



CITY OF MIAMI GARDENS CITY COUNCIL MEETING AGENDA

Meeting Date: March 25, 2015
18605 NW 27th Avenue
Miami Gardens, Florida 33056
Next Regular Meeting Date: April 8, 2015
Phone: (305) 622-8000 **Fax:** (305) 622-8001
Website: www.miamigardens-fl.gov
Time: 7:00 p.m.

Mayor Oliver Gilbert
Vice Mayor Felicia Robinson
Councilman Rodney Harris
Councilwoman Lisa C. Davis
Councilman David Williams Jr.
Councilwoman Lillie Q. Odom
Councilman Erhabor Ighodaro, Ph.D.
City Manager Cameron Benson
City Attorney Sonja K. Dickens, Esq.
City Clerk Ronetta Taylor, MMC

Article VII of the Miami Gardens Code entitled, “Lobbyist” requires that all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay a one-time annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants, and virtually all legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.

- (A) CALL TO ORDER/ROLL CALL**
- (B) INVOCATION**
- (C) PLEDGE OF ALLEGIANCE**
- (D) APPROVAL OF MINUTES**
 - D-1) Regular City Council Minutes – February 25, 2015
 - D-2) Regular City Council Minutes – March 11, 2015
- (E) ORDER OF BUSINESS** (Items to be pulled from Consent Agenda at this time)
- (F) SPECIAL PRESENTATIONS (5 minutes each)**
 - F-1) Councilwoman Lisa C. Davis – Commission for Women Advisory Committee

(G) PUBLIC COMMENTS (2 minutes each)

(H) ORDINANCE(S) FOR FIRST READING:

None

(I) ORDINANCE(S) FOR SECOND READING/PUBLIC HEARING(S)

None

(J) RESOLUTION(S)/PUBLIC HEARING(S)

J-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVES THE CODESIGNATION OF NW 27TH COURT BETWEEN NW 191ST STREET AND NW 199TH STREET AS “SYLVIA L. DAUGHTREY AVENUE”; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILMAN DAVID WILLIAMS JR.)

(K) CONSENT AGENDA:

K-1) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DIRECTING THAT THE CITY ATTORNEY AND CITY MANAGER TAKE ANY AND ALL STEPS NECESSARY TO DISSOLVE THE MIAMI GARDENS EXCELLENCE IN EDUCATION COUNCIL; PROVIDING FOR A TRANSFER OF FUNDS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR FELICIA ROBINSON)

K-2) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING VICE MAYOR FELICIA ROBINSON’S APPOINTMENT OF MARVLYN SCOTT TO THE PROGRESSIVE YOUNG ADULT ADVISORY COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF VICE MAYOR FELICIA ROBINSON; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR FELICIA ROBINSON)

K-3) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT’S ACQUISITION OF 48,600 ACRES OF LAND WITHIN THE EVERGLADES TO

**PROTECT THE FLORIDA'S SUPPLY OF FRESH WATER;
PROVIDING FOR THE ADOPTION OF REPRESENTATIONS;
PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY
COUNCILMAN DAVID WILLIAMS JR.)**

- K-4) MIAMI GARDENS, FLORIDA, ENCOURAGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS TO ADOPT A PLAN OF ACTION TO ADDRESS SEA LEVEL RISE; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE MAYOR AND COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, THE MIAMI-DADE LEAGUE OF CITIES, INC., AND MUNICIPALITIES IN MIAMI-DADE COUNTY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN LISA C. DAVIS)**
- K-5) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING THE NIGERIAN AMERICAN FOUNDATION AND THE ESTABLISHMENT OF THE AFRICAN MUSEUM OF ARTS AND CULTURE (A-MAC) IN MIAMI GARDENS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE (SPONSORED BY COUNCILMAN ERHABOR IGHODARO)**
- K-6) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILWOMAN LILLIE Q. ODOM'S REAPPOINTMENT OF ELOUISE JACKSON TO THE COMMISSION FOR WOMEN ADVISORY COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF COUNCILWOMAN LILLIE Q. ODOM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN LILLIE Q. ODOM)**
- K-7) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILWOMAN LILLIE Q. ODOM'S APPOINTMENT OF JEFFREY LAFLORA TO THE PROGRESSIVE YOUNG ADULTS COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF COUNCILWOMAN ODOM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY COUNCILWOMAN LILLIE Q. ODOM)**

K-8) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THAT CERTAIN AMENDED DECLARATION OF RESTRICTIVE COVENANTS ATTACHED HERETO AS EXHIBIT "A," RELATING TO THE WILLOW LAKE DEVELOPMENT; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

(L) RESOLUTION(S)

None

QUASI-JUDICIAL ZONING HEARINGS:

(M) ORDINANCES ON FOR FIRST READING(S):

M-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY FLORIDA EDUCATION PROPERTIES ROLLING OAKS, LLC FOR THE PROPERTY LOCATED AT 18200 N.W. 22ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R-1 SINGLE FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AS SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

(N) ORDINANCES ON FOR SECOND READING/PUBLIC HEARING(S)

N-1) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CODE OF ORDINANCES (LAND DEVELOPMENT REGULATIONS) AS OUTLINED ON EXHIBIT "A" ATTACHED HERETO; AMENDING SECTION 34-13 - ZONING DISTRICTS ESTABLISHED; AMENDING SECTION 34-14 - PURPOSE AND INTENT OF ZONING DISTRICTS; AMENDING SECTION 34-287 - USE REGULATIONS, GENERALLY; AMENDING SECTION 34-288 USES PERMITTED WITH EXTRA REQUIREMENTS; AMENDING SECTION 34-311 - ACCESSORY USE TABLE; AMENDING SECTION 34-312 - ADDITIONAL USES AND BUILDING STANDARDS; AMENDING SECTION 34-342 - TABLES FOR DEVELOPMENT STANDARDS; AMENDING SECTION 34-392 - COMMERCIAL PARKING FACILITIES; AMENDING SECTION

34-444 - LANDSCAPE, BUFFERING MINIMUM STANDARDS; AMENDING SECTION 34-732 - DEFINITIONS OF TERMS; CREATING DIVISION 6 OF ARTICLE XV – ENTERTAINMENT OVERLAY DISTRICT TO PROVIDE FOR ADDITIONAL REGULATIONS; CREATING A LOCATION FOR THE ENTERTAINMENT OVERLAY DISTRICT AREA AS OUTLINED IN EXHIBIT “B” ATTACHED HERETO; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. 1st Reading – March 11, 2015) (SPONSORED BY THE CITY MANAGER)

(O) RESOLUTION(S)/PUBLIC HEARING(S)

None

(P) REPORTS OF CITY MANAGER/CITY ATTORNEY/CITY CLERK

P-1) City Manager’s Quarterly Report

(Q) REPORTS OF MAYOR AND COUNCIL MEMBERS

(R) WRITTEN REQUESTS, PETITIONS & OTHER WRITTEN COMMUNICATIONS FROM THE PUBLIC

(S) ADJOURNMENT

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT. 2830, NO LATER THAN 48 HOURS PRIOR TO SUCH PROCEEDINGS. TDD NUMBER 1-800-955-8771.

ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM MAY CONTACT RONETTA TAYLOR, MMC, CITY CLERK (305) 622-8000 EXT. 2830. THE ENTIRE AGENDA PACKET CAN ALSO BE FOUND ON THE CITY’S WEBSITE AT www.miamigardens-fl.gov.

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY OF MIAMI GARDENS WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, 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.



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance		Other	
				X				
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading		
	x			Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
			x					
Funding Source:	<i>General Fund</i>		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No		
				x				
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:					
		X						
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> N/A				
		X						Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>
Sponsor Name	David Williams Jr, Council Member		Department: City Manager	<i>Office of the Mayor/Council</i>				

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVES THE CODESIGNATION OF NW 27TH COURT BETWEEN NW 191ST STREET AND NW 199TH STREET AS "SYLVIA L. DAUGHTREY AVENUE"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

The City amended its Land Development regulations to amend the criteria required when the City Council considers whether to rename or co-designate a street or to recommend to the state, county or federal government that a street be renamed or co-designated. Section 34-233 (b)(8) states, "In order for a resolution renaming or co-designating a street with a person's name to be approved, the unanimous vote of the city council shall be required."

**Item J-1) Public Hearing
Resolution
"Sylvia L. Daughtrey Avenue"**

Miami-Dade County Commissioner Barbara Jordan sponsored R-60-15, which was adopted by the Miami-Dade County Commission, January 21, 2015, urging the City of Miami Gardens to co-designate NW 27th Court between NW 191st Street and NW 199th Street as “Sylvia L. Daughtrey Avenue”.

That portion of NW 27th Court from NW 191st to NW 199th Street is a city street located in the City of Miami Gardens.

Sylvia L. Daughtrey, a longtime resident of the City of Miami Gardens was the director of the Opa-locka Employment Assistance of Youth Co-Op, Inc. From 1988-2014, Ms. Daughtrey led the Opa-locka Center in helping thousands of residents in Miami Gardens and Opa-locka make a new start and live a better life.

Through Daughtrey’s leadership, Youth Co-Op’s partnerships with Miami-Dade County, The Children’s Trust, South Florida Workforce Investment Board, and United Way were strengthened and enabled Youth Co-Op to provide services within many needed communities.

Daughtrey was a member of the Miami Community Board of War on Poverty and actively participated in creating the vision of the Miami Gardens Master Plan. For her outstanding Community Service, Daughtrey was honored by the Regional Collaboration on Violence and the Community Empowerment Team as an extraordinary citizen.

Daughtrey is remembered by her colleagues as a visionary and passionate advocate who loved her work and inspired others to follow her lead and example in serving the community.

Proposed Action:

In accordance with Section 34-233 of the City’s Code of Ordinances, Councilman Williams is asking that the City Council approves this resolution to honor the memory of Sylvia L. Daughtrey by co-designating that portion of NW 27th Court to NW 199th Street, which is a city street located in the City of Miami Gardens as “Sylvia L. Daughtrey Avenue.”

Attachment(s)

Attachment (A) – Letter and resolution from Miami-Dade County Commissioner Jordan

Attachment (B) – Section 34-233 of the City of Miami Gardens Land Development Code
Entitled “Alternatives to renaming streets

RESOLUTION NO. 2015_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVES THE CODESIGNATION OF NW 27TH COURT BETWEEN NW 191ST STREET AND NW 199TH STREET AS "SYLVIA L. DAUGHTREY AVENUE"; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County Commissioner Barbara Jordan sponsored R-60-15, which was adopted by the Miami-Dade County Commission, January 21, 2015, urging the City of Miami Gardens to co-designate NW 27th Court between NW 191st Street and NW 199th Street as "Sylvia L. Daughtrey Avenue," and

WHEREAS, that portion of NW 27th Court from NW 191st to NW 199th Street is a city street located in the City of Miami Gardens, and

WHEREAS, in order to co-designate a street in Miami Gardens, persons must meet the following criteria:

- a. Such persons must have demonstrated extraordinary service to the city and its residents; or
- b. Such persons shall have brought exceptional credit or recognition to the city and its residents; or
- c. Such persons shall be of significant prominence nationally or internationally.

WHEREAS, Sylvia L. Daughtrey, a longtime resident of the City of Miami Gardens was the director of the Opa-locka Employment Assistance of Youth Co-Op, Inc., and

WHEREAS, through Ms. Daughtrey' s leadership, Youth Co-Op's partnerships with Miami-Dade County, The Children's Trust, South Florida Workforce Investment Board, and United Way were strengthened and enabled Youth Co-Op to provide services within many needed communities, and

32 WHEREAS, Ms. Daughtrey was a member of the Miami Community Board of
33 War on Poverty and actively participated in creating the vision of the Miami Gardens
34 Master Plan, and

35 WHEREAS, for her outstanding Community Service, Ms. Daughtrey was honored
36 by the Regional Collaboration on Violence and the Community Empowerment Team as
37 an extraordinary citizen, and

38 WHEREAS, in accordance with Section 34-233 (b)(8) of the Code of
39 Ordinances, in order for a resolution renaming or co-designating a street with a person's
40 name to be approved, the unanimous vote of the City Council is required,

41 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
42 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

43 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas
44 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
45 made a specific part of this Resolution.

46 Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens
47 hereby approves the codesignation of N.W. 27th Court between N.W. 191st Street and
48 N.W. 199th Street as "Sylvia L. Daughtrey Avenue.

49 Section 3: INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby
50 directed to provide a certified copy of this Resolution to Commissioner Barbara Jordan
51 and to the Chair of the Miami-Dade County Board of County Commissioners.

52 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
53 upon its final passage.

54 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
55 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2015.

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OLIVER GILBERT, III, MAYOR

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62 **ATTEST:**

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RONETTA TAYLOR, MMC, CITY CLERK

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68

69 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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72 SPONSORED BY: COUNCILMAN DAVID WILLIAMS, JR.

73

74 Moved by: _____

75

76 **VOTE:** _____

77

78 Mayor Oliver Gilbert, III _____ (Yes) _____ (No)

79 Vice Mayor Felicia Robinson _____ (Yes) _____ (No)

80 Councilwoman Lillie Q. Odom _____ (Yes) _____ (No)

81 Councilman David Williams Jr _____ (Yes) _____ (No)

82 Councilwoman Lisa C. Davis _____ (Yes) _____ (No)

83 Councilman Rodney Harris _____ (Yes) _____ (No)

84 Councilman Erhabor Ighodaro, Ph.D. _____ (Yes) _____ (No)

85

Harvey Ruvin

CLERK OF THE CIRCUIT AND COUNTY COURTS
Miami-Dade County, Florida



CLERK OF THE BOARD OF COUNTY COMMISSIONERS

STEPHEN P. CLARK CENTER
SUITE 17-202
111 N.W. 1st Street
Miami, FL 33128-1983
Telephone: (305) 375-5126

January 27, 2015

Honorable David Williams, Jr.
Councilman
City of Miami Gardens
1515 N.W. 167th Street, Suite 200
Miami Gardens, Florida 33169

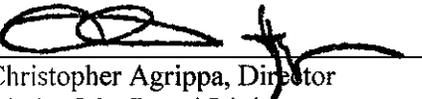
Dear Councilman Williams:

A copy of Resolution No. R-60-15, adopted on January 21, 2015, is provided to you at the request of the Miami-Dade County Board of County Commissioners.

If you have any questions or need additional information, please contact this office.

Respectfully yours,

HARVEY RUVIN, Clerk
Circuit and County Courts

By: 
Christopher Agrippa, Director
Clerk of the Board Division

CA/ocv
Attachment

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(27)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 21, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the City of
Miami Gardens to codesignate
NW 27th Court between NW
191st Street and NW 199th Street
as "Sylvia L. Daughtrey
Avenue;" approving the
codesignation

Resolution No. R-60-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

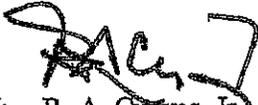


MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 21, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(27)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(27)
1-21-15

RESOLUTION NO. R-60-15

RESOLUTION URGING THE CITY OF MIAMI GARDENS TO
CODESIGNATE NW 27TH COURT BETWEEN NW 191ST
STREET AND NW 199TH STREET AS "SYLVIA L.
DAUGHTREY AVENUE;" APPROVING THE
CODESIGNATION

WHEREAS, Sylvia L. Daughtrey, who directed the Opa-locka Employment Assistance Center of Youth Co-Op, Inc. since 1988, passed away on November 29, 2014; and

WHEREAS, as Director, Daughtrey led the Opa-locka Center in helping thousands of residents in the Cities of Miami Gardens and Opa-locka make a new start and live a better life; and

WHEREAS, through her leadership, Youth Co-Op's partnerships with Miami-Dade County, The Children's Trust, South Florida Workforce Investment Board, and United Way were strengthened and enabled Youth Co-Op to provide services within many needy communities; and

WHEREAS, Daughtrey is remembered by her colleagues as a visionary and passionate advocate who loved her work and inspired others to follow her lead and example in serving the community; and

WHEREAS, she was a member of the Miami Community Board for War on Poverty and actively participated in creating the vision of the Miami Gardens Master Plan; and

WHEREAS, Daughtrey was honored by the Regional Collaboration on Violence and the Community Empowerment Team as an extraordinary citizen for her community service; and

WHEREAS, this Board would like to honor the memory of Sylvia L. Daughtrey by urging the City of Miami Gardens to codesignate NW 27th Court between NW 191st Street and NW 199th Street as "Sylvia L. Daughtrey Avenue;" and

WHEREAS, that portion of NW 27th Court from NW 191st Street to NW 199th Street is a city street located in the City of Miami Gardens; and

WHEREAS, this codesignation is located in County Commission District 1,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the City of Miami Gardens to codesignate NW 27th Court between NW 191st Street and NW 199th Street as "Sylvia L. Daughtrey Avenue."

Section 2. Approves the codesignation of NW 27th Court between NW 191st Street and NW 199th Street as "Sylvia L. Daughtrey Avenue."

Section 3. Directs the Clerk of the Board to transmit a certified copy of this resolution to the United States Postal Service, the Mayor of the City of Miami Gardens, the Members of the City of Miami Gardens City Council, the Miami Gardens Police Department, the Miami-Dade County Fire-Rescue Department, the Traffic Signals and Signs Division of the Public Works and Waste Management Department and the Development Services Division of the Department of Regulatory and Economic Resources.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner **Esteban L. Bovo, Jr.**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Jean Monestime, Chairman	aye	
	Esteban L. Bovo, Jr., Vice Chairman	aye	
Bruno A. Barreiro	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	absent
Sally A. Heyman	absent	Barbara J. Jordan	aye
Dennis C. Moss	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye	Xavier L. Suarez	aye
Juan C. Zapata	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

APA

Annery Pulgar Alfonso

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

SS:

I, **HARVEY RUVIN**, Clerk of the Circuit and County Courts, in and for Miami-Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said county, **DO HEREBY CERTIFY** that the above and foregoing is a true and correct copy of Resolution No. R-60-15, adopted by the Miami-Dade County Board of County Commissioners, at its meeting of January 21, 2015, as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 29th day of January, A.D., 2015.



HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

By: 
Deputy Clerk

Sec. 34-233. - Alternatives to renaming streets.

- (a) The city council shall consider three alternatives to renaming or codesignating streets as follows:
 - (1) Marker, by which a plaque or sign bearing a designation shall be mounted separately on a stone or post in the right-of-way.
 - (2) Plaza, by which only the intersection of two streets shall be designated. The designation shall be mounted on the post under the street signs at the intersection.
 - (3) Codesignation, by which a numbered street shall receive an additional designation over the numbered street designation on the street signs. the police department and department of fire-rescue and United States Postal Service shall be notified of codesignation.
- (b) Procedure to rename or codesignate streets. The city council may, by resolution adopted after a public hearing, name, rename or co-designate any city road, street or public way. The following criteria shall be considered for street codesignation:
 - (1) Named or numbered streets shall not be so renamed or codesignated in a manner that will be confused with or duplicate the names of existing streets.
 - (2) Named streets, e.g., as in Honeyhill Drive, N.W. 199 Street, shall not be changed where there is an historical tradition attached to the existing name. Miami Gardens Drive, N.W. 183rd Street shall not be renamed or codesignated.
 - (3) Named streets shall not be codesignated because of the resulting confusion.
 - (4) Numbered streets shall not be codesignated for merely commercial purposes.
 - (5) Numbered streets shall only be codesignated if there is significant historical, neighborhood or community benefit to the codesignation.
 - (6) Numbered street codesignations shall not exceed five blocks in length.
 - (7) There shall be a hiatus at least five blocks in length between consecutive codesignations in numbered streets.
 - (8) In order for a resolution renaming or codesignating a street with a person's name to be approved, the unanimous vote of the city council shall be required.
 - (9) Persons whose names are considered for the renaming or codesignation of a street shall meet the following criteria:
 - a. Such persons must have demonstrated extraordinary service to the city and its residents; or
 - b. Such persons shall have brought exceptional credit or recognition to the city and its residents; or
 - c. Such persons shall be of significant prominence nationally or internationally.
 - (10) Only the mayor and members of the city council may sponsor a resolution for the renaming or codesignation of a street.
 - (11) Block numbers shall be added to any new street signs that reflect codesignations, markers or plazas.
 - (12) City council must approve a resolution for renaming or codesignation of streets. This resolution must be submitted to the county's traffic engineer division for final approval and sent to the county's public works department for fabrication and installation. The county commission will need to approve the sign prior to installation. A county fee will be charged to provide and install the signs.
- (c) The criteria outlined above shall also apply when the city council considers whether to recommend the renaming or codesignation of county, state or federal streets.

- (d) Upon adoption of a resolution naming, renaming or co-designating any city road, street or public way, the city clerk shall provide a certified copy of the adopted resolution to the city's planning and zoning department, building department, public works department, the police department, and the United States Postal Service. Additionally, the city clerk shall publish notice of any street name change in a newspaper of general circulation within the city in substantially the following form:

NOTICE OF STREET NAME CHANGE

Public notice is hereby given that the City Council of the City of Miami Gardens, Florida has enacted a resolution changing the name of _____/_____/_____ to _____/_____/_____. This name change is effective immediately and has been duly recorded with the United States Postal Service.

- (e) Expenses.
- (1) All expenses on the part of the city or any other governmental agency resulting from requests for street codesignations, markers or plazas shall be borne by the applicant.
 - (2) Initial expenses include, but are not limited to, newspaper advertising, posting of notification placards, and postal correspondence to the applicant. Upon approval by the city council of a request for street codesignation or a marker or a plaza, the applicant shall pay all additional expenses related to the permits, manufacture and installation of the appropriate signs and related appurtenances. A nonrefundable deposit in the amount determined by the director of public works toward the initial expenses outlined in this section shall accompany any request for a street codesignation or for a designation of a marker or a plaza.
- (f) Schedule of fees. Any request for a street codesignation or for a designation of a marker or a plaza shall also be accompanied by an application fee in the amount set forth in the city's fee schedule.
- (Ord. No. 2010-10-218, § 2(7-250), 4-7-2010; Ord. No. 2012-10-283, § 2, 7-25-2012)



City of Miami Gardens Agenda Cover Memo

Council Meeting Date: <i>(Enter X in box)</i>	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		X		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
			<i>(Enter X in box)</i>		X		
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
						X	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>			
Sponsor Name	Felicia Robinson, Vice Mayor		Department:	<i>Office of the Mayor/Council</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DIRECTING THAT THE CITY ATTORNEY AND CITY MANAGER TAKE ANY AND ALL STEPS NECESSARY TO DISSOLVE THE MIAMI GARDENS EXCELLENCE IN EDUCATION COUNCIL; PROVIDING FOR A TRANSFER OF FUNDS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

On February 24, 2010, the City Council authorized the City Manager and City Attorney to take all steps necessary to create the Miami Gardens Excellence in Education Council (“Education Council”). The Education Council was formed for the purpose of advancing educational and cultural opportunities in the City of Miami Gardens.

**Item K-1) Consent Agenda
Resolution
Dissolve Miami Gardens Excellence
in Education Council**

Although, the Education Council operated successfully for a number of years, in recent months, the Education Council has not operated because of the failure to have a quorum present for meetings. Moreover, the State of Florida requires that certain reports be filed in order to continue operation, but without a quorum, it becomes difficult to file these reports. Despite efforts to reconstitute the Education have not been successful.

Vice Mayor Felicia Robinson is recommending that the City Council dissolve the Education Council and that the City continue the mission of the Education Council. Upon dissolution of the Education Council, any funds held by the Education Council must be distributed to a state or local government or to an exempt organization. It is being recommended that the funds be distributed to the City of Miami Gardens, with a determination of how those funds will be spent to be made at a future time.

Proposed Action:

That the City Council approves the attached Resolution.

Attachment:

RESOLUTION NO. 2014_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DIRECTING THAT THE CITY ATTORNEY AND CITY MANAGER TAKE ANY AND ALL STEPS NECESSARY TO DISSOLVE THE MIAMI GARDENS EXCELLENCE IN EDUCATION COUNCIL; PROVIDING FOR A TRANSFER OF FUNDS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 24, 2010, the City Council authorized the City Manager and City Attorney to take all steps necessary to create the Miami Gardens Excellence in Education Council ("Education Council"), and

WHEREAS, the Education Council was formed for the purpose of advancing educational and cultural opportunities in the City of Miami Gardens, and

WHEREAS, the Education Council operated successfully for a number of years, but in recent months, the Education Council has not operated because of the failure to have a quorum present for meetings, and

WHEREAS, the State of Florida requires that certain reports be filed in order to continue operation, but without a quorum, it becomes difficult to file these reports, and

WHEREAS, despite attempts to reconstitute the Education Council, these attempts have not been successful, and

WHEREAS, Vice Mayor Felicia Robinson is recommending that the City Council dissolve the Education Council and that the City continue the mission of the Education Council, and

WHEREAS, upon dissolution of the Education Council, any funds held by the Education Council must be distributed to a state or local government or to an exempt organization, and

30 WHEREAS, it is being recommended that the funds be distributed to the City of
31 Miami Gardens, with a determination of how those funds will be spent to be made at a
32 future time,

33 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
34 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

35 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas
36 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
37 made a specific part of this Resolution.

38 Section 2: DIRECTION: The City Council of the City of Miami Gardens hereby
39 directs that the City Attorney and City Manager take any and all steps necessary to
40 dissolve the Miami Gardens Excellence in Education Council, and that funds being held
41 by the Miami Gardens Excellence in Education Council be transferred to the City of
42 Miami Gardens, with a determination of how those funds will be spent to be made at a
43 future time.

44 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
45 upon its final passage.

46 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
47 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2014.

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OLIVER GILBERT, III, MAYOR

ATTEST:

RONETTA TAYLOR, MMC, CITY CLERK



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		x		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> N/A			
		X					
Sponsor Name	Felicia Robinson, Vice Mayor		Department: City Manager	<i>Office of the Mayor/Council</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING VICE MAYOR FELICIA ROBINSON'S APPOINTMENT OF MARVLYN SCOTT TO THE PROGRESSIVE YOUNG ADULTS COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF VICE MAYOR ROBINSON; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

In accordance with the establishment of the Progressive Young Adult Advisory Committee, Vice Mayor Felicia Robinson has appointed Marvlyn Scott, in accordance with Section 2-172 of the Code of Ordinances. This Resolution acknowledges Vice Mayor Robinson's appointment of Marvlyn Scott. The term of this appointment shall coincide with Vice Mayor Robinson's term. This appointed member will adhere to duties and powers of the Advisory Committee as outlined in the Ordinance.

**Item K-2) Consent Agenda
Resolution
Appt to Progressive Young
Adult Advisory Board**

Proposed Action:

That the City Council approves this resolution.

Attachment:

RESOLUTION NO. 2015_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING VICE MAYOR FELICIA ROBINSON'S APPOINTMENT OF MARVLYN SCOTT TO THE PROGRESSIVE YOUNG ADULT ADVISORY COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF VICE MAYOR FELICIA ROBINSON; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has created the Progressive Young Adult Advisory Committee ("the Committee"), and

WHEREAS, Vice Mayor Felicia Robinson and each member of the City Council has the right to appoint members to the Committee, and

WHEREAS, in accordance Section 2-286 of the Code of Ordinances, Councilwoman Lillie Q. Odom has appointed Marvlyn Scott to the Committee for a term that will coincide with the term of Vice Mayor Felicia Robinson, and

WHEREAS, it is appropriate for the City Council to acknowledge the appointment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens hereby acknowledges Vice Mayor Felicia Robinson's appointment of Marvlyn Scott to the Progressive Young Adult Advisory Committee for a term that will coincide with the term of Vice Mayor Felicia Robinson.

30 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
31 upon its final passage.

32 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
33 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2015.

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OLIVER GILBERT, III, MAYOR

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ATTEST:

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RONETTA TAYLOR, MMC, CITY CLERK

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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SPONSORED BY: VICE MAYOR FELICIA ROBINSON

Moved by: _____

VOTE: _____

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Mayor Oliver Gilbert, III	_____ (Yes)	_____ (No)
Vice Mayor Felicia Robinson	_____ (Yes)	_____ (No)
Councilwoman Lillie Q. Odom	_____ (Yes)	_____ (No)
Councilman David Williams Jr.	_____ (Yes)	_____ (No)
Councilwoman Lisa C. Davis	_____ (Yes)	_____ (No)
Councilman Rodney Harris	_____ (Yes)	_____ (No)
Councilman Erhabor Ighodaro, Ph.D.	_____ (Yes)	_____ (No)

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City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		x		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> N/A			
		X					
Sponsor Name	David Williams Jr. City Councilman		Department: City Manager	<i>Office of the Mayor/Council</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT'S ACQUISITION OF 48,600 ACRES OF LAND WITHIN THE EVERGLADES TO PROTECT THE FLORIDA'S SUPPLY OF FRESH WATER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Councilman David Williams Jr., recognizes that additional storage is needed south of Lake Okeechobee in order to significantly reduce the volumes of polluted water entering the St. Lucie and Caloosahatchee rivers from the Lake. Councilman Williams is mindful that as public servants, elected officials must do everything in their power to put an end to the wasteful practices of sending freshwater to tide. Enhancing Florida's water supply, restoring America's Everglades, and protecting the health of our coastal estuaries, including Florida Bay are vital to securing our economic future.

**Item K-3) Consent Agenda
Resolution
Support for South Florida
Water Management**

The South Florida Water Management District has an existing contract to acquire land that is ideally located to build the EAA Reservoir that was envisioned in the Comprehensive Everglades Restoration Plan. The acquisition option to acquire 48,600 acres land within the Everglades Agricultural area (EAA) expires on October 12, 2015.

The EAA reservoir will benefit from and enhance the benefits of the Central Everglades Planning Projects and Restoration Strategies. This reservoir, authorized by Congress in 2000, will improve water supplies for the natural environment and other users, reduce wildfire risk, and provide the most cost effective water storage option for coastal and Everglades estuaries.

Proposed Action:

That the City Council approves this resolution supporting the acquisition of 48,600 acres of land within the Everglades Agricultural Area (EAA) before the option expires October 12, 2015.

Attachment:

RESOLUTION NO. 2014_____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI
4 GARDENS, FLORIDA, SUPPORTING THE SOUTH FLORIDA WATER
5 MANAGEMENT DISTRICT'S ACQUISITION OF 48,600 ACRES OF
6 LAND WITHIN THE EVERGLADES TO PROTECT THE FLORIDA'S
7 SUPPLY OF FRESH WATER; PROVIDING FOR THE ADOPTION OF
8 REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.
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10 WHEREAS, Councilman Williams is mindful that as public servants, elected
11 officials must do everything in their power to put an end to the wasteful practices of
12 sending freshwater to tide, and

13 WHEREAS, enhancing Florida's water supply, restoring America's Everglades,
14 and protecting the health of our coastal estuaries, including Florida Bay, are vital to
15 securing our economic future, and

16 WHEREAS, the South Florida Water Management District has an existing option
17 contract to acquire 48,600 acres land within the Everglades Agricultural Area (EAA),
18 and

19 WHEREAS, if the land is acquired by the South Florida Water Management
20 District, it is expected that it will significantly reduce the volumes of polluted water
21 entering the St. Lucie and Caloosahatchee rivers from Lake Okeechobee, and

22 WHEREAS, the EAA reservoir will benefit from and enhance the benefits of the
23 Central Everglades Planning Projects and Restoration Strategies, will improve water
24 supplies for the natural environment and other users, reduce wildfire risk, and provide
25 the most cost effective water storage option for coastal and Everglades estuaries, and

26 WHEREAS, the City Council would like to lend its support to this effort,

27 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
28 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

29 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas
30 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
31 made a specific part of this Resolution.

32 Section 2: EXPRESSION OF SUPPORT: The City Council of the City of
33 Miami Gardens hereby supports the South Florida Water Management District's
34 acquisition of 48,600 acres of land within the Everglades to protect the Florida's supply
35 of fresh water.

36 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
37 upon its final passage.

38 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
39 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2014.

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ATTEST:

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RONETTA TAYLOR, MMC, CITY CLERK

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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SPONSORED BY: COUNCILMAN DAVID WILLIAMS JR.

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Moved by: _____

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VOTE: _____

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Mayor Oliver Gilbert, III _____ (Yes) _____ (No)

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Vice Mayor Felicia Robinson _____ (Yes) _____ (No)

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Councilwoman Lillie Q. Odom _____ (Yes) _____ (No)

65	Councilman David Williams Jr	_____ (Yes)	_____ (No)
66	Councilwoman Lisa C. Davis	_____ (Yes)	_____ (No)
67	Councilman Rodney Harris	_____ (Yes)	_____ (No)
68	Councilman Erhabor Ighodaro, Ph.D.	_____ (Yes)	_____ (No)

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City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		x		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> N/A			
		X					
Sponsor Name	Lisa C. Davis, Council Member		Department: City Manager	<i>Office of the Mayor/Council</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ENCOURAGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS TO ADOPT A PLAN OF ACTION TO ADDRESS SEA LEVEL RISE; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE MAYOR AND COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, THE MIAMI-DADE LEAGUE OF CITIES, INC, AND MUNICIPALITIES IN MIAMI-DADE COUNTY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Numerous studies have established that South Florida is comprised of some of the world's most vulnerable areas to the impacts of sea level rise. Scientists believe that the rising sea level will threaten some of the region's most vital facilities. South Florida's sea level rose about eight inches during the past century, and is project to increase by as much as two feet as early as 2048 and could go up to three feet by 2063. South Florida is exceptionally vulnerable to sea level rise due to its unique geology that is

**Item K-4) Consent Agenda
Resolution
Plan of Action/Sea Level Rise**

built on porous limestone, which is slowly filling up as the sea level rises, making the land, streets and neighborhoods more likely to flood and cause sewer systems to back up into homes and gardens.

Southeast Florida's roads, bridges and businesses already are facing flooding because of higher sea levels. Rising sea level threatens all of South Florida's popular coastal areas and could alter the freshwater supply that feeds our cities and agriculture. With sea level rise of only three to nine inches, southeast Florida could lose 70 percent of its drainage capacity in the 28 control structures that protect the region from flooding and saltwater intrusion.

Parts of Miami-Dade have already experienced an increased frequency of urban flooding caused by higher high tides, elevated groundwater levels, and over saturated soils. The Miami-Dade Sea Level Rise Task Force ("SLRTF") reviewed the relevant data and prior studies, assessments, reports, and evaluations of the potential impact of sea level rise on vital public services and facilities, real estate, water and other ecological resources, water front property and infrastructure.

The SLRTF issued a report with their findings on July 1, 2014, that included a comprehensive assessment of the likely and potential impacts of sea level rise and storm surge over time, to be used to help develop a set of recommendations relative to amendments to the Comprehensive Development Master Plan, capital facilities planning, budgetary priorities, and other County programs as necessary to ensure that Miami-Dade County is taking all appropriate actions to address sea level rise and to ensure its resiliency to the increase in sea level rise, storm surge and related impacts which are expected to occur.

The SLRTF set forth numerous recommendations in their report that could aid Miami-Dade County in coping with sea level rise. The Miami-Dade Board of County Commissioners will discuss the adoption of various resolutions to move the recommendations of the SLRTF into action.

Proposed Action:

Councilwoman Lisa C. Davis is seeking the Council's support to encourage the Miami-Dade County Commissioners to adopt a plan of action, taking into account the recommendations of the Sea Level Task Force, to address sea level rise and its current and future effects on coastal and inland communities.

Attachment:

RESOLUTION NO. 2015_____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 MIAMI GARDENS, FLORIDA, ENCOURAGING THE MIAMI-DADE
5 BOARD OF COUNTY COMMISSIONERS TO ADOPT A PLAN OF
6 ACTION TO ADDRESS SEA LEVEL RISE; DIRECTING THE CITY
7 CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE
8 MAYOR AND COUNTY COMMISSIONERS OF MIAMI-DADE
9 COUNTY, FLORIDA, THE MIAMI-DADE LEAGUE OF CITIES,
10 INC., AND MUNICIPALITIES IN MIAMI-DADE COUNTY;
11 PROVIDING FOR THE ADOPTION OF REPRESENTATIONS;
12 PROVIDING FOR AN EFFECTIVE DATE.
13

14 WHEREAS, numerous studies have established that South Florida is comprised
15 of some of the world's most vulnerable areas to the impacts of sea level rise, and

16 WHEREAS, scientists believe that the rising sea level will threaten some of the
17 region's most vital facilities, and

18 WHEREAS, South Florida is exceptionally vulnerable to sea level rise due to its
19 unique geology that is built on porous limestone, which is slowly filling up as the sea
20 level rises, making the land, streets and neighborhoods more likely to flood and cause
21 sewer systems to back up into homes and gardens, and

22 WHEREAS, parts of Miami-Dade have already experienced an increased
23 frequency of urban flooding caused by higher high tides, elevated groundwater levels,
24 and over saturated soils, and

25 WHEREAS, the Miami-Dade Sea Level Rise Task Force ("SLRTF") has reviewed
26 the relevant data and prior studies, assessments, reports, and evaluations of the
27 potential impact of sea level rise on vital public services and facilities, real estate, water
28 and other ecological resources, water front property and infrastructure, and

29 WHEREAS, the SLRTF issued a report with their findings on July 1, 2014, that
30 included a comprehensive assessment of the likely and potential impacts of sea level
31 rise and storm surge over time, to be used to help develop a set of recommendations

32 relative to amendments to the Comprehensive Development Master Plan, capital
33 facilities planning, budgetary priorities, and other County programs as necessary to
34 ensure that Miami-Dade County is taking all appropriate actions to address sea level
35 rise and to ensure its resiliency to the increase in sea level rise, storm surge and related
36 impacts which are expected to occur, and

37 WHEREAS, the SLRTF set forth numerous recommendations in their report that
38 could aid Miami-Dade County in coping with sea level rise, and

39 WHEREAS, Councilwoman Lisa C. Davis is requesting that the City Council urge
40 the Miami-Dade Board of County Commissioners to move the recommendations of the
41 SLRTF into action,

42 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
43 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

44 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas
45 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
46 made a specific part of this Resolution.

