdraw from the assignment. *In all cases, the appraiser must perform competently when completing the assignment.*

- In the appraiser's opinion, we are competent to perform this appraisal based on the fact that the appraisers have full knowledge in appraisal experience in similar type properties as the subject.
- All necessary and appropriate steps have been taken in order to complete the assignment competently.
- There is no lack of knowledge or experience that would prohibit this assignment to be completed in a professional competent manner where an unbiased or misleading opinion of value would be rendered.

**EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL CONDITIONS***Extraordinary Assumptions:*

An extraordinary assumption is defined by the USPAP (2020-2021 Edition, The Appraisal Foundation Page 4 Definitions) as "an assignment-specific assumption, as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis."

*This report relies upon no Extraordinary Assumption:*

*Hypothetical Conditions:*

Hypothetical condition is defined by the USPAP (2020-2021 Edition, The Appraisal Foundation Page 4 Definitions) as "a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis. Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis."

Hypothetical Conditions: This appraisal employs no hypothetical conditions.

**PROPERTY RIGHTS APPRAISED**

**Fee Simple Estate:** "Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat."

**Lease Fee Estate:** "A freehold (ownership interest) where the possessory interest has been granted to another party by creation of a contractual landlord-tenant relationship."



**The property is appraised in Fee Simple as of July 16, 2021:** A fee without limitations to any particular class of heirs or restrictions, but subject to the limitations of eminent domain, escheat, police power and taxation, as well as utility easements of record.

### **ESTIMATED EXPOSURE TIME**

“Exposure time is defined by the USPAP (2020-2021 Edition, The Appraisal Foundation) as the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; Exposure time is a retrospective opinion on an analysis of past events assuming a competitive and open market. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort.

In estimating a reasonable exposure time for the subject property the appraiser have taken the following steps:

Discussion with buyers, sellers, brokers and/or a review of the multiple listings of vacant industrial zoned land parcels in the area related to historic marketing periods.

Based on the above sources, exposure time is estimated to have been three to six months for the subject property.

### **ESTIMATED MARKETING PERIOD**

The estimated value of the subject is predicated upon a normal marketing period. A normal marketing period is generally defined as the most probable amount of time necessary to expose and actively market a property on the open market to achieve a sale. Implicit in this definition are the following assumptions:

- (A) The property will be actively exposed and aggressively marketed to potential purchasers through marketing channels commonly used by sellers and buyers of similar type properties.
- (B) The property will be offered at a price reflecting the most probable markup over market value used by sellers of similar type properties.
- (C) A sale will be consummated under the terms and conditions of the definition of Market Value required by the regulation.

In order to estimate the marketability of this property, the sales activity in this market area was reviewed over the past two years, multiple listings were reviewed and real estate brokers who operate in this area were interviewed.

As indicated by the market activity, the marketing time can be as short as one month or in some cases ten months or more. The exposure time and the marketing time are considered to be similar for the subject at three to six months.

Research of the applicable public records, revealed that the subject property is not under current agreement or option and is not offered for sale on the open market.

## SCOPE OF THE ASSIGNMENT

Scope as defined is:

The type and extent of research and analysis in an appraisal or appraisal review assignment.

Scope of work is the most critical decision we make in an assignment. In solving any problem, including an appraisal problem, there are three major steps to the process:

1. Identify the problem to be solved,
2. Determine and perform the scope of work necessary to develop credible assignment results; and
3. Disclose the scope of work in the report.

None of the three steps can be omitted, and they must be carried out in order. The first step, identification of the problem, involves figuring out seven key assignment elements:

- Client
- Intended users in addition to the client
- Intended use of the appraiser's opinions and conclusions.
- Type and definition of value.
- Effective date of the appraiser's opinions and conclusions.
- Property characteristics that are relevant to the assignment
- Assignment condition  
(E.g. interested valued, physical and legal characteristics)

Once the seven assignment elements are figured out, the appraiser can move to the second step, determining the scope of work to solve the problem. Scope of work encompasses all aspects of the valuation process, including the question of which the usual three approaches to value will be used. Also, included in the scope decision are the questions of how much data is to be gathered, from what sources, from which geographic area, and over what time period; what is the extent of the of the property inspection, if any, etc.

The scope of work decision is appropriate when it allows you to arrive at credible assignment results and when it's consistent with (1) the expectations of parties who are regularly intended users for similar assignments; and (2) what an appraiser's peers actions would be in performing the same or similar assignment.

For valuation, the information furnished was analyzed in detail, correlated with market derived data (sale price of buildings, land prices, rental rates) and the appropriate appraisal methodology used for valuation as explained in detailed herein.

For each assignment all three approaches to value are considered. These approaches to value are the Cost Approach, the Sales Comparison Approach, and the Income Approach. The nature of the property dictates whether all three of the approaches are applicable. All appraisals begin by identifying the property to be appraised and the appraisal problem. Data on the subject property is derived from various sources including but not limited to the property owner, the County Property Appraiser's Office, surveys, Building and Zoning Departments. When possible more than one source is utilized to confirm data. The source of the data is acknowledged. Subject improved properties are inspected and measured by the appraiser. When plans or surveys are used, the measurements are verified for accuracy. Land size is based upon surveys, public records, and recorded plats (and confirmed from each source whenever possible and/or available).

I have made a physical inspection of the subject property. Access was provided by IDMA Holdings, LLC.

I have performed market research in order to provide estimates of the highest and best use, and the market value of the Fee Simple Interest in the subject property in it's current "as is" condition, a mostly level to grade "L" shaped vacant land parcel AKA the right of way to be vacated situated on the intersection of hypothetical NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street, measuring approximately 11,369 square feet net, as reported on survey sketch prepared by Royalpoint Land Surveyors Inc, Dated 8-28-2020. This land is currently situated within an area zoned I-2 (Industrial Planned). The subject property is mostly asphalt paved and utilized for outdoor storage of vehicles and equipment, as of date of inspection July 16, 2021.

Some of the information used, is published by data sources such as Realquest.com, SEF MLS, Miami-Dade County Public Records, Miami-Dade County Tax Assessors and Collectors Offices, City of Opa-Locka Planning and Zoning Departments as well as verification sources such as buyers, seller brokers, leasing agents, appraisers, closing attorneys, etc.

The report has been prepared under the Restricted Appraisal Report option of Standards Rule 2-2(b) of USPAP. As such, it contains summary discussions of the data, reasoning and analyses that are used in the appraisal process along with sufficient supporting documentation. The depth of discussion contained in this report is specific to the needs of the client and the intended use of the appraisal.

The subject is comprised of a vacant mostly level to grade industrial zoned parcel Therefore, only a fee simple estate is estimated herein. Only one of the three traditional approaches to value will be used to estimate market value, the Sales Comparison Approach. The Income Approach and Cost Approach are not considered applicable to the assignment since there are no buildings/improvements. The subject and surrounding sectors have been essentially utilized for industrial outdoor storage and related uses for many years and, Based on discussions with buyers and sellers active in the subject market, little emphasis is placed on the cost approach or income approach in buying or selling property of this type. For these reasons, the income approach and cost approach are not considered necessary for credible assignment results. To determine the appropriate Scope of Work, we considered the client's request in relation to the intended use of the appraisal, the needs of the user, the complexity of the property and other pertinent factors.

The estimate of value contained in this report is based on the value of the real estate only, exclusive of personal property, trade fixtures and equipment.

As a part of this appraisal, a number of independent investigations and analysis have been made. Exterior inspections of all comparable sales were made by Angel Fernandez. A search was made throughout the subject neighborhood for comparable vacant industrial-use and zoned land sales with similar characteristics as the subject. Five recent sales were found within the subject's neighborhood and similar neighborhoods. They are summarized in the Sales Comparison Approach. Comparable sales relied upon were confirmed through public records and with knowledgeable parties related to the transactions where possible. Confirmation with principals is often not possible due to their inaccessibility or unwillingness to disclose pertinent information. All sales data utilized is considered to be reliable and correct.

The Direct Sales Comparison Approach produces a value indication for a property in comparison with similar properties, called comparable sales. The sales prices of properties judged to be most comparable tend to set a range in which the value indication for the subject property will fall. In the case of the subject, the local market was searched for transfers of vacant industrial zoned land. These transfers are analyzed using comparative units of value based upon the most appropriate market indicators. Adjustments must be made within this approach in order to reconcile comparable sales to the subject property.

The usual technique employed by this approach is the price per net square foot method. As investors in the area indicated that when purchasing vacant industrial zoned land in the market, the purchase price was typically determined on the previously mentioned index. This approach to value directly considers the prices of alternative properties having similar utility.

The existence of any environmental hazard such as the presence of hazardous wasters, toxic substances, radon gas, asbestos containing materials, ureaformaldehyde insulation, etc., which may or may not be present in or on the subject property or any site within the vicinity of the property was not observed and knowledge of any such environmental hazard is not assumed. The appraiser is not qualified to detect such substances. The value estimate is predicated on the assumption that there is no such material on the property that would cause a loss in value.



