

**WELCOME TO A MEETING OF THE  
CITY OF OPA-LOCKA CITY COMMISSION  
JANUARY 13, 2016**

**City Commission**

**Mayor Myra L. Taylor  
Vice Mayor Timothy Holmes  
Commissioner Joseph L. Kelley  
Commissioner Terence K. Pinder  
Commissioner Luis B. Santiago**



**Appointed Officials**

**David Chiverton, Interim City Manager  
Vincent T. Brown, City Attorney  
Joanna Flores, City Clerk**

**SPEAKING BEFORE THE CITY COMMISSION**

**NOTE:** All persons speaking shall come forward and give your 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.

**THANKING YOU VERY MUCH, IN ADVANCE, FOR YOUR COOPERATION**

**SECTION 2-58 DECORUM:** 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 Ordinance No. 91-12 adopted September 11, 1991 requires all persons appearing in a paid or enumerated representative capacity before the city staff, boards, committees and the City Commission to register with the City Clerk before engaging in lobbying activities. A copy of said ordinance is available in the Office of the City Clerk, 780 Fisherman Street, 4<sup>th</sup> Floor, Opa-locka, Florida.

**PURSUANT TO 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."

***NEXT CITY COMMISSION MEETING:  
JANUARY 27, 2016***

**CITY OF OPA-LOCKA**  
**"The Great City"**

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**AGENDA**  
**REGULAR COMMISSION MEETING**  
**January 13, 2016**  
**7:00 P.M.**  
**Sherbondy Village Auditorium**  
**215 Perviz Avenue**  
**Opa-locka, FL 33054**

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:**  
  
**Special Commission Meeting – 11/19/2015**  
**Special Commission Meeting – 11/24/2015**  
**Special Commission Meeting – 12/03/2015**  
**Regular Commission Meeting – 12/09/2015**
9. **DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:**
10. **PUBLIC PRESENTATIONS:**
11. **CITIZENS' FORUM:**  
**(Opportunity for discussion of any concerns – please limit to 3 minutes)**
12. **ACTION ITEMS (items from consent agenda pull list):**
13. **ADMINISTRATION:**

**CONSENT AGENDA:**

*Items listed under the Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the item(s) will be removed from the Consent Agenda and will be considered separately. All Consent Agenda Resolutions will be read by title.*

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, OPPOSING HOUSE BILL 4031 OR SIMILAR LEGISLATION THAT WOULD PERMIT OPEN CARRY OF HANDGUNS OR CONCEALED CARRY**

**OF WEAPONS OR FIREARMS INTO A MEETING OF THE GOVERNING BODY OF A MUNICIPALITY BY A CONCEALED CARRY LICENSE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**  
*Sponsored by J.K.*

**2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE INCREASE IN SALARY OF THE CITY MANAGER, DAVID CHIVERTON, EFFECTIVE IMMEDIATELY, PAYMENTS ARE TO BE MADE RETROACTIVE TO THE DATE HE BEGAN AS CITY MANAGER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by L.S.*

**3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A VEHICLE/EQUIPMENT LEASE AGREEMENT BETWEEN THE CITY OF OPA-LOCKA, FLORIDA AND ACME AUTO LEASING, APOPKA, FLORIDA (EXHIBIT "A") FOR THE LEASE OF THIRTY-THREE (33) VEHICLES FOR THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by C.M.*

**4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, SUPPORTING THE ADEQUATE FUNDING OF THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**  
*Sponsored by M.T.*

**5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING (EXHIBIT "A") WITH FARM SHARE, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by J.K.*

**6. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY ATTORNEY TO EXPLORE LEGAL MEASURES AVAILABLE TO THE RESIDENTS AND HOMEOWNERS OF VILLA FRANCINE AGAINST THE DEVELOPERS AND HOMEOWNERS ASSOCIATION OF VILLA FRANCINE, EFFECTIVE IMMEDIATELY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**  
*Sponsored by J.K.*

**7. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ACCEPT THE VOLUNTARY RESTRICTIONS ON COMMISSIONER TERENCE PINDER'S TRAVEL ALLOWANCE AND USE OF HIS CITY CREDIT CARD; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by T.P.*