47 Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens
48 hereby encourages the Miami-Dade Board of County Commissioners to adopt a plan of
49 action to address sea level rise.

50 Section 3: INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby
51 directed to transmit a copy of this Resolution to the Mayor and County Commissioners
52 of Miami-Dade County, Florida, the Miami-Dade League of Cities, Inc., and
53 municipalities in Miami-Dade County.

54 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
55 upon its final passage.

56 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
57 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2015.

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OLIVER GILBERT, III, MAYOR

64 **ATTEST:**

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RONETTA TAYLOR, MMC, CITY CLERK

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71 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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74 SPONSORED BY: Councilwoman Lisa C. Davis

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Moved by: _____

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VOTE: _____

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80 Mayor Oliver Gilbert, III	_____ (Yes)	_____ (No)
81 Vice Mayor Felicia Robinson	_____ (Yes)	_____ (No)
82 Councilwoman Lillie Q. Odom	_____ (Yes)	_____ (No)
83 Councilman David Williams Jr	_____ (Yes)	_____ (No)
84 Councilwoman Lisa C. Davis	_____ (Yes)	_____ (No)
85 Councilman Rodney Harris	_____ (Yes)	_____ (No)
86 Councilman Erhabor Ighodaro, Ph.D.	_____ (Yes)	_____ (No)

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City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		x		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>		Yes		No
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> N/A			
		X					
Sponsor Name	Erhabor Ighodaro, City Councilman		Department: City Manager	Office of the Mayor/Council			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING THE NIGERIAN AMERICAN FOUNDATION AND THE ESTABLISHMENT OF THE AFRICAN MUSEUM OF ARTS AND CULTURE (A-MAC) IN MIAMI GARDENS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

On May 7, 2013, the Miami-Dade Board of County Commissioners unanimously approved Resolution No. 11 (A)(9) sponsored by County Commissioner Barbara J. Jordan authorizing a lease agreement with the Nigerian-American Foundation for the development, operation and maintenance of an African Museum and Cultural Arts Center to be located at NW 207th Street and NW 32nd Avenue, Miami Gardens, Florida.

**Item K-5) Consent Agenda
Resolution
African Museum of Arts**

The Nigerian American Foundation has since established an African Museum Arts and Culture (A-MAC) Trust to oversee the development of a 5-6 million dollars fund to complete the project that includes a multipurpose facility comprising of a museum, dance theatre and lecture halls.

The (A-MAC) Center is designed to provide unique educational, social, historical and cultural enrichment activities for the local community.

Proposed Action:

That the City Council approves this resolution supporting the Nigerian American Foundation and the establishment of the African Museum of Arts and Culture (A-MAC) Center in the City of Miami Gardens.

Attachment:

RESOLUTION NO. 2015_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, SUPPORTING THE NIGERIAN AMERICAN FOUNDATION AND THE ESTABLISHMENT OF THE AFRICAN MUSEUM OF ARTS AND CULTURE (A-MAC) IN MIAMI GARDENS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 7, 2013, the Board of County Commissioners of Miami-Dade County adopted a Resolution to authorize a Lease Agreement with the Nigerian American Foundation for County owned property located at NW 207th Street and NW 32nd Avenue in Miami Gardens, and

WHEREAS, under the terms of the agreement, the Nigerian American Foundation will develop, operate and maintain an African Museum and Cultural Arts Center, and

WHEREAS, the Nigerian American Foundation has since established an African Museum Arts and Culture (A-MAC) Trust to oversee the completion of the project, which will include a museum, dance theatre and lecture halls, and

WHEREAS, Councilman Erhabor Ighodaro recommends that the City Council support the Nigerian American Foundation and the establishment of the African Museum of Arts and Culture Center in the City of Miami Gardens,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

28 Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens
29 hereby supports the Nigerian American Foundation and the establishment of the African
30 Museum of Arts and Culture Center (A-MAC) in the City of Miami Gardens.

31 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
32 upon its final passage.

33 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
34 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2015.

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ATTEST:

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RONETTA TAYLOR, MMC, CITY CLERK

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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SPONSORED BY: COUNCILMAN ERHABOR IGHODARO, PH.D.

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Moved by: _____

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VOTE: _____

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Mayor Oliver Gilbert, III _____ (Yes) _____ (No)

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Vice Mayor Felicia Robinson _____ (Yes) _____ (No)

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Councilwoman Lillie Q. Odom _____ (Yes) _____ (No)

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Councilman David Williams Jr _____ (Yes) _____ (No)

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Councilwoman Lisa C. Davis _____ (Yes) _____ (No)

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Councilman Rodney Harris _____ (Yes) _____ (No)

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Councilman Erhabor Ighodaro, Ph.D. _____ (Yes) _____ (No)

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MEMORANDUM

Agenda Item No. 11(A)(9)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 7, 2013

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution approving terms of
and authorizing the execution by
County Mayor of a Lease
Agreement with the Nigerian-
American Foundation for the
development, operation and
maintenance of an African
museum and cultural arts center

This substitute item differs from the original in order to comply with the new Board policy set forth in Resolution R-256-13 regarding inclusion of a lease term requiring a rental payment in lieu of taxes if tax exempt status is achieved by a not-for-profit corporation unless a hardship or other substantial reason exists for foregoing such payment, and setting forth the hardship and substantial reason existing in this circumstance.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan and Co-Sponsor Sen. Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/Imp



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 7, 2013

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(9)
5-7-13

RESOLUTION NO. _____

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE EXECUTION BY COUNTY MAYOR OR MAYOR'S DESIGNEE OF A LEASE AGREEMENT WITH THE NIGERIAN-AMERICAN FOUNDATION FOR THE DEVELOPMENT, OPERATION AND MAINTENANCE OF AN AFRICAN MUSEUM AND CULTURAL ARTS CENTER FOR AN INITIAL FIFTY YEAR TERM AND TWO ADDITIONAL TWENTY-FOUR YEAR RENEWAL OPTION PERIODS ON COUNTY-OWNED LAND LOCATED AT NW 207TH STREET AND NW 32ND AVENUE IN MIAMI-DADE COUNTY, FLORIDA AT NO COST AND IN ACCORDANCE WITH FLORIDA STATUTE 125.38; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; DIRECTING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE FOREGOING

WHEREAS, the Nigerian-American Foundation ("NAF") is a Florida not-for-profit corporation, organized for the community interest and welfare purposes of promoting, projecting, and protecting the image of Nigerians, and to educate the community regarding African culture; and

WHEREAS, the County owns vacant property, located at NW 207th Street and NW 32nd Avenue in the City of Miami Gardens in Miami-Dade County, folio number 34-1133-007-1801 (the "Vacant Property") as well as adjacent improved property, folio number 34-1133-007-1800, which includes a building (the "Adjacent Improved Property"); and

WHEREAS, the Vacant Property and the Adjacent Improved Property are currently platted as one legal buildable sit, outlined in black on the sketch attached as Exhibit "A" (the "Platted Property"); and

WHEREAS, Nigerian-American Foundation wishes to construct an African museum and cultural arts center including activities such as an arts museum, dance theatre, and lecture hall on a portion of the Vacant Property, referred to herein as the "Museum Property" and depicted in yellow on the attached sketch (Exhibit "A") as well as described in the legal description attached as Exhibit "B", and has applied to the County for the use of same; and

WHEREAS, Nigerian-American Foundation has represented that it will use the Museum Property consistently with its mission, in support of the community interest and welfare purposes for which it is organized; and

WHEREAS, the Board finds that, pursuant to Section 125.38 of the Florida Statutes, that Nigerian-American Foundation does require the Museum Property for such use and that such lease for that use, for \$1.00 per year, would promote community interest and welfare; and

>>WHEREAS, in order to promote this unique educational, social, historical and cultural enrichment, the Nigerian American Foundation intends to fund 5 to 6 million dollars of the costs of this project, and additionally, to apply any revenues generated from this project to either offset the cost of operating and maintenance expenses or to put such revenue back into the museum such as costs of administration and to secure arts and artifacts; and

WHEREAS, in light of such funding and application of revenues, with promotion of community welfare and education as the goal, a hardship would exist in requiring the payment of rent in excess of \$1.00 under these specific circumstances, and therefore, a substantial reason exists for foregoing such rental payment; and<<¹

WHEREAS, re-platting would be required to subdivide the Museum property from the remainder of the Platted Property in order for Nigerian-American Foundation to develop the

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

African museum and cultural arts center on the Museum Property pursuant to a long term lease; and

WHEREAS, after re-platting, the Museum Property would be leased, for \$1.00 per year, to Nigerian-American Foundation by a Lease in substantially the form attached hereto ("County Lease"), which will require the completion of the construction of the museum within five years, and which will further restrict the use and re-conveyance of the Property to ensure compliance with the intent of this Board,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board ratifies and adopts the matters set forth in the foregoing recitals.

Section 2. This Board directs the County Mayor or the Mayor's designee to take all necessary steps to ultimately lease the Property to Nigerian-American Foundation for construction of the facility, to confirm the continued legal viability of the remainder of the Vacant Property and the Adjacent Improved Property and existing structure thereon, to conduct all necessary due diligence associated with the proposed lease, including confirmation of the legal description, and to identify any obstacles associated with the proposed re-platting, to re-plat the Museum Property as necessary in order for it to be separately developed by Nigerian-American Foundation after such lease, including obtaining any necessary approvals from the City of Miami Gardens, to file a Certificate with the Clerk confirming that there are no obstacles to conveying the re-platted portion by lease, that the remaining property can continue to function after such re-platting, and that the re-platting has been accomplished ("Certificate"), and to take any other necessary steps to achieve the lease.

Section 3. After any necessary re-platting or subdivision, and subject to the filing of the Certificate, this Board finds that the Museum Property is not needed for County purposes, approves the terms of the Lease of the Museum Property in substantially the form attached hereto, pursuant to Section 125.38 of the Florida Statutes, authorizes the waiver of Administrative Order 8-4 as it relates to review by the Planning Advisory Board, authorizes the County Mayor or Mayor's designee to enter the Lease in substantially the form attached hereto as Exhibit "B" and incorporated herein by reference, and to take all actions necessary to effectuate the Lease and to exercise any and all rights set forth in the Lease.

Section 4. This Board directs the County Mayor or Mayor's designee to appoint staff to monitor compliance with the terms of the conveyance, to file the Certificate, and to report back to this Board on the status of the re-platting and the lease in 180 days from the Effective Date of this Resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan and the Co-Sponsor is Senator Javier D. Souto. It was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

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The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of May, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Debra Herman



EXHIBIT
tabbles
EXH.A

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Legal Description:

The North 140.00 of Tract "A", RIVERDALE ESTATES SECTION TWO, according to the plat thereof recorded in Plat Book 68 at Page 102 of the Public Records of Miami-Dade County Florida, containing 33,600 square-feet or 0.771 acres more or less.



Miami-Dade County Public Works
and Waste Management Dept.

Nigerian-American Foundation
(FEE SIMPLE)

LEASE

THIS LEASE (hereinafter "Lease") is entered into and made effective on this _____ day of _____, 20____ by and between Miami-Dade County, a political subdivision of the State of Florida (hereinafter "Landlord" or "County"), and Nigerian-American Foundation, a Florida non-profit corporation (hereinafter "Tenant" or "NAF").

RECITALS

WHEREAS, the Landlord is the owner of certain real property, consisting of a vacant parcel of land, located at NW 207th Street and NW 32nd Avenue, in the City of Miami Gardens, Miami-Dade County, Florida (Folio No.: _____); and

WHEREAS, the Landlord is willing to lease such property to the Tenant; and

WHEREAS, the Tenant is desirous of entering into a lease with the Landlord for the use and future development of the land; and

WHEREAS, the Landlord is willing, and has agreed, pursuant to Section 125.38 of the Florida Statutes, to enter into a ground lease with the Tenant for a term of fifty (50) years, so long as the Tenant, at all times, remains a Florida non-profit entity, occupies the property, develops an African museum and cultural arts center, including activities such as an arts museum, dance theatre and lecture hall that is open and available to the public (the "Museum"), and complies with all of the terms and conditions of this Lease in a timely manner.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Lease, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do agree as follows:

WITNESSETH:

The Landlord, for and in consideration of the restrictions and covenants herein contained, hereby leases to Tenant, and Tenant hereby agrees to lease from Landlord, the vacant parcel of land described below, and does so in accordance with the terms and conditions of this

Lease as described herein.

ARTICLE 1
INCORPORATION OF RECITALS

1.01 The parties hereto agree that the foregoing recitals are true and correct, and are incorporated herein by reference.

ARTICLE 2
DEFINITIONS

1. The words "Execution Date" shall mean the date that this Lease takes effect and is legally binding upon the parties. The Execution Date is the date that this Lease is signed by the Landlord, after its approval by the Board of County Commissioners.
2. The word "Improvements" shall mean any and all infrastructure, hardscaping, landscaping, parking areas (including any garage), facilities, or amenities, and any and all related installations, fixtures, equipment, utilities, site-work, and other improvements existing or to be developed on or about the Premises.
3. The word "Premises" shall mean the vacant land legally described in Section 3.03 hereof, being leased by the Landlord to the Tenant for the development of the Museum. The County-owned property is located at NW 207th Street and NW 32nd Avenue, Miami Gardens, Florida (Folio No.: _____). The Premises is further described in Article 3 of this Lease.
4. The word "Project" shall mean the overall development on the Premises which will consist of a Museum, along with any and all Improvements, on or about the Premises.
5. The word "Museum" shall mean an African museum and cultural arts center, including activities such as an arts museum, dance theatre and a lecture hall, that is open and available to the public.

ARTICLE 3
DESCRIPTION OF PREMISES

3.01 Landlord hereby leases the Premises to Tenant, and Tenant hereby rents the Premises from Landlord, subject to the terms, covenants, conditions and provisions of this Lease.

3.02 Premises. A vacant parcel of land, which is located in the City of Miami Gardens, legally described as follows:

The North 140.00 feet of Tract "A", RIVERDALE ESTATES SECTION TWO, according to the plat thereof recorded in Plat Book 68 at Page 102 of the Public Records of Miami-Dade County Florida, containing 33,600 square-feet or 0.771 acres more or less.

3.03 The Tenant has visited the Premises first-hand, and therefore is fully aware of the size of the Premises, and has determined that the Premises is of sufficient size for its intended purposes.

3.04 Notwithstanding anything to the contrary contained herein, the Premises has been inspected by the Tenant which accepts the Premises in its "as-is" and "where-is" condition, with any and all faults, and understands and agrees that the Landlord does not offer any implied or expressed warranty as to the condition of the Premises, including but not limited to environmental conditions, and/or whether it is fit for any particular purpose.

ARTICLE 4
TERM

4.01 The term of this Lease shall commence on the Execution Date. Tenant hereby agrees that this Lease shall expire on the fiftieth (50th) anniversary of the Execution Date, with or without notice to the Tenant (hereinafter the "Expiration Date"), so long as Tenant complies with all of the terms and conditions herein.

4.02 The Tenant agrees that it shall provide the Landlord with notice of its intent to vacate the Premises one hundred eighty (180) calendar days prior to the Expiration Date. However, the parties further agree that should the Tenant fail, for any reason whatsoever, to notify the Landlord of its intention to vacate the Premises on or before the Expiration Date, that this Lease shall still expire on the Expiration Date, without the necessity of any notice from either the Landlord or the Tenant to terminate the same. Further, Tenant hereby waives notice to vacate or quit the Premises and agrees that Landlord shall be entitled the benefit of all provisions of law respecting the summary recovery of possession of the Premises from a Tenant holding over to the same extent as if statutory notice had been given. Tenant hereby agrees that if it fails

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to surrender the Premises at the end of the term, or any renewal thereof, Tenant will be liable to Landlord for any and all damages which Landlord shall suffer by reason thereof, and Tenant will indemnify Landlord against all claims and demands made by any succeeding tenants and/or developers against Landlord founded upon delay by Landlord in delivering possession of the Premises to such succeeding tenant and/or developer.

4.03 If Tenant shall be in possession of the Premises after the Expiration Date, in the absence of any agreement extending the term hereof, the tenancy under this Lease shall become one of month-to-month, terminable by either party on thirty (30) days prior written notice. Such month-to-month tenancy shall be subject to all of the covenants, conditions, provisions, restrictions and obligations of this Lease and shall be subject to rent based upon the terms and conditions found in Section 5.02.

4.05 Limitation of the Term. Notwithstanding and prevailing over anything to the contrary in this Lease, should the Tenant fail to substantially complete the construction of the Museum within five years from the Execution Date of this Lease, as evidenced by a temporary certificate of occupancy or an equivalent document, such failure shall be an event of default and this Lease shall automatically terminate, and the Tenant shall immediately vacate the Premises.

4.06 Options to Renew Lease. The Tenant, subject to the terms and conditions of this Lease, shall have two (2) options to renew this Lease, each for twenty-four (24) years, which may be exercised by the Tenant, so long as the Tenant is not then in default of any of the terms and/or conditions of this Lease. However, the Tenant shall not be permitted to exercise either option period until two (2) years prior to the Expiration Date, or any renewal or extension thereof. The rent during the renewal periods shall continue with the same amount of rent as indicated for the initial term of this Lease.

ARTICLE 5

RENT

5.01 Tenant covenants and agrees to pay to Landlord as rental for a term of fifty (50)

years, commencing upon the Execution Date, and expiring on the Expiration Date, at the rental rate of One (\$1.00) Dollar per year, and payable on the commencement of this Lease, and thereafter payable on the anniversary of the Execution Date to the Board of County Commissioners, c/o Internal Services Department (ISD), 111 N.W. 1st Street, 24th Floor, Miami, Florida 33128, or at such other place and to such other person as Landlord may from time to time designate in writing, as set forth herein.

5.02 Tenant also agrees that should it be in possession of the Premises after the Expiration Date, or any renewal or extension thereof, that it shall, in addition to being liable to the Landlord for any and all damages as a result of such holdover, be obligated to pay the then market rent, meaning that rental rate that the Landlord could normally obtain if the Landlord elected to rent the Premises to a third party, which assessment contemplates an arms' length transaction (hereinafter "Market Rent"). Market Rent shall be determined by an independent appraiser selected by the Landlord, who appraises the Premises in its then current condition, including the value of all Improvements which have been constructed thereon.

ARTICLE 6
PERMITTED USE OF PREMISES

6.01 Tenant shall only perform work or make Improvements on, to, or about the Premises that are consistent with the future construction of the Museum ("Permitted Use"). The only permitted use of the Premises shall be that of the Museum.

6.02 During the term of this Lease, the Tenant will continuously use the Premises for the Permitted Use of the Museum, and for no other purpose whatsoever. Tenant agrees that no changes in the Permitted Use of the Premises is authorized without the express prior written permission of the Landlord.

ARTICLE 7
CONDITION OF PREMISES

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7.01 Landlord and Tenant agree that the Tenant shall be solely responsible for obtaining, securing and/or maintaining any and all permits and licenses, including, but not limited to, construction or building permit(s) and/or license(s), including, but not limited to, making all Improvements on or about the Premises. Tenant agrees to be solely responsible for the cost to obtain any type of permit(s) and/or license(s).

7.02 Tenant agrees that it is solely responsible for securing any necessary land use approvals, zoning regulations, restrictions, rules, laws and ordinances that may be necessary in order for the Tenant to construct, maintain and/or to operate the Museum.

7.03 Tenant shall be solely responsible, at its sole cost and expense, for identifying any easements or other encumbrances on or about the Premises and determining if any such easements or other encumbrances will interfere with the Tenant's planned use of the Premises as a Museum. Tenant agrees that if any easements and/or other encumbrances exist on the Premises that it shall be the Tenant's responsibility, with the prior written approval of the Landlord, to cause the removal of such easements and other encumbrances at its sole cost or expense; or to design the Museum and Improvements in such a manner as to not disturb or interfere with the easements and/or other encumbrances.

7.04 The parties agree that Tenant shall not occupy or otherwise utilize any portion of the Premises prior to obtaining all necessary permits and/or licenses for the construction, occupancy, maintenance or operation of a Museum. And, if for any reason Tenant loses any necessary permit or license for any reason whatsoever, Tenant shall refrain from such construction, use, occupancy, maintenance, and/or operation until the Tenant has re-secured the appropriate permit(s) and/or license(s) which authorize the construction, use, occupancy, maintenance, and/or operation of the Premises as contemplated under this Lease. Further, Tenant is fully responsible for complying with, at its sole cost and expense, any and all building and fire codes.

7.05 Tenant agrees that the Premises currently consist of a vacant parcel of land, and hereby accepts full responsibility to undertake any and all environmental assessments on or

about the Premises, and if necessary, clean-up (as determined by any and all federal, state and local laws and regulations), the Premises, at Tenant's sole cost and expense, to a level or amount that will allow for the development of the Museum, including the construction of any and all structure(s) or Improvements that will comprise the Museum. Further, Tenant shall also be solely responsible for any and all repair and maintenance to the Premises, including, but not limited to, addressing any groundwater or soil conditions, structural and/or foundation problems, and air and/or noise quality.

ARTICLE 8
TAXES AND UTILITIES

8.01 The payment of any taxes, fees, impositions, or charges shall be the sole responsibility of the Tenant. Tenant hereby covenants and agrees to pay, without notice or demand and without set-off, abatement, suspension or deduction, any and all taxes, payments in lieu of taxes, betterment assessments, water, electric, sewer, telephone and other utility charges for the Premises and/or any structures and/or Improvements thereon. Tenant further covenants and agrees to pay without notice or demand and without set-off, abatement, suspension or deduction, all other costs, general and special, ordinary and extraordinary, foreseen and unforeseen, which are due and payable during the Term of this Lease, at any time imposed or levied against the Premises and/or any structures and/or Improvements thereon. All such payments shall be made no less than five (5) calendar days prior to the last date on which the same may become delinquent and be paid without penalty.

8.02 Tenant will furnish to Landlord, once per year, proof of its not-for-profit status and proof of payment of all items referred to in paragraph 8.01, which are payable by Tenant, including, but not limited to the payment of any taxes or payments in lieu thereof. At all times, Tenant must maintain its not-for-profit status.

8.03 If Tenant shall elect to contest the payment of any taxes, Tenant may make such payment under protest, or if postponement of such payment will not jeopardize the Landlord's title or interest in or to the Premises or subject Landlord to the risk of any civil liability or

penalty as determined in the sole and absolute discretion of the Landlord, Tenant may postpone the same to contest the amount of such taxes, but only if such postponement is done in accordance with the then-applicable laws, rules and regulations. If Landlord then so requires, Tenant shall secure the full amount of the taxes levied and the interest and penalties thereon and the costs of the proceedings or suit on the determination of whether the amount of the taxes is appropriate, by causing to be delivered to the Landlord in the form of a bond or other security, in the form satisfactory to Landlord, which amount Landlord shall hold in its general account during the pendency of the proceedings. Landlord shall return the amount held, without interest, within sixty (60) days of the conclusion of the proceedings, so long as Landlord did not use such sum, or any portion thereof, to pay the taxes, interest or penalty. Tenant agrees to indemnify, defend and save Landlord harmless from and against any and all costs and expenses incurred on account of Tenant's protest and participation in such proceedings and/or as a result of Tenant's failure to timely pay taxes and other related charges with respect to the Premises and/or any structures and/or Improvements thereon. Tenant shall promptly furnish the Landlord with a copy of any notice of all events and actions as they relate to the proceedings and/or suits.

ARTICLE 9
CONSTRUCTION OF STRUCTURES AND IMPROVEMENTS

9.01 Tenant shall complete the construction of the Museum, as evidenced by a temporary construction easement or an equivalent document (in the County's sole discretion) no later than five years from the Execution Date of this Lease. Failure to timely construct the Museum in accordance with the terms and conditions of this Lease, shall result in the termination of this Lease, and the Premises reverting to the Landlord, along with any and all Improvements thereto, upon written notice from the Landlord to the Tenant.

9.02 Tenant understands and agrees that it is solely responsible to procure any and all construction and related services in strict compliance with any and all local laws, rules and/or requirements.

9.03 Tenant shall cause all construction to be performed competently and in a good and workmanlike manner by duly qualified and licensed persons and/or entities, using first grade materials, and with as little interference as practicable to the affairs of nearby residences and/or businesses.

9.04 Tenant shall promptly pay all persons or entities furnishing labor and material with respect to any work performed by Tenant or its contractor on or about the Premises, and shall obtain and deliver to Landlord "releases" or waivers of liens from all parties doing work on or about the Premises, along with an affidavit from Tenant stating that all bills have been paid with regard to such work and that there are no outstanding obligations owed with respect to any such work performed on the Premises. The Tenant, as described below in Section 9.10, is further required to secure a payment and a separate performance bond, in accordance with Section 255.05, *Florida Statutes*, to guarantee the timely payment of any and all laborers and materialmen, as well as the timely and proper construction of the project. Such payment and performance bond will be delivered to Landlord prior to commencement of construction. The amount of such bonds shall be equal to the construction costs of the Improvements.

9.05 Tenant agrees that the Landlord, in its capacity as Landlord under this Lease, currently has no obligation and in the future shall have no obligation, financial, regulatory or otherwise, for any activities necessary or otherwise related to the pre-construction and/or construction of any structure(s) and/or Improvements on or about the Premises during the Term of this Lease.

9.06 If Tenant's construction activities or other actions relative to the Premises result in the introduction of hazardous materials or contamination of the soil and/or groundwater, then the Tenant agrees to: (1) immediately notify the Landlord of any contamination, claim of contamination or damage; (2) after consultation and with the approval of the Landlord, to clean up the contamination in full compliance with all applicable statutes, regulations and standards, at the Tenant's sole cost and expense; and (3) to indemnify, defend and hold the Landlord harmless from and against any claim, suits, causes of action, liability, obligations, costs and/or fees,

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including any and all attorneys' fees arising from or connected with such contamination, claim of contamination or damage.

9.07 All leasehold Improvements, including, but not limited to anything erected or installed on or about the Premises at any time, whether by or on behalf of the Tenant or by or on behalf of Landlord, shall not be removed from the Premises at any time, unless removal is consented to in advance, in writing, by Landlord; and at the expiration of this Lease (either on the Expiration Date or upon such earlier termination or cancellation as provided for in this Lease), all such leasehold Improvements shall be deemed to be part of the Premises, and shall not be removed by Tenant when it vacates the Premises, and title thereto shall vest solely in the Landlord without payment of any kind or nature to Tenant.

9.08 The Tenant's introduction of any supplies and/or equipment to the Premises, which personal property can be removed without damage to the Premises, shall remain the Tenant's property and may be removed from the Premises upon the expiration of this Lease.

9.19 Tenant agrees that in an effort to protect the Landlord in the event Tenant defaults hereunder, Tenant hereby grants to Landlord a security interest in all of the Tenant's personal property, including, but not limited to, all goods, equipment, and supplies belonging to the Tenant which are placed on or about the Premises during the term. Said security interest shall secure all amounts to be paid by Tenant to Landlord hereunder, including, but not limited to, the cost for maintenance and repairs to the Premises, and attorneys' fees, expert witness fees and court costs. However, notwithstanding the foregoing, the Landlord hereby agrees to subordinate its interest in the Tenant's removable personal property to the security interest of a Lending Institution, for with a loan regarding the construction and/or ongoing operation of the Museum

9.10 Prior to commencing any construction and/or repairs to the Premises, or any structure or Improvements on or about the Premises during the term of this Lease, Tenant shall obtain and deliver to the Landlord, at its sole cost and expense, both a payment bond and performance bond, or such other alternate form of security, any or all of which meets the requirements of Section 255.05, Florida Statutes, as set forth below, not less than ten (10) days

prior to the anticipated commencement date of the construction and/or repairs or the purchase of materials for the performance of the work. Said payment and performance bonds shall be in favor of the Landlord, the form of such bonds shall be as provided by Section 255.05, Florida Statutes, and each shall be in the amount of the entire cost of the construction, or in instances of repair, the total cost associated with the repair project regardless of the source of funding. The payment and performance bonds shall name Landlord as an obligee on the multiple obligee rider attached to the payment and performance bond, and shall be issued by a surety insurer authorized to do business in the State of Florida. The bonds shall be subject to review and approval by Miami-Dade County, Internal Services Department, Risk Management Division. The Tenant shall be responsible for recording the bonds in the public records of Miami-Dade County and providing notice to subcontractors and suppliers, as required by Section 255.05 of the Florida Statutes. Said payment and performance bonds shall be maintained in full force and effect for the duration of any construction and/or repair project. However, the foregoing requirement of securing a payment and performance bonds shall not be required when such contract for any repair work is estimated, in accordance with generally accepted cost-accounting principles, to have a cost of less than \$25,000.

9.11 Tenant shall not be permitted to place signs or advertising matter on or about the Premises without the Landlord's prior written approval, which approval may be granted by the County Mayor, or the Mayor's designee in his or her sole and absolute discretion. If permitted, Tenant will, at its sole cost and expense, maintain such sign and/or advertising matter, as may be permitted hereunder by the Landlord, in good condition and repair at all times. All signs shall be removed by Tenant upon the expiration or early termination of this Agreement, and any damage or unsightly condition caused to the Premises because of, or due to, said signs or advertising matter shall be corrected or repaired by Tenant, at Tenant's expense, to the satisfaction of the Landlord in Landlord's sole discretion.

9.12 The provisions of this Section shall survive the termination of this Lease.

ARTICLE 10
MAINTENANCE AND REPAIR

10.01 Tenant agrees to maintain and keep in good repair, condition, and appearance, during the term of this Lease, or any extension or renewal thereof, at its sole cost and expense, the Premises, and any and all infrastructure (utility lines, pipes, wiring) leading to or from the Premises, as well as any and all vegetation, including all grass, hedges, trees, and plants which are now, or in the future, on or about the Premises.

10.02 Tenant, at its expense, shall maintain and keep the Premises, including, but not limited to, all current and future parking areas, pathways, and/or walkways adjacent to or leading to or from any structure and/or Improvements which may be constructed on the Premises, and any and all sidewalks surrounding the Premises, free from debris.

10.03 With regard to the general maintenance and occupancy of the Premises, Tenant will, at its expense: (a) maintain the Premises in a clean, orderly and safe condition and free of rodents, vermin and other pests; (b) keep any garbage, trash, rubbish and/or other refuse in safe containers that do not encourage the existence of vermin; (c) cause to have such garbage, trash, rubbish and refuse removed on a daily, weekly, or as needed basis to ensure cleanliness; (d) comply with all laws, ordinances, rules and regulations of governmental authorities regarding the removal of garbage, trash, rubbish and refuse from the Premises; (e) keep all pre-construction, and construction activities, and/or mechanical equipment apparatus free of vibration and noise which may be transmitted beyond the Premises and/or which could disturb adjacent landowners or occupiers; (f) prevent any objectionable odors to emanate or to be dispelled from the Premises; (g) comply with and observe all rules and regulations established by the Landlord from time to time which relates to the Tenant's occupancy on the Premises; and (h) conduct its operation in all respects in a dignified manner in accordance with the high standards of other similar not-for-profit organizations. Further, should the Tenant fail to properly maintain the Premises, the Landlord may elect to clean, remove any trash or rubbish, or otherwise maintain the Premises. Should the Landlord elect to clean, remove any trash or rubbish or otherwise

maintain the Premises, the Landlord shall invoice the Tenant the amount of the cost associated with such maintenance, which cost shall be deemed as rent under this Lease.

10.04 Any damage or injury sustained by any person due to the work of the Tenant or any of its agents or contractors, or due to the poor maintenance of any mechanical equipment, and/or because of the operation or existence of any mechanical, electrical, plumbing or other equipment or the installation of such, shall be the sole responsibility of Tenant, and Tenant shall indemnify, defend and hold Landlord harmless from and against all claims, actions, causes of action, damages and liability in connection therewith, including, but not limited to reasonable attorneys' fees, other professional fees, and any other cost which Landlord may reasonably incur.

ARTICLE 11
DESTRUCTION OF STRUCTURES AND IMPROVEMENTS

11.01 Tenant shall be responsible for and shall repair any and all damage caused to the Premises and/or any structure(s) and/or Improvements on or about the Premises as a result of Tenant's use of the Premises or any vandalism, malicious mischief or criminal acts thereto. After the fortieth (40th) year of this Lease, from the Execution Date, the Tenant shall immediately notify the Landlord, in writing, upon discovering any damage to the Premises and/or any structure or any of the Improvements on or about the Premises. Tenant is responsible for maintaining, replacing and/or repairing any damaged real property, personal property, Improvements and/or structure(s).

11.02 In the event the Premises should be destroyed or so damaged by fire, windstorm, or other casualty to the extent that the Premises is rendered unfit for the intended purpose of Tenant, the Tenant may cancel this Lease but only after entering into an agreement with the Landlord regarding the cost to immediately repair any damage and/or remove any trash and/or debris. If the Premises is partially damaged, but the Premises is not rendered unusable for the purposes of this Lease, the same shall be immediately repaired by Tenant from proceeds of the insurance coverage and/or at its own cost and expense. If the damage to the Premises shall

be so extensive as to render it unusable for the purposes intended, but capable of being repaired within one hundred eighty (180) days, the damage shall be repaired with due diligence by Tenant from the proceeds of the insurance coverage policy and/or at its own cost and expense. In the event that Premises and/or a nearby structure(s) or Improvement(s) is damaged or destroyed due to Tenant's negligence, or the negligence of Tenant's employee(s), vendor(s), agent(s), and/or contractor(s), the Tenant shall be solely liable and responsible to immediately repair and/or compensate the Landlord and/or any subsequent owner for such damage or loss.

ARTICLE 12
ASSIGNMENT AND SUBLEASE

12.01 Tenant shall not assign, sublet, transfer, mortgage, pledge, or dispose of this Lease, for the term hereof, without first obtaining the written consent of Landlord, through its Board of County Commissioners, which consent may be withheld in Landlord's sole and absolute discretion. This prohibition includes, but is not limited to: (a) any subletting or assignment which would occur by operation of law, merger, consolidation, reorganization, transfer or other change of Tenant's corporate or proprietary structure; and (b) an assignment of subletting to or by a receiver or trustee in any federal or state action, bankruptcy, insolvency, or other proceedings. In no event shall Tenant be permitted to assign or sublet the Premises to any entity, for any purpose whatsoever, that fails to meet the requirements of Section 125.38, Florida Statutes.

ARTICLE 13
NO LIABILITY FOR PERSONAL PROPERTY

13.01 All personal property placed on or moved in the Premises shall be at the sole risk of Tenant or the owner thereof. Landlord shall not be liable to Tenant or any owner of such personal property for any damage to said personal property unless solely caused by or due to the gross negligence of Landlord, Landlord's agents or employees, subject to all limitations of Florida Statutes, Section 768.28.

ARTICLE 14
LANDLORD NOT RESPONSIBLE FOR ACTS OF OTHERS

14.01 Landlord shall not be responsible or liable to Tenant, or to those claiming by, through or under Tenant, for any loss or damage which may be occasioned by or through the acts or omissions of persons coming onto the Premises, including but not limited to invitees, trespassers, and/or licensees for any loss or damage resulting to Tenant, or those claiming by, through or under Tenant, for themselves and/or their personal property, from any actions or activity by such person(s), including, but not limited to, such actions or activity which is the direct or indirect cause of any lack of security, insufficient safety measures, failure to provide adequate or sufficient warnings, precautions, and/or inadequate protection to the Premises, the Tenant, or anyone claiming by, through or under the Tenant. To the maximum extent permitted by law, the Tenant agrees to use and occupy the Premises at Tenant's own risk. Tenant shall secure, maintain and utilize security personnel, at its sole cost and expense, as it deems necessary to protect the Tenant, its guests, licensees, any and all occupants, and/or the Premises.

ARTICLE 15
LANDLORD'S RIGHT OF ENTRY

15.01 Landlord or any of its agents shall have the right to enter the Premises during all reasonable working hours, upon the giving of twenty-four (24) hours' prior notice to examine the same or to make such repairs, additions, or alterations as may be deemed necessary for the safety, comfort, or preservation thereof. Said right of entry shall likewise exist for the routine purpose of ensuring that the Premises is safe. The Landlord's right to enter the Premises to make repairs, additions, and/or alterations, shall exist only after the Landlord has provided the Tenant with thirty (30) days advance notice of any such desire to enter the Premises to make such repairs, additions, and/or alterations, except that the Landlord, without prior notice to the Tenant, shall always be permitted to enter the Premises and make it safe in the event of an emergency, as solely determined by the Landlord.