**PROPERTY IDENTIFICATION ASSESSMENT AND SALES HISTORY**

According to information furnished by the client, verified at time of physical inspection indicate that the appraisal subject consists of a mostly level to grade “L” shaped vacant land parcel AKA the right of way to be vacated situated on the intersection of hypothetical NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street, measuring 11,369 SF net.

**Location:**

Intersection of hypothetical NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street, Opa-Locka, Florida 33054.  
See aerial photo overleaf.

**Property Owner:**

N/A.

**Folio No.:**

N/A

**Assessment Data: (2020)**

N/A

Properties in Miami-Dade County are typically re-assessed upon sale.

**Sales History of the Subject:**

According to Miami Dade County Public Records. No arms-length transactions have been recorded. We have not been informed of any listings, options and/or pending contract in effect at the subject as of the date of valuation.

**Legal Description:** As reported on survey sketch prepared by Royalpoint Land Surveyors Inc, Dated 8-28-2020.

**LEGAL DESCRIPTION:**

All those portions of N.W. 30th. Court and N.W. 130th. Street, as shown on recorded plat of "EAST VIEW GARDEN LAKE ADDITION" according to the plat thereof as recorded in Plat Book 51, Page 17, Public Records of Miami-Dade County, Florida, being bounded by the following lines:

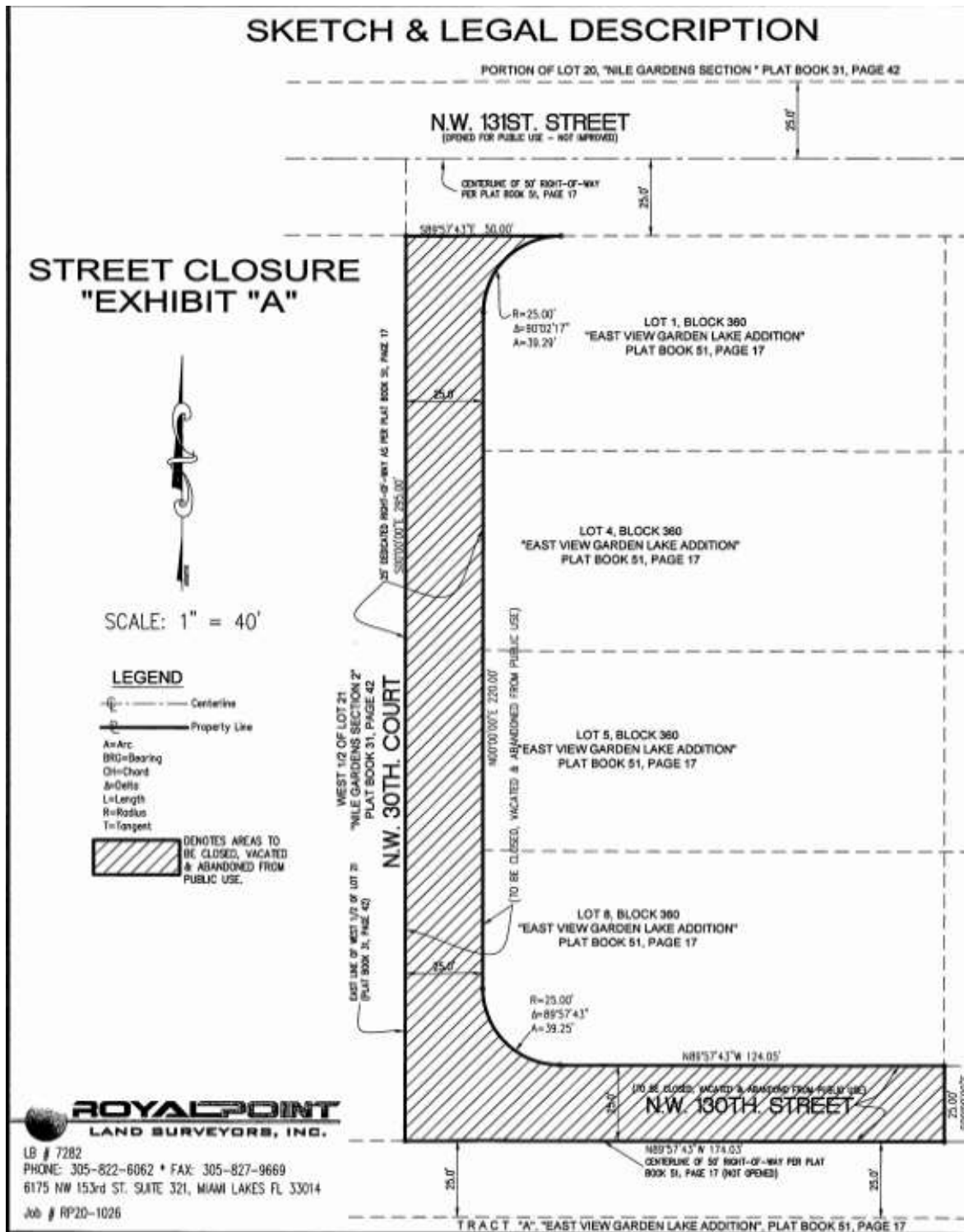
Bounded on the North by the North line of Block 360, extended Westerly to the East line of the West 1/2 of Lot 21, of "NILE GARDENS SECTION 2", according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida;

Bounded on the West by the East line of the West 1/2 of Lot 21, of "NILE GARDENS SECTION 2", according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida;

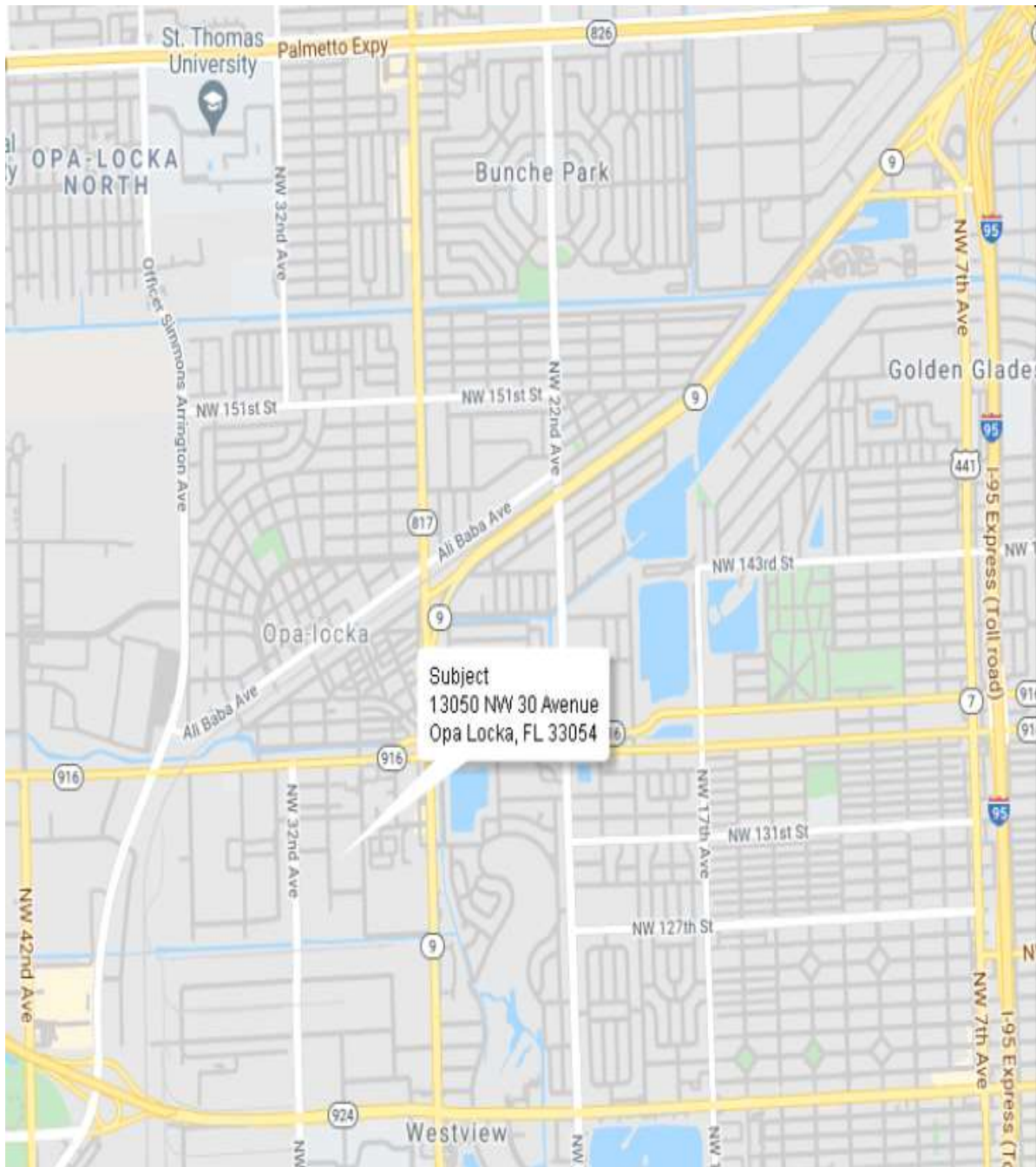
Bounded on the South by the centerline of N.W. 130th. Street, as shown on recorded plat of "EAST VIEW GARDEN LAKE ADDITION" according to the plat thereof as recorded in Plat Book 51, Page 17, Public Records of Miami-Dade County, Florida, with its Westerly limits being the East line of the West 1/2 of Lot 21, of "NILE GARDENS SECTION 2", according to the plat thereof as recorded in Plat Book 31, Page 42, Public Records of Miami-Dade County, Florida, its Easterly limits being the East Lot of Lot 8, in Block 360, extending Southerly to the centerline of said N.W. 130th. Street, its Northerly limits being the Southerly line of said Lot 8;

Bounded on the East by the Westerly limits of Lots 1, 4, 5 and 8 in Block 360, as shown on recorded plat of "EAST VIEW GARDEN LAKE ADDITION" according to the plat thereof as recorded in Plat Book 51, Page 17, Public Records of Miami-Dade County, Florida.