**8. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE MANAGER TO ENGAGE IN NEGOTIATING A LOWER MONTHLY PAYMENT AMOUNT FOR COMMISSIONER TERENCE PINDER'S CITY ASSIGNED VEHICLE, A 2015 CHEVY TAHOE, WHICH**

**HAS A CURRENT MONTHLY PAYMENT AMOUNT OF SIX HUNDRED EIGHTY-TWO DOLLARS AND NINETY CENTS (\$682.90); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**  
*Sponsored by T.P.*

**9. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO PROVIDE THE CITY COMMISSION WITH A DATE CERTAIN BY WHICH THE BUDGET ADJUSTMENTS FOR THE FISCAL YEAR 2015-2016 WILL BE SUBMITTED; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**  
*Sponsored by T.P.*

**10. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUIRING THE CITY CLERK TO RE-POLL CITY COMMISSIONERS AT LEAST FOUR (4) HOURS BEFORE A SCHEDULED SPECIAL MEETING IS HELD TO CONFIRM THE ESTABLISHMENT OF A QUORUM, EFFECTIVE IMMEDIATELY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by L.S.*

**11. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUIRING THE CITY MANAGER TO NOTIFY THE CITY COMMISSION OF ANY TRANSFERS OF FUNDS FROM STATE, COUNTY, FEDERAL OR ENTERPRISE RESTRICTED ACCOUNTS PRIOR TO THE TRANSFERS BEING MADE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by L.S.*

**12. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, IMPOSING A 90-DAY MORATORIUM ON CERTAIN CITY SPENDING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by L.S.*

**14. NEW ITEMS:**

**15. PLANNING & ZONING:**

**A. HEARINGS:**

**B. APPEALS:**

**16. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:**

**A. FIRST READING ORDINANCES:**

**1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 13-26, EXTENDING THE FRANCHISE AGREEMENT FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES WITH UNIVERSAL WASTE SERVICE, INC. (UWS); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by C.M.*

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

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 11-17 OF ORDINANCE NO. 15-16, CREATING 11-17(A) ADDING A NOTICE OF REQUIREMENT TO THE CITY AND THE NUMBER OF TIMES A PROPERTY OWNER MAY CALL REGARDING ILLEGAL OR UNPERMITTED DUMPING TO AVOID BEING ISSUED A CITATION OR FINE; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE (first reading held on October 28, 2015). *Sponsored by C.M.*

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE II SECTION 2-45 BY CREATING ARTICLE II SECTION 2-45 (D), LIMITING THE NUMBER OF CONSENT AGENDA ITEMS (RESOLUTIONS) A MEMBER OF THE CITY COMMISSION MAY SPONSOR PER COMMISSION MEETING; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE (first reading held on November 12, 2015). *Sponsored by M.T. and L.S.*

**C. RESOLUTIONS/PUBLIC HEARING:**

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA TO CONSIDER THE REQUEST OF S.O.T. INVESTMENTS LLC / SHAWN OTOOLE FOR SITE PLAN APPROVAL TO CONSTRUCT A 5,000 S.F. MAINTENANCE BUILDING WITH A 2,000 S.F. OFFICE MEZZANINE, ASPHALT ACCESS DRIVEWAY FOR 17 CAR PARKING SPACES AND A 611 LINEAL FEET OF PRIVACY WALL 10 FEET IN HEIGHT ON THE EAST AND SOUTH PROPERTY LINES AS PROPOSED, ON PROPERTY WITH FOLIO NO. 08-2128-004-0391 LEGALLY DESCRIBED AS: 28-29 52 41 2.143 AC NILE GARDENS SEC 2 PB 31-42 LOT 23 LESS E340FT & LESS N15 FT LOT SIZE 93336 SQ FT OR 16546-0728 1094 4 COC 25566-4718 04 2007 1; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA TO CONSIDER THE REQUEST OF S.O.T. INVESTMENTS LLC / SHAWN OTOOLE FOR DEVELOPER'S AGREEMENT APPROVAL TO CONSTRUCT A 5,000 S.F. MAINTENANCE BUILDING WITH A 2,000 S.F. OFFICE MEZZANINE, ASPHALT ACCESS DRIVEWAY FOR 17 CAR PARKING SPACES AND A 611 LINEAL FEET OF PRIVACY WALL 10 FEET IN HEIGHT ON THE EAST AND SOUTH PROPERTY LINES AS PROPOSED, ON PROPERTY WITH FOLIO NO. 08-2128-004-0391 LEGALLY DESCRIBED AS: 28-29 52 41 2.143 AC NILE GARDENS SEC 2 PB 31-42 LOT 23 LESS E340FT & LESS N15 FT LOT SIZE 93336 SQ FT OR 16546-0728 1094 4 COC 25566-4718 04 2007 1; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA TO CONSIDER THE REQUEST OF ACADEMY BUS, FOR SITE PLAN APPROVAL TO CONSTRUCT AND OPERATE THE FOLLOWING: A 6,000 SQ. FT.