ARTICLE 16
PEACEFUL POSSESSION

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16.01 Subject to the terms, conditions, and covenants of this Lease, Landlord covenants and agrees that Tenant shall and may peaceably have, hold, and enjoy the Premises without hindrance or molestation by Landlord.

ARTICLE 17
SURRENDER OF PREMISES

17.01 Tenant agrees to surrender to Landlord, upon the Expiration Date, or any extension or renewal thereof, the Premises in as good condition as the Premises was at the beginning of the term of this Lease, ordinary wear and tear excepted. In addition, upon the Expiration Date, or upon the expiration date of any extension thereof, or upon any early termination or cancellation of this Lease, any structures and/or Improvements constructed on the Premises shall remain on the Premises, and shall become the sole property of the Landlord, without any payment or obligation to Tenant.

ARTICLE 18
INDEMNIFICATION AND HOLD HARMLESS

18.01 Tenant shall indemnify and hold harmless the Landlord and its officers, employees, agents and instrumentalities from any and all liability, losses or damages, including reasonable attorneys' fees and costs of defense, which the Landlord or its officers, employees, agents or instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind or nature arising out of, relating to or resulting from the performance of this Lease by the Tenant or its employees, agents, servants, partners principals or subcontractors. Tenant shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the Landlord, where applicable, including appellate proceedings, and shall pay all costs, judgments, and reasonable attorneys' fees which may issue thereon. Tenant expressly understands and agrees that any insurance protection required by this Lease, or otherwise provided or secured by Tenant, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the Landlord or its officers,

employees, agents and instrumentalities as herein provided. The provisions of this Section will survive the termination of this Lease.

ARTICLE 19
LIABILITY FOR DAMAGE OR INJURY

19.01 Landlord shall not be liable for any damage or injury which may be sustained by any party or person on the Premises other than the damage or injury caused solely by the gross negligence of Landlord, its officers, employees, or agents, subject to the limitations of Florida Statutes, Section 768.28. The provisions of this Section shall survive the termination of this Lease.

ARTICLE 20
SUCCESSORS IN INTEREST

20.01 It is hereby acknowledged and agreed between the parties that all covenants, conditions, agreements, and undertakings contained in this Lease shall extend to and be binding upon any permitted successors and assigns of the respective parties hereto, the same as if they were in every case named and expressed.

ARTICLE 21
TERMINATION

21.01 **TERMINATION BY LANDLORD:** The occurrence of any of the following shall cause this Lease to be terminated by the Landlord upon the terms and conditions also set forth below:

- A. Automatic Termination:
- 1) Institution of proceedings in voluntary bankruptcy by the Tenant.
 - 2) Institution of proceedings in involuntary bankruptcy against the Tenant if such proceedings continue for a period of ninety (90) days or more.
 - 3) Assignment of Lease by Tenant for the benefit of creditors.
 - 4) Failure of Tenant to maintain its not-for-profit tax status.
 - 5) Failure to comply with the requirements of Section 6.02.

6) Failure to obtain a temporary certificate of occupancy, or equivalent document in the Landlord's sole and absolute discretion, within five years of the Execution Date of this Lease.

B. Termination after ten (10) calendar days written notice by the Landlord to Tenant for doing any of the following:

1) Non-payment of any sum or sums due hereunder after the due date for such payments; provided, however, that such termination shall not be effective if Tenant makes the required payment(s) during the ten (10) calendar day period following mailing of the written notice.

2) Notice of any condition posing a threat to health or safety of the public or patrons and not remedied within the ten (10) calendar day period from date of written notice.

C. Termination after thirty (30) calendar days written notice to Tenant for the reason(s) as set forth below:

1) Non-performance of any covenant of this Lease, other than non-payment of rent and other matters listed in A and B above, and failure of the Tenant to remedy such breach within the thirty (30) day period from receipt of the written notice.

D. The Tenant agrees that under no circumstances shall the Tenant be entitled to any termination or cancellation fee or any similar economic incentive or payment with regard to this Lease should this Lease be terminated or cancelled, unless specifically set forth in this Lease.

ARTICLE 22 **NOTICES**

22.01 Notices provided herein in this paragraph shall include all notices required in this Lease or required by law. Any notice or other communication given or made pursuant to this Lease shall be in writing and shall be deemed given if: (i) delivered personally or by courier; (ii) sent by certified mail, return receipt requested, with all postage pre-paid; or (iii) sent by a nationally recognized overnight delivery service (such as FedEx or DHL) and addressed to a party at its respective address as set forth below (or at such other address as shall be specified, in

writing, by a party, from time to time):

If to Landlord: MIAMI-DADE COUNTY
Internal Services Department
111 N.W. 1st Street, Suite 2460
Miami, Florida 33128-1907
Attention: Director

with a copy to: County Attorney's Office
Miami-Dade County
111 N.W. 1st Street, 28th Floor
Miami, Florida 33128
Attention: County Attorney

If to Tenant: INSERT

with a copy to:

All such notices and other communications shall be deemed given on the date of personal or local courier delivery, or delivery to overnight courier or express delivery service, and shall be deemed to have been received upon receipt or refusal thereof. For the sake of convenience and rapidity of transmission, copies of notices may be sent by electronic or facsimile transmission, but such transmissions alone, or together, shall not be deemed to satisfy the notice requirements of this Lease absent a written acknowledgement by the other party of actual receipt or the giving of notice by one of the other means as stated above.

ARTICLE 23
INSURANCE

23.01 Prior to occupancy, Tenant shall furnish to the Real Estate Development Division of Miami-Dade County, c/o Internal Services Department, 111 N.W. First Street, Suite 2460, Miami, Florida 33128-1907, Certificate(s) of Insurance which indicate that insurance coverage has been obtained which meets the requirements as outlined below:

A. Commercial General Liability Insurance on a comprehensive basis in an amount not less than \$300,000 per occurrence for Bodily Injury and Property Damage combined. **Miami-Dade County must be shown as an additional insured with respect to this coverage.**

B. Automobile Liability Insurance covering all owned, non-owned and hired vehicles used in connection with the work, in an amount not less than \$300,000 combined single limit per occurrence for bodily injury and property damage.

23.02 All insurance policies required above shall be issued by companies authorized to do business under the laws of the State of Florida, with the following qualifications: The company must be rated no less than "B" as to management, and no less than "Class V" as to financial strength, by A.M. Best Company, Oldwick, New Jersey, or its equivalent, subject to the approval of the County Risk Management Division.

ARTICLE 24
PERMITS, REGULATIONS & SPECIAL ASSESSMENTS

24.01 Tenant covenants and agrees that during the term of this Lease, Tenant will, at its sole cost and expense, obtain any and all necessary governmental permits, licenses and approvals, and that all uses of the Premises will be in complete conformance with all applicable laws, ordinances, codes, rules, regulations, including all applicable zoning regulations.

24.02 Any and all charges, taxes, or assessments levied against the Premises shall be paid by Tenant, and failure to do so will constitute a breach of this Lease.

24.03 County as Sovereign

It is expressly understood and agreed that notwithstanding any other provision of this Lease and the Landlord's status thereunder:

(a) The Landlord retains all of its sovereign prerogatives and rights as a county under Florida laws and shall in no way be estopped from withholding or refusing to issue any approvals of applications for building, zoning, planning or development under present or future laws and regulations of whatever nature applicable to the planning, design, construction and development of the Premises and/or the operation thereof, or be liable for the same; and

(b) The Landlord shall not by virtue of this Lease be obligated to grant the Tenant any approvals of applications for building, zoning, planning or development under present or future laws and ordinances of whatever nature applicable to the planning, design, construction, development and/or operation of the Premises.

24.04. No Liability for Exercise of Police Power

Notwithstanding and prevailing over any contrary provision in this Lease or any other document relating to this matter, including any Landlord covenant or obligation that may be contained in this Lease, or any implied or perceived duty or obligation of the Landlord including but not limited to the following:

- (a) To cooperate with, or provide good faith, diligent, reasonable or other similar efforts to assist the Tenant, regardless of the purpose required for such cooperation;
- (b) To execute documents or give approvals, regardless of the purpose required for such execution or approvals;
- (c) To apply for or assist the Tenant in applying for any county, city or third party permit or needed approval; or
- (d) To contest, defend against, or assist the Tenant in contesting or defending against any challenge of any nature;

shall not bind the Board of County Commissioners, the Regulatory and Economic Resources ("RER") Department or any other county, city, federal or state department or authority, committee or agency to grant or leave in effect any zoning changes, variances, permits, waivers, contract amendments, or any other approvals that may be granted, withheld or revoked in the discretion of the Landlord or any other applicable governmental agencies in the exercise of its police power; and the Landlord shall be released and held harmless, by the Tenant from and against any liability, responsibility, claims, consequential or other damages, or losses to the Tenant or to any third parties resulting from denial, withholding or revocation (in whole or in

part) of any zoning or other changes, variances, permits, waivers, amendments, or approvals of any kind or nature whatsoever. Without limiting the foregoing, the parties recognize that the approval of any building permit and/or certificate of occupancy (including temporary certificate of occupancy) will require the Landlord to exercise its quasi-judicial or police powers. Notwithstanding any other provision of this Lease, the Landlord shall have no obligation to approve, in whole or in part, any application for any type of permit, license, zoning or any other type of matter requiring government approval or waiver. The Landlord's obligation to use reasonable good faith efforts in the permitting of the use of County-owned property regarding the Premises shall not extend to any exercise of quasi-judicial or police powers, and shall be limited solely to ministerial actions, including the timely acceptance and processing of any requests or inquiries by Tenant as authorized by this Lease. Moreover, in no event shall a failure of the Landlord to adopt any of the Tenant's request or application for any type of permit, license, zoning or any other type of matter requiring government approval or waiver be construed a breach or default of this Lease.

ARTICLE 25
OWERSHIP OF ABANDONED PERSONAL PROPERTY

25.01 At the expiration or early termination of this Lease, Tenant shall peaceably leave, quit and surrender the Premises. Upon expiration or termination of this Lease, the Tenant, with the Landlord's permission, shall promptly remove its personal property and the personal property of its employees, agents, and contractors. Should Tenant fail to remove its personal property, and/or the personal property of others within thirty (30) days, the Tenant agrees that said personal property shall be deemed abandoned and the Landlord may dispose of the personal property in the manner it elects, without any compensation, remuneration or reimbursement to the Tenant or any other owner or person with an interest in such personal property.

ARTICLE 26
EMINENT DOMAIN

26.01 The word "Taking" in this Lease shall mean any taking of the title to, access to, or use of the Premises or any portion thereof by any governmental authority or any conveyance under the threat thereof, for any public, quasi-public, or private use or purpose. A Taking may be total or partial, permanent or temporary.

26.02 Upon receipt by either the Landlord or the Tenant of any notice of Taking, or the institution of any proceedings for Taking the Premises, or any portion thereof, the party receiving such notice shall promptly give notice thereof to the other, and such other party may also appear in such proceeding and may be represented by an attorney.

26.03 The full amount of any award whether *pro tanto* or final for any Taking (the "Award"), shall, notwithstanding any allocation made by the awarding authority, be paid and allocated as set forth below, provided that there shall first be deducted from the Award the following, in the order stated: (i) all reasonable fees and expenses of collection, including reasonable attorneys' fees and experts' fees, which shall be paid to the party which has paid such fees and expenses and/or undertaken such work (assuming such fees and costs are not compensated by the condemning authority), (ii) any unpaid fees or expense due to the Landlord, or due to a third-party, which Landlord will be ultimately responsible for, and (iii) any outstanding amounts which represent unpaid loans used for the construction of any structures and/or Improvements on the Premises. With respect to the balance of such Award, Landlord and Tenant shall be entitled to receive and retain such separate Awards and portions of lump sum awards as may be allocated to their respective interests in any condemnation proceedings, with consideration given to the fact that the Landlord's interest in the Premises is not limited to the land encumbered by this Lease, but also the reversionary interest in the Premises upon expiration of the term and the structure(s) and Improvements thereon.

26.04 In the event of a permanent Taking of the fee simple interest or title of the Premises, or control of the entire leasehold estate hereunder (a "Total Taking"), this Lease shall thereupon terminate as of the effective date of such Total Taking, without liability or further recourse to the parties, provided that any and all obligations of Tenant under this Lease have

been fully and completely complied with by Tenant as of the date of said Total Taking, otherwise Tenant hereby agrees that an appropriate amount of its portion of the A ward shall be paid to Landlord, and such payment shall be allocated to complete any unfinished work by Tenant or fulfill any unfulfilled obligations.

26.05 If, in the event of a partial Taking of less than the entire Premises, the remaining portion of the Premises not so taken cannot be adequately restored, repaired or reconstructed so as to constitute a complete architectural unit of substantially the same usefulness, design, construction, and commercial feasibility, as immediately before such Taking, then Tenant shall have the right, to be exercised by written notice to Landlord within one hundred twenty (120) days after the date of Taking, to terminate this Lease on a date to be specified in said notice, which date shall not be earlier than the date of such Taking, in which case Tenant shall pay and shall satisfy all Rents and other payments due and accrued hereunder up to the date of such termination and shall perform all of the obligations of Tenant hereunder to such date, and thereupon this Lease and the term herein demised shall cease and terminate. Upon such termination the Tenant's interest under this Lease in the remainder of the leasehold interest not taken shall be sold in accordance with applicable Law, and the proceeds of the sale shall be combined with the Award given for the partial Taking with the entire amount then being distributed as if a total Taking had occurred. Landlord shall have the first option to purchase Tenant's remaining leasehold interest under this Lease, which purchase price for the Premises shall be calculated by taking the amount of the annual rent and multiplying it by the number of years remaining in this Lease. The purchase price for any and all structures and Improvements shall be arrived at by the Landlord securing an appraisal, and the amount of any grant given to the Tenant by the Landlord deducted from the amount of the appraisal. The remaining amount from the appraised value shall serve as the purchase price; and should, for any reason, the Tenant disagree with the value attributed by the appraisal for any and all structures and Improvements, then the Landlord shall secure three (3) separate appraisals, and the median appraisal (the middle, not the average amount of the three (3) appraisals) shall set the initial value for the

structures and any Improvements on or about the Premises, and the amount of any grant given to the Tenant by the Landlord shall be deducted from the initial appraised value to establish the purchase price for the structures and Improvements on the Premises.

ARTICLE 27
FORCE MAJEURE

27.01 Tenant and Landlord shall be excused for the period of any delay and shall not be deemed in default with respect to the performance of any of the non-monetary terms, covenants, and conditions of this Lease when prevented from so doing by cause or causes beyond Tenant's or Landlord's control, excluding filing of bankruptcy, but which shall include, without limitation, all labor disputes, governmental regulations or controls, fire or other casualty, acts of God, or any other cause, whether similar or dissimilar to the foregoing, not within the control of Tenant or Landlord. However, in order for the Tenant to claim or otherwise take advantage of *force majeure*, the Tenant must first notify the Landlord in writing of the event, and then secure from the Landlord a written acknowledgement that the Landlord recognizes the existence of an event of *force majeure*, which shall be determined in Landlord's sole and absolute discretion. Further, the Tenant shall only be entitled an extension of time, equal to the exact same period of the *force majeure* delay to complete its duty to perform under the terms and conditions of this Lease.

ARTICLE 28
WAIVER

28.01 If, under the provisions hereof, Landlord or Tenant shall institute proceedings and a compromise or settlement thereof shall be made, the same shall not constitute a waiver of any covenant herein contained nor of any of Landlord's or Tenant's rights hereunder, unless expressly stated in such settlement agreement. No waiver by Landlord or Tenant of any

provision hereof shall be deemed to have been made unless expressed in writing and signed by both parties. No waiver by Landlord or Tenant of any breach of covenant, condition, or agreement herein contained shall operate as a waiver of such covenant, condition, or agreement itself, or of any subsequent breach thereof. No payment by Tenant or receipt by Landlord of lesser amount than the monthly installments of rent (or additional rent if such obligations are stipulated herein) shall be deemed to be other than on account of the earliest amount of rent due and owing to the Landlord; and likewise neither shall any endorsement or statement on any check or letter accompanying a check for payment of rent or any other amounts owed to Landlord be deemed an accord and satisfaction, and the Landlord may accept such check or payment without prejudice to or waiver of Landlord's right to recover the balance of such rent or other amount owed, or to pursue any other remedy provided in this Lease or at law. Further, any endorsement or statement on any check or letter accompanying a check for payment of rent or any other amounts owed to Landlord may not be deemed to limit or restrict the Landlord in any manner whatsoever, and such endorsement or statement shall have no effect whatsoever, and shall be deemed to have never been written at all. No reentry by Landlord and no acceptance by Landlord of keys from Tenant shall be considered an acceptance of a surrender of this Lease.

ARTICLE 29
DEFAULT OF TENANT AND REMEDIES

29.01 Consistent with and in addition to Article 21, Termination, above, if Tenant shall fail comply with the terms and/or condition of this Lease (other than a default involving the payment of rent, or a default resulting in automatic termination of this Lease), and if such violation or failure continues for a period of thirty (30) calendar days after written notice thereof to Tenant by Landlord, then Landlord may proceed with any remedy available at law or in equity in the State of Florida, or by such other proceedings, including reentry and possession, as may be

applicable.

29.02 Should Tenant elect or fail to perform or observe any covenant or condition of this Lease (other than a default involving the payment of rent, or a default resulting in automatic termination of this Lease), which default has not been cured within thirty (30) calendar days after the giving of notice by Landlord, unless such default is of such nature that it cannot be cured within such thirty (30) calendar day period, in which case no event of default shall occur so long as Tenant shall commence the curing of the default within such thirty (30) calendar day period and shall thereafter diligently prosecute the curing of same, and/or such remedy for any such default is not otherwise addressed in this Lease, then the Landlord shall be permitted to terminate this Lease, and immediately take possession of the Premises.

29.03 Should Tenant vacate or abandon the Premises at any time during the term of this Lease, Landlord shall be permitted to immediately take possession of the Premises. It shall be the Landlord's determination as to whether or not the Tenant has either vacated or abandon the Premises.

29.04 Upon any default, and after the expiration of any cure period, Landlord may, in accordance with any lawful process, enter the Premises and take possession of any and all goods, inventory, equipment, fixtures and all other personal property of Tenant situated in the Premises without liability for trespass or conversion, and may sell or otherwise dispose of any and all such property after thirty (30) calendar days' notice to Tenant, which notice shall constitute reasonable and sufficient notice (so long as such property is valued by the Landlord at more than Five Thousand (\$5,000.00) Dollars, otherwise, such property shall be considered abandoned by the Tenant, and Landlord shall have no obligation to either store, maintain, sell or otherwise dispose of the property). The proceeds of any such sale or disposition shall be applied first to the payment of all costs and expenses of conducting the sale and/or caring for and/or storing said property, including reasonable attorneys' fees, and any costs incurred by the Landlord to restore the Premises to good condition; second, toward the payment of any indebtedness, including (without limitation) indebtedness for rent, which may be due or become

due to Landlord; and third, to pay Tenant, on demand in writing, any surplus remaining after all indebtedness of Tenant to Landlord has been fully paid, so long as Tenant in fact makes such demand within sixty (60) calendar days of any such sale or disposition of property.

29.05 Upon any default, Landlord may perform, on behalf of and at the expense of the Tenant, any obligation of Tenant under this Lease which Tenant has failed to perform and of which Landlord shall have given Tenant notice of, the cost of which performance by Landlord, together with interest thereon, at the highest legal rate of interest as permitted by the State of Florida, and shall be immediately payable by Tenant to Landlord.

29.06 Notwithstanding the provisions of clause 29.05 above, and regardless of whether an event of default shall have occurred, Landlord may exercise the remedy described in clause 29.05 without any notice to Tenant if Landlord, in its good faith judgment, believes it would be injured by failure to take rapid action or if the unperformed obligation by Tenant constitutes an emergency.

29.07 If this Lease is terminated or cancelled by Landlord, Tenant nevertheless shall remain liable for any and all rent and damages which may be due, become due or sustained by Landlord, along with any and all reasonable costs, fees and expenses including, but not limited to, attorneys' fees, costs and expenses incurred by Landlord in pursuit of its remedies hereunder, or in renting the Premises or a portion thereof to others.

29.08 In addition to any and all other remedies in law or in equity that Landlord may have against Tenant, Landlord shall be entitled to sue Tenant for all actual damages, costs and expenses arising from Tenant committing an event of default hereunder and to recover all such damages, costs and expenses, including reasonable attorneys' fees at both trial and appellate levels.

29.09 All rights and remedies of Landlord under this Lease shall be cumulative and shall not be exclusive of any other rights and remedies provided to Landlord under applicable law.

29.10 The provisions of this Article 29 shall survive any termination of this Lease.

ARTICLE 30
ADDITIONAL PROVISIONS

30.03 Notification of any injury on the Premises. Tenant agrees that it will immediately notify the Landlord should any person sustain(s), or is found to have, a serious bodily injury or dies on or about the Premises, due to any cause that might give rise to claims of liability for or to the Landlord, for personal injury or wrongful death. The parties hereby agree that the definition of serious bodily injury shall include, but not be limited to, any injury to a person which requires medical treatment either at a hospital or by emergency medical technicians. Further, in instances where someone sustained a serious bodily injury or died, due to any cause that might give rise to liability for or to the Landlord, for personal injury or wrongful death, in addition to any other requirement(s) regarding notice under this Lease, the Tenant shall also immediately (same day, or in situations where the same day is not possible, then next day) call the Landlord's Internal Services Department, and notify the Director of such incident, in detail, with or without the name of the individual that died or sustained the serious bodily injury. Further, in instances where an individual died or sustained a serious bodily injury, the Tenant must complete a detailed injury and incident report and immediately (same day or next day) send it to the Landlord, in accordance with the terms of the notice provisions found in this Lease.

30.04 Security. The Tenant, as mentioned above in Section 14.01 of this Lease, is solely responsible for securing and maintaining its own security in and around, and for, the Premises. Should the Tenant, at any time and for any reason, believe that security and/or additional security is needed to protect the Tenant, or any of its invitees, licensees, guests, employees, staff, management, occupants, and/or anyone else, and/or the personal property belonging to any of the foregoing, and/or the Premises, then it is understood and agreed that Tenant shall, at its sole cost and expense, hire and maintain such security. The Tenant further acknowledges and agrees that the Landlord is not expected to supply, or otherwise provide, any

security staff and/or security equipment to, on, or about the Premises which would be designed to prevent or deter vandalism, theft, burglary, and/or any other type of criminal activity or any other type of incident.

ARTICLE 31
GOVERNING LAW

31.01 This Lease, including any exhibits or amendments, if any, and all matters relating thereto (whether in contract, statute, tort or otherwise) shall be governed by and construed in accordance with the laws of the State of Florida. The parties agree that venue shall be in Miami-Dade County, Florida.

ARTICLE 32
WRITTEN AGREEMENT

32.01 This Lease contains the entire agreement between the parties hereto and all previous negotiations leading thereto, and it may be modified only by resolution approved by the Board of County Commissioners.

32.02 Each signatory of this Lease represents hereby that he or she has the authority to execute, bind and deliver the same on behalf of the party hereto for which such signatory is acting.

32.03 Each party has participated fully in the negotiation and preparation of this Lease with full benefit of counsel. This Lease was negotiated and drafted at arms-length so that the judicial rule of construction to the effect that a legal document shall be construed against the draftsman shall be inapplicable to this Lease. Accordingly, this Lease shall not be more strictly construed against either party.

32.04 Severability. If any provision of this Lease or the application thereof to any person, entity, or situation shall, to any extent, be held invalid or unenforceable, the remainder of this Lease, and the application of such provisions to such persons, entities, or situations other than those as to which it shall have been held invalid or unenforceable, shall not be

affected thereby, and shall continue to be valid, and be enforceable to the fullest extent permitted by law.

32.05 Captions. The article headings and captions of this Lease are for convenience and reference only, and in no way define, limit, or describe the scope or intent of this Lease, nor in any way affect this Lease.

32.06 Holidays. It is hereby agreed and declared that whenever the day upon which a payment is due, or any obligation to be performed falls on a day which is a legal holiday for Miami-Dade County, or on a Saturday or Sunday, then such payment date or due date shall be postponed to the next following business day. Any mention in this Lease of a period of days for performance shall mean business days, unless otherwise described in the Lease.

32.07 Brokers. Landlord and Tenant hereby represent and agree that no real estate broker, agent, or other person, or entity is entitled to claim a commission as a result of the execution and delivery of this Lease.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]
[ONLY THE SIGNATURE PAGE REMAINS]

IN WITNESS WHEREOF, Landlord and Tenant have duly executed this Lease, with the intent for it to be legally binding, as of the day and year first above written.

Landlord:

MIAMI-DADE COUNTY

a political subdivision of the State of
Florida

By: _____

Name: _____

Title: _____

Date signed: _____

Witness/Attest:

Witness/Attest:

Tenant:

NIGERIAN-AMERICAN FOUNDATION

a Florida not-for-profit corporation

Chief Joseph Obadeyi

Witness/Attest:

Mr. Sunday Akinbiyi

Witness/Attest:



By: _____

Name: Dr. Erhabor Ighodaro

Title: President

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City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		x		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i> N/A			
		X					
Sponsor Name	Lillie Q. Odom, Council Member		Department: City Manager	<i>Office of the Mayor/Council</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILWOMAN LILLIE Q. ODOM REAPPOINTMENT OF ELOUISE JACKSON TO THE CITY OF MIAMI GARDENS COMMISSION FOR WOMEN FOR A TWO YEAR TERM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

In accordance with the establishment of the City of Miami Gardens Commission For Women Advisory Committee, more particularly Section 2-206 "Term of Office", Councilwoman Lillie Q. Odom hereby submits the re-appointment of Elouise Jackson for membership. The term of this appointment shall expire, March 25, 2017.

**Item K-6) Consent Agenda
Resolution
Re-Appnt to Miami Gardens
Commission for Women**

Proposed Action:

That the City Council approves this resolution.

Attachment:

RESOLUTION NO. 2015_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILWOMAN LILLIE Q. ODOM'S REAPPOINTMENT OF ELOUISE JACKSON TO THE COMMISSION FOR WOMEN ADVISORY COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF COUNCILWOMAN LILLIE Q. ODOM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has created the Commission for Women Advisory Committee ("the Committee"), and

WHEREAS, Councilwoman Lillie Q. Odom and each member of the City Council have the right to appoint members to the Committee, and

WHEREAS, in accordance Section 2-206 of the Code of Ordinances, Councilwoman Lillie Q. Odom has appointed Elouise Jackson to the Committee for a term that will coincide with the term of Councilwoman Lillie Q. Odom, and

WHEREAS, it is appropriate for the City Council to acknowledge the reappointment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens hereby acknowledges Councilwoman Lillie Q. Odom's reappointment of Elouise Jackson to the Commission for Women Advisory Committee for a term that will coincide with the term of Councilwoman Lillie Q. Odom.

30 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
31 upon its final passage.

32 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
33 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2015.

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OLIVER GILBERT, III, MAYOR

ATTEST:

RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: COUNCILWOMAN LILLIE Q. ODOM

Moved by: _____

VOTE: _____

Mayor Oliver Gilbert, III	_____ (Yes)	_____ (No)
Councilwoman Lisa C. Davis	_____ (Yes)	_____ (No)
Councilwoman Lillie Q. Odom	_____ (Yes)	_____ (No)
Councilman David Williams Jr	_____ (Yes)	_____ (No)
Councilwoman Felicia Robinson	_____ (Yes)	_____ (No)
Councilman Rodney Harris	_____ (Yes)	_____ (No)
Councilman Erhabor Ighodaro, Ph.D.	_____ (Yes)	_____ (No)



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance		Other	
				X				
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading		
		x		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>		Yes		No	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:					
		X						
Strategic Plan Related <i>(Enter X in box)</i>	Yes	No	Strategic Plan Priority Area:	Strategic Plan Obj./Strategy: <i>(list the specific objective/strategy this item will address)</i>				
		X		Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	N/A			
Sponsor Name	Lillie Q. Odom, City Council		Department: City Manager	<i>Office of the Mayor/Council</i>				

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILWOMAN LILLIE Q. ODOM'S APPOINTMENT OF JEFFREY LAFLORA TO THE PROGRESSIVE YOUNG ADULTS COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF COUNCILWOMAN ODOM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

In accordance with the establishment of the Progressive Young Adult Advisory Committee, Councilwoman Lillie Q. Odom has appointed Jeffrey LaFlora, in accordance with Section 2-286 of the Code of Ordinances. This Resolution acknowledges Councilwoman Odom's appointment of Jeffrey LaFlora. The term of this appointment shall coincide with Councilwoman Odom's term. This appointed member will adhere to duties and powers of the Advisory Committee as outlined in the Ordinance.

**Item K-7) Consent Agenda
Resolution
Appt to Progressive Young
Adults Advisory Committee**

Proposed Action:

That the City Council approves this resolution.

Attachment:

RESOLUTION NO. 2015_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACKNOWLEDGING COUNCILWOMAN LILLIE Q. ODOM'S APPOINTMENT OF JEFFREY LAFLORE TO THE PROGRESSIVE YOUNG ADULT ADVISORY COMMITTEE FOR A TERM THAT WILL COINCIDE WITH THE TERM OF COUNCILWOMAN LILLIE Q. ODOM; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has created the Progressive Young Adult Advisory Committee ("the Committee"), and

WHEREAS, Councilwoman Lillie Q. Odom and each member of the City Council has the right to appoint members to the Committee, and

WHEREAS, in accordance Section 2-286 of the Code of Ordinances, Councilwoman Lillie Q. Odom has appointed Jeffrey Laflora to the Committee for a term that will coincide with the term of Councilwoman Lillie Q. Odom, and

WHEREAS, it is appropriate for the City Council to acknowledge the appointment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2: AUTHORIZATION: The City Council of the City of Miami Gardens hereby acknowledges Councilwoman Lillie Q. Odom' appointment of Jeffrey Laflora to the Progressive Young Adult Advisory Committee for a term that will coincide with the term of Councilwoman Lillie Q. Odom.

30 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
31 upon its final passage.

32 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
33 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2015.

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ATTEST:

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OLIVER GILBERT, III, MAYOR

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RONETTA TAYLOR, MMC, CITY CLERK

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PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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SPONSORED BY: COUNCILWOMAN LILLIE Q. ODOM

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Moved by: _____

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VOTE: _____

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Mayor Oliver Gilbert, III _____ (Yes) _____ (No)

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Vice Mayor Felicia Robinson _____ (Yes) _____ (No)

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Councilwoman Lillie Q. Odom _____ (Yes) _____ (No)

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Councilman David Williams Jr. _____ (Yes) _____ (No)

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Councilwoman Lisa C. Davis _____ (Yes) _____ (No)

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Councilman Rodney Harris _____ (Yes) _____ (No)

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Councilman Erhabor Ighodaro, Ph.D. _____ (Yes) _____ (No)

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City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015	Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other		
			X				
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		x			X		
			Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes	No
					X		
Funding Source:	<i>(Enter Fund & Dept)</i>		Advertising Requirement:	Yes		No	
						X	
Contract/P.O. Required:	Yes	No	RFP/RFQ/Bid #:	<i>(Enter #)</i>			
		X					
Strategic Plan Related:	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Imag <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: N/A			
		x					
Sponsor Name:	Cameron D. Benson, City Manager		Department:	<i>Development Services</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THAT CERTAIN AMENDED DECLARATION OF RESTRICTIVE COVENANTS ATTACHED HERETO AS EXHIBIT "A," RELATING TO THE WILLOW LAKE DEVELOPMENT; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

Background

In May 2005 the City approved public hearing application Z-2005-01 to modify resolutions passed and adopted by the Miami Dade County Zoning Appeals Board. The owner at the time proffered a

**Item K-8) Consent Agenda
Resolution
Willow Lake Development**

Declaration of Restrictions recorded in Official Records Book 23516, Pages 2731 through 2737 of the Public Records of Miami Dade County.

On May 31, 2011, in accordance with Section 34-62 of the City's Land Development Regulations the multifamily residential development Willow Lake located at NW 202nd Terrace, was determined to be vested for the development rights granted by Miami-Dade County Resolution(s) 4-ZAB-310-74; 4-ZAB-357-75; and CZAB-3-1-03; and as modified by City of Miami Gardens Resolution No. 2005-72-249-Z-26.

Current Situation

The current owner 202 Terrace, Inc. is seeking to amend two restrictive covenants of the Declaration of Restrictions recorded in O.R.B 23516 Pages 2731 through 2737 as follows:

- Restrictive covenant number three (3) of the Declaration of Restrictions. The request for 144 trees along 202nd Terrace cannot be met as per requirements set forth in Article XIV of the Land Development Regulations (LDRs).
- Restrictive covenant number five (5) of the Declaration of Restrictions. An access easement is no longer necessary since the bicycle/pedestrian facility adjacent to Snake Creek Canal is currently located on the southern side of the canal and there are no immediate plans to build an additional bicycle/pedestrian facility on the northern side.

The Declaration of Restrictions was proffered at public hearing to the City Council; therefore, it must be released by action of the City Council. The purpose of the request is to permit the applicant to develop the site and amend the declaration of restrictions tying the property to conditions that have changed due to the adoption of the City's LDRs after adoption of Resolution No. 2005-72-249-Z-26 and the Snake Creek Canal project completion.

Analysis

The restrictive covenants number (s) three (3) and five (5) cannot be completely satisfied due to the adoption of the City's LDRs after adoption of Resolution No. 2005-72-249-Z-26 and the Snake Creek Canal project completion. The applicant has met the voluntary monetary contribution to the City of Miami Gardens in the amount of \$20,000 proffered in restrictive covenant number seven (7). It is intended that \$10,000 is to be contributed by the City to Miami Norland Middle School, and \$10,000 is to be used by the City to improve Andover Park.

Proposed Action:

Recommend adoption of the Resolution.

Attachments: Exhibit "A" – Amended and Restated Declaration of Restrictions
Exhibit "B" – Declaration of Restrictions recorded in O.R.B. 23516 Pages 2731 - 2737
Exhibit "C" – Resolution No. 2005-72-249-Z-26
Exhibit "D" – Legal Description

RESOLUTION NO. 2014_____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI
4 GARDENS, FLORIDA, ACCEPTING THAT CERTAIN AMENDED
5 DECLARATION OF RESTRICTIVE COVENANTS ATTACHED HERETO
6 AS EXHIBIT "A," RELATING TO THE WILLOW LAKE DEVELOPMENT;
7 PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING
8 FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN
9 EFFECTIVE DATE.

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11 WHEREAS, in May of 2005, the City Council adopted Resolution No.
12 2005-72-249-Z-26, which modified Miami-Dade County Resolution(s) 4-ZAB-310-74,
13 4-ZAB-357-75, and CZAB-3-1-03, and

14 WHEREAS, at that time, the City Council also accepted a Declaration of
15 Restrictions that was proffered by the Developer and was recorded in Official Records
16 Book 23516 Pages 2731 of the Public Records of Miami Dade County, and

17 WHEREAS, the owner of the property, 202 Terrace, Inc., by and through its
18 agent, Willow Lake Associates, Ltd. is seeking to amend two restrictive covenants of
19 the Declaration of Restrictions recorded in O.R.B 23516 Pages 2731 through 2737, and
20 outlined in the Agenda Cover Memorandum that accompanies this item, and

21 WHEREAS, staff recommends that the Declaration of Restrictive Covenants be
22 amended in accordance with the request, and

23 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
24 OF MIAMI GARDENS, FLORIDA AS FOLLOWS:

25 Section 1: ADOPTION OF REPRESENTATIONS: The foregoing Whereas
26 paragraphs are hereby ratified and confirmed as being true, and the same are hereby
27 made a specific part of this Resolution.

28 Section 2: ACCEPTANCE OF DECLARATION: The City Council of the City of
29 Miami Gardens hereby accepts that Amended Declaration of Restrictive Covenants
30 attached hereto as Exhibit "A," relating to the Willow Lake Development.

31 Section 3: INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby
32 directed to record the Amended Declaration of Restrictive Covenants upon execution.