Said portion containing approximately 11,369 square feet.



**MAP: THE NEIGHBORHOOD**



### SITE DESCRIPTION

According to Miami-Dade County Property Records, Survey performed by Royalpoint Land Surveyors Inc, Dated 8-28-2020 and physical inspection, the following chart summarizes the salient characteristics of the subject site.

| <b>SITE SUMMARY</b>                               |                                      |              |
|---------------------------------------------------|--------------------------------------|--------------|
| <b>Physical Description</b>                       |                                      |              |
| Gross Site Area                                   | N/A                                  | N/A          |
| Net Site Area                                     | 0.26 Acres                           | 11,369 SF    |
| Primary Road Frontage                             | NW 130 Street                        | +/- 174 Feet |
| Secondary Road Frontage                           | NW 30 Court                          | +/- 295 Feet |
| Average Depth                                     | 25 Feet                              |              |
| Excess Land Area                                  | None                                 |              |
| Surplus Land Area                                 | None                                 |              |
| Zoning District                                   | I-2, Industrial(Planned)<br>District |              |
| Flood Map Panel No. & Date                        | 12086 C 0138 L                       | 09-11-2009   |
| Flood Zone                                        | X                                    |              |
| <b>Source: Various sources compiled by C.A.G.</b> |                                      |              |

### Location

The subject is located at the intersection of hypothetical NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street. No street address is available. Ingress and egress is available to the site via NW 131 Street. Survey provided, was performed by Royalpoint Land Surveyors Inc, Dated 8-28-2020.

### Land Area

The land area size was obtained via Survey performed by Royalpoint Land Surveyors Inc, Dated 8-28-2020.

### Shape and Frontage

The site is “L”shaped and has adequate frontage along NW 131 Street, a two lane asphalt paved bi-directional roadway with a dedicated R.O.W. of 25 feet.



**Ingress/Egress**

Ingress and egress is adequately provided by NW 131 Street.

**Topography and Drainage**

The site is generally level and at street grade. The topography of the site is not seen as an impediment to the development of the property. During our inspection of the site, we observed no drainage problems and assume that none exist.

**Soils**

A soils analysis for the site has not been provided for the preparation of this appraisal. In the absence of a soils report, it is a specific assumption that the site has adequate soils to support the highest and best use.

**Easements and Encroachments**

Based on an inspection, the property does not appear to be adversely affected by any easements or encroachments. It is recommended that the client/reader obtain a current title policy outlining all easements and encroachments on the property, if any, prior to making a business decision.

**Covenants, Conditions and Restrictions**

There are no known covenants, conditions and restrictions impacting the site that are considered to affect the marketability or highest and best use.

**Utilities and Services**

The site is within the jurisdiction of the City of Opa-Locka and Miami Dade County and is provided all municipal services, including police, fire and refuse garbage collection. All are available to the site in adequate quality and quantity to service the highest and best use. Electricity, water and sewer adequately serve the site at present.

**Flood Zone**

According to flood hazard maps published by the Federal Emergency Management Agency (FEMA), the site is within two zones, Zone X, as indicated on the indicated Community Map Panel No. 12086 C 0138 L.

FEMA Zone X: Area that is determined to be outside the 1% and 0.2% chance flood.

**Environmental Issues**

We have not observed and are not qualified to detect, the existence of potentially hazardous material or underground storage tanks which may be present on or near the site. The existence of hazardous materials or underground storage tanks may affect the value of the property. For this appraisal, we have specifically assumed that the property is not affected by any hazardous materials that may be present on or near the property.

**Adjacent Properties**

The adjacent land uses are summarized as follows:

*North: NW 131 Street/ Industrial uses.*

*South: Industrial outdoor storage uses.*

*East: Industrial outdoor storage uses.*

*West: Industrial outdoor storage uses.*

**Conclusion**

The site is well located and afforded adequate access and visibility from roadway frontage. The size of the site is typical for the area and use, and there are no known detrimental uses in the immediate vicinity. Overall, there are no known factors which are considered to prevent the site from its highest and best use, as is vacant, or the existing use of the site.

## ZONING AND CONCURRENCY INFORMATION

*Sustainable Opa-Locka 2015 Land Development Regulations*

### **Article IV. Districts, Permitted Uses and Development Standards**

#### Sec. 22-95. I-2 Industrial Planned District

The Industrial Planned District is intended to provide for light industrial uses in a well-planned area.

Table of Standards

| <u>Standard</u>         | <u>I-2</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Intensity               | 1.0 Floor Area Ratio                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Minimum Site Area       | A minimum project size of two acres, which can be subdivided and sold/leased in lot sizes not less than 20,000 s.f.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Setbacks                | Front and rear - 25 feet<br>Side, street – 15 feet<br>50 feet from any residential district, with at least a 30 foot landscaped buffer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Maximum Height          | 3 stories or 45 feet, whichever is less                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Maximum Impervious Area | 75 percent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Bonus Provisions        | <p>Projects which achieve a minimum LEED Silver or other equivalent third party certification are eligible for up to a 10% increase in floor area; projects which achieve a minimum LEED Gold or other equivalent third party certification are eligible for up to a 15% increase in floor area; projects which achieve a minimum LEED Platinum or other equivalent third party certification are eligible for up to a 20% increase in floor area.</p> <p>An additional 3% of impervious area coverage may be permitted for excellence in building design and landscaping beyond what is permitted in the Land Development Regulations. Excellence is measured by the applicant's quantitative and qualitative use of landscape and design elements such as vegetation, berms, graphic identification features, grounds, artwork, site illumination and sidewalks.</p> |

Complete zoning code regulations and uses allowed is retained on file.

We know of no deed restrictions, private or public, that further limit the subject property's use. The research required to determine whether or not such restrictions exist, however, is beyond the scope of this appraisal assignment. Deed restrictions are a legal matter and only a title examination by an attorney or Title Company can usually uncover such restrictive covenants. Thus, we recommend a title search to determine if any such restrictions do exist.

**Concurrence:**

Concurrency relates to the local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Florida Statutes (effective October 1, 1989). The purpose of this act is to provide for adequate infrastructure including transportation facilities to accommodate planned growth in the State of Florida. It is important to know whether a parcel meets concurrency requirements because, if it does not, considerable expense may be required.

Concurrency requirements are more easily understood by looking at "capacity reservation." Capacity reservation refers to capacity (i.e., acres of parkland, trips on the road, gallons of water, etc.) within the community. Capacity is a limited resource in any community.

As development is permitted, these resources (capacity) are correspondingly depleted. As service improvements are built or programmed at the state or local levels, these resources are replenished. So available capacity, that margin between the level of service and the standard, is continually growing and shrinking.