**OFFICE BUILDING, EMPLOYEE PARKING, A 12,400 SQ. FT. BUS GARAGE, AND 150 OPEN BUS PARKING SPACES AT PROPERTY IDENTIFIED BY FOLIO NO. 08-2129-018-0010 LEGALLY DESCRIBED AS: 10TH ADDN TO SEABOARD IND PARK PB 158-44 TR A LESS BEG SE COR OF TR A IN SEC 28 TH S 87 DEG W 25FT N 01 DEG W 1198.27FT SELY AD 135.88FT S01 DEG E 1064.81FT TO POB LOT SIZE 337304 SQ FT FAU 30 2129 018 0010 OR 22784-2048 1004 2; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

*Sponsored by C.M.*

**4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA TO CONSIDER THE REQUEST OF ACADEMY BUS, FOR DEVELOPER'S AGREEMENT APPROVAL TO CONSTRUCT AND OPERATE THE FOLLOWING: A 6,000 SQ. FT. OFFICE BUILDING, EMPLOYEE PARKING, A 12,400 SQ. FT. BUS GARAGE, AND 150 OPEN BUS PARKING SPACES AT PROPERTY IDENTIFIED BY FOLIO NO. 08-2129-018-0010 LEGALLY DESCRIBED AS: 10TH ADDN TO SEABOARD IND PARK PB 158-44 TR A LESS BEG SE COR OF TR A IN SEC 28 TH S 87 DEG W 25FT N 01 DEG W 1198.27FT SELY AD 135.88FT S01 DEG E 1064.81FT TO POB LOT SIZE 337304 SQ FT FAU 30 2129 018 0010 OR 22784-2048 1004 2; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by C.M.*

**17. CITY MANAGER'S REPORT:**

**18. OFFICIAL BOARD REPORTS:**

**19. MAYOR/COMMISSION REPORT:**

**20. OFFICIAL BOARD APPOINTMENTS:**

**Community Relations, Recreation & Activities Advisory Board  
1 Individual appointment (Santiago)**

**Civil Service Board**

**2 Individual appointments (Holmes, Pinder)**

**Zoning Board of Appeals**

**1 Individual Appointment (Holmes)**

**Fair Housing & Nuisance Abatement Board**

**1 Individual Appointment (Holmes)**

**21. ADJOURNMENT:**

**SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES**

**A. Meet Me Mondays on Monday, January 11, 2016 @ 6:00 p.m., Ingram Park Senior Citizens Building, 14295 NW 21<sup>st</sup> Court, Opa-locka, Florida. Hosted by Commissioner Joseph L. Kelley**

**B. Join the Mayor and Commission in conjunction with Parks & Recreation for the City of Opa-locka 2016 Martin Luther King, Jr. Walk on Saturday, January 16,**

**2016 @ 9:00 a.m., walk from NW 151<sup>st</sup> Street and NW 27<sup>th</sup> Avenue to Sherbondy Village, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida. Hosted by Commissioner Joseph L. Kelley and Founded by Commissioner Ollie B. Kelley**

- C. You are cordially invited to the City of Opa-locka Mayor's 2016 State of the City Address, Friday, January 29, 2016 at 7:00 p.m. in the Sherbondy Village Auditorium, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida. Kindly RSVP by January 20, 2016 at 305.953.2800 / 2801.**

***For further information, please call the Office of the City Clerk at 305.953.2800/2801 or visit us at [www.opalockafl.gov](http://www.opalockafl.gov)***