33 Section 3: EFFECTIVE DATE: This Resolution shall take effect immediately
34 upon its final passage.

35 PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI
36 GARDENS AT ITS REGULAR MEETING HELD ON _____, 2014.

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OLIVER GILBERT, III, MAYOR

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43 **ATTEST:**

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RONETTA TAYLOR, MMC, CITY CLERK

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50 PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

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53 SPONSORED BY:

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55 Moved by: _____

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57 **VOTE:** _____

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59 Mayor Oliver Gilbert, III	_____ (Yes)	_____ (No)
60 Vice Mayor Felicia Robinson	_____ (Yes)	_____ (No)
61 Councilwoman Lillie Q. Odom	_____ (Yes)	_____ (No)
62 Councilman David Williams Jr	_____ (Yes)	_____ (No)
63 Councilwoman Lisa C. Davis	_____ (Yes)	_____ (No)
64 Councilman Rodney Harris	_____ (Yes)	_____ (No)
65 Councilman Erhabor Ighodaro, Ph.D.	_____ (Yes)	_____ (No)

Return to: (enclose self-addressed stamped envelope)

Name: Ronetta Taylor, City Clerk
1515 N.W. 167th Street
Building 5, Suite 200
Miami Gardens, Florida 33169

This Instrument Prepared by:

Sonja K. Dickens, Esquire
1515 N.W. 167th Street
Building 5, Suite 200
Miami Gardens, Florida 33169

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

AMENDED AND RESTATED DECLARATION OF RESTRICTIONS

WHEREAS, 202 Terrace, Inc. ("Developer"), holds the fee simple title to the land described on Exhibit "A" attached hereto and made a part hereof (the "Property"), and

WHEREAS, the Developer has made an application to the City of Miami Gardens to amend Resolutions Nos. 4-ZAB-310-74, 4-ZAB-357-75 and CZAB-3-1-03 which were previously approved by Miami-Dade County, and

WHEREAS, the City of Miami Gardens agrees to amend the aforementioned Resolutions, subject to certain conditions,

IN ORDER TO ASSURE the City of Miami Gardens that the representations made by the Developer will be abided by, the Developer, subject only to conditions contained herein, freely, voluntarily and without duress, makes the following Declaration of Restrictions covering and running with the Property:

1. That this Declaration shall become final and recorded in the Public Records of Miami-Dade County conditioned upon a public hearing and the approval of the application of 202 Terrace, Inc., to modify Resolutions No. 4-ZAB-310-74, 4-ZAB-357-75, and CZAB-3-1-03.
2. That the Property be constructed substantially in compliance with the plans

submitted for the hearing entitled "Willow Lake Townhomes" as prepared by Salazar Architectural Group Architects and Planners dated April 19, 2005 consisting of Sheets: SP-1 through Sp13 and landscape plans entitled "Willow Lake" as prepared by JFS Design, INC. dated April 21, 2005, consisting of sheets, TD-1, L-1 through L-4 and TU-1 through TU-3.

3. That the developer construct Northwest 202nd Terrace to the City's specifications, including, but not limited to, dedication of a total of right of way of seventy (70) feet with a curb and gutter cross section with sidewalks on both sides. Sidewalks shall extend east and west of site to connect to existing sidewalks. The street shall include curbs, irrigation and landscape as per Article XIV of the Land Development Regulations. The developer shall mill and resurface from eastern project entrance to SR 7/US 441.
4. That the Developer re-surface and clean the Storm Water System at NW 202nd Terrace, adjacent to Developer's property.
5. That, if necessary as determined and requested by the City, the applicant shall provide an access easement for any future bicycle and/or pedestrian facility adjacent to Snake Creek/Canal 9.
6. That the Developer shall work with the City staff and to the extent feasible, without necessity for a variance, provide an open green space area with amenities in the development.
7. That to offset some of the impacts of the development to the neighborhood, the Developer shall voluntarily pay the sum of \$20,000.00 to the city of Miami Gardens, of which, it is intended that \$10,000.00 is to be contributed by the City to Miami Norland Middle School, and \$10,000.00 is to be used by the City to improve Andover Park.
8. **City Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of the City, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
9. **Covenant Running With The Land.** This Declaration on the part of the Applicant shall constitute a covenant running with the land and shall remain in full force and effect and be binding upon the Applicant, and his heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the public welfare.

10. **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming from the date this Declaration is recorded. This Declaration shall be in effect for a period of thirty (30) years from the date of recordation in the public records of Miami-Dade County, Florida, after which time it shall be automatically extended for periods of ten (10) years. This Declaration may be modified, amended or released as to the Property or any portion thereof by a written instrument executed by the then Applicant(s) of the Property, and applicable mortgagees, if any, provided that same is approved by the City Council after public hearing. In such event, the Mayor or City Manager shall execute a written instrument suitable for recordation acknowledging such modification, amendment or release.
11. **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the City, or other procedure permitted under the City's Code, whichever by law has jurisdiction over such matters, after public hearing.
12. **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may judge to be reasonable for attorney fees. This enforcement provision shall be in addition to any other remedies available at law or in equity. Jurisdiction shall be proper in Miami-Dade County.
13. **Authorization for Miami Gardens to Withhold Permits and Inspections.** In the event the terms of this Declaration are not complied with, in addition to any other remedies available, the City is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is complied with.
14. **Executed Copy to be provided to the City. Executed Copy to be provided to the City Clerk.** The Applicant shall be fully responsible for providing to the City Clerk an original and fully executed copy of the Declaration of Restrictions within thirty (30) days of the approval of this request by the City Council, unless an appeal is filed or otherwise the Director, for good cause shown, grants a time extension. If this is not accomplished, the approval shall become null and void. If

circumstances prevent the Applicant from complying with this timeframe condition, the Applicant may request, in writing, an extension of said thirty-day timeframe in writing to the Development Services Director, who is authorized to take such action upon the request to approve, disapprove or approve with conditions such request.

15. **Election of Remedies**. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

16. **Recording**. The City, at Applicant's expense following the approval of the same by the City of Miami Gardens, shall file this Declaration of record in the Public Records of Miami-Dade County, Florida.

17. **Acceptance of Declaration**. Applicant acknowledges that acceptance of this Declaration does not obligate the City in any manner, nor does it entitle Applicant to a favorable recommendation or approval of any application, zoning or otherwise, and the City Council retains its full power and authority to deny each such application in whole or in part, and to decline to accept any conveyance.

18. **Applicant**. The term Applicant shall include the Applicant, and its heirs, successors and assigns.

19. **Waiver**. Each and every covenant and agreement contained herein shall be for any and all purposes hereof construed as separate and independent and the breach of any covenant by any party shall not release or discharge such party from its obligations hereunder. No delay or omission by any party to exercise its rights accruing upon any noncompliance or failure of performance by any party shall impair any such right or be construed to be a waiver thereof. A waiver by any party hereto of any of the covenants, conditions or agreements to be performed by any other party shall not be construed to be a waiver of any succeeding breach or of any other covenants, conditions or agreements contained herein.

20. **Severability**. All rights, powers and remedies provided herein may be exercised only to the extent that the exercise thereof does not violate any then applicable law and shall be limited to the extent necessary to render the real covenants herein valid and enforceable. If any term, provision, covenant or agreement contained herein or the application thereof to any person, entity or circumstance shall be held to be invalid, illegal or unenforceable, the validity of the remaining terms, provisions, covenants or agreements or the application of such term, provision, covenant or agreement to persons, entities or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby.
21. **Entire Agreement**. This Agreement and the exhibits attached hereto contain the entire agreement between the parties hereto with respect to the subject matter hereof. This Agreement and exhibits supersede any prior correspondence, memoranda or agreements in total hereto.
22. **Counterparts**. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same document.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, Developer has executed this Declaration.

Print Name:_____

202 TERRACE INC., a

Florida Corporation

Print Name:_____

By:_____
Signature

Print Name:_____

Print Name:

Print Name: _____

Title:

ACCEPTANCE

The City of Miami Gardens, hereby accepts this Declaration of Restrictions hereby made by **202 TERRACE INC.**

CITY OF MIAMI GARDENS, FLORIDA

Attest:

City Clerk

By:_____
Cameron D. Benson, City Manager

Date:_____



CFN 2005R0665610
DR Bk 23516 Pgs 2731 - 2737; (7pgs)
RECORDED 06/27/2005 12:43:07
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Return to: (enclose self-addressed stamped envelope)

Name: Ronetta Taylor, City Clerk

Address:

City of Miami Gardens
1515-200 N.W. 167th Street
Miami Gardens, Florida 33169

This Instrument Prepared by:

Sonja K. Dickens, Esquire
501 N.E. 8th Street
Fort Lauderdale, Florida 33404

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

DECLARATION OF RESTRICTIONS

WHEREAS, 202 Terrace, Inc. ("Developer") holds the fee simple title to the land described on Exhibit "A" attached hereto and made a part hereof (the "Property"), and

WHEREAS, the Developer has made an application to the City of Miami Gardens to amend Resolutions Nos. 4-ZAB-310-74, 4-ZAB-357-75 and CZAB-3-1-03 which were previously approved by Miami-Dade County, and

WHEREAS, the City of Miami Gardens agrees to amend the aforementioned Resolutions, subject to certain conditions,

IN ORDER TO ASSURE the City of Miami Gardens that the representations made by the Developer will be abided by the Developer, subject only to conditions contained herein, freely, voluntarily and without duress, the Developer makes the following Declaration of Restrictions covering and running with the Property:

CLERK OF CIRCUIT AND COUNTY OF DADE
I HEREBY CERTIFY that this is a true copy of the
original filed in this office on 27 day of
June, A.D. 2005
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK of Circuit and County Courts
BY *Harvey Ruvins* D.C.



- (1) That this Declaration shall become final and recorded in the Public Records of Miami-Dade County conditioned upon a public hearing and the approval of the application of 202 Terrace, Inc., to modify Resolutions No. 4-ZAB-310-74, 4-ZAB-357-75, and CZAB3-1-03.
- (2) That the Property be constructed substantially in accordance with the plan submitted for the hearing entitled "Willow Lake Townhomes" as prepared by Salazar Architectural Group Architects and Planners dated April 19, 2005 consisting of sheets: SP-1 through SP13 and landscape plans entitled "Willow Lake" as prepared by JFS Design, Inc. dated April 21, 2005, consisting of sheets, TD-1, L-1 through L-4 and TU-1 through TU-3.
- (3) That the Developer construct Northwest 202nd Terrace to the City's specifications, including, but not limited to, dedication of a total of right-of-way of seventy (70) feet with a curb and gutter cross section with sidewalks on both sides. Sidewalks shall extend east and west of site to connect to existing sidewalks. The street shall include curbs, irrigation and plantings consisting of a minimum of 144 trees and 540 shrubs. The Developer shall mill and resurface from eastern project entrance to SR 7/US 441.
- (4) That the Developer re-surface and clean the Storm Water System at NW 202nd Terrace, adjacent to Developer's property.
- (5) That the Developer shall provide an access easement for a future bicycle and/or pedestrian facility adjacent to Snake Creek/Canal 9.
- (6) That the Developer shall work with City staff and to the extent feasible, without the necessity for a variance, provide an open green space area with amenities in the development.
- (7) That to offset some of the impacts of the development to the neighborhood, the Developer shall voluntarily pay the sum of \$20,000.00 to the City of Miami Gardens, of which, it is intended that \$10,000.00 is to be contributed by the City to Miami Norland Middle School, and \$10,000.00 is to be used by the City to improve Andover Park.
- (8) **City Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of

the City of Miami Gardens, or its duly authorized agents, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

- (9) **Covenant Running With The Land.** This Declaration on the part of the Developer shall constitute a covenant running with the land and may be recorded in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the Developer, and his heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the public welfare.
- (10) **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded. This Declaration may be modified, amended or released as to the Property or any portion thereof by a written instrument executed by the then Developer(s) of the Property, and applicable mortgagees, if any, provided that same is approved by the City Council after public hearing. In such event, the Mayor or City Manager shall execute a written instrument suitable for recordation acknowledging such modification, amendment or release.
- (11) **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may judge to be reasonable for attorney fees. This enforcement provision shall be in addition to any other remedies available at law or in equity. Jurisdiction shall be proper in Miami-Dade County.
- (12) **Authorization for Miami Gardens to Withhold Permits and Inspections.** In the event the terms of this Declaration are not complied with, in addition to any other remedies available, the City is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this Declaration is

complied with.

- (13) **Election of Remedies**. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
- (14) **Severability**. Invalidation of any one of these covenants, by judgment of a court of law, shall not affect any of the other provisions, which shall remain in full force and effect.
- (15) **Recording**. This Declaration shall be filed of record in the Public Records of Miami-Dade County, Florida, by the City, at Developer's expense following the adoption by the City of Miami Gardens a final resolution approving the Application.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, Developer has executed this Dedication.

By: 202 TERRACE INC., a

~~Florida Corporation~~

By: _____

Signature

Print name: FRANCISCO ROJO

Title: Vice President

Sandra Perez
Print Name: Sandra Perez

Eric Finerman
PrintName: ERIC FINERMAN

EXHIBIT "A"
LEGAL DESCRIPTION:

Tracts "B" & "C", and Private Lagoon, BAKERMAN TWO, according to the plat thereof as recorded in Plat Book 109 at Page 72 of the Public Records of Miami-Dade County, Florida.

AND

A portion of the Southeast 1/4 of Section 36, Township 51 South, Range 41 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Southeast 1/4 of Section 36; thence along the West line of said Southeast 1/4, South $01^{\circ}49'27''$ East, a distance of 1,876.98 feet to a point on the North Right-of-way line of Snake Creek Canal; thence along said North Right-of-way line, South $87^{\circ}39'29''$ East, a distance of 421.04 feet to the Point of Beginning; thence North $01^{\circ}49'27''$ West, a distance of 99.93 feet; thence South $87^{\circ}36'27''$ West, a distance of 120.00 feet; thence North $01^{\circ}49'27''$ West, a distance of 80.70 feet; thence South $87^{\circ}36'27''$ West a distance of 25.00 feet; thence North $01^{\circ}49'27''$ West, a distance of 138.10 feet to a point on the South Right-of-way line of Northwest 202nd Terrace; thence North $87^{\circ}36'27''$ East, a distance of 240.71 feet to a point; thence Southeasterly a distance of 267.74 feet along the arc of a curve to the right, having for its elements a central angle of $54^{\circ}08'33''$ and radius of 283.33 feet to a point; thence South $38^{\circ}15'00''$ East a distance of 47.98 feet; thence South $01^{\circ}49'27''$ East a distance of 262.33 feet to a point on the North Right-of-way line of Snake Creek Canal; thence Northwesterly a distance of 26.70 feet along the arc of a curve to the left having for its elements a central angle of $01^{\circ}13'21''$ and radius of 1,251.74 feet to a point; thence North $87^{\circ}39'29''$ West a distance of 319.28 feet; thence North $01^{\circ}48'10''$ West a distance of 70.19 feet; thence North $87^{\circ}39'29''$ West, a distance of 9.98 feet to a Point of Beginning.

JOINDER BY MORTGAGEE

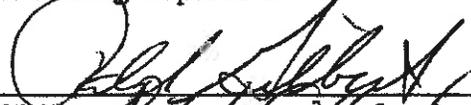
The undersigned, CITY NATIONAL BANK OF FLORIDA, a national banking corporation, Mortgagee under that certain Mortgage and Security Agreement from 202 Terrace, Inc., a Florida corporation (the "Developer"), dated February 28, 2005, and recorded in Official Records Book 23135, Page 0335, of the Public Records of Miami-Dade County, Florida, covering all/or a portion of the property described in the foregoing Declaration of Restrictions made by the Developer in favor the City of Miami Gardens (the "Declaration"), does hereby acknowledge that the terms of the Declaration are and shall be binding upon the undersigned and its successors in title.

IN WITNESS WHEREOF, these presents have been executed this 11 day of May, 2005.

WITNESSES:

CITY NATIONAL BANK OF FLORIDA, a national banking corporation


Print Name: Henry Aguilar

By: 
Name: Ralph Gilbert
Title: Vice - Pres.


Print Name: Ruth Schildbach

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority, this day appeared Ralph Gilbert, known by me to be the V.P. of City National Bank of Florida, a national banking corporation, on behalf of the bank. He is: [] personally known to me, or [] produced _____ as identification.

WITNESS my hand and official Seal in the County and State aforesaid, on this, the 11th day of May, 2005.



Notary Public State of Florida
Print Name: _____
My Commission Expires: _____



RESOLUTION No. 2005-72-249-Z-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF 202 TERRACE, INC., TO MODIFY A CONDITION OF APPROVAL RELATING TO CERTAIN PROPERTY, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE REVOCATION OF A PREVIOUSLY RECORDED DECLARATION OF RESTRICTIONS; PROVIDING FOR A NEW DECLARATION OF RESTRICTIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, prior to the City of Miami Gardens being incorporated, Miami-Dade County approved Resolutions Nos. 4-ZAB-310-74, 4-ZAB-357-75, and CZAB-3-1-03 relating to certain property located at N.W. 202 Terrace, more particularly described on Exhibit "A" attached hereto (hereinafter "Property"), and

WHEREAS, there were conditions provided for in each of the aforementioned Resolutions, and

WHEREAS, 202 Terrace, Inc. ("Applicant"), now owns the Property, and

WHEREAS, the Applicant would like to amend Condition No. 2 of Resolution No. 4-ZAB-310-74 as last modified by 4-ZAB-357-75, as follows:

FROM: That in the approval of the plans the same be substantially in accordance with that submitted for the hearing entitled "Bakerman #3" as prepared by Frank Makowski and dated revised 10-17-75.

TO: That in the approval of the plans the same be substantially in accordance with that submitted for the hearing entitled "Willow Lake Townhomes" as prepared by Salazar Architectural Group Architects and Planners dated April 19, 2005 consisting of sheets: SP-1 through SP13 and landscape

plans entitled "Willow Lake" as prepared by JFS Design, Inc. dated April 21, 2005, consisting of sheets, TD-1, L-1 through L-4 and TU-1 through TU-3.

WHEREAS, the applicant is also requesting that the Declaration of Restrictions recorded in Official Records Book 21128 at Pages 2392 through 2398 of the Public Records of Miami-Dade County be revoked, and

WHEREAS, City Staff has reviewed the Applicant's request and is recommending that the City Council approve the Applicant's request, subject to certain conditions, and

WHEREAS, a public hearing on this matter has been held on May 11, 2005, and

WHEREAS, the City Council has reviewed the application, and approves the same, subject to certain additional conditions enumerated herein, and subject to a new Declaration of Restrictions,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. APPROVAL: The City Council for the City of Miami Gardens hereby approves a modification to Condition No. 2 provided for in Resolutions No. 4-ZAB-310-74, as last modified by Resolution No. 4-ZAB-357-75, relating to certain property located at N.W. 202 Terrace, more particularly described on Exhibit "A" attached hereto, as follows:

FROM: That in the approval of the plan the same be substantially in accordance with that submitted for the hearing entitled "Bakerman #3" as prepared by Frank Makowski and

dated revised 10-17-75.

TO: That in the approval of the plan the same be substantially in accordance with that submitted for the hearing entitled "Willow Lake Townhomes" as prepared by Salazar Architectural Group Architects and Planners dated April 19, 2005 consisting of sheets: SP-1 through SP13 and landscape plans entitled "Willow Lake" as prepared by JFS Design, Inc. dated April 21, 2005, consisting of sheets, TD-1, L-1 through L-4 and TU-1 through TU-3.

Section 3. **CONDITIONS:** The Applicant's request is approved subject to the following additional conditions:

1. That the Property be constructed substantially in accordance with the plans submitted for the hearing entitled "Willow Lake Townhomes" as prepared by Salazar Architectural Group Architects and Planners dated April 19, 2005 consisting of sheets: SP-1 through SP13 and landscape plans entitled "Willow Lake" as prepared by JFS Design, Inc. dated April 21, 2005, consisting of sheets, TD-1, L-1 through L-4 and TU-1 through TU-3.
2. That the Developer construct Northwest 202nd Terrace to the City's specifications, including, but not limited to, dedication of a total right-of-way of seventy (70) feet with a curb and gutter cross section with sidewalks on both sides. Sidewalks shall extend east and west of site to connect to existing sidewalks. The street shall include curbs, irrigation and plantings consisting of a minimum of 144 trees and 540 shrubs. The Developer shall mill and resurface from eastern project entrance to SR 7/US 441.
3. That the Developer re-surface and clean the Storm Water System at NW 202nd Terrace, adjacent to Developer's property.
4. That the Developer shall provide an access easement for a future bicycle and/or pedestrian facility adjacent to Snake Creek/Canal 9.
5. That the Developer shall work with City staff and to the extent feasible, without the necessity for a variance, provide an open green space area with amenities in the development.

6. That to offset some of the impacts of the development to the neighborhood, the Developer shall voluntarily pay the sum of \$20,000.00 to the City of Miami Gardens, of which it is intended that \$10,000.00 is to be contributed by the City to Miami Norland Middle School, and \$10,000.00 is to be used by the City to improve Andover Park.

Section 4. REVOCATION OF DECLARATION OF RESTRICTIONS:

Declaration of Restrictions previously recorded in Official Records Book 21128 at Pages 2392 through 2398 of the Public Records of Miami-Dade County is hereby revoked.

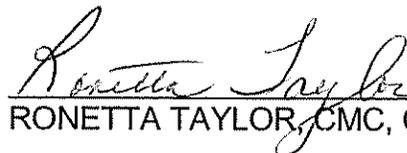
Section 5. DECLARATION OF RESTRICTIONS: The Declaration of Restrictions attached hereto as Exhibit "B," shall be recorded in the public records of Miami-Dade County.

Section 6. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON MAY 11, 2005.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Councilwoman Watson

SECONDED BY: Councilman Bratton

VOTE: 6-0

Mayor Gibson	<u>x</u> (Yes)	___ (No)
Vice Mayor Campbell	___ (Yes)	___ (No) Out of town
Councilman Melvin L. Bratton	<u>x</u> (Yes)	___ (No)
Councilman Oscar Braynon, II	<u>x</u> (Yes)	___ (No)
Councilwoman Audrey J. King	<u>x</u> (Yes)	___ (No)
Councilwoman Sharon Pritchett	<u>x</u> (Yes)	___ (No)
Councilwoman Barbara Watson	<u>x</u> (Yes)	___ (No)

SKD/bfc

S:\MIAMIRESOSWILLOWLA2.DOC

Exhibit "D" – Legal Description

LEGAL DESCRIPTION:

Tracts "B" & "C", and Private Lagoon, BAKERMAN TWO, according to the plat thereof as recorded in Plat Book 109 at Page 72 of the Public Records of Miami-Dade County, Florida.

AND

A portion of the Southeast 1/4 of Section 36, Township 51 South, Range 41 East, Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Southeast 1/4 of Section 36; thence along the West line of said Southeast 1/4, South 01°49'27" East, a distance of 1,876.98 feet to a point on the North Right-of-way line of Snake Creek Canal; thence along said North Right-of-way line, South 87°39'29" East, a distance of 421.04 feet to the Point of Beginning; thence North 01°49'27" West, a distance of 99.93 feet; thence South 87°36'27" West, a distance of 120.00 feet; thence North 01°49'27" West, a distance of 80.70 feet; thence South 87°36'27" West a distance of 25.00 feet; thence North 01°49'27" West, a distance of 138.10 feet to a point on the South Right-of-way line of Northwest 202nd Terrace; thence North 87°36'27" East, a distance of 240.71 feet to a point; thence Southeasterly a distance of 267.74 feet along the arc of a curve to the right, having for its elements a central angle of 54°08'33" and radius of 283.33 feet to a point; thence South 38°15'00" East a distance of 47.98 feet; thence South 01°49'27" East a distance of 262.33 feet to a point on the North Right-of-way line of Snake Creek Canal; thence Northwesterly a distance of 26.70 feet along the arc of a curve to the left having for its elements a central angle of 01°13'21" and radius of 1,251.74 feet to a point; thence North 87°39'29" West a distance of 319.28 feet; thence North 01°48'10" West a distance of 70.19 feet; thence North 87°39'29" West, a distance of 9.98 feet to a Point of Beginning.



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
					X		
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		x		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:	<i>(Enter Fund & Dept)</i>		Advertising Requirement:	Yes		No	
				X			
Contract/P.O. Required:	Yes	No	RFP/RFQ/Bid #:	<i>(Enter #)</i>			
		X					
Strategic Plan Related:	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: N/A			
		X					
Sponsor Name:	Cameron Benson, City Manager		Department:	<i>Development Services</i>			

Short Title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY FLORIDA EDUCATION PROPERTIES ROLLING OAKS, LLC. FOR THE PROPERTY LOCATED AT 18200 N.W. 22ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R-1 SINGLE FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background

*Item M-1) Quasi-Judicial
Ordinance
18200 NW 22nd Avenue*

On April 11, 2010 the City adopted the Land Development Regulations (LDRs) to regulate and govern the land development and zoning of the City. Prior to that adoption, the City relied on the Miami-Dade County Zoning Code. Extensive public participation, knowledge, time, and effort was spent on the preparation of the LDRs to reflect and encourage the City's economic growth opportunities and to adopt regulations that would minimize the impacts of incompatible uses and protect residential areas from intrusion of incompatible and nuisance uses.

The property located at 18200 NW 22nd Avenue is 2.52 acres in size and currently developed with a 1,295 SF daycare and a 4,430 SF place of religious assembly. The applicant is requesting a rezoning of the property from

R-1, Single Family Residential to NC, Neighborhood Commercial in order to bring the property into compliance with the City's Land Development Regulations and build a 30,000 SF charter school on the northern part of the site. The applicant is also requesting a variance of Section 34-342 to allow 52 ft./3 stories where 35 ft./2 stories is the maximum height permitted, and a variance of Section 34-288 (18)(g)(1) to allow 12,400 SF Recreation playground/play area where 215,915 SF is required.

Current Situation

The current zoning of the property is R-1, Single Family Residential which has a history of zoning approvals allowing the place of religious assembly and daycare. The proposed charter school addition will house 600 K-12th grade students. Applicant states that the School shall be operated by Excelsior Charter Academy. The school has an existing temporary facility nearby, which will be shuttered once occupancy is taken up in this newly planned building. They currently have 250+ children enrolled, with an additional 175 wait listed due to capacity limits reached at temporary location. Students attending are provided tuition free education since Excelsior Charter Academy is a Miami-Dade District School partner. Some students will qualify for food assistance and this facility is eligible for District School bus service. The applicant is seeking rezoning of the property from R-1, Single Family Residential to NC, Neighborhood Commercial in order to bring the property into compliance with the current LDRs and allow for the development of the charter school that would not be permitted in the R1- Single Family Residential district. The development of the charter school will be subject to site plan approval.

Analysis

The proposed rezoning of the property to NC, Neighborhood Commercial is consistent with the policies and objectives of the City's Comprehensive Development Master Plan (CDMP), and satisfies Section 34-49(f) of the City's Land Development Regulations (LDRs) which establishes the criteria for granting of amendments or adoption of changes to the text of the LDRs, or change of the actual official zoning map designation of a parcel or parcels. Additionally, the requested variances will not be contrary to the purpose and intent for the granting of variances and waivers stated in Section 34-47 of the Land Development Regulations.

Proposed Action:

Recommend adoption of the Ordinance.

Attachments: Exhibit "A" – Legal Description
Exhibit "B" – Staff Recommendation

ORDINANCE NO. 2015_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY FLORIDA EDUCATION PROPERTIES ROLLING OAKS, LLC. FOR THE PROPERTY LOCATED AT 18200 N.W. 22ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R-1 SINGLE FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Education Properties Rolling Oaks, LLC. ("Applicant") is the owner of that certain property located at 18022 N.W. 22nd Avenue, more particularly described on Exhibit "A" (Parcel), and

WHEREAS, the Applicant is requesting a rezoning of the Parcel which is zoned R-1, Single Family Residential to NC, Neighborhood Commercial to bring the property into compliance with the City's Land Development Regulations and build a 30,000 SF charter school on the northern part of the site, and

WHEREAS, the City's Planning and Zoning Staff has made a determination that the application is consistent with the Comprehensive Development Master Plan, and recommends approval of the application, and

WHEREAS, the City Council has considered the testimony of the Applicant if any, and

WHEREAS, the City Council also considered that testimony of the City's Planning and Zoning staff and the staff report attached hereto as Exhibit "B" and incorporated in by reference,

Added language is underlined. Deleted language is stricken through.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

Section 2. APPROVAL: The City Council of the City of Miami Gardens, Florida hereby approves the application submitted by Applicant for the rezoning of property located at 18200 N.W. 22nd Avenue, more particularly described on Exhibit "A" from R-1, Single Family Residential to NC, Neighborhood Commercial.

Section 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

Section 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE _____ DAY OF _____, 2015.

Added language is underlined. Deleted language is stricken through.

PASSED ON SECOND READING ON THE ____ DAY OF _____,
2015.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF
MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE ____ DAY OF
_____, 2015.

OLIVER GILBERT, III, MAYOR

ATTEST:

RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: CAMERON BENSON, CITY MANAGER

Moved by: _____
Second by: _____

VOTE: _____

Mayor Oliver Gilbert, III	_____ (Yes)	_____ (No)
Vice Mayor Felicia Robinson	_____ (Yes)	_____ (No)
Councilwoman Lillie Q. Odom	_____ (Yes)	_____ (No)
Councilman David Williams Jr	_____ (Yes)	_____ (No)
Councilwoman Lisa Davis	_____ (Yes)	_____ (No)
Councilman Rodney Harris	_____ (Yes)	_____ (No)
Councilman Erhabor Ighodaro, Ph.D.	_____ (Yes)	_____ (No)

Added language is underlined. Deleted language is stricken through.

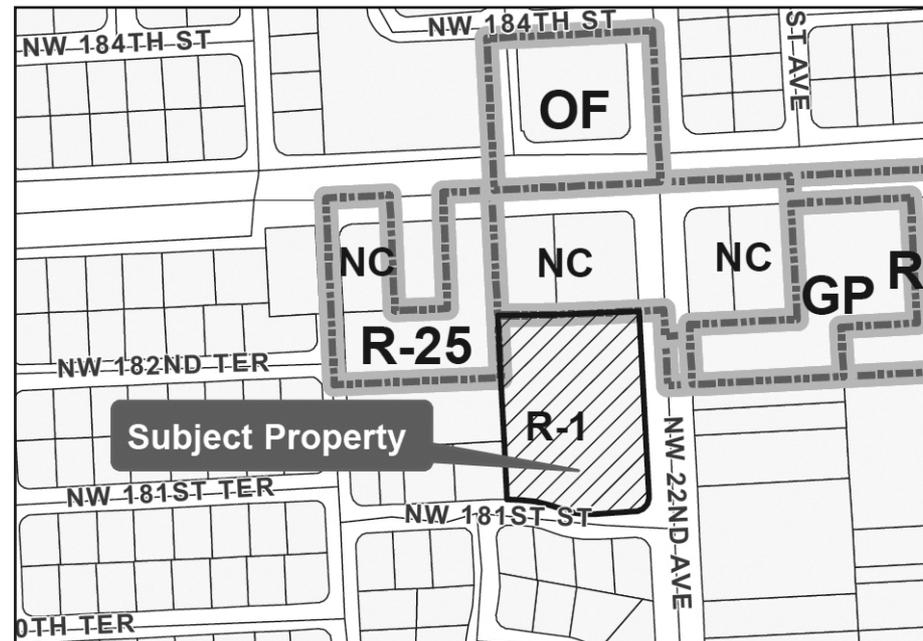


PUBLIC HEARING ADVERTISEMENT
City of Miami Gardens
Wednesday, March 25, 2015 at 7:00 PM
City Hall, City Council Chambers
18605 NW 27th Avenue
Miami Gardens, FL 33054

APPLICANT: Florida Education Properties Rolling Oaks, LLC.

PROJECT NAME: Rolling Oaks Education Centre

PROJECT LOCATION: 18200 NW 22nd Avenue (SW corner of NW 22nd Avenue and NW 183rd Street) – (See Map Below)



PURPOSE: Rezoning of the property to NC, Neighborhood Commercial and variance requests to allow new construction.

REQUESTED ACTION: TO ADOPT THE FOLLOWING ORDINANCE:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY FLORIDA EDUCATION PROPERTIES ROLLING OAKS, LLC. FOR THE PROPERTY LOCATED AT 18200 N.W. 22ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R-1 SINGLE FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

All persons are entitled to attend and to speak at public hearings. The courts have ruled that it is improper to contact a Council member individually, either orally or in writing, about zoning applications.

Said ordinances can be inspected in the City Clerk's Office, Monday - Friday during regular office hours.

Inquiries concerning these items should be directed to the City Manager's Office at 305-622-8000.

Article VII of the City of Miami Gardens Code entitled "Lobbyist", requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence "City" action. "City" action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Ronetta Taylor, MMC, City Clerk (305) 914-9129, not later than 48 hours prior to such proceeding. TDD No. 1-800-955-8771

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at this meeting or hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

STAFF RECOMMENDATION
PZ-2014-000536

APPLICATION INFORMATION

Applicant: Florida Education Properties Rolling Oaks, LLC
f.k.a. Greater Love missionary Baptist Church, Inc.

Property Location: 18200 NW 22nd Avenue

Property Size: 2.52 ac

Future Land Use: Neighborhood

Existing Zoning: R-1 Single Family Residential

Requested Action(s):

1. Rezone to NC, Neighborhood Commercial;
2. Variance of Section 34-342 to allow 52 ft./3 stories where 35 ft./2 stories is the maximum height permitted; and
3. Variance of Section 34-288 (18)(g)(1) to allow 12,400 SF Recreation playground/play area where 215,915 SF is required.

RECOMMENDATION:

Staff recommends granting the rezoning from R-1, Single Family Residential to NC, Neighborhood Commercial and variance requests approval if the rezoning is granted.

REVIEW AND ANALYSIS:

Neighborhood Land Use Characteristics

Property	Future Land Use Designation	Zoning Classification	Existing Use
Site	Neighborhood	R-1, Single Family Residential	Place of Religious Assembly, and Institutional
North	Neighborhood	NC- Neighborhood Commercial	Vacant, religious assembly and Automotive (gas station)
South	Neighborhood	R-1, Single Family Residential	Single Family Residential
East	Neighborhood	GP- Government Property and R-1, Single Family Residential	Vacant and Single Family Residential
West	Neighborhood	R-25 Multiple Family Residential and R-1, Single Family Residential	Multiple Family Residential

Project Summary/Background

- The property is 2.52 acres in size and currently developed with a 1,295 SF daycare and a 4,430 SF place of religious assembly.
- The applicant is requesting a rezoning of the property from R-1, Single Family Residential to NC, Neighborhood Commercial in order to bring the property into compliance with the City's Land Development Regulations and build a 30,000 SF charter school on the northern part of the site. The proposed charter school addition will house 600 K-12th grade students.
- Applicant states that the School shall be operated by Excelsior Charter Academy. The school has an existing temporary facility nearby, which will be shuttered once occupancy is taken up in this newly planned building. They currently have 250+ children enrolled, with an additional 175 wait listed due to capacity limits reached in temporary location. Students attending are provided tuition free education since Excelsior Charter Academy is a Miami-Dade District School partner. Some students will qualify for food assistance and this facility is eligible for District School bus service.
- Rezoning to NC, Neighborhood Commercial allows the place of religious assemble, daycare and charter school. The existing church and daycare established at this location prior to the adoption of the LDR's and are therefore defined by zoning as a legal non-conforming uses.
- The development of the charter school will be subject to site plan approval.
- The NC, Neighborhood Commercial zoning district was amended on June 2014 in order to protect the residential neighborhoods usually abutting and adjacent to properties zoned NC, Neighborhood Commercial. The amendments removed certain uses deemed to be potentially detrimental or intrusive in the NC, Neighborhood Commercial zoning district when located within or adjacent to residential properties. Some other uses have been amended to require a special exception approval from the City Council before they are permitted to be located in the NC, Neighborhood Commercial district.

REZONING TO NC, NEIGHBORHOOD COMMERCIAL

Consistency with City of Miami Gardens Comprehensive Development Master Plan (CDMP)

The primary objective of the Neighborhood designation as outlined in Objective 1.2 of the Comprehensive Development Master Plans is as follows: *"The Neighborhood land use designation applies to areas intended for low and medium density residential development with supporting commercial and office uses. The designation of Neighborhood is specifically intended to protect single family homes from encroachment or intrusion from incompatible land uses".*

Staff Comment: The property has been developed and established with the place of religious assembly and daycare prior to the adoption of the City's LDRs; both uses have been established as part of the neighborhood and with minimal impacts to the surrounding area. The proposed charter school will be located on the northern portion of the site and rezoning of the property is a supportive neighborhood use with no indication of encroachment or intrusion. Parking has been calculated with existing daycare and proposed charter school operating at 100% during operating hours, Monday through Friday. Existing place of religious assembly does not operate on those days and only shares parking with the daycare on Sunday, which should not increase the amount of traffic to the site.

Zoning Review and Analysis

The City Council may grant the rezoning of a property subject to meeting the criteria set forth in Section 34-49(f) of the City's Land Development Regulations:

*“(f) **Criteria for granting of amendments or adoption of changes to the text of the LDRs, or change of the actual official zoning map designation of a parcel or parcels.** The detriments or benefits of amendments or adoption of changes to the text of the LDRs, or change of the actual official zoning map designation of a parcel or parcels shall not be denied consideration on the grounds that they are indirect, intangible or not readily quantifiable. In evaluating the application, among other factors related to the general welfare, the following shall be considered:*

- (1) *The development permitted by the application, if granted, conforms to the city's comprehensive development master plan; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;*

Staff Comment: The proposed rezoning is generally consistent with the Goals, Objectives and Policies of the City's CDMP. The religious assembly use and daycare have established in the neighborhood prior to the adoption of the LDRs and is an appropriate transition between the low and medium density residential and the commercial uses adjacent to the property. Charter schools are privately managed schools that operate similarly to a public school with the intent of providing higher quality tuition free education.