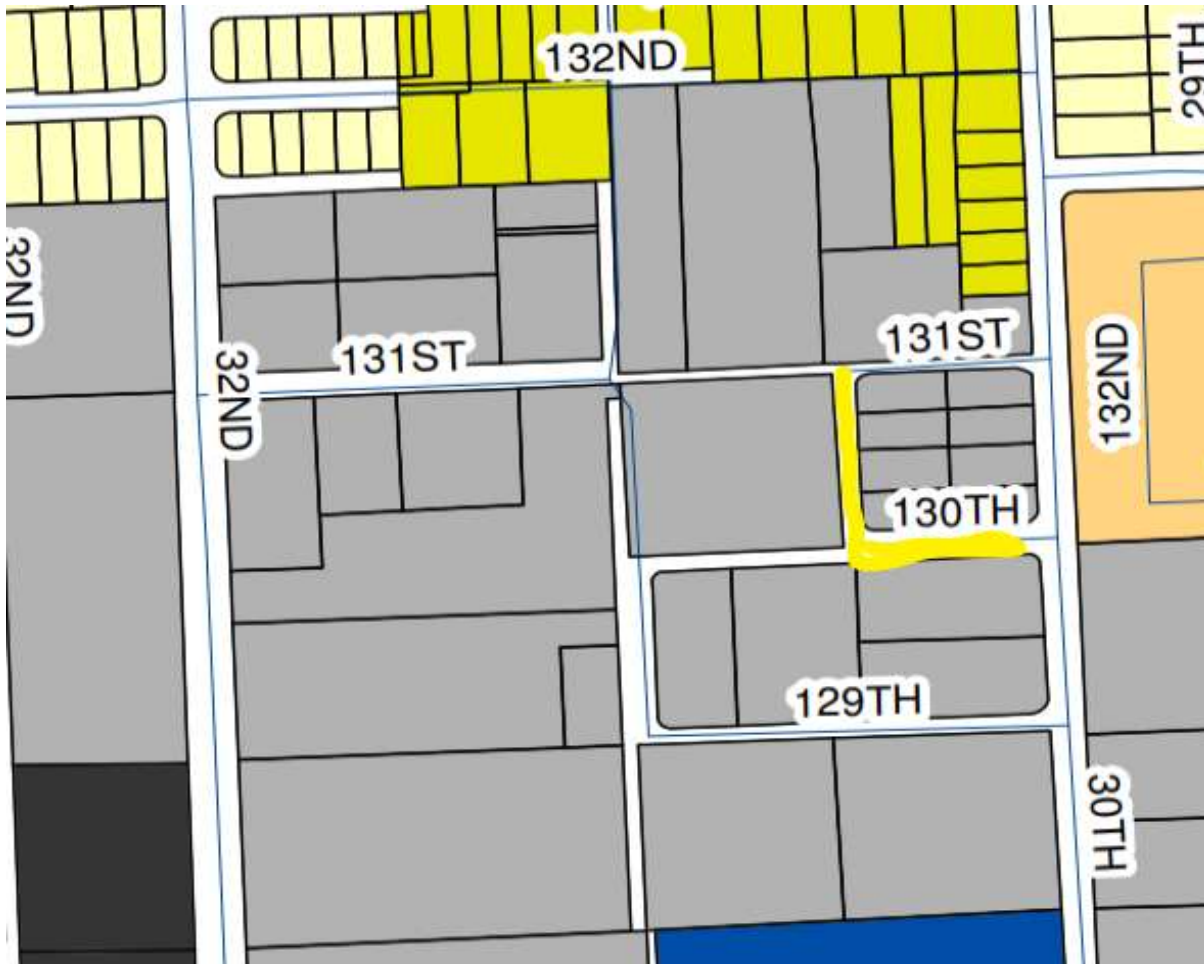
It is subject to numerous circumstances that affect both the market and funding. If an area has been designated as over capacity, further development will be denied until the total capacity has been upgraded to standard levels.

The subject property is not located in a compact deferral area. It is located in an exception area where it can be developed with the payment of the property impact fees. Therefore, concurrency does not adversely affect the development potential of the site.

**Compliance with Americans with Disabilities Act:**

The *Americans with Disabilities Act* of 1990 sets strict and specific standards for handicapped access to and within most commercial and industrial buildings. Determination of compliance with these standards is beyond appraisal expertise and therefore has not been attempted by the appraisers. For purposes of this analysis, we will assume the subject will comply.



**MAP: ZONING****Legend**

|                                                                                                                                                           |                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <span style="display: inline-block; width: 20px; height: 10px; background-color: #f08080; border: 1px solid black;"></span> B-O (Business Office)         | <span style="display: inline-block; width: 20px; height: 10px; background-color: #808080; border: 1px solid black;"></span> I-3 (Liberal Industrial)             |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: #ff00ff; border: 1px solid black;"></span> B-1 (Commercial Neighborhood) | <span style="display: inline-block; width: 20px; height: 10px; background-color: #404040; border: 1px solid black;"></span> I-4 (Lib. Ind., Storage and Salvage) |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: #ff0000; border: 1px solid black;"></span> B-2 (Commercial Liberal)      | <span style="display: inline-block; width: 20px; height: 10px; background-color: #0000ff; border: 1px solid black;"></span> Civic                                |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: #800000; border: 1px solid black;"></span> B-3 (Commercial Intensive)    | <span style="display: inline-block; width: 20px; height: 10px; background-color: #008000; border: 1px solid black;"></span> Park                                 |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: #d3d3d3; border: 1px solid black;"></span> I-1 (Light Industrial)        | <span style="display: inline-block; width: 20px; height: 10px; background-color: #ffff00; border: 1px solid black;"></span> R-1 (Single Family Residential)      |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: #a9a9a9; border: 1px solid black;"></span> I-2 (Industrial Planned)      | <span style="display: inline-block; width: 20px; height: 10px; background-color: #ffff00; border: 1px solid black;"></span> R-2 (Two Family Residential)         |

A map of the Opa-locka area in Florida. A white callout box points to a specific location on the map. The address "Subject  
13050 NW 30 Avenue  
Opa Locka, FL 33054" is written inside the box. The map shows various streets including NW 135th St, NW 127th St, NW 125th St, NW 123rd St, NW 122nd St, NW 128th Ave, NW 129th Ave, NW 130th Ave, NW 131st St, NW 132nd Ave, NW 133rd Ave, NW 134th Ave, NW 135th Ave, NW 136th Ave, NW 137th Ave, NW 138th Ave, NW 139th Ave, NW 140th Ave, NW 141st St, NW 142nd St, NW 143rd St, NW 144th St, NW 145th St, NW 146th St, NW 147th St, NW 148th St, NW 149th St, NW 150th St, NW 151st St, NW 152nd St, NW 153rd St, NW 154th St, NW 155th St, NW 156th St, NW 157th St, NW 158th St, NW 159th St, NW 160th St, NW 161st St, NW 162nd St, NW 163rd St, NW 164th St, NW 165th St, NW 166th St, NW 167th St, NW 168th St, NW 169th St, NW 170th St, NW 171st St, NW 172nd St, NW 173rd St, NW 174th St, NW 175th St, NW 176th St, NW 177th St, NW 178th St, NW 179th St, NW 180th St, NW 181st St, NW 182nd St, NW 183rd St, NW 184th St, NW 185th St, NW 186th St, NW 187th St, NW 188th St, NW 189th St, NW 190th St, NW 191st St, NW 192nd St, NW 193rd St, NW 194th St, NW 195th St, NW 196th St, NW 197th St, NW 198th St, NW 199th St, NW 200th St. The map also shows highways 916 and 924. The area is colored orange and yellow. The word "Lake Henry" is visible on the right side of the map. The name "Opa-locka" is written in the top left corner. The street names are labeled throughout the map. The callout box is white with black text and has a pointer indicating the subject's location.

### LEGEND

 = FEMA Special Flood Hazard Area – High Risk

 = Moderate and Minimal Risk Areas

Road View:

 = Forest       = Water

 = Forest

 = Water

Source: FEMA DFIRM

### **HIGHEST AND BEST USE**

The determination of Highest and Best Use of a property is the most fundamental and critical portion of the valuation process. Background data on the area, sub-area, neighborhood and site, as well as the basic principles of land utilization, are required to arrive at a valid conclusion as to the Highest and Best Use of any property.

The Appraisal Institute in **The Appraisal of Real Estate, Eleventh Edition**, defines highest and best use as follows:

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and results in the highest value.

Land has limited value unless there is a present or anticipated use for it; the amount of value depends on the nature of the land's anticipated use, according to the concept of surplus productivity. Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital and coordination, is generally regarded as the highest and best use of the land as though vacant.

The highest and best use of a property as improved refers to the optimal use that could be made of the property including all existing structures. The implication is that the existing improvement should be renovated or retained so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one.

In estimating the highest and best use there are essentially four stages of analysis:

1. Possible Use: What uses of the site being appraised are physically possible?
2. Permissible Use (Legal): What uses are permitted by Zoning and Deed Restriction, if any?
3. Feasible Use: Which possible and permissible uses will produce a net return to the owner of the site.
4. Maximally Productive: Among feasible uses, which use will produce the highest net return to the owner of the site?

The highest and best use of the land (or site), if vacant and available for use, may be different from the highest and best use of the improved property. This is true when the improvements are not an appropriate use, but make a contribution to the total property value in excess of the value of the site.

The following four point test must be met in estimating the Highest and Best Use. The use must be legal. The use must be probable, not speculative or conjectural. There must be a profitable demand for such use and it must return to the land the highest net return for the longest period of time. These tests have been applied to the subject property. In arriving at the estimate of Highest and Best Use, the subject site was analyzed as vacant and available for development and as improved.

Highest and Best Use - "As Is Vacant".

**Physically Possible:** The site must possess the size, shape, soil and other physical characteristics to support the improvements that will develop the site to its Highest and Best Use, as if vacant. The subject site is of sufficient size, with direct frontage along an asphalt paved roadway and has adequate shape for a outdoor storage use. The site elevation is to street grade, has the necessary utilities available on the site or at the boundary lines with no subsoil problems reported/assumed except as noted herein. The fact that the surrounding sites have been utilized for outdoor storage of vehicles and equipment indicates that such uses are possible.

**Legally Permissible:** The use must conform to the zoning regulations, private restrictions, building codes, environmental regulations and other legal requirements. We are assuming the subject will be granted a zoning change to I-2, Industrial(Planned) District, within the jurisdiction of the City of Opa-Locka, Florida. The proposed zoning, is the predominant zoning in the immediate area of the subject, it permits a wide range of industrial uses. Most existing uses in the subject's immediate area are outdoor storage of vehicles and equipment. There are no other known deed restrictions or other legal controls which would limit the use of the subject site.

**Financially Feasible/Maximally Productive:** Financial feasibility can be determined by comparing the economic value of a legal and probable land uses versus the cost of creating that use. If the cost to purchase the land, develop it, and market the finished product is less than the value of that finished product, then the use is considered to be financially feasible.

The area is comprised largely of low density industrial uses. The financial feasibility of any project is predicated by a sufficiently low land acquisition cost which would allow for an adequate level of developer profit. As well as cost to build. As such, after considering current market conditions, size and shape of the subject parcel, it is concluded that development of the subject site would not be feasible at this time.

The maximally productive use of a site is generally the use that most closely approaches the maximum use allowed under the zoning restrictions. The appraiser considered the size and configuration of the property, governmental imposed development regulations, surrounding development and market acceptability of new product when estimating the maximally productive use of the property.

Without a complete feasibility study analyzing the potential revenue stream and the relative production cost of the various options of legally permissible uses, it is difficult to state with any certainty a single use that would be considered the maximally productive use of the site.

Conclusion - Highest and Best Use "As Is Vacant"

Based on the previous analysis, the highest and best use of the subject site as is vacant that meets the four tests of highest and best use, is considered to be as outdoor storage space for vehicles and equipment, as permitted by zoning.

**SECTION II**  
**APPRAISAL PROCESS**



## THE APPRAISAL PROCESS

### Valuation Methodology

Appraisers usually consider three approaches to estimating the market value of real property. These are the cost approach, sales comparison approach and the income capitalization approach.

The **cost approach** assumes that the informed purchaser would pay no more than the cost of producing a substitute property with the same utility. This approach is particularly applicable when the improvements being appraised are relatively new and represent the highest and best use of the land or when the property has unique or specialized improvements for which there is little or no sales data from comparable properties.

The **sales comparison approach** assumes that an informed purchaser would pay no more for a property than the cost of acquiring another existing property with the same utility. This approach is especially appropriate when an active market provides sufficient reliable data. The sales comparison approach is less reliable in an active market or when estimating the value of properties for which no directly comparable sales data is available. The sales comparison approach is often relied upon for owner-user properties.

The **income capitalization approach** reflects the market's perception of a relationship between a property's potential income and its market value. This approach converts the anticipated net income from ownership of a property into a value indication through capitalization. The primary methods are direct capitalization and discounted cash flow analysis, with one or both methods applies, as appropriate. This approach is widely used in appraising income-producing properties.

Reconciliation of the various indications into a conclusion of value is based on an evaluation of the quantity and quality of available data in each approach and the applicability of each approach to the property type.

The methodology employed in this assignment is summarized as follows:

| <b>Approaches to Value</b>     |                          |                   |
|--------------------------------|--------------------------|-------------------|
| Approach                       | Applicability to Subject | Use in Assignment |
| Cost Approach                  | Not Applicable           | Not Utilized      |
| Sales Comparison Approach      | Applicable               | Utilized          |
| Income Capitalization Approach | Not Applicable           | Not Utilized      |

**VALUE ESTIMATE  
VIA THE DIRECT SALES COMPARISON APPROACH**

**INTRODUCTION**

According to The Appraisal of Real Estate, tenth edition, published by the Appraisal Institute, the Sales Comparison Approach compares the subject property to recent sales and/or offers on similar properties. The underlying assumption is that the price of the subject property will be directly related to the price of competitive properties. The Sales Comparison Approach is based on the principal of substitution; noting that the value of a property is related to the price of substitute properties that offer similar utility.

The steps taken to apply the Sales Comparison Approach are:

- Identify relevant property sales:
- Research, assemble, and verify pertinent data for the most relevant sales;
- Analyze the sales for material differences in comparison to the subject;
- Reconcile the analysis of the sale into a value indication for the subject.

To apply the sales comparison approach, we searched for sale transactions within the following parameters:

- Property Type: Vacant Industrial zoned land.
- Size: 10,000 sf to 50,000 sf parcels.
- Location: Two square miles around the subject property.
- Transaction Date: January 2020 to Present

For this analysis, we use price per sf net land area as the appropriate unit of comparison because market participants typically compare sale prices and property values on this basis. The sales considered most relevant are summarized in the following pages.

**COMPARABLE DATA****COMPARABLE SALE NO. 1**

|                      |   |                                                                                                                                                                                                                                                                            |
|----------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location             | : | 13020 NW 30 Avenue, Opa-Locka, Florida 33054.                                                                                                                                                                                                                              |
| Folio No.            | : | 08-2128-002-0080.                                                                                                                                                                                                                                                          |
| Legal Description    | : | Lengthy legal retained on file.                                                                                                                                                                                                                                            |
| Grantor              | : | Carlos Cabrera.                                                                                                                                                                                                                                                            |
| Grantee              | : | R & D Electric Properties, LLC.                                                                                                                                                                                                                                            |
| Date of Sale         | : | October, 2020.                                                                                                                                                                                                                                                             |
| ORB/Page             | : | 32175/0022.                                                                                                                                                                                                                                                                |
| Sales Price          | : | \$325,000.00.                                                                                                                                                                                                                                                              |
| Financing Terms      | : | All cash to seller is reported.                                                                                                                                                                                                                                            |
| Site Characteristics | : | A level to grade rectangular shaped corner parcel which measures 10,430 sf net, as per tax roll.                                                                                                                                                                           |
| Improvement          | : | None.                                                                                                                                                                                                                                                                      |
| Unit Price           | : | \$31.16/sf.                                                                                                                                                                                                                                                                |
| Zoning               | : | I-2, Industrial(Planned) District.                                                                                                                                                                                                                                         |
| Source/Verification  | : | Miami-Dade County Property Records, SEF MLS, listing# A10905221, sale verified.                                                                                                                                                                                            |
| Comments             | : | This property is situated on the NW corner of NW 130 Street and NW 30 Avenue, adjacent to the subject property with direct frontage along NW 30 Avenue. It was most recently utilized for outdoor storage of vehicles and equipment, intended use by new owner is unknown. |



PHOTO COMPARABLE SALE #1/AERIAL VIEW



## COMPARABLE SALE NO. 2

|                      |   |                                                                                                                                                                                                                               |
|----------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location             | : | 13030 NW 30 Avenue, Opa-Locka, Florida 33054.                                                                                                                                                                                 |
| Folio No.            | : | 08-2128-002-0070.                                                                                                                                                                                                             |
| Legal Description    | : | Lengthy legal retained on file.                                                                                                                                                                                               |
| Grantor              | : | Tacury Yoghy.                                                                                                                                                                                                                 |
| Grantee              | : | R & D Electric Properties, LLC.                                                                                                                                                                                               |
| Date of Sale         | : | July, 2020.                                                                                                                                                                                                                   |
| ORB/Page             | : | 32011/3280.                                                                                                                                                                                                                   |
| Sales Price          | : | \$325,000.00.                                                                                                                                                                                                                 |
| Financing Terms      | : | All cash to seller is reported.                                                                                                                                                                                               |
| Site Characteristics | : | A level to grade rectangular shaped interior parcel which measures 9,687 sf net, as per tax roll.                                                                                                                             |
| Improvement          | : | None.                                                                                                                                                                                                                         |
| Unit Price           | : | \$33.55/sf.                                                                                                                                                                                                                   |
| Zoning               | : | I-2, Industrial(Planned) District.                                                                                                                                                                                            |
| Source/Verification  | : | Miami-Dade County Property Records, SEF MLS, listing# A10747279, sale verified.                                                                                                                                               |
| Comments             | : | This property is situated on the adjacent to comparable sale no.1 with direct frontage along NW 30 Avenue. It was most recently utilized for outdoor storage of vehicles and equipment, intended use by new owner is unknown. |





PHOTOS COMPARABLE SALE #2/AERIAL VIEW



## COMPARABLE SALE NO. 3

|                      |   |                                                                                                                                                                                                                                                                         |
|----------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location             | : | 2990 NW 132 Terrace, Opa-Locka, Florida 33054.                                                                                                                                                                                                                          |
| Folio No.            | : | 08-2128-004-0340.                                                                                                                                                                                                                                                       |
| Legal Description    | : | Lengthy legal retained on file.                                                                                                                                                                                                                                         |
| Grantor              | : | Five Stars Investment Properties, LLC.                                                                                                                                                                                                                                  |
| Grantee              | : | Rock and Dirt Construction Equipment Rental, LLC.                                                                                                                                                                                                                       |
| Date of Sale         | : | August, 2020.                                                                                                                                                                                                                                                           |
| ORB/Page             | : | 32062/4962.                                                                                                                                                                                                                                                             |
| Sales Price          | : | \$1,185,000.00.                                                                                                                                                                                                                                                         |
| Financing Terms      | : | All cash to seller is reported.                                                                                                                                                                                                                                         |
| Site Characteristics | : | A level to grade rectangular shaped corner parcel which measures 49,658 sf net, as per tax roll.                                                                                                                                                                        |
| Improvement          | : | None.                                                                                                                                                                                                                                                                   |
| Unit Price           | : | \$23.86/sf.                                                                                                                                                                                                                                                             |
| Zoning               | : | I-2, Industrial(Planned) District.                                                                                                                                                                                                                                      |
| Source/Verification  | : | Miami-Dade County Property Records, SEF MLS, listing# A10901642, sale verified.                                                                                                                                                                                         |
| Comments             | : | This property is situated on the east side of NW 31 Avenue between NW 131 Street and NW 132 Terrace. It was most recently utilized for outdoor storage of vehicles and equipment, intended use by new owner is continued use for the storage of vehicles and equipment. |