- (2) *The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of the city, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur;*

Staff Comment: The proposed rezoning will not affect natural resources in the City. The proposed charter school encourages the development of community connections through sharing of facilities and common open space with the existing uses on the site.

- (3) *The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of the city;*

Staff Comment: The rezoning will have a favorable impact upon the City's economy offering additional services to the neighborhood. The proposed charter school will provide additional educational options for the neighborhood and surrounding areas while enhancing community appeal.

- (4) *The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;*

Staff Comment: The rezoning will not have unduly impact upon water, sewer, drainage, education or recreation facilities.

- (5) *The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which*

have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.”

Staff Comment: The rezoning will not impact public transportation facilities, streets or highways and the site is accessible by public roads. The proposed parking lot consists of 90 parking spaces which meet the dimensional requirements set forth in Section 34-382. Required amount of parking has been calculated with Existing Daycare and Proposed School operating at 100% during operating hours, Monday through Friday. Place of religious assembly does not operate on these days, and does not technically “share” parking with the proposed school.

Conclusion:

The proposed rezoning of the property to NC, Neighborhood Commercial is consistent with the policies and objectives of the City’s Comprehensive Development Master Plan (CDMP), and satisfies Section 34-49(f) of the City’s Land Development Regulations (LDRs) which establishes the criteria for granting of amendments or adoption of changes to the text of the LDRs, or change of the actual official zoning map designation of a parcel or parcels. NC-Neighborhood Commercial zoning designation will allow the established place of religious assembly and daycare to continue operating in compliance with the City’s LDRs. The rezoning will also allow the charter school which represents additional educational options for the neighborhood and surrounding areas while enhancing community appeal.

Anticipated Facilities Impact

DRC (Development Review Committee): Prior to building permit issuance the site plan is reviewed for anticipated impacts and any mitigation thereof.

General: Concurrency determinations are not finalized during the zoning approval process.

VARIANCE REQUESTS

Variance of Section 34-342 to allow 52 ft./3 stories where 35 ft./2 stories is the maximum height permitted;

Variance of Section 34-288 (18)(g)(1) to allow 12,400 SF Recreation playground/play area where 215,915 SF is required.

The City Council may grant variances and waivers subject to the property meeting the criteria set forth in Section 34-47 of the City’s Land Development Regulations:

Sec. 34-47. - Granting of variances and waivers.

(a) Purpose and intent. A variance or waiver of the code is a departure from the dimensional or numerical requirements of this chapter where such variance or waiver will not be contrary to the public interest and where, owing to conditions peculiar to the property and not as a result of the action of the applicant, a literal enforcement of the requirement would result in unnecessary and undue hardship. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted due to the presence of nonconformities in the zoning district or adjoining zoning districts.

(b) Authorized variances and waivers. The zoning appeals board shall have the authority to grant the following variances:

(1) A variance in the numerical yard or area requirements of any district where there are unusual and practical difficulties in carrying out these provisions due to an irregular shape of the lot, topography, or other conditions. However, such variance shall not seriously affect any adjoining property or the general welfare.

(2) A variance when an owner can demonstrate that a strict application of the terms of this chapter relating to the construction or alteration of buildings or structures, the use of or relating to the use of the land will impose unusual and impractical difficulties, but not reduced financial value alone.

Staff Comment

While evaluating the variance requests the following was considered:

- The religious assembly use and daycare have established in the neighborhood prior to the adoption of the LDRs. Charter school is a permitted use in the NC, Neighborhood Commercial district the applicant is seeking to rezone.
- The existing uses and proposed charter school are appropriate in size and scale for the lot and proposed improvements will enhance the property and surrounding neighborhood. The development of the charter school will be subject to site plan approval.
- The development meets or exceeds all other development standards, including but not limited to, setbacks and landscape as set forth in Section 34-342 and Article XIV of the LDRs.
- Charter schools are privately managed schools that operate similarly to a public school with the intent of providing higher quality tuition free education. They are part of the state's program of public education and the School Board oversees their programming. Furthermore, as of July 1, 2011, state statutes require that local governing authorities must treat charter schools equitably in comparison to similar requirements, restrictions, and processes imposed upon public schools that are not charter schools.
- Staff has confirmed with the State Office of Educational Facilities that there is no requirement for recreation area for public school facilities.
- Staff has confirmed with Miami Dade County Charter School Operations that charter schools are not required recreation area.

Consistency with City of Miami Gardens Comprehensive Development Master Plan (CDMP)

The application is consistent with the following objectives and policies of the CDMP:

Objective 1.3: Non-Public Schools

The City shall work with non-public, charter and private school facilities to provide alternatives to its residents.

Policy 1.3.1: Investigate opportunities for creating charter schools within the City.

Policy 1.3.2: Facilitate developers/applicants in widening their options to fund and/or construct new school facilities to meet the public education demand within the City.

Staff Comment: The site is surrounded by residential and other neighborhood commercial uses.

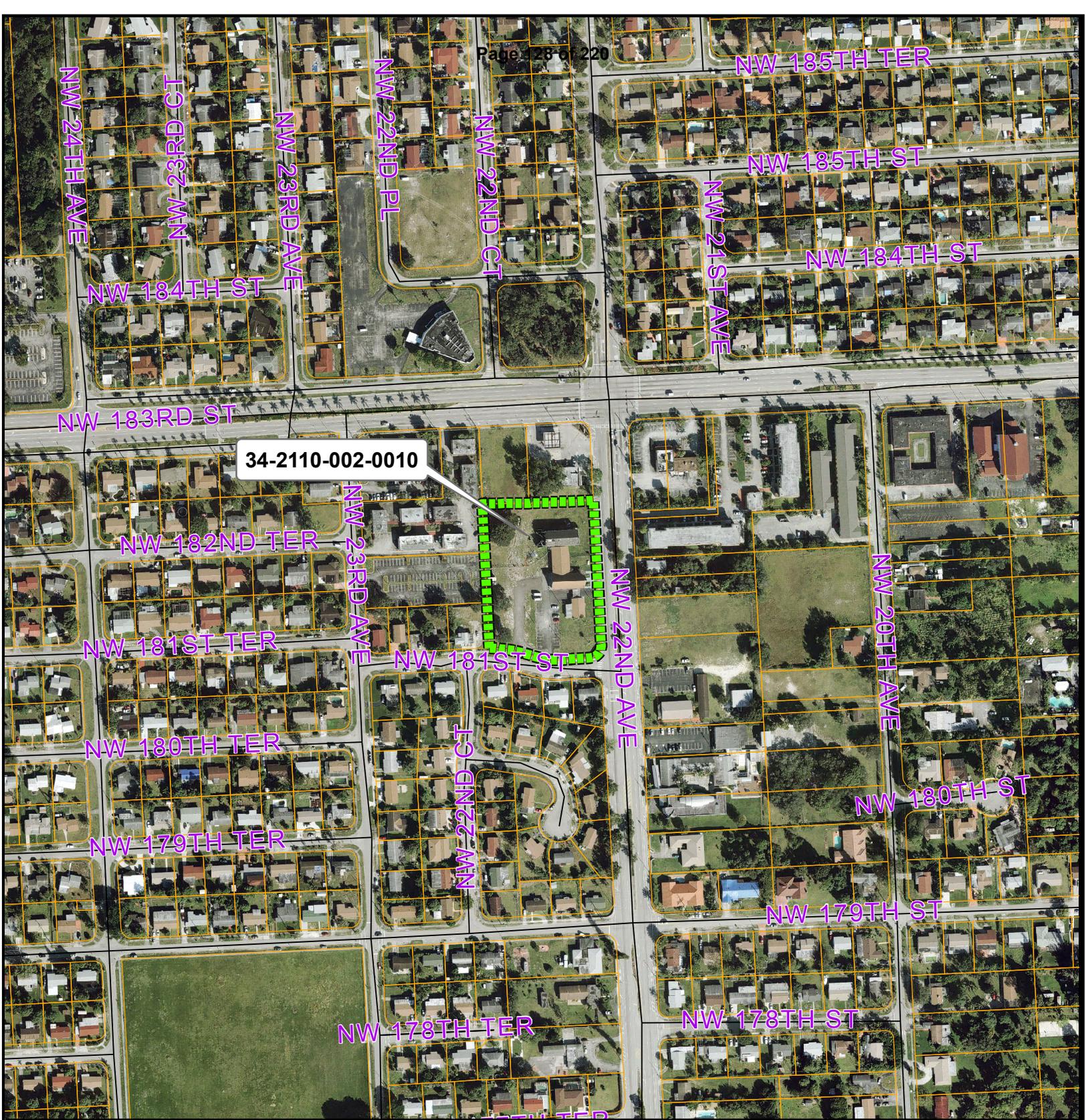
The variance requests if granted, will allow the applicant to develop the site with the charter school addition which will enhance the appearance of the site overall and the neighborhood. Additionally, the neighborhood will benefit from additional educational opportunities. Schools are typically compatible

uses within residential neighborhoods since they attract families to the community and provide added services to the neighborhood and surrounding areas.

Conclusion: Staff considers the variance requests reasonable given that the provisions for recreational space requirements on the LDRs do not treat charter schools equitably in comparison to similar requirements, restrictions, and processes imposed upon public schools that are not charter schools. The place of religious assembly and daycare exist prior to the adoption of the LDRs, and requested height increase for the proposed charter school will not alter the character of the neighborhood. Granting of the variance requests will allow the continued reasonable use of the property and provide opportunities to improve the appearance of the site overall.

Attachments:

- Letter of Intent/Project Description
- Hearing Map-Zoning
- Hearing Map-Aerial
- Mailed Notice Radius Map
- Survey
- Preliminary Site Plan
- Color Rendering
- Permitted Use List NC, Neighborhood Commercial



HEARING MAP: AERIAL



City of Miami Gardens
Planning & Zoning Division

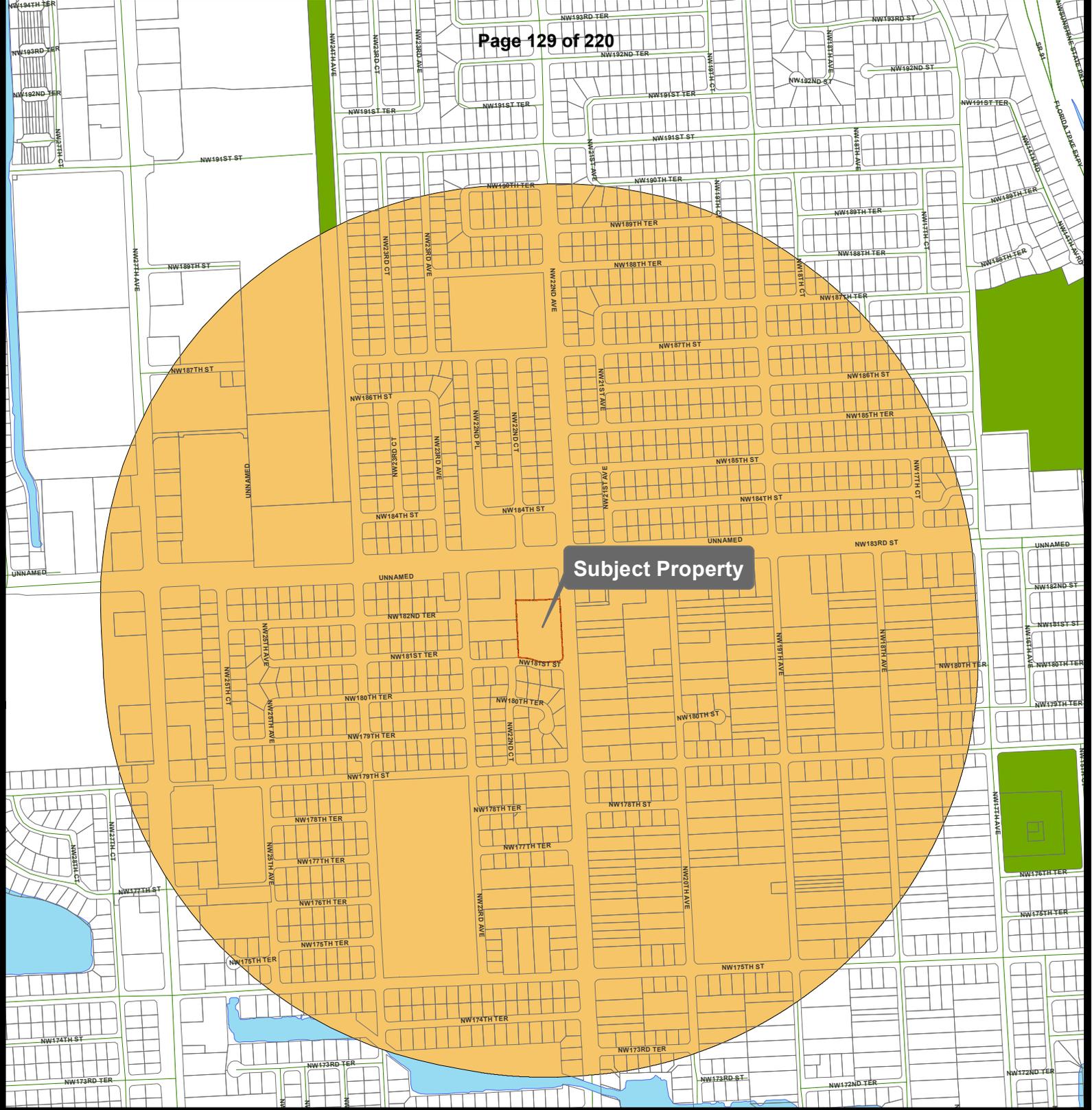


Subject Property

Folio #:
34-2110-002-0010



1 inch = 321 feet
March 2015



MAILED NOTICE RADIUS MAP



 Subject Property  1/2 Mile Radius

Folio Number:
34-2110-002-0010



1 inch = 833 feet

March 2015



LAND USE DATA

LAND USE ZONING	COMMERCIAL NEIGHBORHOOD COMMERCIAL
TOTAL SITE AREA	109,967 SF (2.52 ACRES)

PARCEL DATA

PARCEL AREA	109,967 SF (2.52 ACRES / 100%)
TOTAL IMPERVIOUS AREA	52,142 SF (0.47 ACRES / 47%)
BUILDING AREA	15,725 SF (0.36 ACRES / 14%)
PAVED AREA (incl. Dumpster)	29,830 SF (0.68 ACRES / 27%)
SIDEWALK AREA	6,587 SF (0.15 ACRES / 06%)
PERVIOUS AREA	57,825 SF (1.33 ACRES / 53%)

PARKING SUMMARY

REQUIRED EDUCATION-PRIVATE/CHARTER (AS PER CITY OF MIAMI GARDENS L.D.C. ARTICLE-XII "OFF-STREET PARKING, LOADING, AND VEHICULAR CIRCULATION REQUIREMENTS" SEC 12-80 (E) TABLE 1):

EXISTING DAYCARE/SCHOOL (REQUIRED)

DAYCARE: 1 STANDARD SPACE/PER STAFF @ 6 STAFF + 1 HC(AS PART OF TOTAL) = 6 SPACES
 SCHOOL: 1 STANDARD SPACE/PER STAFF @ 4 STAFF + 1 HC(AS PART OF TOTAL) = 4 SPACES
 = 10 SPACES TOTAL (DAYCARE/SCHOOL)

PROPOSED BUILDING (REQUIRED)

1 STANDARD SPACE/PER STAFF @ 30 STAFF +1 PER 10 STUDENTS (GRADES 10-12) @ 144 STUDENTS +15 VISITOR +2 HC(AS PART OF TOTAL) = 60 SPACES TOTAL (+5 LOADING/DROP-OFF)

PROVIDED PARKING : 81 STANDARD SPACES + 5 HC + 4 DROP-OFF (CALC IN TOTAL) = 90 SPACES TOTAL

LOADING/DROP-OFF 5 SPACES (113.64+ LF / NOT CALC'D IN TOTAL)

EXISTING RELIGIOUS ASSEMBLY & DAYCARE / SHARED PARKING*

RELIGIOUS ASSEMBLT: 1 STANDARD SPACE/PER 4 PERSONS @ 336 PERSONS MAX = 84 SPACES
 DAYCARE: 1 STANDARD SPACE/PER STAFF @ 6 STAFF = 6 SPACES
 = 90 SPACES TOTAL (RELIGIOUS ASSEMBLY/DAYCARE)

PARKING PROVIDED: = 90 SPACES TOTAL

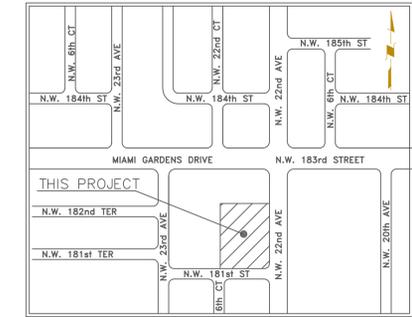
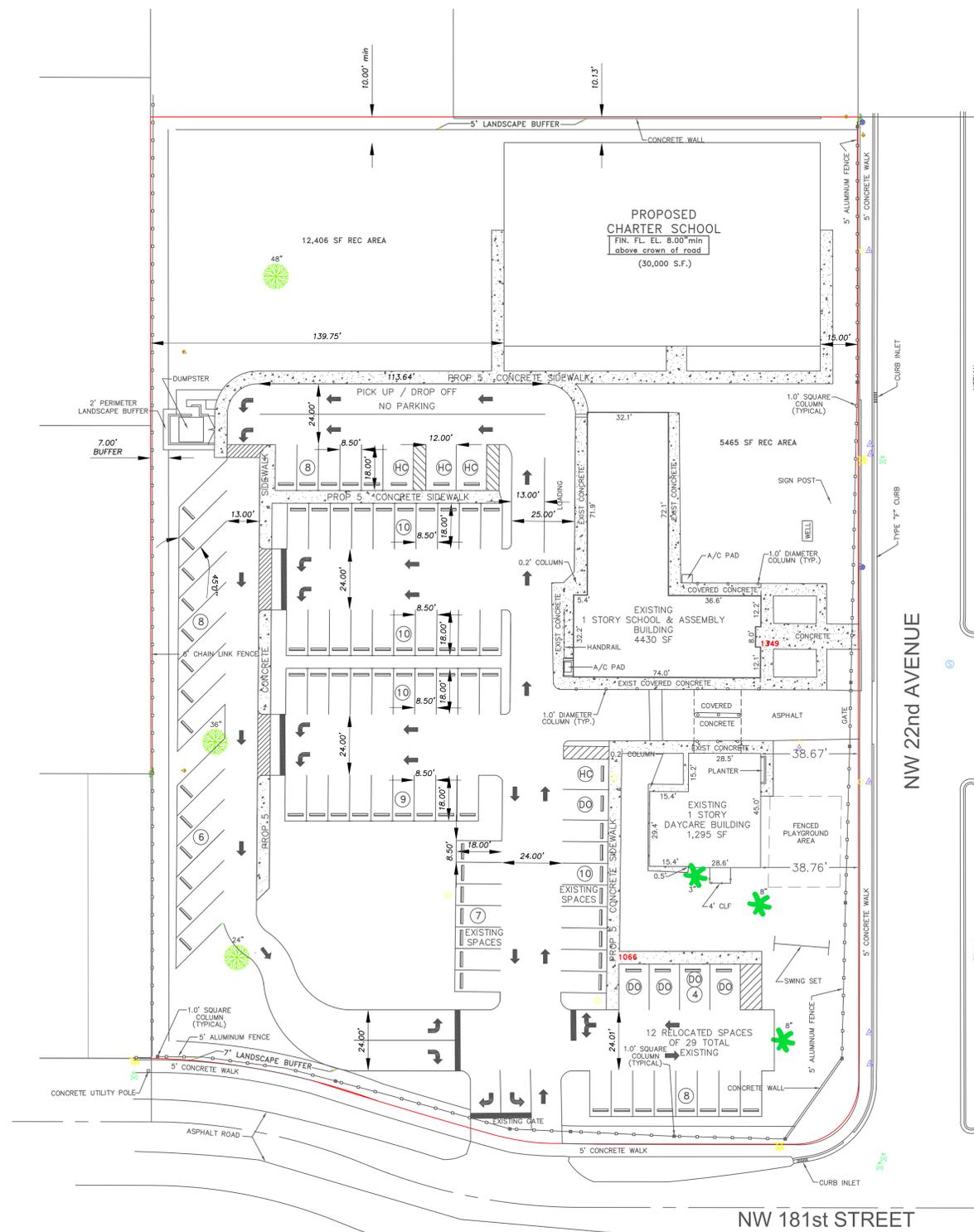
*SHARED PARKING FOR ASSEMBLY & DAYCARE WILL BE DURING OFF HOURS OF GENERAL SCHOOL OPERATION

PROPOSED BUILDING DATA

BUILDING HEIGHT	53'-0"	SETBACKS:	
# FLOORS	3	REQUIRED	PROVIDED
SQUARE FEET	30,000	FRONT	10 FT. 312.00 FT.
# CLASS ROOMS	30	REAR	10 FT. 10.00 FT.
STUDENT CAPACITY	618	SIDE (WEST/RESIDENTIAL)	25 FT. 139.75 FT.
		SIDE (EAST/STREET)	15 FT. 15.00 FT.
STUDENT AGE (Range in Grade Level)	K-12		
# STAFF	30		
OUTDOOR REC. AREA			
SQUARE FEET	17,893		

COMPLIANCE:

SITE, FACILITY, AND BUILDING SHALL COMPLY WITH STANDARDS SET FORTH BY FLORIDA DEPT. OF EDUCATION
 SPECIFICATIONS AND STANDARDS NOT SPECIFICALLY LISTED ABOVE, SHALL BE IN ACCORDANCE WITH ALL STATE, LOCAL, AND APPLICABLE GOVERNING AUTHORITIES.



LEGAL DESCRIPTION:

A portion of Tract 1 of Section 10, Township 52 South, Range 41 East as shown on that certain Plat of MIAMI GARDENS, as recorded in Plat Book 2, Page 96, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest one-quarter (NW 1/4) of said Section 10; thence South 00°03'38" West along the East line of the Northwest one-quarter (NW 1/4) of said Section 10, a distance of 240.00 feet (said last course being coincident in part with the East line of the aforementioned Tract 1, MIAMI GARDENS); thence North 89°47'41" West along a line parallel to and 240.00 feet South of, as measured at right angles to the North line of the Northwest one-quarter (NW 1/4) of said Section 10, a distance of 35.00 feet to the Point of Beginning; thence South 00°03'38" West along a line parallel to and 35 feet West of, as measured at right angles to the aforesaid East line of the Northwest one-quarter (NW 1/4) of Section 10, a distance of 403.94 feet; thence North 89°48'35" West along a line parallel to the South line of Tract 16 of said Section 10 as shown on the aforementioned Plat of MIAMI GARDENS for 124.79 feet to a point of curvature of a circular curve concave to the North; thence run Westerly and Northwesterly along the arc of said circular curve to the right, having a radius of 200.00 feet, a central angle of 22°12'58" and an arc length of 77.55 feet to a point of reverse curvature of a circular curve concave to the South; thence Northwesterly and Westerly along the arc of said circular curve having a radius of 250.00 feet, a central angle of 22°12'04" and an arc length of 96.87 feet to a point of tangency; thence North 89°47'41" West along a line parallel to the said North line of the Northwest one-quarter (NW 1/4) of the aforesaid Section 10 for 0.07 feet to a point of Intersection with the West line of the aforesaid Tract 1, said point being coincident with the Southeast corner of Lot 1, Block 1, as shown on that certain Plat of FRAZURE HEIGHTS, Plat Book 27, Page 15 of the Public Records of Miami-Dade County, Florida; thence North 00°03'11" East along said West line of Tract 1 (being coincident in part with the East line of the aforesaid Lot 1, Block 1, FRAZURE HEIGHTS), a distance of 370.61 feet; thence South 89°47'41" East along a line parallel to and 240 feet South of as measured at right angles to the said North line of the Northwest one-quarter (NW 1/4) of Section 10, a distance of 294.41 feet to the Point of Beginning.

The North line of said Tract 1 lying 20 feet South of and parallel to the North line of the Northwest one-quarter (NW 1/4) of Section 10, Township 52 South, Range 41 East.

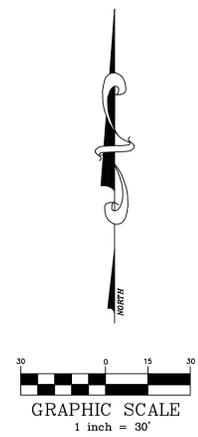
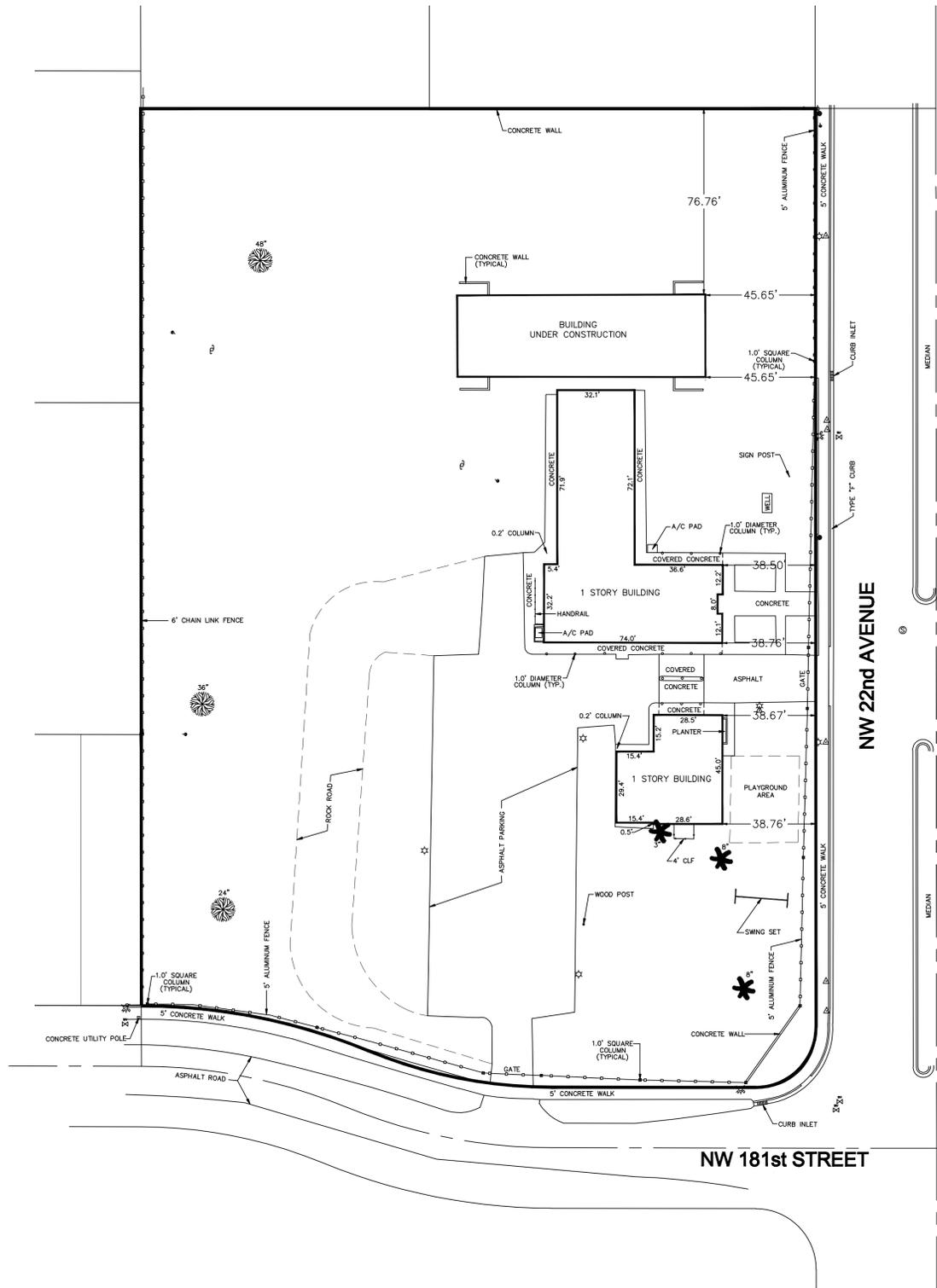
Together with an easement for ingress and egress and for the use of utility companies through the fifty (50) foot strip immediately South of, and contiguous to, the lands described herein.

Subject to any existing public right-of-way.

Said lands situate lying and being in Miami-Dade County, Florida.

LEGEND:

- P.C.P. PERMANENT CONTROL POINT
- D.R.B. OFFICIAL RECORD BOOK
- L.E. UTILITY EASEMENT
- B.E. DRAINAGE EASEMENT
- P.E. PLAT BOOK
- M.D.C.R. MIAMI-DADE COUNTY RECORDS
- F.P.L. FLORIDA POWER & LIGHT
- C.M.C. CONCRETE
- F.F. FINISHED FLOOR ELEVATION
- E. CENTERLINE
- I.R. IRON ROD
- I/P. IRON PIPE
- M/D. MALL IN DISK
- R/W. RIGHT-OF-WAY
- C.D. CALCULATED
- E.A.S.E. EASEMENT
- U.T.I.L. UTILITY
- S.W. SANSITARY MANHOLE
- T.H. TRAFFIC HANDLE
- L.P. LIGHT POLE
- W.V. WATER VALVE
- U.U.P. VOID UTILITY POLE
- A. ANCHOR
- F.H. FIRE HYDRANT
- W.M. WATER METER
- P.T. PALM TREE
- D.T. OAK TREE
- 8" TRUNK DIAMETER



SURVEY NOTES:

- This Map of Boundary Survey is not valid without the signature and original raised seal of the Florida Licensed Surveyor and Mapper stated hereon.
- Bearings shown hereon are based on the Plat of TENNECO TRACT (P.B. 97, PG. 10, M.D.C.R.)
- Below ground improvements and/or encroachments, if any, were not located.
- No search of the public records was performed by this firm.
- This survey is classified a "Map of Boundary Survey" by Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes, as amended.
- The undersigned and David & Gerchar, Inc. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters, such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.

MAP OF BOUNDARY SURVEY
For: F.P. DINO, INC.

18200 NW 22ND AVENUE
PORTION OF TRACT 1, SECTION 10-52-41
(P.B. 2, PAGE 96, M.D.C.R.)

REVISIONS	DATE	BY	CKD	FB/PG

SEAL

SCALE: 1" = 30'
JOB NO: 13-070
FB/PG: CAD. FILE:
FILE: F:\VFP Dino\Miami Gardens 2
DRAWN BY: RRM DATE: 9/25/13
CKD BY: TD PROJ. FILE: miami gardens 2

DAVID & GERCHAR, INC.
SURVEYORS AND MAPPERS
12075 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 email: info@dgsurvey.com



ROLLING OAKS EDUCATION CENTER
18200 NW 22nd Ave.
Miami Gardens, FL 33056

Project Description

Rolling Oaks EDUCATION Center is a planned campus community on 2.52 acres of high visibility property in the heart of the City of Miami Gardens in NW Miami-Dade County, FL.

The campus is being prepared for Early, Primary and Secondary education. The proposed addition shall consist of a state of the art, 30,000 square foot education facility, built to Dept. of Education standards.

This proposed building will house 600 K-12th grade students from the Miami Gardens, Opa-Locka and Carol City communities. The School shall be operated by our veteran tenant, Excelsior Charter Academy, led by the experienced Alicia Rodriguez-Bower as principal. The school has an existing temporary facility nearby, which will be shuttered once occupancy is taken up in this newly planned building. They currently have 250+ children enrolled, with an additional 175 wait listed due to capacity limits reached in temporary location. Students attending are provided tuition free education since Excelsior Charter Academy is a Miami-Dade District School partner. Some students will qualify for food assistance and this facility is eligible for District School bus service.

This campus complex will offer unique choices and serve as host for the aforementioned communities, as a means to relieve the strain from overcrowding and pent up demand in the nearby surrounding public schools. Currently, there are no other Charter Schools in the City of Miami Gardens. Access and visibility are highly accentuated from the location of this planned complex. The campus has a strategic location, being almost equal distance from both I-95 and I-75. It also lies adjacent to the busy east –west thoroughfare of Miami Gardens Drive, as well as just inside (3) miles from the Florida Turnpike connection at Dolphin Stadium.

Exhibit “A” NC, Neighborhood Commercial Use Amendments

Sec. 34-287. Use regulations, generally.

See additional requirements and criteria for specific uses set forth in [section 34-288](#) and master use list, appendix A in [section 34-733](#).