PHOTO COMPARABLE SALE #3/AERIAL VIEW



## COMPARABLE SALE NO. 4

|                      |   |                                                                                                                                                                                                                                                                         |
|----------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location             | : | 14800 NW 24 Court, Opa-Locka, Florida 33054.                                                                                                                                                                                                                            |
| Folio No.            | : | 08-2122-025-0500 and 0510.                                                                                                                                                                                                                                              |
| Legal Description    | : | Lengthy legal retained on file.                                                                                                                                                                                                                                         |
| Grantor              | : | Optimal International Investment, LLC.                                                                                                                                                                                                                                  |
| Grantee              | : | LDD Poeperties, LLC.                                                                                                                                                                                                                                                    |
| Date of Sale         | : | February, 2021.                                                                                                                                                                                                                                                         |
| ORB/Page             | : | 32387/1381.                                                                                                                                                                                                                                                             |
| Sales Price          | : | \$1,160,000.00.                                                                                                                                                                                                                                                         |
| Financing Terms      | : | All cash to seller is reported.                                                                                                                                                                                                                                         |
| Site Characteristics | : | A level to grade rectangular shaped interior parcel which measures 54,000 sf net, as per tax roll.                                                                                                                                                                      |
| Improvement          | : | None.                                                                                                                                                                                                                                                                   |
| Unit Price           | : | \$21.48/sf.                                                                                                                                                                                                                                                             |
| Zoning               | : | I-2, Industrial(Planned) District.                                                                                                                                                                                                                                      |
| Source/Verification  | : | Miami-Dade County Property Records, SEF MLS, listing# A10809474, sale verified.                                                                                                                                                                                         |
| Comments             | : | This property is situated on the east side of NW 31 Avenue between NW 131 Street and NW 132 Terrace. It was most recently utilized for outdoor storage of vehicles and equipment, intended use by new owner is continued use for the storage of vehicles and equipment. |





PHOTO COMPARABLE SALE #4/ AERIAL VIEW



## COMPARABLE SALE NO. 5

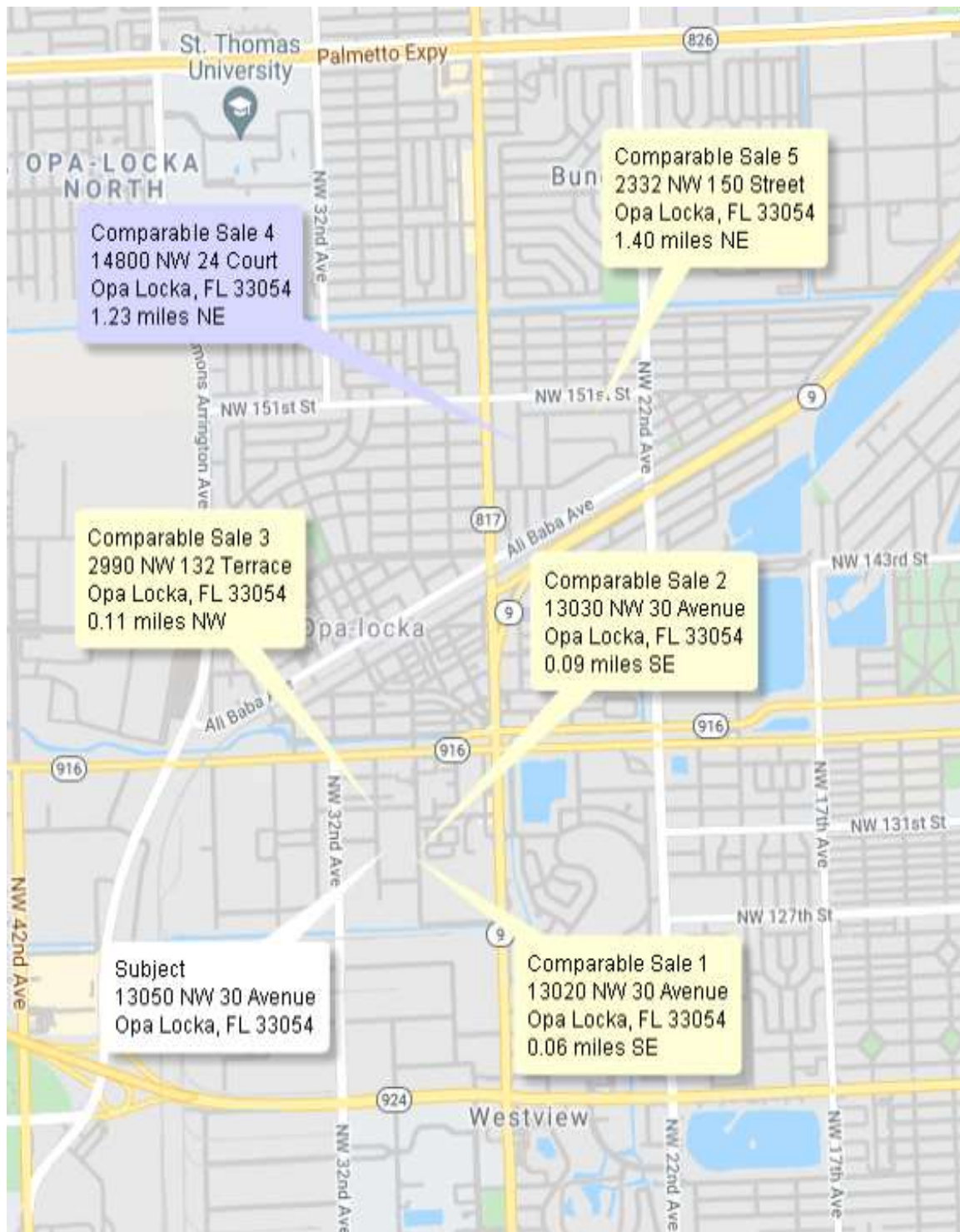
|                      |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Location             | : | 2332 NW 150 Street, Opa-Locka, Florida 33054.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Folio No.            | : | 08-2122-025-0130.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Legal Description    | : | Lengthy legal retained on file.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Grantor              | : | Adolfo Holdings Inc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Grantee              | : | Samanez Group, LLC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Date of Sale         | : | December, 2020.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| ORB/Page             | : | 32271/2583.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Sales Price          | : | \$750,000.00.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Financing Terms      | : | PMM of \$375,000.00 (50% LTV) From Regions Bank is reported.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Site Characteristics | : | A level to grade rectangular shaped interior parcel which measures 35,000 sf net, as per tax roll.                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Improvement          | : | Some metal canopies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Unit Price           | : | \$21.43/sf.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Zoning               | : | I-2, Industrial(Planned) District.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Source/Verification  | : | Miami-Dade County Property Records, Listing broker Mr. Saad Hamdan 305-951-2211, sale verified.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Comments             | : | This property is situated on the south side NW 150 Street, one block west of NW 22 Court. It was most recently utilized for outdoor storage of pallets and equipment, intended use by new owner is continued use for the storage of vehicles and equipment. As reported by listing broker, his firm was appointed by the Miami Dade County Circuit Court to offer the subject property for sale. The property was leased at time of offering, once the existing tenant was made aware of the offering, they made an offer and it was accepted. |





PHOTO COMPARABLE SALE #5/ AERIAL VIEW



**MAP: COMPARABLE LAND SALES**

Issues requiring elaboration are addressed in the following paragraphs.

### **Market Conditions**

The sales took place from July, 2020 to February, 2021. Market conditions generally have been stable over this period through the effective date of value. As a result, no adjustments are warranted for this trend.

### **Analysis and Adjustment of Sales**

#### **Location**

The subject's location within the Opa-Locka Industrial market, the area has experienced steady demand for industrial uses over the past few years, and this growth trend in demand is projected to continue, it has a significant positive impact on its income potential. Comparable one thru five are located within the Opa-Locka Industrial market area, with similar market appeal and amenities. No. adjustment is applied to the sale price indicated by these sales as a result of their location as compared to the subject.

Further analysis and adjustment of the comparable sales is discussed in the following paragraphs.

**Sale 1** is located at 13020 NW 30 Avenue, Opa-Locka, Florida. It consists of a mostly level to grade rectangular shaped parcel. It measures a total of 10,430 SF net land area. This property sold in October, 2020 for \$325,000 or \$31.16 per S.F. As indicated, this property is utilized for outdoor storage of vehicles and equipment. As indicated, this site is rectangular in shape, as compared to the subject which is L shaped, I have applied a downward adjustment to account for the inferior shape. This comparable features similar zoning, size and potential uses. No other adjustments are warranted.