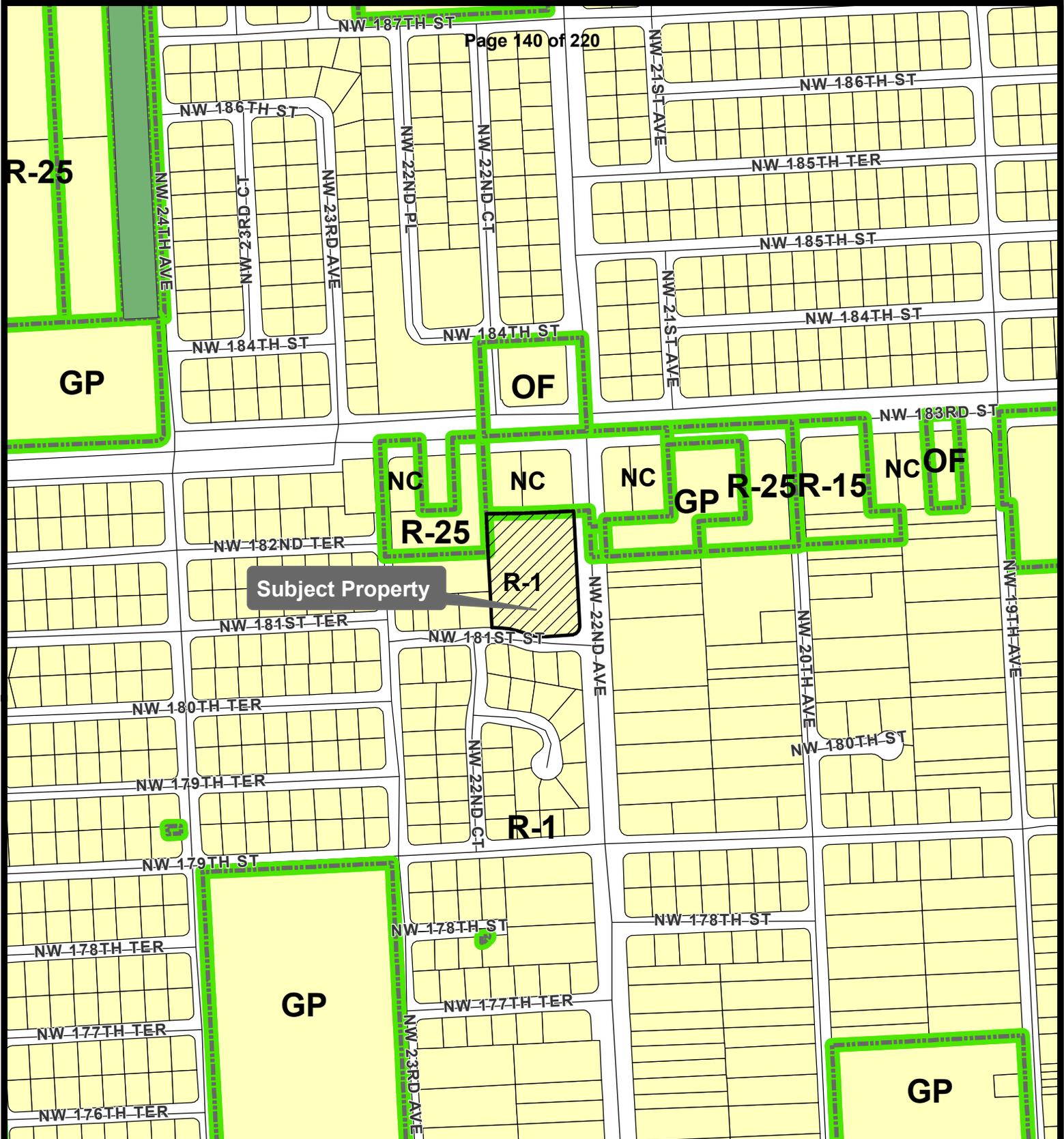
Table 1: Permitted Uses												
Zoning Districts/Uses	R-1	R-2	R-15 , R-25 , R-50	NC	PCD	TCO (§ 34-474)	OF	I-1	I-2	PD	AU	GP

<i>Residential Type Uses</i>												
Assisted Living Facility (ALF)*	SE	SE	SE	SE	SE	□	SE	□	□	P	□	□
Community residential facility up to 6 residents*	P	P	P	P	P	P	□	□	□	P	□	□
Community residential facility 7 to 14 residents *	SE	SE	SE	SE	SE	□	SE	□	□	P	□	□
Community residential facility greater than 15 and more *	SE	SE	SE	SE	SE	□	SE	□	□	P	□	□
Day care center—adult	□	□	□	P	SE	□	□	□	□	□	□	□
Dormitories, Fraternity or Sorority house, on campus, off-campus	□	□	□	□	□	□	□	□	□	P	□	□
Family day care home, 5 children or less	P	P	P	P	P	P	□	□	□	□	□	□
Farm worker housing	□	□	□	□	□	□	□	□	□	□	SE	□
Halfway house, treatment facility	SE	SE	□	SE	SE	□	SE	□	□	□	□	□
Home occupation office*	P	P	P	□	P	P	□	□	□	P	P	□
Hotels, Motels, Lodging*	□	□	□	□	P	P	□	P	P	P	□	□
Mobile home, Manufactured homes*	□	□	□	□	□	□	□	□	□	P	□	□
Residential—mixed-use residential*	□	□	□	□	P	P	□	□	□	P	□	□
Residential—multifamily residential*	□	□	P	□	SE	SE	□	□	□	P	□	□
Residential—single-family-detached residential*	P	P	P	□	□	□	□	□	□	P	□	□
Residential—townhouse*	□	□	P	□	□	SE	□	□	□	P	□	□
Residential—two-family residential*	□	P	P	□□		□	□	□	□	P	□	□
Transient Housing—shelters	□	□	□	□	SE	□	□	□	□	□	□	□
Public And Institutional Type Uses												

Vehicle—parts sales and installation and service—new	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle—parts sales and installation—used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle sales—new automobiles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle sales—used automobiles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreation, Entertainment Type Uses												
Amusement parks, stadiums, arenas, Marinas*	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>				
Arcade, video games, electronic gaming	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	P	<input type="checkbox"/>					
Camp grounds, RV parks*	<input type="checkbox"/>	P	SE	<input type="checkbox"/>								
Casino Gaming Facility	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>								
Golf course, driving range	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>					
Golf, miniature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>
Gun, pistol range, gun clubs, archery clubs—indoor, outdoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race track—horse, dog, car	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>								
Riding clubs—horses, off-road vehicles, motorcycles	<input type="checkbox"/>	P	SE	<input type="checkbox"/>								
Sports fields, batting cages, basketball courts, racket ball courts, sporting activities, bowling alleys—indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Sports fields, batting cages, basketball courts, racket ball courts, sporting activities—outdoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<input type="checkbox"/>	P	P	P	SE	<input type="checkbox"/>
Restaurant, Food And Beverage Service Type Uses												
Adult entertainment establishment*	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Catering Service*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nightclub, Discotheque, Club, Cabarets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	SE	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>
Restaurant—sports bar, amusement restaurant/bar, coffee/sandwich shop, cafeteria, outdoor cafe*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	P	P	<input type="checkbox"/>
Places Of Assembly Type Uses* (See section 9-20 under "Places of Assembly")												
Auction House—indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Banquet hall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Funeral Homes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of religious assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private clubs, not public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theater (movie, performing arts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial Type Uses												

Convenience store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Donated goods Center—new/used*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug, Pharmacy store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Flea market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Food specialty store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Grocery store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Liquor package store*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pawn shop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plant nursery, retail or wholesale *	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail—big box, club membership, department	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Retail—general, single use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Retail—Home improvement, building materials*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Secondhand merchandise store/consignment store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Office Type Uses												
Call center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Office—business, sales, professional, semi-professional services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Office—medical office/medical clinic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Service Type Uses												
Animal grooming and pet sitting—indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animal Hospital/Veterinarian clinic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animal kennel, boarding*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	P	<input type="checkbox"/>
Animal shelters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	P
Blood banks, diagnostic medical treatment centers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Check cashing, bill payments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Copy, printing center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cosmetic Surgery, beauty clinics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Customer service center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dry cleaning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Equipment and tool rental	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial institution - banks, credit unions, investment brokerage establishments*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Health club, fitness club	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Laundromat, self-service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Package shipping, mail service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Personal care services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Repair and service shop—general merchandise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Self service storage facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Studios—photographic, and instructional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Tattoo parlor, body piercing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Uses												
Cemetery, mausoleums, crematory*	SE	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE		SE	<input type="checkbox"/>
Wireless Antennas and support services*	SE	P	P	P	SE	P						
Industrial Type Uses												
Distribution center	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Dry cleaning—commercial laundry plant	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Industrial uses—heavy	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Industrial uses—light	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	<input type="checkbox"/>						
Laboratory—medical, research, testing	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Mining/extraction, rock quarry	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Outdoor Storage, open air storage* (See section 10-10 for Special Requirements)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Radio and transmitting station	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	P
Recycling facility, Refuse disposal	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Salvage yard, junkyard	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
Self-storage facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Showrooms, retail sales	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Showrooms, wholesale sales	<input type="checkbox"/>	<input type="checkbox"/>		SE	SE	SE	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Studio for movie, television, music production	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Warehouse	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>						
Agricultural Type Uses												
Farms—produce, livestock	<input type="checkbox"/>	P	<input type="checkbox"/>									
Greenhouses—nurseries, retail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	<input type="checkbox"/>				
Outdoor storage—agriculture* (No extra standard in section 9-20)	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	<input type="checkbox"/>						
Packing facilities—small* (No extra standard in section 9-20)	<input type="checkbox"/>	P	<input type="checkbox"/>									
Farmer's market*	p*											
Packing facilities—large*	<input type="checkbox"/>	SE	<input type="checkbox"/>									



HEARING MAP: ZONING



City of Miami Gardens
 Planning & Zoning Division

 Subject Property Zoning: R-1

Folio Number: 34-2110-002-0010



1 inch = 417 feet
 March 2015



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	March 25, 2015		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>			1st Reading	
		x				x	
			Public Hearing: <i>(Enter X in box)</i>	Yes		No	
						x	
Funding Source:	<i>(Enter Fund & Dept)</i>		Advertising Requirement:	Yes		No	
				X			
Contract/P.O. Required:	Yes	No	RFP/RFQ/Bid #:	<i>(Enter #)</i>			
		X					
Strategic Plan Related:	Yes	No	Strategic Plan Priority Area: Enhance Organizational <input type="checkbox"/> Bus. & Economic Dev <input type="checkbox"/> Public Safety <input type="checkbox"/> Quality of Education <input type="checkbox"/> Qual. of Life & City Image <input type="checkbox"/> Communication <input type="checkbox"/>	Strategic Plan Obj./Strategy: N/A			
		X					
Sponsor Name:	Cameron Benson, City Manager		Department:	<i>Development Services and Enforcement</i>			

Short Title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CODE OF ORDINANCES (LAND DEVELOPMENT REGULATIONS) AS OUTLINED ON EXHIBIT "A" ATTACHED HERETO; AMENDING SECTION 34-13 - ZONING DISTRICTS ESTABLISHED; AMENDING SECTION 34-14 - PURPOSE AND INTENT OF ZONING DISTRICTS; AMENDING SECTION 34-287 - USE REGULATIONS, GENERALLY; AMENDING SECTION 34-288 USES PERMITTED WITH EXTRA REQUIREMENTS; AMENDING SECTION 34-311 - ACCESSORY USE TABLE; AMENDING SECTION 34-312 - ADDITIONAL USES AND BUILDING STANDARDS; AMENDING SECTION 34-342 - TABLES FOR DEVELOPMENT STANDARDS; AMENDING SECTION 34-392 - COMMERCIAL PARKING FACILITIES; AMENDING SECTION 34-444 - LANDSCAPE, BUFFERING MINIMUM STANDARDS; AMENDING SECTION 34-732 - DEFINITIONS OF TERMS; CREATING DIVISION 6 OF ARTICLE XV – ENTERTAINMENT OVERLAY DISTRICT TO PROVIDE FOR

*Item N-1) Quasi-Judicial
Ordinance/Second Reading
Entertainment Overlay District*

ADDITIONAL REGULATIONS; CREATING A LOCATION FOR THE ENTERTAINMENT OVERLAY DISTRICT AREA AS OUTLINED IN EXHIBIT "B" ATTACHED HERETO; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background

The City's current Land Development Regulations (LDRs) were adopted in 2010 as a means to promote development and stable neighborhoods within the City. Regulations were adopted specific to the development goals of the City to take advantage of the development opportunities along the major corridors, large commercial areas, and industrial parks. The Entertainment District overlays areas designated Planned Corridor Development (PCD). This area is intended to revitalize commercial centers in the City thereby generating revenue and providing ample and convenient shopping for residents. The Entertainment Overlay District also encourages and supports large scale development of entertainment driven uses, including, but not limited to, hotels, theaters, cultural centers, indoor recreation facilities, alcoholic beverage uses, restaurants and commercial activities, with the purpose of attracting customers and visitors from local, regional, national, and international areas.

Current Situation

As outlined in the City's Comprehensive Development Master Plan (CDMP), the City relies on the use of broader land use categories and performance criteria in the Land Development Regulations to guide new development and redevelopment that provide for complete neighborhoods without impacting established residential neighborhoods.

The proposed development standards and permitted uses for the Entertainment Overlay District (EOD) will facilitate new development, revitalization and redevelopment, as well as further the City's economic development strategy. Planned Corridor Development (PCD) is the best suited zoning category for this overlay district. PCD, Planned Corridor Development District, implements the Comprehensive Development Master Plan (CDMP) Commerce land use category and allows for a wide range of commercial uses, select recreation and entertainment uses. The proposed Entertainment Overlay District (EOD) repeals the Town Center Overlay District (TCO).

The basic purpose and intent of the Entertainment Overlay District is to encourage lively urban development that promotes and sustains large scale development of entertainment driven uses (e.g., hotels, theaters, cultural centers, indoor recreation facilities, alcoholic beverage uses, restaurants and commercial activities) while creating a sense of place presently lacking in this area. The EOD will foster high quality businesses and embrace the public realm as it provides for outdoor dining, pedestrian circulation, and parking guidelines.

Proposed Action:

Recommend adoption of the Ordinance.

Attachments: Exhibit "A" – Entertainment Overlay District
Exhibit "B" – Zoning Map

ORDINANCE NO. 2015_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CODE OF ORDINANCES (LAND DEVELOPMENT REGULATIONS) AS OUTLINED ON EXHIBIT "A" ATTACHED HERETO; AMENDING SECTION 34-13 - ZONING DISTRICTS ESTABLISHED; AMENDING SECTION 34-14 - PURPOSE AND INTENT OF ZONING DISTRICTS; AMENDING SECTION 34-287 - USE REGULATIONS, GENERALLY; AMENDING SECTION 34-288 USES PERMITTED WITH EXTRA REQUIREMENTS; AMENDING SECTION 34-311 - ACCESSORY USE TABLE; AMENDING SECTION 34-312 - ADDITIONAL USES AND BUILDING STANDARDS; AMENDING SECTION 34-342 - TABLES FOR DEVELOPMENT STANDARDS; AMENDING SECTION 34-392 - COMMERCIAL PARKING FACILITIES; AMENDING SECTION 34-444 - LANDSCAPE, BUFFERING MINIMUM STANDARDS; AMENDING SECTION 34-732 - DEFINITIONS OF TERMS; CREATING DIVISION 6 OF ARTICLE XV – ENTERTAINMENT OVERLAY DISTRICT TO PROVIDE FOR ADDITIONAL REGULATIONS; CREATING A LOCATION FOR THE ENTERTAINMENT OVERLAY DISTRICT AREA AS OUTLINED IN EXHIBIT "B" ATTACHED HERETO; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City's current Land Development Regulations (LDRs) were adopted in 2010 as a means to promote development and stable neighborhoods within the City, and

WHEREAS, City Staff is proposing amendments to the LDRs to create an Entertainment Overlay along the 27th Avenue Corridor between City Hall and the Stadium, and

WHEREAS, the proposed Entertain Overlay District encourages and supports large scale development of entertainment driven uses, including, but not limited to, hotels, theaters, cultural centers, indoor recreation facilities, alcoholic beverage uses, indoor and outdoor dining and commercial activities, with the

1 purpose of attracting customers and visitors from local, regional, national, and
2 international areas, and

3 WHEREAS, among other things, the proposed Entertainment Overlay
4 District repeals the existing Town Center Overlay District (TCO), provides a
5 mechanism for attracting entertainment type uses,

6 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
7 CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

8 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing
9 Whereas paragraphs are hereby ratified and confirmed as being true, and the same
10 are hereby made a specific part of this Ordinance.

11 Section 2. AMENDMENT TO THE CODE OF ORDINANCES. The Code
12 of Ordinances are hereby amended as outlined on Exhibit "A" attached hereto.

13 Section 3. ENTERTAINMENT OVERLAY DISTRICT AREA. The
14 Entertainment Overlay District shall be the area defined and described on Exhibit
15 "B" attached hereto.

16 Section 3. CONFLICT: All ordinances or Code provisions in conflict
17 herewith are hereby repealed.

18 Section 4. SEVERABILITY: If any section, subsection, sentence,
19 clause, phrase or portion of this Ordinance is for any reason held invalid or
20 unconstitutional by any court of competent jurisdiction, such portion shall be
21 deemed a separate, distinct and independent provision and such holding shall
22 not affect the validity of the remaining portions of this Ordinance.

1 Section 5. INCLUSION IN CODE: It is the intention of the City
2 Council of the City of Miami Gardens that the provisions of this Ordinance shall
3 become and be made a part of the Code of Ordinances of the City of Miami
4 Gardens and that the section of this Ordinance may be renumbered or relettered
5 and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or
6 such other appropriate word or phrase, the use of which shall accomplish the
7 intentions herein expressed.

8 Section 6. EFFECTIVE DATE: This Ordinance shall become effective
9 immediately upon its final passage.

10 PASSED ON FIRST READING ON THE 11th DAY OF MARCH, 2015.

11 PASSED ON SECOND READING ON THE ____ DAY OF _____,
12 2015.

13 ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF
14 MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE ____ DAY OF
15 _____, 2015.

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OLIVER GILBERT, III, MAYOR

21 **ATTEST:**

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RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: CAMERON D. BENSON, CITY MANAGER

1 Moved by: _____

2 Second by: _____

3

4 **VOTE:** _____

5

6 Mayor Oliver Gilbert, III _____ (Yes) _____ (No)

7 Vice Mayor Felicia Robinson _____ (Yes) _____ (No)

8 Councilwoman Lillie Q. Odom _____ (Yes) _____ (No)

9 Councilman David Williams Jr _____ (Yes) _____ (No)

10 Councilwoman Lisa C. Davis _____ (Yes) _____ (No)

11 Councilman Rodney Harris _____ (Yes) _____ (No)

12 Councilman Erhabor Ighodaro, Ph.D. _____ (Yes) _____ (No)

13

14

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Sec. 34-13. - Zoning districts established.

The city is hereby divided into the following zoning districts that implement the various land use classifications of the adopted CDMP, and achieve the other purposes of this chapter:

R-1	Single-Family Dwelling Residential District
R-2	Two-Family Dwelling Residential District
R-15	Multiple-Family Dwelling Residential District
R-25	Multiple-Family Dwelling Residential District
R-50	Multiple-Family Dwelling Residential District
NC	Neighborhood Commercial District
PCD	Planned Corridor Development District
I-1	Light Industrial District
I-2	Heavy Industrial District
PD	Planned Development District
AU	Agricultural and Utilities District
OF	Office District
GP	Government Properties District
TCO	Town Center Overlay District
<u>EO</u>	<u>Entertainment Overlay District</u>

Sec. 34-14. Purpose and intent of zoning districts.

~~(n) *TCO Town Center Overlay District.* The area emulates traditional neighborhood development concepts with mixed land uses, densities and intensities, with amenities and civic/governmental needs consistent with the adopted Miami Gardens Town Center Master Plan.~~

(n) *EO Entertainment Overlay District.* This area is intended to revitalize commercial centers in the City thereby generating revenue and providing ample and convenient shopping for residents. The EO district also encourages and supports large scale development or entertainment driven uses,

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EXHIBIT “A” TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

including, but not limited to, hotels, theaters, cultural centers, indoor recreation facilities, alcoholic beverages uses commercial activities, with the purpose of attracting customers and visitors from local, regional, national, and international areas. The EO district is depicted on the Official Zoning Map and overlays areas designated Planned Corridor Development (PCD).

Sec. 34-287 - Use regulations, generally.

Table 1: Permitted Uses													
Zoning Districts/Uses	R-1	R-2	R-15, R-25, R-50	NC	PCD	TCO (§ 34-474)	<u>EO</u> (<u>§ 34-598</u>)	OF	I-1	I-2	PD	AU	GP
Residential Type Uses													
Assisted Living Facility (ALF)*	SE	SE	SE	SE	SE	⊕	<u>□</u>	SE	□	□	P	□	□
Community residential facility up to 6 residents*	P	P	P	P	P	⊕	<u>□</u>	□	□	□	P	□	□
Community residential facility 7 to 14 residents *	SE	SE	SE	SE	SE	⊕	<u>□</u>	SE	□	□	P	□	□
Community residential facility greater than 15 and more *	SE	SE	SE	SE	SE	⊕	<u>□</u>	SE	□	□	P	□	□
Day care center—adult	□	□	□	P	SE	⊕	<u>□</u>	□	□	□	□	□	□
Dormitories, Fraternity or Sorority house, on campus, off-campus	□	□	□	□	□	⊕	<u>□</u>	□	□	□	P	□	□
Family day care home, 5 children or less	P	P	P	P	P	⊕	<u>□</u>	□	□	□	□	□	□
Farm worker housing	□	□	□	□	□	⊕	<u>□</u>	□	□	□	□	SE	□
Halfway house, treatment facility	SE	SE	□	SE	SE	⊕	<u>□</u>	SE	□	□	□	□	□
Home occupation office*	P	P	P	□	P	⊕	<u>□</u>	□	□	□	P	P	□
Hotels, Motels, Lodging*	□	□	□	P	P	⊕	<u>□</u>	□	P	P	P	□	□
Mobile home, Manufactured homes*	□	□	□	□	□	⊕	<u>□</u>	□	□	□	P	□	□
Residential—mixed-use residential*	□	□	□	□	P	⊕	<u>SE</u>	□	□	□	P	□	□
Residential—multifamily residential*	□	□	P	□	SE	SE	<u>□</u>	□	□	□	P	□	□
Residential—single-family-detached residential*	P	P	P	□	□	⊕	<u>□</u>	□	□	□	P	□	□
Residential—townhouse*	□	□	P	□	□	SE	<u>□</u>	□	□	□	P	□	□
Residential—two-family residential*	□	P	P	□	□	⊕	<u>□</u>	□	□	□	P	□	□
Transient Housing—shelters	□	□	□	□	SE	⊕	<u>□</u>	□	□	□	□	□	□
Public And Institutional Type Uses													
Airport, airfield, heliport, related uses—public, private*	□	□	□	□	□	⊕	<u>□</u>	□	□	□	P	□	P

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EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Community centers	<input type="checkbox"/>	P	<u>P</u>	<input type="checkbox"/>										
Cultural and civic facilities—libraries, museums	<input type="checkbox"/>	P	<u>P</u>	<input type="checkbox"/>										
Detention facility	<input type="checkbox"/>	⊕	<u>⊖</u>	<input type="checkbox"/>										
Educational and child care facilities—non-public* (includes charter)	SE	SE	SE	P	P	P	<u>⊖</u>	P	P	P	P	P	SE	P
Educational facilities—college or university -private; main campus*	SE	SE	SE	SE	SE	SE	<u>⊖</u>	SE	<input type="checkbox"/>					
Educational facilities—public	P	P	P	P	P	P	<u>⊖</u>	P	P	P	P	P	P	P
Educational facilities—technical, vocational, specialty—non-public	<input type="checkbox"/>	P	<u>⊖</u>	SE	P	P	P	P	<input type="checkbox"/>	P				
Government facilities, including administrative, support and service	<input type="checkbox"/>	P	<u>P</u>	<input type="checkbox"/>										
Hospital—private, public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	P	<u>SE</u>	<input type="checkbox"/>						
Public parks and recreational facilities	P	P	P	P	P	P	<u>⊖</u>	P	P	P	P	P	P	P
Public safety facility	P	P	P	P	P	P	<u>⊖</u>	P	P	P	P	P	P	P
Sewage lift or pumping station*	P	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P
Solid waste transfer station	<input type="checkbox"/>	⊕	<u>⊖</u>	<input type="checkbox"/>										
Transit station	<input type="checkbox"/>	SE	<u>P</u>	<input type="checkbox"/>										
Utilities and related facilities	<input type="checkbox"/>	SE	<u>SE</u>	<input type="checkbox"/>										
Water plant, waste water plant	<input type="checkbox"/>	⊕	<u>⊖</u>	<input type="checkbox"/>										
Vehicle Related Commercial Type Uses														
Car wash—enclosed*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	⊕	<u>⊖</u>	<input type="checkbox"/>						
Car wash—outside, hand wash*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	⊕	<u>⊖</u>	<input type="checkbox"/>						
Parking Garage. Lot—commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	P	<input type="checkbox"/>	P
Rental—automobile only	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	⊕	<u>P</u>	<input type="checkbox"/>						
Rental—Truck and other vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	⊕	<u>⊖</u>	<input type="checkbox"/>						
Transit, passenger terminals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>P</u>	SE	SE	SE	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle Fueling stations and sales	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	⊕	<u>P</u>	<input type="checkbox"/>						
Vehicle major repair—mechanical, body	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	⊕	<u>⊖</u>	<input type="checkbox"/>						
Vehicle minor repair—mechanical, service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	⊕	<u>⊖</u>	<input type="checkbox"/>						
Vehicle—parts sales and installation and service—new	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	⊕	<u>⊖</u>	<input type="checkbox"/>						
Vehicle—parts sales and installation—used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	⊕	<u>⊖</u>	<input type="checkbox"/>						
Vehicle sales—new automobiles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	⊕	<u>⊖</u>	<input type="checkbox"/>						
Vehicle sales—used automobiles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	⊕	<u>⊖</u>	<input type="checkbox"/>						
Recreation, Entertainment Type Uses														
Amusement parks, stadiums, arenas, Marinas*	<input type="checkbox"/>	P	<u>P</u>	<input type="checkbox"/>										

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Arcade, video games, electronic gaming, <u>driving range</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>					
Camp grounds, RV parks*	<input type="checkbox"/>	⊕	<u>⊖</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	SE	<input type="checkbox"/>				
Casino Gaming Facility	<input type="checkbox"/>	⊕	<u>P</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>				
Golf course, driving range	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	⊕	<u>⊖</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>
Golf, miniature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>
Gun, pistol range, gun clubs, archery clubs—indoor, outdoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	⊕	<u>⊖</u>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race track—horse, dog, car	<input type="checkbox"/>	⊕	<u>P</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>				
Riding clubs—horses, off-road vehicles, motorcycles	<input type="checkbox"/>	⊕	<u>⊖</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	SE	<input type="checkbox"/>				
Sports fields, batting cages, basketball courts, racket ball courts, sporting activities, bowling alleys—indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Sports fields, batting cages, basketball courts, racket ball courts, sporting activities—outdoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	P	P	P	SE	<input type="checkbox"/>
Restaurant, Food And Beverage Service Type Uses													
Adult entertainment establishment*	<input type="checkbox"/>	⊕	<u>⊖</u>	<input type="checkbox"/>	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Bar/Lounge					P	P	<u>P</u>						
Catering Service*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<u>P</u>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nightclub, Discotheque, Club, Cabarets.**	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>P</u>	<input type="checkbox"/>	SE	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>
Restaurant—sports bar, amusement restaurant/bar, coffee/sandwich shop, cafeteria, outdoor cafe*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	P	<input type="checkbox"/>
Places Of Assembly Type Uses* (See section 9-20 under "Places of Assembly")													
Auction House—indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>⊖</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Banquet hall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Funeral Homes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>⊖</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of religious assembly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private clubs, not public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Theater (movie, performing arts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial Type Uses													
Convenience store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>SE</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Donated goods Center—new/used*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>SE</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug, Pharmacy store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>SE</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Flea market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<u>⊖</u>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Food specialty store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Grocery store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Liquor package store*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pawn shop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	⊕	<u>⊖</u>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Plant nursery, retail or wholesale *	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retail—big box, club membership, department	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Retail—general, single use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Retail—Home improvement, building materials*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Secondhand merchandise store/consignment store	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Office Type Uses													
Call center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<u>P</u>	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Office—business, sales, professional, semi-professional services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Office—medical office/medical clinic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Service Type Uses													
Animal grooming and pet sitting—indoor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animal Hospital/Veterinarian clinic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animal kennel, boarding*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	P	<input type="checkbox"/>
Animal shelters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	<input type="checkbox"/>
Blood banks, diagnostic medical treatment centers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Check cashing, bill payments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Copy, printing center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Cosmetic Surgery, beauty clinics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Customer service center	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dry cleaning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Equipment and tool rental	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial institution - banks, credit unions, investment brokerage establishments*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Health club, fitness club	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Laundromat, self-service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Package shipping, mail service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	P	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Personal care services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Repair and service shop—general merchandise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Self-service storage facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Studios—photographic, and instructional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>
Tattoo parlor, body piercing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	P	P	<u>SE</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Uses													
Cemetery, mausoleums, crematory*	SE	SE	SE	SE	<input type="checkbox"/>	P	<u>P</u>	SE	SE	SE	<input type="checkbox"/>	SE	<input type="checkbox"/>
Wireless Antennas and support services*	SE	SE	SE	SE	SE	SE	<u>SE</u>	SE	P	P	P	SE	P
Industrial Type Uses													

Added text is underlined. Deleted text is stricken through.

EXHIBIT “A” TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Distribution center	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Dry cleaning—commercial laundry plant	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Industrial uses—heavy	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Industrial uses—light	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	<input type="checkbox"/>								
Laboratory—medical, research, testing	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Mining/extraction, rock quarry	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Outdoor Storage, open air storage* (See section 10-10 for Special Requirements)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Radio and transmitting station	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	P	
Recycling facility, Refuse disposal	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Salvage yard, junkyard	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Self-storage facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	
Showrooms, retail sales	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	P	<u>P</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	
Showrooms, wholesale sales	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>	
Studio for movie, television, music production	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SE	SE	<u>P</u>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Warehouse	<input type="checkbox"/>	P	P	P	<input type="checkbox"/>	<input type="checkbox"/>								
Agricultural Type Uses														
Farms—produce, livestock	<input type="checkbox"/>	P	<input type="checkbox"/>											
Greenhouses—nurseries, retail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	<input type="checkbox"/>						
Outdoor storage—agriculture* (No extra standard in section 9-20)	<input type="checkbox"/>	P	P	<input type="checkbox"/>	P	<input type="checkbox"/>								
Packing facilities—small* (No extra standard in section 9-20)	<input type="checkbox"/>	P	<input type="checkbox"/>											
Farmer's market*	<u>p*</u>	<u>p*</u>	<u>p*</u>	<u>p*</u>	<u>p*</u>	p*	<u>p*</u>							
Packing facilities—large*	<input type="checkbox"/>	SE	<input type="checkbox"/>											
Seed drying facility	<input type="checkbox"/>	P	<input type="checkbox"/>											
Urban agricultural gardens*	SE	SE	SE	SE	SE	SE	<u>SE</u>	<input type="checkbox"/>	P	<input type="checkbox"/>				
Wineries, vineyards*	<input type="checkbox"/>	P	<input type="checkbox"/>											

Sec. 34-288 Uses permitted with extra requirements.

(32) *Places of assembly.* Places of assembly are subject to the following standards:

- a. Minimum lot area: one-half net acre.
- b. Minimum spacing of principal building from residentially zoned property: 50 feet; 75 feet spacing from a residential building.
- c. Exception. Places of assembly in the ~~TCO, Town Center Overlay District~~ EO, Entertainment Overlay District shall be subject to the following standards:
 - 1. Freestanding places of assembly shall have a minimum lot area of two gross acres and 15,000 sf of gross floor area minimum.

Added text is underlined. Deleted text is stricken through.

EXHIBIT “A” TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

2. Multi-tenant/use buildings shall be limited to establishing up to three places of assembly where the total square footage devoted to such places of assembly uses does not exceed 25 percent of the total gross building area; except that in buildings with greater than 100,000 square feet of gross building area more than three places of assembly may be established providing that the total square footage devoted to such use does not exceed 25 percent of the gross building area.
3. Distribution for the needy. Distribution of food, clothing or other items for the needy is prohibited. Distribution for the needy means a fixed location for a temporary period of time where distribution of clothing, prepared or unprepared food, or other essential items to persons occurs, whether consumed on premises or not.

(35) *Restaurant—Sports, amusement, coffee/sandwich shop, cafeteria.* Subject to standards for sale of alcoholic beverages as set forth in article V and Section 34-598 of this chapter.

Sec. 34-311. - Accessory use table.

The following accessory use table shall be used to determine the required zoning district of which a use may be established. Unless otherwise stated, setback and spacing regulations shall be in compliance with section 34-432 Table 1. Additional standards shall be complied with for the establishment of the accessory use.

Accessory Use Generalized Table by Zoning District												
Zoning District/Accessory Use and Structures	R-1	R-2	R-15, R-25, R-50	NC	PCD	OF	I-1	I-2	PD	AU	GP	<u>EO</u>
Awnings, canopies, carports, roof overhangs, balconies, architectural structures	P	P	P	P	P	P	P	P	P	P	N/A	<u>P</u>
Commercial recyclable material storage area				P	P	P	P	P	P		N/A	
Commercial use—incidental			P			P	P	P	P	P	N/A	<u>P</u>
Construction trailer—temporary	P	P	P	P	P	P	P	P	P	P	N/A	<u>P</u>
Customary and incidental uses	P	P	P	P	P	P	P	P	P	P	N/A	<u>P</u>
Donation bins				P	P	P	P	P	P		N/A	
Dumpster enclosures	P	P	P	P	P	P	P	P	P	P	n/a	<u>P</u>
Enclosed recreation areas—common	P	P	P		P		P	P	P	P	N/A	<u>P</u>

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Gatehouses, guardhouses	P	P	P		P	P	P	P	P		N/A	<u>P</u>
Generators—permanent	P	P	P	P	P	P	P	P	P	P	N/A	<u>P</u>
Houseboats											N/A	
Maintenance building—common	P	P	P	P	P	P	P	P	P	P	N/A	<u>P</u>
Management office, sales office			P	P	P						N/A	<u>P</u>
Mobile medical, professional unit				P	P	P	P	P	P		N/A	<u>P</u>
Multifamily recyclable material storage areas			P		P						N/A	<u>P</u>
News kiosk			P	P	P	P	P	P	P		N/A	<u>P</u>
Off-street parking structures			P	P	P	P	P	P	P		N/A	<u>P</u>
Outdoor dining				P	P	P	P	P	P		N/A	<u>P</u>
Outdoor recreation areas—common	P	P	P		P		P	P	P	P	N/A	<u>P</u>
Outdoor storage	P	P	P	P	P		P	P	P	P	N/A	
Portable storage units	P	P	P						P		N/A	
Screen enclosures	P	P							P		N/A	<u>P</u>
Swimming pools, spas, tennis courts, ball courts	P	P	P						P		N/A	<u>P</u>
Telephone booths, public			P	P	P	P	P	P	P		N/A	<u>P</u>
Unattached garages, carports	P	P	P	P	P	P	P	P	P		N/A	
Utility sheds, storage buildings, fallout shelters	P	P	P						P		N/A	
Vending machines, video arcade games			P	P	P	P	P	P	P		N/A	<u>P</u>

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Watchman, manager or caretaker quarters—permanent, temporary			P	P	P	P	P	P	P	P	N/A	<u>P</u>
Wireless antenna support structures, amateur radio antennas	P	P	P	P	P	P	P	P	P	P	N/A	<u>P</u>
<p>Legend: "P" indicates permitted. Blank indicates not permitted.</p>												
<p>Note: See additional standards and requirements and criteria for specific accessory uses set forth in section 34-312 and the master use list in appendix A of section 34-733</p>												

Sec. 34-312. - Additional uses and building standards.

- (10) ~~Outdoor dining. Outdoor dining as an ancillary use shall be permitted, subject to the following restrictions:~~ Outdoor dining areas shall be permitted as an accessory use for restaurants including fast food restaurants (collectively referred herein as restaurant) subject to the following conditions:
- a. The outdoor dining area shall be managed, operated and maintained as an integral part of the immediately adjacent ~~food service facility~~ restaurant;
 - b. The outdoor dining area shall not reduce required parking or landscaping for the site;
 - c. The outdoor seating area shall be included in the calculations for required parking;
 - d. There shall be no outdoor cooking or food preparation, including preparation equipment or heating of food;
 - e. No outdoor dining area shall obstruct or impede pedestrian traffic. There shall be a minimum of 5 feet clear path between curb and outdoor dining area to allow pedestrian traffic;
 - f. The outdoor dining area shall comply with ~~handicapped accessibility requirements~~ the American with Disabilities Act requirements;
 - g. No advertising signs or business identification signs shall be permitted. No outside public address system shall be permitted;
 - h. The outdoor dining area must have adequate illumination during evening hours and comply with Section 34-417 of this chapter. Blinking and flashing type lighting shall be prohibited;
 - i. ~~Alcoholic beverages may be served where such service is strictly incidental to the service of food and is from a service bar only, subject to compliance with the regulations specified in article V of this chapter;~~
 - j. ~~The use shall be subject to plan review and approval through the building permit review process. The plans for such use shall include all restrooms, furniture, umbrellas, lighting, and other related services and functions associated with the proposed use, together with all required and provided parking calculations. Plans shall be subject to all the applicable building and zoning code regulations; and~~

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

- ~~k. The use shall require a certificate of use which shall be renewed annually and shall be subject to revocation upon violation of any applicable building and zoning code regulations, or when a continuation of the permit would constitute a hazard or nuisance.~~
- i. Tables, chairs, umbrellas, and other permissible objects provided within the outdoor dining area shall be of quality design and materials. Umbrellas and other decorative material shall be fire-retardant or manufactured of fire-resistant material;
- j. No tables, chairs or any other permissible objects within the outdoor dining area shall be attached, chained or in any manner affixed to any tree, post, sign or other fixture, curb, or sidewalk in or near the permitted area;
- k. Tables, chairs, umbrellas, and other permissible objects provided within the outdoor dining area shall be maintained with a clean appearance and shall be in good repair at all times;
- l. Alcoholic beverages may be served where such service is strictly incidental to the service of food and is from a service bar only, subject to compliance with the regulations specified in article V of this chapter;
- m. The use shall be subject to plan review and approval through the building permit review process. The plans for such use shall include all restrooms, furniture, umbrellas, lighting, and other related services and functions associated with the proposed use, together with all required and provided parking calculations and pedestrian circulation. Plans shall be subject to all the applicable building and zoning code regulations; and
- n. The use shall require a certificate of use which shall be renewed annually and shall be subject to revocation upon violation of any applicable building and zoning code regulations, or when a continuation of the permit would constitute a hazard or nuisance.

Sec. 34-342. - Tables for development standards.

The following are generalized development standards categorized by standards and by zoning districts. These standards are minimum requirements, unless otherwise regulated in this section that all development shall comply with:

Table 2: Commercial, Industrial and Mixed-Use Districts					
	Zoning Districts				
	NC, Neighborhood Commercial OF, Office	I-1, Industrial (Light)	I-2, Industrial (Heavy)	PCD, Planned Corridor Development	<u>EO Entertainment Overlay</u>
Lot and Density Parameters					
Lot frontage, Minimum	50 feet	125 ft.	75 ft.	150 ft.	<u>150 ft.</u>

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Lot area (net), Minimum	5,000 s.f.	10,000 s.f.	10,000 s.f.	10,000 s.f.	<u>10,000 s.f.</u>
Residential Density, Maximum	n/a	n/a	n/a	16-26 du/ac by right (varies by corridor); 55—150 du/ac with incentive bonuses	n/a
Floor Area Ratio, Maximum	0.50	0.50	0.50	0.50 single use 3.0 mixed-use (varies by corridor)	<u>0.75 single use</u> <u>3.0 mixed-use</u> <u>(vacant or redeveloped lots of 10 acres or more)</u> <u>0.50 single use</u> <u>3.0 mixed-use</u> <u>(all others)</u>
Maximum impervious area					
(% of lot area)	70% max.	80% max.	80% max.	70% by right; up to 90% with incentive bonuses	<u>70%</u>
Maximum Height for Buildings and Structures					
Principal buildings	35 ft./2 stories	55 ft.	55 ft.	2—4 stories by right 6—20 stories with incentive bonuses (varies by corridor)	<u>15 stories</u> <u>(vacant or redeveloped lots of 10 acres or more)</u> <u>10 Stories</u> <u>(all others)</u>

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Accessory buildings, structures	20 ft./1 story	35 ft.	35 ft.	35 ft./2 stories	<u>2 stories</u>
Parking Structures	<u>Subject to Site Plan Review</u>	<u>Subject to Site Plan Review</u>	<u>Subject to Site Plan Review</u>	<u>Subject to Site Plan Review</u>	<u>Subject to Site Plan Review</u>
Principle Building Setbacks and Spacing					
Front setback	10 ft. (minimum)	20 ft. (minimum)	20 ft. (minimum)	Two options: 15 ft. (build-to); or 25 ft. (minimum)	<u>Two options: 15 ft. (build-to); or 25 ft. (minimum)</u>
Rear setback (minimum)	10 ft.	20 ft.	20 ft.	10 ft. by right 7.5 ft. with incentive bonus	<u>7.5 ft.</u>
Interior side setback (minimum)	25ft.—NC (where abutting residential use); 10 ft. from nonresidential	7.5 ft.—OF	0 ft.	10 ft. by right 0 ft. with incentive bonus	<u>7.5 ft.</u>

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Side Street Setback (minimum)	15 ft.	20 ft.	20 ft.	10 ft.	<u>10 ft.</u>
Rear setback abutting nonresidential, non-industrial zoning district	Not applicable	25 ft.	25 ft.	Not applicable	<u>Not applicable</u>
Rear setback abutting Residentially Zoned Lot (minimum)	25 ft.—NC 25 ft.—OF	50 ft.	50 ft.	25 ft.	<u>25 ft.</u>
Rear setback separated from Residentially Zoned Lot By Street, Alley Or Other Right-Of-Way (minimum)	25 ft.	25 ft.	25 ft.	25 ft.	<u>25 ft.</u>
Spacing Between Buildings (minimum)	10 ft.	10 ft.	10 ft.	10ft.	<u>10ft.</u>
Accessory Building Setbacks and Spacing					
Front Setback (minimum)	Not permitted in front yard	20 ft.	20 ft.	25 ft.	<u>25 ft.</u>
Rear Setback (minimum)	10 ft.	0 ft.	0 ft.	0 ft.	<u>0 ft.</u>
Interior Side Setback (minimum)	10 ft.	0 ft.	0 ft.	10 ft. by right 0 ft. with incentive bonus	<u>5 ft.</u>
Side Street Setback (minimum)	10 ft.	20 ft.	20 ft.	10 ft.	<u>10 ft.</u>
Rear setback abutting Residentially Zoned Lot (minimum)	25 ft.	50 ft.	50 ft.	25 ft.	<u>25 ft.</u>

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Rear setback separated from Residential by Street, Alley or other Right-of-Way (minimum)	25 ft.	25 ft.	25 ft.	25 ft.	<u>25 ft.</u>
Spacing Between Buildings (minimum)	10	10 ft.	10 ft.	10 ft.	<u>10 ft.</u>

Sec. 34-392. - Commercial parking facilities.

- (a) Off-street parking areas provided as required parking for an established use shall only be utilized as a commercial parking facilities for off-street parking purposes for the use it is designated for.
- (b) Commercial parking garages or facilities shall meet the minimum standards as set forth in this article, and shall be considered a principal use on the property and require all necessary business licenses and a certificate of use from the city.
- (c) Off-street parking spaces provided within commercial parking garages or facilities within the Entertainment Overlay District (EO) may be counted towards the required off-street parking at the same ratio required for office type and commercial type uses within the EO.

Sec. 34-444. - Landscape, buffering minimum standards.

- (f) *Generalized minimum landscape and buffering table.* The following table shall be used as general interpretation of the required minimum landscape and buffering standards for the underlying zoning district that all development shall comply with. Further regulations for specific uses may be found under each zoning district regulations that shall be complied.

Table 1: Minimum Landscape And Buffering Standards Generalized Table												
Zoning district/ landscape requirement	R-1	R-2	R-15 R-25 R-50	NC	PCD*	OF	I-1***	I-2***	PD**	AU	GP	<u>EO</u>
Shade trees	Min. 3 per lot	Min. 3 per lot	28 per net acre	n/a	<u>28 per net acre</u>							

Added text is underlined. Deleted text is stricken through.

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Shade trees— off street parking areas	n/a	n/a	1 per req. land scape island	n/a	n/a	<u>1 per req. land scape island</u>						
Street trees	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot frontage	1 per 25' lot front age	n/a	<u>1 per 25' lot frontage</u>
Shrubs/ Hedging	Min. 10 per req. shade tree	10 per req. tree per req. shade tree	10 per req. tree	10 per req. tree	n/a	<u>10 per req. tree</u>						
Knee wall, off-street parking areas	n/a	n/a	required	requi red	n/a	<u>Required</u>						
Sod, lawn area, ground cover	Min. 50%	Min. 50%	required	n/a	n/a	<u>required</u>						
Landscaped Open space	n/a	n/a	Min. 20%	Min. 10% -30%	Min. 18%	Min. 18%	Min. 10%	Min. 10%	Min. 30%	Min. 20%	n/a	<u>Min. 18%</u>
Common open space	n/a	n/a	Min. 20%	n/a	n/a	n/a	n/a	n/a	Min. 30%	n/a	n/a	<u>n/a</u>
Landscape buffers— front yard/ROW	n/a	n/a	Min. 10'	Min. 10'	Min. 11'—21'*	Min. 10'	Min. 5'	Min. 5'	Min. 10'	Min. 10'	n/a	<u>Min. 11'— 21' Max.</u>
Landscape buffers—side yard	n/a	n/a	Min. 5'	Min. 5'	Min. 0'— 10'*	Min. 5'	Min. 5'	Min. 5'	Min. 5'	Min. 5'	n/a	<u>Min. 0'— 10' Max.</u>
Landscape buffers—rear yard	n/a	n/a	Min. 10'	Min. 10'	Min. 7.5'— 10'*	Min. 10'	Min. 5'	Min. 5'	Min. 10'	Min. 10'	n/a	<u>Min. 7.5'— 10' Max.</u>

Added text is underlined. Deleted text is stricken through.

EXHIBIT “A” TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

Landscape buffers—off street parking areas	n/a	n/a	Min. 7'	Min. 7'	Min. 0'—10'*	Min. 7'	Min. 7'	n/a	<u>Min. 0'—10' Max.</u>				
Landscape islands—off-street parking areas	n/a	n/a	1 per every 10 req. parking spaces	1 per every 10 req. parking spaces	1 per every 0—10 req. parking spaces*	1 per every 10 req. parking spaces	n/a	n/a	<u>1 per every 10 req. parking spaces</u>				
Fence, wall, hedge heights—maximum.	Max. 6'/max. 4' front yard; hedges 8'	Max. 6'/max. 4' front yard	Max. 6'; hedges 8'	Max. 8'; hedges 8'	Max. 8'; hedges 8'	Max. 8'; hedges 8'	Max. 8'; hedges 8'	Max. 8'; hedges 8'	Max. 8'; hedges 8'	Max. 8'; hedges 8'	Max. 6'; hedges 8'	n/a	<u>Max. 8'; hedges 8'</u>
* denotes requirements subject to obtaining incentive bonus in PCD district in accordance with sections 34-531 , 34-532 and 34-562													
** denotes additional requirements are applicable as set forth in article XVI of this chapter.													
*** denotes exceptions in the I-1, I-2 zoning districts as set forth in subsection 34-439(b)(1)e .													

Sec. 34-732. - Definitions of terms.

Off-street parking garage or structure; off-street structured parking means a structure or portion thereof attached to, or integrally designed within the principal building or structure, consisting of at least two levels used exclusively for parking or storing multiple vehicles. Off-street parking garage or structure shall not be counted towards FAR, or building height calculations.

Overlay Zoning Districts. Overlay zoning districts are superimposed over portions of one or more underlying base zoning districts (and perhaps planned development districts or other overlay districts) with the intent of supplementing generally applicable development regulations with additional development regulations that address special area-specific conditions, features, or plans while maintaining the character and purposes of the underlying zoning districts. Some overlay zoning districts include standards that modify or supersede standards applied by the underlying base zoning district.

ARTICLE XV. - PLANNED CORRIDOR DISTRICT (PCD) PLANNED CORRIDOR DEVELOPMENT DISTRICT (PCD) AND ENTERTAINMENT OVERLAY DISTRICT (EO)

DIVISION 6 – Entertainment Overlay District (EO)

Sec. 34-598. – District conditions.

The following conditions shall apply to businesses within the entertainment overlay district:

(1) Establishments selling or serving alcoholic beverages must be permitted and operating in compliance with all licensing and other regulations set forth in Article V of this Chapter for sale and consumption of alcoholic beverages;

(2) Nightclubs, discotheques, clubs

(a) Premises must have 5,000 sf minimum gross area up to 8,000 sf; and

EXHIBIT "A" TO ENTERTAINMENT OVERLAY DISTRICT ORDINANCE

- (b) Nightclubs, discotheques and clubs shall be located not less than 300 feet from any residential district or use.
- (3) Restaurants. Standalone restaurant must have a minimum of 4,000 sf in gross area.
- (4) Upon review of a certificate of use application, the administrative official may impose conditions as deemed necessary to ensure compliance with code requirements, minimize or mitigate the impacts of the use on public facilities, adjacent properties and the surrounding neighborhood, including but not limited to the following:
 - (a) Restriction of hours of operation;
 - (b) Adequate security as approved by the city manager based on type of business establishments, and maximum capacity of the facilities within the entertainment overlay district;
 - (c) Limitations of use to within the enclosed premises;
 - (d) Posting of policies as it refers to dress code and service of alcohol;
 - (e) Business registration with City programs; and
 - (f) Conditions to minimize noise and nuisance abatement.

Sec. 34-599.- Alcoholic beverage sales within the district.

- (a) Minimum distance requirements. There shall be no minimum distance required between any place of business within the entertainment overlay district licensed by the state to sell alcoholic beverages either for consumption on or off premises and any other place of business similarly licensed within the district.
- (b) Hours of operation. The hours and days of sale and consumption of alcoholic beverages are set forth in section 6-369.
- (c) Hours for music and entertainment. Music, singing and other forms of entertainment whether amplified or not, shall be permitted indoors at any time during business hours of any facility or business enterprise within the district, and in addition music, singing and entertainment shall be permitted outdoors within the district, however, such outdoor music, singing and entertainment shall comply with special events and entertainment regulations as set forth in chapter II of the City of Miami Gardens Code of Ordinances.
- (d) Outdoor sales of alcoholic beverages. Those persons or entities within the district licensed under the state beverage license laws, may sell and serve beers, wines and alcoholic beverages of any type regardless of alcohol content at any location within the district licensed for such sale and under the control of such licensee, including, but not limited to, sidewalk cafes, outdoor areas designed for food or beverage consumption or both adjacent to and operated in concert with a business operated within enclosed premises.

Sec. 34-600. Upgraded ten-foot-wide sidewalk required.

A ten-foot sidewalk is required along all street rights-of-way for developments in excess of 15 acres within the district. In order to enhance the pedestrian experience and the appearance of the city's major street corridors, the sidewalk shall be constructed of stamped and colored concrete, or other material and/or design determined by the city council for the district. In order to provide for continuity within the district, the administrative official may authorize or require payment in-lieu of sidewalk construction based upon the prevailing cost per square-foot of construction of such sidewalks according to a public works estimating publication deemed acceptable by the director of public works, as such costs may be adjusted for local material and labor cost conditions. Payment under this section shall be deposited in an account to be designated and maintained for sidewalk construction along the corridor or portion thereof for which the payment was made in lieu of construction.

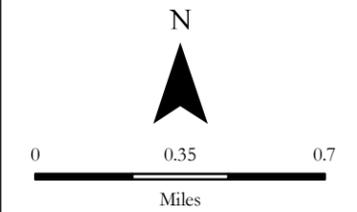
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City of Miami Gardens

Proposed Entertainment Overlay District

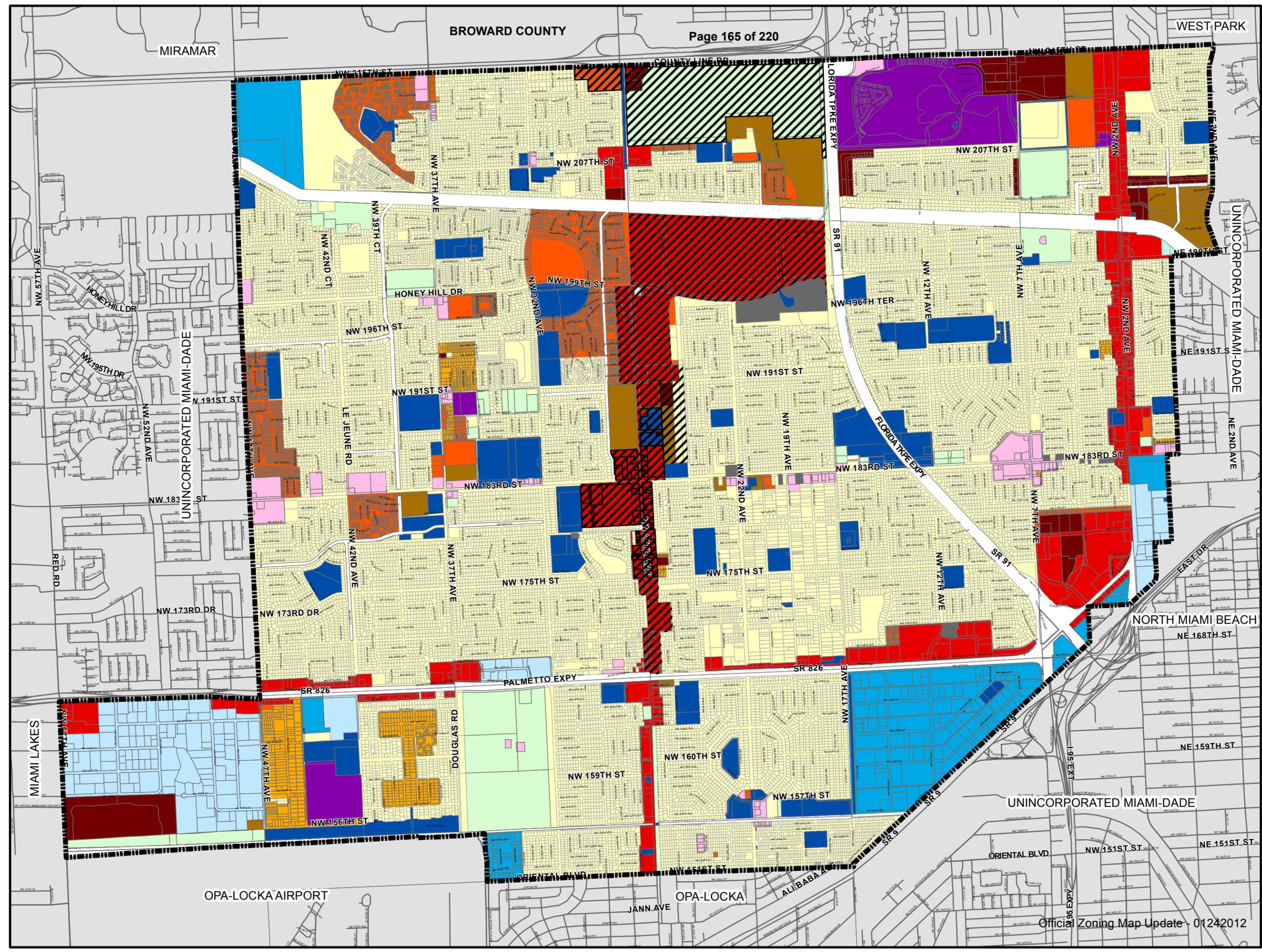
- R-1- Single Family
- R-2- Two Family
- R-15- Multiple Family
- R-25- Multiple Family
- R-50- Multiple Family
- NC- Neighborhood Commercial
- PCD- Planned Corridor Development
- OF- Professional Office
- I-1- Special Industrial
- I-2- Heavy Industrial
- PD- Planned Development
- AU- Agriculture
- GP- Government Property
- Entertainment Overlay District
- Other



Draft Map
October 2014

Prepared by:
Department of Planning & Zoning

DISCLAIMER:
This map is subject to updates from time to time. Every attempt has been made to ensure the accuracy of this map. This map is not to be construed as a survey instrument. The City of Miami Gardens does not assume any liability arising from the use of this map. Users of this map should consult the planning & zoning department for verification of information provided on this map.



NEIGHBORS CALENDAR

• CALENDAR, FROM 18ND

300 NE Second St., Dania Beach.

Downtown Miami Historic District Architecture Walking Tour This two-hour walking tour highlights several of downtown Miami's best historic buildings, most of which are on the National Register of Historic Places. Tours begin with a brief introductory presentation at MCAD, itself located in the 1912 Old Post Office Building at the center of the City of Miami's Historic District and covers a three-block area in the core of the Central Business District. Whether you are an architect or just love architecture, this tour is for you. Tours depart from MCAD rain or shine. Advance reservations online are required (up to 60 minutes before tour time). Tours are held on alternate Saturdays and begin promptly at 10:15 am. All sales end at 9:30 am. For pre-paid guests, please be at MCAD by 10 am. March 21 10 a.m.-12 p.m. \$15-\$20 Miami Center for Architecture & Design 100 NE First Ave., Miami.

Family Bike Ride This 6-mile family bicycle ride beginning and ending at Robbins Lodge promises fun for the whole family. March 21 9 a.m.-1 p.m. Robbins Lodge 4005 South Hiatus Road, Davie.

Key Biscayne Art Fair The Key Biscayne art festival is one not to be missed. The event features longtime favorites and the newest names in the contemporary art scene. Life-size sculptures, spectacular paintings, one-of-a-kind jewels, photography, ceramics, and much more. March 21-March 22 10 a.m.-5 p.m. Village Green Park 450 Crandon Boulevard, Key Biscayne.

Museum Park Farmers' Market This weekly downtown Miami market between Bayfront and the Perez Museum features local organic fruits, vegetables, honey, cheese, baked goods, food, drinks, and local art. March 21 9 a.m.-2 p.m. Museum Park 1075 Biscayne Blvd., Miami.

Zo's Hoop-Law Madness Charitable Basketball Tournament The inaugural Zo's Hoop-Law Madness Charitable Basketball Tournament will give attorneys an opportunity to face off on a different kind of court. The charitable event will benefit the Overtown Youth Center (OYC), a nonprofit organization that seeks to enrich the lives of at-risk youth by connecting them to role models, enhancing their educational experience and exposing them to positive activities. March 21 7 a.m.-5 p.m. \$1,250 per team Overtown Youth Center 450 N.W. 14th St., Miami.

SUNDAY, MARCH 22

Annual Biscayne-Everglades Greenway Bike Festival The Biscayne-Everglades Greenway Bike Festival is back and better than ever. With two routes to choose from, you can enjoy a fun 11-mile loop to Biscayne National Park or tackle the challenging 42-mile ride to Everglades and Biscayne National Parks. So, break out your bike shorts and get ready to get fit, have fun, and explore the

outdoors. This free event has quickly become a staple for bicyclists and nature lovers alike, offering the chance to connect with nature while promoting fitness and bicycle safety. This year's Festival kicks off with registration at 8 am and riders departing at 9 am. To preregister for the ride, fill out and return the entry waiver, available at www.cityofhomestead.com. Don't delay the first 200 people to register will receive a free bike light. For cyclists in need of a bike, please contact the Parks and Recreation Department at 305-224-4570. Rental bikes must be reserved no later than Monday, March 16, 2015. There will be an on-site bike mechanic to assist riders if needed. March 22 8 a.m.-3 p.m. Homestead Miami Speedway One Speedway Blvd., Homestead.

Free Walking Tours To celebrate Miami Beach's 100th Birthday, local tour guide Bette Pipes offers free tours March 22nd/26. Tours begin at South Pointe Park, and focus on the area, South of 5th St., where Miami Beach was incorporated. March 22 10 a.m. South Pointe Park 1 Washington Ave., Miami Beach.

Gay Nuptials Workshop Loving couples are invited to the Gay Nuptials Workshop, an informational seminar aimed at helping same-sex couples navigate the wedding-planning landscape. Hosted by Bobby Kyser, a well-known wedding specialist and owner of Panache Style, the intimate workshop will feature a series of informational presentations, vendor exhibits and light refreshments. During the Gay Nuptials Workshop, Kyser and other South Florida wedding professionals will showcase ideas, products and expertise for every step of the wedding process. Couples will learn more about the importance of having a planner, how to personalize a wedding, and how to choose the right flowers, decor and entertainment. Guests will also enjoy an open bar, exhibits from more than 20 gay-friendly vendors, dessert samples, presentations from notable guest speakers, and more. The event is held at the Hagen Park Community Center. March 22 1 p.m.-4 p.m. \$20 per person; 30 per couple Hagen Park 2020 Wilton Drive, Wilton Manors.

Japanese Spring Festival This free annual festival features authentic Japanese activities, art and entertainment to celebrate Miami's friendship with Japan. See a kimono fashion show, featuring ensembles designed by Hiromi Asai, who has had her designs featured in national television ads such as Verizon Wireless, and will also be presenting onstage at the New York Fashion Week. Listen to taiko drumming performances by Fushu Daiko, or have a couple drinks at the sake station. Kids and kids-at-heart can make mini zen gardens, origami animals and paper lanterns in the art tent. March 22 11 a.m.-4 p.m. Miami Beach Botanical Garden 2000 Convention Center Dr., Miami Beach.

• TURN TO CALENDAR, 23ND



PUBLIC HEARING ADVERTISEMENT

City of Miami Gardens

Wednesday, March 25, 2015 @ 7:00 PM

City Hall, City Council Chambers

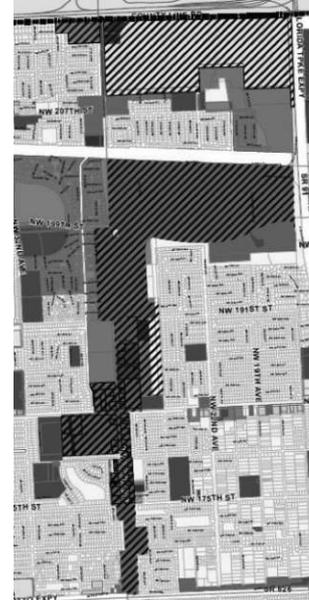
18605 NW 27th Avenue

Miami Gardens, FL 33054

APPLICANT: City of Miami Gardens

PROJECT NAME: Entertainment Overlay District

PROJECT LOCATION: 27th Avenue Corridor between City Hall and the Stadium – (See Map Below)



PURPOSE: The City of Miami Gardens proposes to amend the LDRs to create an Entertainment Overlay District along the 27th Avenue Corridor between City Hall and the Stadium.

REQUESTED ACTION: TO ADOPT THE FOLLOWING ORDINANCE:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AMENDING THE CODE OF ORDINANCES (LAND DEVELOPMENT REGULATIONS) AS OUTLINED ON EXHIBIT "A" ATTACHED HERETO; AMENDING SECTION 34-13 - ZONING DISTRICTS ESTABLISHED; AMENDING SECTION 34-14 - PURPOSE AND INTENT OF ZONING DISTRICTS; AMENDING SECTION 34-287 - USE REGULATIONS, GENERALLY; AMENDING SECTION 34-288 USES PERMITTED WITH EXTRA REQUIREMENTS; AMENDING SECTION 34-311 - ACCESSORY USE TABLE; AMENDING SECTION 34-312 - ADDITIONAL USES AND BUILDING STANDARDS; AMENDING SECTION 34-342 - TABLES FOR DEVELOPMENT STANDARDS; AMENDING SECTION 34-392 - COMMERCIAL PARKING FACILITIES; AMENDING SECTION 34-444 - LANDSCAPE, BUFFERING MINIMUM STANDARDS; AMENDING SECTION 34-732 - DEFINITIONS OF TERMS; CREATING DIVISION 6 OF ARTICLE XV - ENTERTAINMENT OVERLAY DISTRICT TO PROVIDE FOR ADDITIONAL REGULATIONS; CREATING A LOCATION FOR THE ENTERTAINMENT OVERLAY DISTRICT AREA AS OUTLINED IN EXHIBIT "B" ATTACHED HERETO; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

All persons are entitled to attend and to speak at public hearings. The courts have ruled that it is improper to contact a Council member individually, either orally or in writing, about zoning applications.

Said ordinances can be inspected in the City Clerk's Office, Monday - Friday during regular office hours.

Inquiries concerning these items should be directed to the City Manager's Office at 305-6914-9010.

Article VII of the City of Miami Gardens Code entitled "Lobbyist", requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$250.00. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence "City" action. "City" action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action. All not-for-profit organizations, local chamber and merchant groups, homeowner associations, or trade associations and unions must also register however an annual fee is not required.

In accordance with the Americans With Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Ronetta Taylor, MMC, City Clerk (305) 914-9129, not later than 48 hours prior to such proceeding. TDD No. 1-800-955-8771

A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at this meeting or hearing, will need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Quarterly Staff Report

December 2014 through February 2015

Capital Improvements Projects

ART IN PUBLIC PLACES (AIPP)- North Dade Optimist Park: Planning 30% - Rickelle Williams

- The project design proposal was approved by the City Council at the 2/25/15 Council meeting.
- Artist Services Agreement to be executed once Norland Middle School has completed their internal bid process for project materials.

City Hall & PD Building GMP-1 (Earthwork): Close-Out 100% – J. Allen & A. Smith

- For more information regarding Earthwork Construction see 7/13 CIP Monthly Report.
- Upon completion of GMP 2, a walk thru of the site will be scheduled with the City of North Miami Beach (CNMB) to verify that all of their facilities haven't been damaged after GMP 1. CNMB issued a partial field completion for GMP 1, and will issue a final field completion after their acceptance inspection for GMP 2.
- NMB has performed several site reviews of the installation and are proceeding periodically to verify all installations as the work is completed. Phase II and Offsite work was performed the week of 12/1/14. The Balance of the Phase III work will be reviewed and verified at the completion of Phase III.

New City Hall & PD Building GMP-2: Phase II Construction 99% complete; Phase III Construction 95% Complete – Jimmie Allen

- Skanska has processed all documentation for the request for CO from the CMG Development Services Department and the department issued the CO on 12/9/14.
- The work is pending the final certification of completion and project closeout by the City.
- Final Completion was scheduled in accord with the contract 56 days after substantial completion or 6/27/14. Final Completion was not achieved on schedule. **The Final Completion Request was executed. Assessment regarding final payments is ongoing. The final request for the certificate of completion letter from Skanska has been received. The City is withholding funds sufficient to guarantee that all incomplete work and items being remediated are satisfied prior to Final payment for the Phase II work.**
- As of the week of 10/1/14 Skanska provided their final summary of items pending completion and indicated that they were complete with open Punch List Items and subsequently requested that the Architect/Engineer visit the site to confirm that all Punch List Items have been satisfied.
- The Architects review of the punch list is pending and under the A/E's Control. **The A/E representative visited the site on 1/14/15 to address the Punch List Inspection Request. The City provided its review documents to URS for the second time. A response from URS is pending.**
- Review sessions were conducted to arrive at the cost to correct the shear wall foundation design based on the Revision 20 12/1/13 design provided by URS. The Change Order proposal for the Revision 20 structural mitigation work was submitted by Skanska the week of 1/13/14 and rejected by the City.
- Skanska presented a final proposal on 11/20/14 including adjustments base on the meetings conducted on the issue. The City has evaluated and arrived at an acceptable cost for the remedial work. NTP date was issued 11/27/14 for Revision 20 Phase II and Phase III work as the final cost to complete the project.
- The Garage Structure is pending a final Warranty negotiation for materials, labor and installation.

- The steel structure for City Hall elevated walkway to Parking Garage has been completed. **The Punch List for the structure was issued in 12/2014 and the Contractor is working to complete the items on the City's List supplied in 1/2015. That work is ongoing.**
- Final finishes, door control hardware is complete. Door Access Control connections were completed the week ending 11/5/14.

The Police Building's Completion Status:

- The 1st floor completion work for the structural repairs commenced the week of 11/8/14 inclusive of deconstruction of all systems and construction in the areas impacting removal of floors.
- The City Council at its' 11/12/14 meeting approved an agreement developed between Staff and Skanska for the completion of The work for the Municipal Project involving Revision 20, Phase II and Phase III construction work. The City issued an Authorization for Commencement of the completion work the week of 11/17/14. The City is and will be verifying all pricing pursuant to the agreement as the work proceed.
- On 5/30/14 Miami Dade Fire Inspections were conducted in the Police Building with the issuance of comments and requirements that will have cost implication for the Phase III work. A second walk thru was conducted the week of 11/5/14 where in which several additional items were addressed by the Fire Marshall in advance of the work proceeding for the completion of Phase III.
- Other Contract work in the PD is ongoing in addition to making revisions to respond to Miami Dade GSA and Fire Department comments requiring modification of systems for code compliance.
- The installation of the ventilation damper in the four stop elevator shaft is completed.
- HVAC Duct work revisions are completed are completed at the mechanical Penthouse to meet Safety requirements.
- Chilled water piping scheduled for deconstruction and relocation was completed in 12/14.
- **The work related to Revision 20 has been under way since December 14, 2014 and the contractor has made significant progress with the work and is scheduled to complete the work in early spring 2015. Subsequent to completion of the remediation work, Skanska is scheduled to complete substantially all work in the Building and associated Phase III completion work early summer 2015.**
- **The deconstruction of floor slabs to access the foundation commenced 1/12/15. Work is occurring at the Holding Cell area, SE Stair, Main Electric Service Room, Central Elevator and west stair shear walls. Substantial removal of concrete and structure in these areas has occurred and work is progressing to construct the concrete stiffeners in the foundations. As of Thursday 2/26/15, the electric room element has been reconstructed with a final completion of the concrete slab before 3/4/15. This work for the entire ground floor is on a 13 week schedule with completion contemplated to be on time.**
- **The west stair shear wall is nearing completion of preparation of final form work at the end of February with concrete pour set for the first week in March. The Central elevator shear wall along with the southeast stair shear wall following very close behind. All structural remediation is expected to be completed before the end of March.**
- **Skanska's current projected schedule for the completion of the structural repair work and final build out for the Ground floor, Second Floor and Third Floor for the PD Building is the spring of 2015.**
- **Reconstruction of the Elevator Controller closet is scheduled for completion before the end of March. The work is underway and final framing and application of finishes is ongoing.**
- The PD elevated walkway bridge structure was installed 5/16/14. The estimated time of completion for the bridge is 5/2015. **Bridge awaiting paint by Skanska.**
- Roofing in progress, steel framing is partially completed and awaiting paint.
- Finishes on the Third and Second floor are 95% installed subject to final inspections.

GMP Owner Direct Purchase Status:

- The actual tax savings for all invoices that have been paid by the City thru 3/11/15 is **\$851,068.24.**

Municipal Complex Exterior Signage: Design 100%, Bid Phase 80% – Jimmie Allen
Alternate Signage package is presently planned for Request for Quotations.

- RFP was advertised for bids on 10/1/13. Contractors bid proposals were opened 10/29/13. One bid was received which was non-responsive to all of the requirements in the RFP. City Council approved the staff recommendation to reject the bid during the 12/11/13 meeting.
- No permanent signage is displayed at the New City Hall as of this date.
- Preparations are being made for Alternate Signage for submittal to Council soon.
- Final determination of Signage concept design pending.
- **Project was bid: No bids were submitted due to bidder's indication that the budget was too low. The project Re-Bid package is under review for alternate pricing or change in materials specified.**

Municipal Complex Utility Relocation NW 185th Terrace: Design 90% complete

- The project is on hold pending the complete analysis of the Municipal Complex budget.

Municipal Complex Roof PV Panels: Design 100% Complete, Bid Phase 85%

- The revised RFP/Bid opening date was 4/24/14. Staff reviewed the submitted RFP/Bids and 3 Design-Build Contractors will be scheduled to give an oral presentation for the final selection.
- The oral presentation for the Design-Build Contractors was held on 7/22/14.
- **Executive staff met with the Low Bidder and an analysis is underway to determine alternate method of financing for installation.**
- **FPL Awarded the City an Energy Rebate in 1/2015 which must be completed by 5/16/2015. The City will be applying for an extension on the Award, as the project completion and terms of the award will not coincide with the final date of the required expenditures in order to apply for and secure the rebate.**

Fueling Facility & Storm Drainage: Construction Document Phase 85%

- The project is currently "On Hold". No further action is being taken at this time.

Rolling Oaks Park Walking Trail: Construction Phase 99% – Anthony Smith

- The final completion date was 11/21/14.
- **Final close out documentation for LAP agreement pending.**
- **Reimbursement Package will be submitted to FDOT.**

North Dade Optimist Park: Construction Phase 100% completed; – Anthony Smith

- The Final Completion was achieved on 6/27/14.
- The Contractor has worked on the correction of the erosion in the retention ponds through a field order and remaining punch list items as warranty work. The correction to the erosion of the retention pond has been completed.
- The ribbon cutting ceremony was held on 8/29/14.
- Contractor submitted revised application for release of retainage.
- **Reimbursement Package will be submitted to Miami-Dade County.**
- **Building Better Communities General Obligation Bond Interlocal Agreement between Miami-Dade County and City of Miami Gardens proposed amendment to be submitted to City Council for approval.**

City of Miami Gardens General Obligation Bond

- Bond Implementation Plan (BIP) was approved by the City Council at the 2/25/2015 City Council meeting.

Dr. Lester Brown Park Outdoor Fitness Station: Construction Phase 50% completed; – Anthony Smith

- Purchase Order was issued for the installation of the outdoor fitness station on 2/19/15.

- Permit application was submitted to the CMG Development Services Department on 2/25/15 and was approved on 3/03/15.
- Contractor commenced the installation on 3/03/15.

City Manager's Office

INTERNAL OPERATIONAL MEETINGS

- December 1, 2014 - Weekly meeting with Police Chief Stephen Johnson.
- December 1, 2014 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- December 1, 2014 - Held City Hall construction update meeting with Assistant City Manager Vernita Nelson; Special Projects Manager Jimmie Allen; Finance Director Patricia Varney; City Attorney Sonja Dickens; Development Services Director Shellie Ransom-Jackson; Police Chief Stephen Johnson; Assistant Police Chief Alfred Lewer; Information Technology Director Ronald McKenzie; Information Technology Police Systems Manager Tristian Lattibeadere and Procurement Director Pamila Thompson.
- December 2, 2014 - Attended City Council Agenda Review meeting.
- December 3, 2014 - Met with Human Resources Director Veronica Davis and Parks and Recreation Director Parvin Neloms regarding Parks and Recreation Department housekeeping issues.
- December 3, 2014 - Attended Councilman Erhabor Ighodaro's Ceremonial Swearing In event.
- December 4, 2014 - Attended City Council Agenda Review meeting.
- December 5, 2014 - Weekly meeting with Assistant City Manager Craig Clay.
- December 5, 2014 - Weekly meeting with Assistant City Manager Vernita Nelson.
- December 5, 2014 - Weekly meeting with Development Services Director Shellie Ransom-Jackson.
- December 8, 2014 - Met with Vice Mayor Robinson regarding upcoming City Council Meeting and her various issues.
- December 9, 2014 - Held bi-monthly meeting regarding the construction of the New Police Building with Assistant City Manager Vernita Nelson; Special Projects Manager Jimmie Allen; Finance Director Patricia Varney; City Attorney Sonja Dickens; Development Services Director Shellie Ransom-Jackson; Police Chief Stephen

Johnson; Assistant Police Chief Alfred Lewers; Information Technology Director Ronald McKenzie; Information Technology Police Systems Manager Tristian Lattibeadere and Procurement Director Pamila Thompson,

- December 9, 2014 - Met with Assistant City Manager Craig Clay; Assistant City Manager Vernita Nelson; Finance Director Patricia Varney and Human Resources Director Veronica Davis regarding the FPE (Federation of Public Employees) contract.
- December 10, 2014 - Met with Councilman Ighodaro regarding upcoming City Council Meeting and his various issues.
- December 11, 2014 - Met with Vice Mayor Robinson regarding activities in the City.
- December 11, 2014 - Attended Union Negotiations with Assistant City Manager Craig Clay; Assistant City Manager Vernita Nelson; Human Resources Director Veronica Davis; City Attorney Sonja Dickens and Mayor and Council Members.
- December 12, 2014 - Weekly meeting with Assistant City Manager Craig Clay.
- December 12, 2014 - Weekly meeting with Assistant City Manager Vernita Nelson.
- December 12, 2014 - Weekly meeting with Development Services Director Shellie Ransom-Jackson.
- December 15, 2014 - Weekly meeting with Police Chief Stephen Johnson.
- December 18, 2014 - Attended the City of Miami Gardens Employee Holiday party.
- December 22, 2014 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- December 22, 2014 - Welcomed the City of Miami Gardens Police Department's Graduating Cadets with Mayor Oliver Gilbert.
- December 22, 2014 - Held bi-monthly meeting regarding the construction of the New Police Building with Assistant City Manager Vernita Nelson; Special Projects Manager Jimmie Allen; Finance Director Patricia Varney; City Attorney Sonja Dickens; Development Services Director Shellie Ransom-Jackson; Police Chief Stephen Johnson; Assistant Police Chief Alfred Lewers; Information Technology Director Ronald McKenzie; Information Technology Police Systems Manager Tristian Lattibeadere and Procurement Director Pamila Thompson.
- December 29, 2014 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.