**Sale 2** is located at 13030 NW 30 Avenue, Opa-Locka, Florida. It consists of a mostly level to grade rectangular shaped parcel. It measures a total of 9,687 SF net land area. This property sold in July, 2020 for \$325,000 or \$33.55 per S.F. As indicated, this property is utilized for outdoor storage of vehicles and equipment. As indicated, this site is rectangular in shape, as compared to

the subject which is L shaped, I have applied a downward adjustment to account for the inferior shape. This comparable features similar zoning, size and potential uses. No other adjustments are warranted.

**Sale 3** is located at 2990 NW 132 Terrace, Opa-Locka, Florida. It consists of a mostly level to grade rectangular shaped parcel. It measures a total of 49,658 SF net land area. This property sold in August, 2020 for \$1,185,000 or \$23.86 per S.F. As indicated, this property is utilized for outdoor storage of vehicles and equipment. As indicated, this site is rectangular in shape, as compared to the subject which is L shaped, I have applied a downward adjustment to account for the inferior shape. As indicated, this parcel measures 49,658 sf of net land area , as compared to the subject at 11,369 sf, I have applied an upward adjustment to account for the inverse relationship that often exists between land size and price per S.F. This comparable features similar zoning and potential uses. No other adjustments are warranted.

**Sale 4** is located at 14800 NW 24 Court, Opa-Locka, Florida. It consists of a mostly level to grade rectangular shaped parcel. It measures a total of 54,000 SF net land area. This property sold in February, 2021 for \$1,160,000 or \$21.48 per S.F. As indicated, this property is utilized for outdoor storage of vehicles and equipment. As indicated, this site is rectangular in shape, as compared to the subject which is L shaped, I have applied a downward adjustment to account for the inferior shape. As indicated, this parcel measures 54,000 sf of net land area , as compared to the subject at 11,369 sf, I have applied an upward adjustment to account for the inverse relationship that often exists between land size and price per S.F. This comparable features similar zoning and potential uses. No other adjustments are warranted.

**Sale 5** is located at 2332 NW 150 Street, Opa-Locka, Florida. It consists of a mostly level to grade rectangular shaped parcel. It measures a total of 35,000 SF net land area. This property sold in December, 2020 for \$750,000 or \$21.43 per S.F. As indicated, this property is utilized for outdoor storage of vehicles and equipment. As indicated, this site is rectangular in shape, as compared to the subject which is L shaped, I have applied a downward adjustment to account for the inferior

shape. As indicated, this parcel measures 35,000 sf of net land area , as compared to the subject at 11,369 sf, I have applied an upward adjustment to account for the inverse relationship that often exists between land size and price per S.F. This comparable features similar zoning and potential uses. No other adjustments are warranted.

| <b>Land Sales Adjustment Grid</b> |                             |                     |                     |                      |                    |                     |
|-----------------------------------|-----------------------------|---------------------|---------------------|----------------------|--------------------|---------------------|
|                                   | Subject                     | Comparable 1        | Comparable 2        | Comparable 3         | Comparable 4       | Comparable 5        |
| Property Name                     | Vacant Land                 | Vacant Land         | Vacant Land         | Vacant Land          | Vacant Land        | Vacant Land         |
| Address                           | NW 30 Ct. and NW 130 Street | 13020 NW 30 Avenue, | 13030 NW 30 Avenue, | 2990 NW 132 Terrace, | 14800 NW 24 Court, | 2332 NW 150 Street, |
| City                              | Opa Locka                   | Opa Locka           | Opa Locka           | Opa Locka            | Opa Locka          | Opa Locka           |
| County                            | Miami-Dade                  | Miami-Dade          | Miami-Dade          | Miami-Dade           | Miami-Dade         | Miami-Dade          |
| State                             | FL                          | FL                  | FL                  | FL                   | FL                 | FL                  |
| Sale Date                         | N/A                         | October-20          | July-20             | August-20            | February-21        | December-20         |
| Sale Status                       | N/A                         | Closed              | Closed              | Closed               | Closed             | Closed              |
| Sale Price                        |                             | \$325,000           | \$325,000           | \$1,185,000          | \$1,160,000        | \$750,000           |
| Price Adjustment                  |                             | -                   | -                   | -                    | -                  | -                   |
| Description of Adjustment         |                             |                     |                     |                      |                    |                     |
| Effective Sale Price              |                             | \$325,000           | \$325,000           | \$1,185,000          | \$1,160,000        | \$750,000           |
| Net Land Area                     | 11,369 sf                   | 10,430 sf           | 9,687 sf            | 49,658 sf            | 54,000 sf          | 35,000 sf           |
| Zoning                            | I-2                         | I-2                 | I-2                 | I-2                  | I-2                | I-2                 |
| <b>Price per SF</b>               | N/A                         | <b>\$31.16</b>      | <b>\$33.55</b>      | <b>\$23.86</b>       | <b>\$21.48</b>     | <b>\$21.43</b>      |
| Property Rights                   | Fee Simple                  | Fee Simple          | Fee Simple          | Fee Simple           | Fee Simple         | Fee Simple          |
| % Adjustment                      |                             | -                   | -                   | -                    | -                  | -                   |
| Financing Terms                   | Conv. Fin.                  | Cash to seller      | Cash to seller.     | Cash to seller.      | Cash to seller.    | Conv. Fin.          |
| % Adjustment                      |                             | -                   | -                   | -                    | -                  | -                   |
| Condition of Sale                 |                             | None noted          | None noted          | None Noted           | None noted         | None noted          |
| % Adjustment                      |                             | -                   | -                   | -                    | -                  | -                   |
| Market Conditions                 | July 16, 2021               | October-20          | July-20             | August-20            | February-21        | December-20         |
| Annual % Adjustment               |                             | -                   | -                   | -                    | -                  | -                   |
| <b>Cumulative Adjusted Price</b>  | N/A                         | <b>\$31.16</b>      | <b>\$33.55</b>      | <b>\$23.86</b>       | <b>\$21.48</b>     | <b>\$21.43</b>      |
| Location                          |                             | -                   | -                   | -                    | -                  | -                   |
| Extra Features                    |                             | -                   | -                   | -                    | -                  | -                   |
| Frontage                          |                             | -5%                 | -5%                 | -5%                  | -5%                | -5%                 |
| Lot Size                          |                             | -                   | -                   | +25%                 | +25%               | +25%                |
| Zoning                            |                             | -                   | -                   | -                    | -                  | -                   |
| Topography                        |                             | -                   | -                   | -                    | -                  | -                   |
| Economic Characteristics          |                             | -                   | -                   | -                    | -                  | -                   |
| Net \$ Adjustment                 |                             | -\$1..55/sf         | -\$1.68/sf          | \$4.77/sf            | \$4.30/sf          | \$4.28/sf           |
| Net % Adjustment                  |                             | -5%                 | -5%                 | 20%                  | 20%                | 20%                 |
| <b>Final Adjusted Price</b>       |                             | <b>\$29.61/SF</b>   | <b>\$31.87/SF</b>   | <b>\$28.63/SF</b>    | <b>\$25.78/SF</b>  | <b>\$25.71/SF</b>   |
| Overall Adjustment                |                             | 5%                  | 5%                  | 30%                  | 30%                | 30%                 |



|                                  |  |                   |
|----------------------------------|--|-------------------|
| Range of Adjusted Prices Average |  | \$25.71 - \$31.87 |
| Indicated Value                  |  | \$30.00/SF        |

### Value Indication

Prior to adjustment, the sales reflect a range of \$21.43 - \$33.55 per SF. After adjustment, the range is narrowed to \$25.71 - \$31.87 per SF, with an average of \$28.32 per SF. To arrive at an indication of value, we placed more weight on sales no.1, no.2 and no.3 because these reflect the tightest range.

Based on the preceding analysis, we arrive at a value indication as follows:

| Value Indication by Sales Comparison |           |
|--------------------------------------|-----------|
| Indicated Value per SF Net           | \$30.00   |
| Net land area                        | 11,369 SF |
| Indicated Value                      | \$341,070 |
| Rounded                              | \$341,000 |

**In my opinion the Estimated Market Value in “As Is” condition via the Sales Comparison Approach to value as of July 16, 2021 is:   \$341,000.00**

### CERTIFICATION

The undersigned appraisers, in accordance with the Standards of Professional Practice and Code of Professional Ethics of the Appraisal Institute, and with the Uniform Standards of Professional Appraisal Practice, certify to the following:

1. Angel Fernandez has inspected the right of way to be vacated consisting of vacant industrial zoned land, located at the intersection of hypothetical NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street, Opa-Locka, Florida 33054.
2. The statements of fact contained in this report are true and correct.
3. The reported analysis, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial and unbiased professional analyses, opinions and conclusions.
4. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
9. No one provided significant real property appraisal assistance to the person signing this certification.
10. It should be noted that the valuation herein does not include any furniture, fixtures, or equipment necessary to operate any business, or businesses occupying the subject property. The valuation herein does not include a value for any business entity, or entities occupying the subject property.
11. Commercial Appraisal Group Co, and the undersigned Angel Fernandez has not previously appraised the subject property. We have not performed any other valuation or professional services involving the subject property in any capacity, nor have we been involved with the management, leasing, disposition, nor any similar service regarding the subject property in the past three years.

I HEREBY CERTIFY THAT BASED UPON THE INFORMATION PRESENTED  
HEREIN, MY CONCLUSION OF THE REQUESTED ESTIMATE OF VALUE FOR THE  
SUBJECT, AS OF JULY 19, 2021, IS:

**MARKET VALUE "AS IS"                      \$341,000.00**

COMMERCIAL APPRAISAL GROUP CO.



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ANGEL FERNANDEZ, PRESIDENT  
STATE CERTIFIED GENERAL  
REAL ESTATE APPRAISER  
CERTIFICATION NO. RZ 2646

### **LIMITING CONDITIONS**

1. The legal description used in this report is assumed to be correct.
2. No survey of the property has been made by the appraiser and no responsibility is assumed in connection with such matters. Sketches in this report are included only to assist the reader in visualizing the property.
3. No responsibility is assumed for matters of a legal nature affecting title to the property nor is an opinion of title rendered. The title is assumed to be good and merchantable.
4. Information furnished by others is assumed to be true, correct and reliable. A reasonable effort has been made to verify such information, however, no responsibility for its accuracy is assumed by the appraiser.
5. All mortgages, liens, encumbrances, leases and servitudes have been disregarded unless so specified within the report. The property is appraised as though under responsible ownership and competent management.
6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering which may be required to discover them.
7. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless non-compliance has been stated, defined and considered in the appraisal report.
8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the appraisal report.
9. It is assumed that all required licenses, consents or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

10. It is assumed that the utilization of the land and improvements is within the boundaries of property lines of the property described and that there is no encroachment or trespass unless noted within the report.
11. The appraiser will not be required to give testimony or appear in court because of having made this appraisal, with reference to the property in question, unless arrangements have been previously made thereof.
12. Possessions of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with properly written qualifications and only in its entirety.
13. The distribution of the total value in this report between land and improvements applied only under the reported highest and best use of the property. The allocation of value for land and improvements must not be used in conjunction with any other appraisal and is invalid if so used.
14. Neither all nor any part of the contents of this report, or copy thereof, shall be conveyed to the public through advertising, public relations, news, sales or any other media without written consent and approval of the appraiser. Nor shall the appraisal, firm or professional organization of which the appraiser is a member, be identified without written consent of the appraiser.
15. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicted on the assumption that there is no such material

on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

16. Liability of Commercial Appraisal Group and its employees, independent and subcontractors, is limited to the fee collected for preparation of the appraisal. There is no accountability, or liability, to any third party.
17. No environmental or impact studies, special market studies or analysis, highest and best use analysis study or feasibility study has been requested or made unless otherwise specified in an agreement for services or in the report. The Appraiser reserves the unlimited right to alter, amend, revise or rescind any of the statements, findings, opinions, values, estimates or conclusions upon any subsequent such study or analysis or previous study or analysis, subsequently becoming known to him.
18. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.

ACCEPTANCE OF, AND/OR USE OF THIS APPRAISAL REPORT CONSTITUTES  
ACCEPTANCE OF THE PRECEDING CONDITIONS.



### **QUALIFICATIONS OF ANGEL FERNANDEZ**

September 2007 to Present - President of Commercial Appraisal Group Company, appraisal assignments include all types of commercial properties including multi-family apartments, gas stations, office buildings, vacant land, industrial properties and retail buildings.

Special Appraisal Magistrate, Miami Dade County V.A.B. 2013 to Present.

April 1989 to September 2007 - Senior Staff Appraiser with The Republic Appraisal Company, Miami, Florida. Appraisal assignments include multifamily apartment buildings, shopping centers, office buildings, warehouse and industrial buildings and vacant land. Extensive use of discounted cash flow analysis utilizing various software programs.

#### **Education Background**

Attended Miami-Dade Community College 1982-1983.

Completion of all course work requirements for the State of Florida Real Estate Salesman License in 1986. Completion of all the course work requirements for the State of Florida Real Estate Brokers License and Continuing Education every two years since 1988. Completion of all the course work requirements for the State of Florida Real Estate Residential Appraisal Certification in 1990 and subsequent continuing education every 2 years. Completion of all the course work requirements for the State of Florida Real Estate General Appraisal Certification in 2003 and subsequent continuing education every 2 years.

#### **Certifications:**

Licensed Real Estate Broker, Florida (Lic. No. BK470119)  
State-Certified General Real Estate Appraiser No. RZ2646

#### **Professional Affiliations:**

National Association of Realtors Member

#### **Appraisal Courses Completed:**

Introduction to Appraising Real Property "SREA 101 Course"  
Real estate Appraisal Principles  
Basic Valuation Procedures  
Standards of Professional Practice Part A  
Appraising Distressed Commercial Real Estate 2009

#### **Some of the Continuing Education Courses:**

Office Building Valuation: A Contemporary Perspective  
Appraisal Institute, Miami, FL

#### **Seven Hour USPAP "Core Law for Appraisers"**

Appraisal Institute, Miami, FL

#### **Business Practices and Ethics**

Appraisal Institute, Boca Raton, FL

#### **General Demonstration Reports Seminar,**

Appraisal Institute, Boca Raton, FL

## **ADDENDUM**



VIEW OF NW 130 STREET EAST BOUND FROM NW 30 COURT/ NW 31 AVENUE



**APPRAISERS LICENSE**



July 23, 2021

Hope Calhoun, Esq  
Dunay, Miskel & Backman, LLP  
14 S.E. 4th Street, Suite 36  
Boca Raton, FL 33432

RE: Value of right of way vacation for  
AMD, 13050 NW 30<sup>th</sup> Ave.

Hope:

In response to your request to establish a value for the rights of way exchanged between the City of Opa Locka and IDMA Holdings (the applicant), this office computed, as set forth in Section 8(a) of Ordinance No. 14-02 the average between the assessed value from the Miami Dade Property Appraiser and the market value determined by a private appraiser and applied this value to the net area of right of way being transferred.

The Miami Dade Property Appraiser does not assign land values to public rights of way. Instead, this office computed the average land values (current year) obtained from the Miami Dade Property Appraiser for the 8 parcels adjacent to the right of way being vacated (see Table 1). The average land value of properties adjacent to the right of way being vacated is \$18.43/SF with an market value of \$30.00/SF established by Commercial Appraisal Group Co. The average of the market value and the mean SF value from the Miami Dade Property Appraiser is \$24.22/SF.

Table 1

| PCN              | Land Value <sup>1</sup> | SF                        |         |       |
|------------------|-------------------------|---------------------------|---------|-------|
| 08-2128-002-0040 | \$ 184,015.00           | 9,685                     |         |       |
| 08-2128-002-0030 | \$ 209,080.00           | 10,454                    |         |       |
| 08-2128-002-0020 | \$ 209,080.00           | 10,454                    |         |       |
| 08-2128-002-0050 | \$ 191,660.00           | 9,583                     |         |       |
| 08-2128-004-0380 | \$ 1,860,588.00         | 103,366                   |         |       |
| 08-2128-002-0060 | \$ 191,660.00           | 9,583                     |         |       |
| 08-2128-002-0090 | \$ 209,080.00           | 10,454                    |         |       |
| 08-2128-004-0330 | \$ 97,981.00            | 7,537                     |         |       |
|                  | \$ 3,153,144.00         | 171,116                   | \$18.43 | \$/SF |
|                  |                         | Market Value <sup>2</sup> | \$30.00 | \$/SF |
|                  |                         | Average SF Value          | \$24.22 |       |

<sup>1</sup> Values and areas obtained from Miami Dade Property Appraiser's website

<sup>2</sup> Per Appraisal prepared by Commercial Appraisal Group Co.

Ordinance 14-02 requires payment of \$275,357 to the City for the vacation of 11,369 SF of right of way along the alignments of NW 30<sup>th</sup> Court and NW 130<sup>th</sup> Street. The dedication (by separate instrument) of approximately 7,450 SF of right of way along the alignment for NW 131<sup>st</sup> Street (which as explained in my correspondence dated June 11, 2021, attached, is needed for the City's programmed construction of NW 131<sup>st</sup> Street between NW 30<sup>th</sup> and NW 31<sup>st</sup> Avenues), has by the same logic a value of \$180,439.00. Assuming the dedication of right of way will be accepted by the City as an in-kind contribution, the net amount due for the vacation of right of way for the AMDI project is \$94,918.

Regards,

Glen A. Hanks

Digitally signed by Glen A.

Hanks

Date: 2021.07.23 10:23:06

-04'00'

Glen A. Hanks, P.E.

FL Reg. No. 53852

This item has been digitally signed and sealed by Glen A. Hanks, P.E. on the date adjacent to the seal using the SHA authentication code.

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