- December 29, 2014 - Held Directors' meeting with Assistant City Manager Vernita Nelson; Assistant City Manager Craig Clay; Assistant to the City Manager Darian Martin; Human Resources Director Veronica Davis; Police Chief Stephen Johnson; Public Works Director Tom Ruiz; Information Technology Director Ronald McKenzie; Development Services Director Shellie Ransom; Parks and Recreation Director Parvin Neloms; Finance Director Patricia Varney; Procurement Director Pamila Thompson; Grant Administrator Denese Williams; Program Director Thamara Labrousse and Community Development Director Laurin Yoder.
- January 5, 2015 - Attended the Swearing In Ceremony for the New Police Cadets.
- January 5, 2015 - Held bi-monthly meeting regarding the construction of the New Police Building with Assistant City Manager Vernita Nelson; Special Projects Manager Jimmie Allen; Finance Director Patricia Varney; City Attorney Sonja Dickens; Development Services Director Shellie Ransom-Jackson; Police Chief Stephen Johnson; Assistant Police Chief Alfred Lewers; Information Technology Director Ronald McKenzie; Information Technology Police Systems Manager Tristian Lattibeadere and Procurement Director Pamila Thompson,
- January 8, 2015 - Attended the Public Private Development Roundtable (PPDR)
- January 9, 2015 - Met with Parks and Recreation staff to discuss Parks and Recreation programming in the City.
- January 12, 2015 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- January 13, 2015 - Met with Councilwoman Davis regarding City matters.
- January 13, 2015 - Met with Development Services Director Shellie Ransom and City Attorney Sonja Dickens to discuss a proposed Entertainment Overly District concept.
- January 14, 2015 - Held Directors' meeting with Assistant City Manager Vernita Nelson; Assistant City Manager Craig Clay; Assistant to the City Manager Darian Martin; Human Resources Director Veronica Davis; Police Chief Stephen Johnson; Public Works Director Tom Ruiz; Information Technology Director Ronald McKenzie; Development Services Director Shellie Ransom; Parks and Recreation Director Parvin Neloms; Finance Director Patricia Varney; Procurement Director Pamila Thompson; Grant Administrator Denese Williams; Program Director Thamara Labrousse and Community Development Director Laurin Yoder.
- January 21, 2015 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- January 22, 2015 - Attended the Public Private Development Roundtable (PPDR)

- January 23, 2015 - Met with Assistant City Manager Craig Clay, Human Resources Director Veronica Davis and Finance Director Patricia Varney regarding NeoGov.
- January 26, 2015 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- January 28, 2015 - Held Directors' meeting. Attendees: Assistant City Manager Vernita Nelson; Assistant City Manager Craig Clay; Assistant to the City Manager Darian Martin; Human Resources Director Veronica Davis; Police Chief Stephen Johnson; Public Works Director Tom Ruiz; Information Technology Director Ronald McKenzie; Development Services Director Shellie Ransom; Parks and Recreation Director Parvin Neloms; Finance Director Patricia Varney; Procurement Director Pamila Thompson; Grant Administrator Denese Williams; Program Director Thamara Labrousse and Community Development Director Laurin Yoder.
- January 29, 2015 - Met with City Clerk regarding ATS – Red Light Camera issues.
- February 2, 2015 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- February 2, 2015 - Held bi-monthly meeting regarding the construction of the New Police Building with Assistant City Manager Vernita Nelson; Special Projects Manager Jimmie Allen; Finance Director Patricia Varney; City Attorney Sonja Dickens; Development Services Director Shellie Ransom-Jackson; Police Chief Stephen Johnson; Assistant Police Chief Alfred Lewers; Information Technology Director Ronald McKenzie; Information Technology Police Systems Manager Tristian Lattibeadere and Procurement Director Pamila Thompson.
- February 2, 2015 - Attended City Council Agenda review meeting.
- February 9, 2015 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- February 11, 2015 - Met with Councilmember Ighodaro and Assistant City Manager Craig Clay regarding various City items.
- February 12, 2015 - Attended City Council Agenda review meeting.
- February 17, 2015 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- February 19, 2015 - Attended Public Private Development Roundtable (PPDR).

- February 23, 2015 - Met with Assistant City Manager Craig Clay; Finance Director Patricia Varney; Police Chief Stephen Johnson and the Police Department's budget staff to discuss the upcoming fiscal year.
- February 24, 2015 - Attended Police Benevolent Association (PBA) Bargaining Session.
- February 24, 2015 - Attended a meeting with Parks and Recreation Director Parvin Neloms; Assistant Parks and Recreation Director Starex Smith; Assistant City Manager Craig Clay and Vice Mayor Robinson regarding Summer Leadership Development Program.
- February 26, 2015 – Attended City Council Agenda review meeting.

EXTERNAL MEETINGS

- December 2, 2014 - Attended a Meet and Greet with the City of Miami Gardens Senior Government Relations Consultant Clarence Williams, Becker and Poliakoff and Assistant City Manager Vernita Nelson, Assistant City Manager Craig Clay and Contracts and Grants Administrator Denese Williams.
- December 2, 2014 - Attended a meeting with City Attorney Sonja Dickens regarding Sampson – Federal lawsuit.
- December 4, 2014 - Met with Development Services Director Shellie Ransom-Jackson; Josh Wade and Avison Young regarding development at the 2 + acres site on 27th Avenue and 191 Street.
- December 4, 2014 - Met with Development Services Director Shellie Ransom-Jackson and Mark Knobel, GM Law, regarding the development of the City owned 15-acres site in conjunction with the old Parkway Hospital site.
- December 4, 2014 - Met with Mark Wilder, on behalf of Councilman Harris, to discuss a retail fireworks store in the City.
- December 8, 2014 - Met with representatives from Wells Fargo, Joe A. Atkinson, Region President South Florida; Hugh E. Rowden, Senior Vice President Community Outreach Manager and Rullah Price, SVP, Community Outreach Director regarding development and business relationships in the City of Miami Gardens.
- December 9, 2014 - Met with Parks and Recreation Director Parvin Neloms, District Supervisor Rodney Best and representatives from Nike regarding sponsorship.
- December 9, 2014 - Met with Development Services Director Shellie Ransom-Jackson and Kevin Lawler regarding the interest to purchase and develop the City owned 35-acres site at 27th Avenue and 191st Street.

- December 9, 2014 - Met with Councilman Ighodaro and Ms. Juniole Justilien regarding Special Needs Programs in the City of Miami Gardens.
- December 10, 2014 - Attended the Health Community Partnership – Host Council and Advisory Committee Meeting and Holiday Luncheon.
- December 10, 2014 - Met with Development Services Director Shellie Ransom-Jackson and Jim Quillen regarding the purchase and development of the City owned 15-acres site.
- December 11, 2014 - Attended the Miami-Dade Municipality Notification – Unsafe Structures Ordinance Amendment with Development Services Director Shellie Ransom-Jackson.
- December 10, 2014 - Attended the Police Academy Graduation Ceremony.
- December 15, 2014 - Attended meeting with Vice President, the Community and Economic Development group of the Atlanta Federal Reserve Bank Todd Greene, President/CEO, Health Foundation of South Florida; Senior Director of Operations, Calder Racetrack and Casino Richard Sukhu; Mayor Oliver Gilbert, Development Services Director Shellie Ransom-Jackson; Assistant City Managers Craig Clay and Vernita Nelson regarding their interest in built communities and communities being innovative and strategic in improving the lives of their citizens.
- December 16, 2014 – Telephone conference call with Assistant City Manager Vernita Nelson, Human Resources Director Veronica Davis and Freddy Perera regarding union contract negotiations.
- December 16, 2014 - Met with representatives from Advanced Roofing, a City Vendor, and Assistant City Manager Craig Clay, Assistant City Manager Vernita Nelson and Procurement Director Pamila Thompson regarding the City's Vendor Policies and Procedures.
- December 18, 2014 - Met with St. Thomas University Senior Vice-President of Student Affairs Terry O'Connor; Director of Physical Plant Juan Zamora and Assistant Parks and Recreation Director Starex Smith regarding the General Obligation Bond (Tennis Courts).
- December 18, 2014 - Telephone conference call with City Attorney Sonja Dickens and representatives from URS and Skanka regarding future mediation.
- December 31, 2014 - Met and provided tour of City Hall to City of Miami Gardens resident Lonnie Lawrence and his son.
- January 6, 2015 - Met with Maggie Zamora, Elderly Housing Development and Operations, regarding Sharp Towers and future projects in the City of Miami Gardens.

- January 6, 2015 - Met with Assistant to the City Manager Darian Martin; Development Services Director Shellie Ransom-Jackson and George Riffle, Jimmy Riffle and Charlie Riffle regarding Gator Boys Wildlife facility relocating to the City of Miami Gardens.
- January 6, 2015 - Met with Reverend Paul Wiggins from Mount Herman AME Church regarding their proposed development.
- January 7, 2015 - Attended the Grand Opening of Wal-Mart Neighborhood Market hosted by the Chamber of Commerce.
- January 7, 2015 - Attended the Floor and Décor Grand Opening hosted by the Chamber of Commerce.
- January 12, 2015 - Met with Sharon Yazowski, Executive Director of Levitt Pavilions, for site visit to the City of Miami Gardens regarding the development of a Levitt Pavilion in the City of Miami Gardens.
- January 12, 2015 - Attended the City of Miami Gardens Citizens Academy.
- January 14, 2015 – Had a breakfast meeting with Andy Allen, with Skanska regarding police facility progress.
- January 22, 2015 - Interviewed qualified applicants for the Procurement Services Director vacant position.
- January 23, 2015 - Conference telephone call with Development Services Director Shellie Ransom-Jackson and representatives from Quillen Properties regarding their development in the City of Miami Gardens.
- January 23, 2015 - Meeting with Development Services Director Shellie Ransom-Jackson and Brindley “Brent” Wright regarding economic development programming in the City of Miami Gardens.
- January 23, 2015 - Meeting with City Attorney Sonja Dickens; Assistant to the City Manager Darian Martin; Dr. Dorcil, owner of Café Iguana and Carlos Tejera, promoter for space, to discuss purchasing land from the City to erect an event facility.
- January 26, 2015 - Met with Marcell Haywood, Dirtpros, a minority firm specializing in outsourced clean/facilities maintenance.
- January 26, 2015 - Attended the City of Miami Gardens’ Citizen’s Academy to present the City’s organizational structure.
- January 27, 2015 - Met with Assistant City Manager Craig Clay and Miami-Dade County Deputy Mayor Jack Osterholt to follow up on the fuel agreement, surplus properties and annexation issues.

- February 2, 2015 - Attended Bunche Park Crime Watch Meeting to report on the City's General Obligation Bond.
- February 3, 2015 - Attended Rolling Oaks meeting to report on the City's General Obligation Bond.
- February 4, 2015 - Met with Miami Gardens' Resident Betty Murray regarding Red Light ticket issues.
- February 4, 2015 - Met with final candidates for the vacant Procurement Director position.
- February 5, 2015 - Met with Brenda Bailey, Smart Water, regarding business opportunities in the City of Miami Gardens.
- February 5, 2015 - Attended the Grand Opening and Ribbon Cutting for the Appliance Parts Depot hosted by the Chamber of Commerce.
- February 5, 2015 - Met with Milton Parris, Alumni President at Norland High School regarding internship program with the City of Miami Gardens.
- February 6, 2015 - Attended the Annual Law Enforcement Awards Ceremony honoring outstanding employees of the Miami Gardens Police Department.
- February 10, 2015 - Met with Greater Miami Gardens Chamber of Commerce Executive Director Ula Zucker Williams regarding Chamber business activities.
- February 11, 2015 - Met with Parks and Recreation Director Parvin Neloms; District Supervisor Rodney Best, Martin Moultsby and Lee Prince from Strong Arm Elite Track Club regarding track and field program at Betty T Ferguson facility.
- February 12, 2015 - Met with Representatives from Greater New Bethel Baptist Church Harold Watkins and Cynthia Allen regarding red light ticket issues.
- February 13, 2015 - Telephone conference call with Development Services Director Shellie Ransom-Jackson regarding a proposed Value Place Hotel in the City of Miami Gardens.
- February 17, 2015 - Met with Dennis Giordano, Calvin Giordano and Associates regarding General Obligation Bond Contract and proposed programs.
- February 17, 2015 - Met with Shellie Ransom-Jackson and Robert Brandt, Counselor at Law, regarding the potential redevelopment of 17950, 18000 and 18200 NW 27th Avenue (Carol Mart site).
- February 18, 2015 - Attended the PBA Bargaining Session with City Staff and the City's outside attorneys.

- February 19, 2015 - Attended Hibiscus Elementary Robotic Garden Dedication.
- February 24, 2015 - Telephone conference call with Development Services Director Shellie Ransom-Jackson and Quick Jackson regarding Wal-Mart restrictions on the City-owned 15-acre parcel
- February 20, 2015 - Telephone conference call with Vince Montelione and client John Potter of Equitas regarding the development on 27th Avenue.
- February 23, 2015 - Met with Police Chief Stephen Johnson, Lonnie Lawrence and Rubin Roberts regarding their proposal to reduce crime through partnership initiatives.
- February 24, 2015 - Met with Development Services Director Shellie Ransom-Jackson and Bill Pfeffer regarding concerns of the possibility of opening a Jiffy Lube in the City.
- February 25, 2015 - Attended Mayor Oliver Gilbert's Round Table Meeting sponsored by the Chamber.
- February 25, 2015 - Met with Mark Knoble and Joseph Ausch regarding the development of the City owned 15-acres site in conjunction with the old Parkway Hospital site.
- February 25, 2015 - Met with Finance Director Patricia Varney and the City's Auditor, Devin E. Adderly, The Sharpton Group, P.A.
- February 26, 2015 - Toured the Davie Value Place facility with Development Services Shellie Ransom Jackson; Daniel Nadler, Spectra Properties and representatives from Value Place.

Public Private Development Roundtable (PPDR)

The Public Private Development Roundtable (PPDR) was created as a mechanism for the City to facilitate development, engage developers and encourage the type of development the City would benefit from. All department heads or designees from Public Works, Building Services, Planning and Zoning, City Attorney's office, Parks and Recreation, Police and Community Development attend the meetings. In preparation for the PPDR meeting, PPDR members are required to review the plans and development information prior to the meeting and formulate any questions, comments, or concerns pertinent to each Department. Developers are provided with the best information available based on the following aspects:

Building

- Building code requirements and permitting process

City Attorney

- Legal matters and public hearing procedures

Community Development

- Available programs and current development information

Parks and Recreation

- Impact on parks (residential development) and local parks improvements

Planning and Zoning

- LDR regulations, development process and guidelines

Police

- CPTED comments

Public Works/engineering

- Water and sewer allocations, accessibility, flood plain drainage issues, and off-site improvements

Following is a list of projects that have attended PPDR meetings from December 2014 through February 2015:

January 8, 2015

Applicant/Representative: Mishkan T'Hillah Church c/o Dion Lee Valencia
Location: 2801 & 2810 NW 167th Terrace
Zoning: NC
Proposed use: Institutional (Worship Center)
Request: Site plan approval
Status: Pending submittal

Applicant/Representative: County Square Plaza c/o Peter Bairaktaris
Location: SE corner of US 441 & Countyline Rd. (outparcel)
Zoning: PCD
Proposed use: Retail
Request: Site plan approval
Status: Under review

Applicant/Representative: Spirit of Christ Church c/o Pastor Cecil lamb
Location: 1455 NW 183rd St
Zoning: R-1 Single Family Residential
Proposed Use: Institutional (school and sanctuary)
Status: Under review

January 22, 2015

Applicant/Representative: Shell Gas c/o Claudia Gill
Location: 17080 NW 7th Ave
Zoning: PCD
Proposed use: Existing gas station adding 4 diesel fuel dispensers
Status: Under review

Applicant/Representative: Al Cohen
Location: Miami Gardens Drive (between NW 37th Ave and NW 34th Ct)
Zoning: NC
Proposed use: Retail (15,695 SF)
Request: Site plan approval
Status: Pending submittal

Applicant/Representative: Family Dollar c/Mark Haeger

Location: Miami Gardens Drive and NW 34th Ct
Zoning: NC
Proposed Use: Retail (8,300 SF)
Request: Site plan approval
Status: Pending submittal

Applicant/Representative: Ajil Construction
c/o Ernesto Fernandez
Location: 2780 NW 167th Terrace
Zoning: R-1
Proposed Use: Single Family Residential
Request: Public hearing for Variance (over 25% allowed for administrative review). Two existing lots with 50 feet frontage where 75 feet is required.
Status: Pending submittal

February 19, 2015

Applicant/Representative: NVL Architecture
c/o Gregory Neville
Location: 1864 NW 175 St
Zoning: R-1
Proposed use: Expansion of existing assisted living facility (4,641 SF)
Request: Special Exception
Status: Due diligence

Applicant/Representative: Bowman Consulting
c/o Bill Pfeffer
Location: 27th Avenue and NW 199th St
Zoning: PCD
Proposed use: Jiffy Lube (2,200 SF)
Request: Site plan approval
Status: Due diligence

Should you have any questions regarding this quarterly report, I am available at your earliest convenience.

This quarterly report is for the period beginning December 2014 through February 2015. Below is a brief synopsis of my activities during that time.

INTERNAL OPERATIONAL MEETINGS

- December 1, 2014 - Weekly meeting with Police Chief Stephen Johnson.
- December 1, 2014 - Attended Mayor Oliver Gilbert's weekly staff meeting. Attendees: City Attorney Sonja Dickens; City Clerk Ronetta Taylor; Assistant to the City Manager Darian Martin and Executive Assistant to the Mayor Sandra Paul-Pierre.
- December 1, 2014 - Held City Hall construction update meeting with Assistant City Manager Vernita Nelson; Special Projects Manager Jimmie Allen; Finance Director Patricia Varney; City Attorney Sonja Dickens; Development Services Director Shellie Ransom-Jackson; Police Chief Stephen Johnson; Assistant Police Chief Alfred Lewer; Information Technology Director Ronald McKenzie; Information Technology Police Systems Manager Tristian Lattibeadere and Procurement Director Pamila Thompson.
- December 2, 2014 - Attended City Council Agenda Review meeting.
- December 3, 2014 - Met with Human Resources Director Veronica Davis and Parks and Recreation Director Parvin Neloms regarding Parks and Recreation Department housekeeping issues.
- December 3, 2014 - Attended Councilman Erhabor Ighodaro's Ceremonial Swearing In event.
- December 4, 2014 - Attended City Council Agenda Review meeting.
- December 5, 2014 - Weekly meeting with Assistant City Manager Craig Clay.

Community Development

Enclosed is a list of tasks completed through from December 2014 through February 2015.

- **Consolidated Annual Performance and Evaluation Report (CAPER)** – The City's Annual CAPER was completed and submitted to HUD on December 23, 2014. This report provides details into the City's programs, activities, and accomplished over the 2013-14 fiscal year with Community Development Block Grant funds. Below is a summary of the City's goals and accomplishments for the 2013-14 year:

- a) **Public Services**

ACTIVITY	ACCOMPLISHMENT UNITS	ACCOMPLISHMENT
Youth Services	People Served	197
Senior Services	People Served	122
Food Pantry	People Served	316

b) Redevelop aging housing stock in residential areas

ACTIVITY	ACCOMPLISHMENT UNITS	ACCOMPLISHMENT
Rehab, Single-Unit Residential	Housing Units	14 (4 SHIP)
NSP Rehabilitation	Housing Units	8 (NSP)
NSP Direct Homeownership Assistance	Households	9 (NSP)

c) Commercial Redevelopment Programs

ACTIVITY	ACCOMPLISHMENT UNITS	ACCOMPLISHMENT
Building Acquisition, Construction, Rehabilitation (façade)	Businesses	1

- **Neighborhood Stabilization Program** – The department has completed and sold several abandoned and foreclosed properties in 2014, bringing our program totals to:
 - 74 properties purchase
 - 66 properties sold to income eligible first-time homebuyers
 - 2 properties transferred to local non-profits to manage as rental for very low income households
 - 2 properties currently under construction
 - 2 properties currently under contract to sell to income eligible first-time homebuyers
 - 4 properties pending rehabilitation and sale
- **CDBG FY 2015-16 Funding** – The US Department of Housing and Urban Development released the Entitlement Program allocations for Fiscal Year 2015-16. The City will be receiving \$1,000,644 in CDBG funds, which is a \$793 increase from FY 2014-15.
- **Housing Rehabilitation** – In FY2014-15, additional CDBG funding was allocated to the housing rehab program in an effort to ramp up the program and assist those applicants that have been on the City’s waiting list since October 2012. As part of this effort, the City issued an RFQ in December to pre-qualify general contractors for owner-occupied housing rehabilitation projects. The purpose is to create a pool of pre-qualified general contractors that will streamline the procurement process, and thus move these projects along more quickly. The City received 11 responsive and responsible applications. A mandatory meeting with these 11 contractors is being held on 3/09/15.
- **Public Services Request For Proposal (RFP)** – The City will be holding a mandatory Technical Assistance Workshop on 3/31/15 as part of the Public Services Request for

Proposal process for FY 2015-16. Eligible applicants include agencies or organizations that provide social or public services to city residents and have a 501(c)3 status from the IRS. Agencies interested in applying for these grants must have attended this TA workshop. The RFP will be issued on 4/01/15 and will be available for download free of charge from the City's website.

Participated in the following meetings/discussions:

- (12-02-14) Two public meetings were held by the City regarding the year-end 2013-14 CAPER
- (12-03 & 12-04-14) CD staff attended a 2-day HUD training on managing sub-recipients
- (02-17 & 02-18-15) Attended a 2-day HUD training on their new eCon Planning Suite system of planning and reporting for HUD funded programs
- (02-23-15) Presented at the 2015 Citizen's Academy
- (02-24-15) Attended the FIU Metropolitan Center forum on the State of the South Florida Economy
- (Multiple) Attended multiple meetings of the Healthy Community Partnership program throughout December, January and February, including several Host Council and Physical Activity sub-committee meetings.

Development Services & Code Compliance Department

Building Services Division

Expenditures

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Salaries & Wages	15-24-02-524-100	\$ 86,703.10	\$ 129,559.76	\$ 84,305.24	\$ 300,568.10
Personnel Benefits	15-24-02-524-200	\$ 22,907.30	\$ 35,025.17	\$ 23,007.69	\$ 80,940.16
Contracted Services	15-24-02-524-300	\$ 13,100.00	\$ 15,160.80	\$ 118.56	\$ 28,379.36
Operating Expenditures	15-24-02-524-400	\$ 396.13	\$ 179.44	\$ 172.00	\$ 747.57
Operating Expenditures	15-24-02-524-500	\$ 1,124.77	\$ 1,764.79	\$ 295.45	\$ 3,185.01
Other Uses	15-24-02-524-900	\$ 34,775.00	\$ 34,775.00	\$ 34,775.00	\$ 3,185.01
GRAND TOTALS:		\$ 159,006.30	\$ 216,464.96	\$ 142,673.94	\$ 417,005.21

Revenues

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Building Permit Fees	15-00-00-322-002-00	\$ 83,185.75	\$ 110,586.14	\$ 166,180.57	\$ 359,952.46
Bldg Certificate of Occupancy	15-00-00-322-003-00	\$ 8,805.96	\$ 3,949.05	\$ 3,952.61	\$ 16,707.62
40 yr Recertification	15-00-00-322-004-00	\$ 1,041.87	\$ -	\$ 1,041.87	\$ 2,083.74
OT Inspections	15-00-00-322-006-00	\$ 2,082.72	\$ 7,983.76	\$ 1,041.36	\$ 11,107.84
Unsafe Structures	15-00-00-345-100-00	\$ -	\$ 2,311.05	\$ 2,950.99	\$ 5,262.04
GRAND TOTALS:		\$ 95,116.30	\$ 124,830.00	\$ 175,167.40	\$ 395,113.70

Permit Applications

Description	12/2014	01/2015	02/2015	Quarterly Total
Building Permits	150	166	189	505
Certificate of Occupancies	15	11	11	37
Demolition Permits	3	3	4	10
Electrical Permits	64	93	106	263
MDC Permit Closures	12	18	17	47
Mechanical Permits	37	32	79	148
Miscellaneous	50	77	28	155
Plumbing Permits	34	45	46	125
Recertification	3	0	0	3
Residential Burglar Alarm Certificates	21	13	36	70
GRAND TOTALS:	389	458	516	1363

Permits Issued

Description	12/2014	01/2015	02/2015	Quarterly Total
Building Permits	119	191	163	473
Certificate of Occupancies	6	28	4	38
Demolition Permits	4	6	4	14
Electrical Permits	59	108	103	270
MDC Permit Closures	9	20	21	50
Mechanical Permits	26	73	42	141
Miscellaneous	32	71	30	133
Plumbing Permits	35	41	36	112
Recertification	6	0	0	6
Residential Burglar Alarm Certificates	21	13	34	68
GRAND TOTALS:	317	551	437	1305

Plan Reviews

Description	12/2014	01/2015	02/2015	Quarterly Total
Building	173	220	243	636
Building (Professional Services)				0
Electrical	134	206	151	491
Electrical (Professional Services)				0
Mechanical	38	55	70	163
Mechanical (Professional Services)	14			14
Plumbing	91	98	104	293
Plumbing (Professional Services)				0
Structural	97	93	96	286
Structural (Professional Services)				0
GRAND TOTALS:	547	672	664	1883

Inspections

Description	12/2014	01/2015	02/2015	Quarterly Total
Building	826	766	823	2415
Building (Professional Services)			39	39
Electrical	74	191	167	432
Electrical (Professional Services)	15		23	38
Mechanical	148	237	167	552
Mechanical (Professional Services)				0
Plumbing	225	211	194	630
Plumbing (Professional Services)				0
GRAND TOTALS:	1288	1405	1413	4106

Monthly Census Bureau

New Construction	12/2014	01/2015	02/2015
Commercial Permits	0	0	0
Total Construction Value	0	0	0
Residential Permits	0	0	0
Total Construction Value	0	0	0

Major Projects

Owner	Description	Permit #	Status
1 . RUDG - The Commons, LLC	24 Unit Bldg Description 'A' and 'B'	BB-2014-006776	Plan review in progress
2 . Family Care Clinic, Inc.	1687 s.f. Health Clinic	BB-2014-007140	Plan review in progress
3 . Florida Memorial University	2 Story Commercial Building	BB-2014-007378	Plan review in progress
4 . M. Grmdns Prof Car Care Inc.	Family Dollar	BB-2014-007566	Plan review in progress
5 . Stadium Corners	1 Story 7 Bay Retail Stores	BB-2015-007783	Plan review in progress
6 . Racetrac-SBT Realty	Gas Station & Convenience Store	BB-2015-007840	Plan review in progress
7 . Advanced Auto Parts	Waffle House	BB-2015-007853	Plan review in progress
8 . Florida Education Properties	3 Story Charter School	BB-2015-007889	Plan review in progress
9 . Claude Romulus	2 Story Medical Office Bldg	BB-2015-008042	Plan review in progress
10 . Carol City Gardens LLC	Phase I - Bldg A-C Remodeling	BB-2014-006870	Permit issued
11 . Playa Plaza LLC	Retail Shopping Center	BB-2013-004876	Construction in Progress
12 . Police Department			Construction in Progress
13 . JMCg Family	Phase II Office Build Out	BB-2013-005148	Construction in Progress
14 . YMCA Learning Center	Learning Center & Daycare	BB-2013-005367	Construction in Progress
15 . Miami Gardens Holdings LLC	1 Story Commercial Building	BB-2013-005173	Construction in Progress
16 . Racetrac	Gas Station	BB-2013-005524	Construction in Progress
17 . Palmetto Design Center LLC	Retail Building Inline Space	BB-2014-007453	Construction in Progress
18 . Gator 4601 NW 199 St LLC	Façade Renovations-Landlord Improvements	BB-2015-007785	Construction in Progress
19 . Pelican Cove	Club House	BB-2012-003849	Construction in Progress
20 . Florida Education Properties	6000 s/f Daycare	BB-2013-005037	Construction in Progress

Code Compliance Division

Expenditures

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Salaries & Wages	01-29-01-100	\$ 79,079.81	\$ 110,452.15	\$ 73,400.61	\$ 262,932.57
Personnel Benefits	01-29-01-200	\$ 23,993.43	\$ 35,062.16	\$ 23,347.71	\$ 82,403.30
Contracted Services	01-29-01-300	\$ 1,642.00	\$ 590.00	\$ 900.00	\$ 3,132.00
Operating Expenditures	01-29-01-400	\$ 1,279.76	\$ 1,024.21	\$ 769.67	\$ 3,073.64
Operating Expenditures	01-29-01-500	\$ 2,021.20	\$ 1,256.92	\$ 328.96	\$ 3,607.08
Other Uses	01-29-01-900	\$ -	\$ -	\$ -	\$ 3,607.08
GRAND TOTALS:		\$ 108,016.20	\$ 148,385.44	\$ 98,746.95	\$ 358,755.67

Revenues

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Local Business Tax	01-00-00-316-000-00	\$ 47,023.80	\$ 21,235.63	\$ 23,701.31	\$ 91,960.74
Landlord Permit	01-00-00-329-200-00	\$ 3,355.85	\$ 1,503.71	\$ 5,800.82	\$ 10,660.38
Special Event Permit	01-00-00-329-600-00	\$ 1,125.00	\$ 686.25	\$ 2,212.50	\$ 4,023.75
Towing Permit	01-00-00-329-700-00	\$ -	\$ 367.50	\$ -	\$ 367.50
Certificate of Use	01-00-00-329-800-00	\$ 20,205.42	\$ 12,184.08	\$ 6,351.53	\$ 38,741.03
Certificate of Re-Occupancy	01-00-00-329-900-00	\$ 19,283.00	\$ 16,986.00	\$ 17,533.00	\$ 53,802.00
Lien Searches	01-00-00-341-101-00	\$ 13,510.00	\$ 11,748.00	\$ 10,880.00	\$ 36,138.00
Lien Reduction Application	01-00-00-341-301-00	\$ 787.50	\$ 585.00	\$ -	\$ 1,372.50
Amnesty Lien Reduction	01-00-00-341-302-00	\$ 6,302.25	\$ 28,492.25	\$ 331.80	\$ 35,126.30
C. E. Lot Clearing	01-00-00-354-101-00	\$ -	\$ -	\$ -	\$ -
C. E. Board Up Fines	01-00-00-354-102-00	\$ -	\$ -	\$ -	\$ -
C. E. Fines	01-00-00-354-103-00	\$ 38,185.00	\$ 43,746.60	\$ 18,495.00	\$ 100,426.60
Foreclosure Registry	01-00-00-369-905-00	\$ -	\$ 10,200.00	\$ -	\$ 10,200.00
GRAND TOTALS:		\$ 149,777.82	\$ 147,735.02	\$ 85,305.96	\$ 382,818.80

Clerical Statistics

Description	12/2014	01/2015	02/2015	Quarterly Total
Number of Complaints	48	43	33	124
Number of Verbal Warnings	3	0	3	6
Number of Warning Notices	68	78	108	254
Number of Civil Violations	17	29	34	80
Requests for Extension	28	27	34	89
Closed Cases	89	129	262	480
Special Masters	0	80	60	140
Invalid Complaints	12	6	2	20
GRAND TOTALS:	265	392	536	1193

Licensing Statistics

Description	12/2014	01/2015	02/2015	Quarterly Total
New BTR Accounts	27	29	26	82
New Certificate of Use Accounts	25	25	22	72
New Landlord Accounts	5	57	59	121
REO Applications	114	98	118	330
Issued REO	87	71	70	228
Number of BTR issued	108	94	65	267
Number of CU issued	103	88	58	249
Number of LP issued	24	15	24	63
Number of Missing Document Letters	4	18	4	26
Closed BTR Accounts	8	7	17	32
Closed CU Accounts	3	6	11	20
Closed Landlord Accounts	0	3	24	27
Files to Zoning	31	15	19	65
Number of CU denials	0	0	0	0
Files to CU Inspection	24	29	25	78
NSF Payments	0	0	0	0
Lien Search Letters	235	246	282	763
Special Event Applications	5	4	3	12
Approved Special Event Applications	5	4	3	12
Re-Occupancy Certificate Inspections	114	98	118	330
Chronic Nuisance Dropped Off	0	0	0	0
Landlord Inspections	5	40	50	95
GRAND TOTALS:	927	947	998	2872

Officer's Statistics

Description	12/2014	01/2015	02/2015	Quarterly Total
BTR Inspections	99	34	88	221
Certificate of Use Inspections	29	33	31	93
Re-Occupancy Inspections	47	92	48	187
Landlord Permit Inspections	15	14	33	62
13/14 Past due bt/cu sweep	0	0	32	32
Warning Notices Issued	191	233	282	706
Violation Notices Issued	43	104	95	242
Re-Inspections	249	327	309	885
Special Masters Hearings	61	80	13	154
Massey Hearings	0	44	39	83
Requests for Extensions	29	41	40	110
Complaints Received	102	112	135	349
Proactive Cases	184	155	213	552
Cases Closed within 30 days	74	79	85	238
Cases Closed within 60 days	6	18	27	51
Cases Closed within 90 days	3	2	10	15
Special Operations Code/Licensing	1	1	1	3
Joint Ops - MGCE/MGPD	0	0	0	0
PD requests for Code Assistance	1	14	21	36
Illegal Sign Removals	681	1592	1168	3441
Phone Calls	143	230	267	640
Parking Tickets	26	9	30	65
Abandoned Vehicles Tagged	18	24	29	71
Abandoned Vehicles Towed	2	8	5	15
Lots Cut & Cleaned	5	22	5	32
Structures Boarded	0	5	0	5
Officer's Total Inspections	840	862	958	2660
Officer Dats Worked	165	234	217	616
311 Referrals	5	20	23	48
Special Master Postings	0	46	38	84
Storm Water Postings	11	4	7	22
GRAND TOTALS:	3030	4439	4249	11718

Major Projects

- The Code- On - the Go initiative was launched at the Walmart store on NW 167 street and NW 37 Ave. All Code Enforcement Officers were present but at different times during the event. The Department Administrator and the Director also participated in the initiative. The group disseminated information to 47 persons during the 4 hour time frame and 5 participants won garden tools from our prize board. The next event is in the planning stage.

Engineering Services Division

Expenditures

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Salaries & Wages	41-41-09-100	\$ (3,256.86)	\$ 994.96	\$ 5,725.78	\$ 3,463.88
Personnel Benefits	41-41-09-200	\$ (1,877.20)	\$ 2,584.76	\$ 1,562.30	\$ 2,269.86
Contracted Services	41-41-09-300	\$ -	\$ 1,627.50	\$ -	\$ 1,627.50
Operating Expenditures	41-41-09-400	\$ -	\$ -	\$ -	\$ -
Operating Expenditures	41-41-09-500	\$ 279.00	\$ 225.61	\$ -	\$ 504.61
Capital Outlay	41-41-09-600	\$ (4,855.06)	\$ 101.95	\$ -	\$ 504.61
GRAND TOTALS:		\$ (9,710.12)	\$ 5,534.78	\$ 7,288.08	\$ 8,370.46

Revenues

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Public Works Bldg Permits	10-00-00-322-002-00	\$ 9,507.76	\$ 8,448.07	\$ 21,695.03	\$ 39,650.86
Banner Permits	10-00-00-329-100-00	\$ 510.00	\$ -	\$ -	\$ 510.00
Stormwater Permits	41-00-00-329-500-00	\$ 3,732.00	\$ 7,345.00	\$ 3,297.00	\$ 14,374.00
GRAND TOTALS:		\$ 13,749.76	\$ 15,793.07	\$ 24,992.03	\$ 54,534.86

Permit Applications

Description	12/2014	01/2015	02/2015	Quarterly Total
Permits	9	21	20	50
GRAND TOTALS:	9	21	20	50

Permits Issued

Description	12/2014	01/2015	02/2015	Quarterly Total
Permits	14	11	19	44
GRAND TOTALS:	14	11	19	44

Plan Reviews

Description	12/2014	01/2015	02/2015	Quarterly Total
Engineering	14	27	37	78
Flood Plain Mgmt	45	46	45	136
GRAND TOTALS:	59	73	82	214

Inspections

Description	12/2014	01/2015	02/2015	Quarterly Total
Engineering	56	76	66	198
Flood Plain Mgmt	12	25	12	49
GRAND TOTALS:	68	101	78	247

Major Projects

- On April 24, 2013 the City Council awarded the design services for additional phases of Livable Neighborhood Improvements at Vista Verde area. The Consultant firm is Craven and Thompson Associates in the amount of \$228,050. The design cost is funded by the City's storm water fund. The notice to proceed was issued for May 15, 2013 and design is at 90% completion. The construction budget for this project is estimated to be approximately \$3 million. The project was divided in 3 phases. Since the existing water lines are aged and made from asbestos material, Miami Dade Water and Sewer Department intends to replace the lines. This phase of the project must be completed before the City's improvements can commence and the design performed in conjunction with the City's design. The city has advertised the bid for construction of Phase 2 of this project. The bids are due on March 5, 2015. Miami Dade WASD has awarded a bid for construction of the water line to V Engineering & Consulting Corp. Construction on the water main is expected to start in March. It is anticipated that the City will commence construction shortly thereafter.
- A purchase order in the amount of \$21,025 was given to A & P Consulting for design services of NW 177/NW 178 Terrace Drainage Project with the Notice to Proceed for April 21, 2014. Bids for the construction phase of this project were received on January 8, 2015. The City Council awarded the contract to Metro Express in the amount of \$248,985. It is anticipated that this project will commence shortly.
- Phase 11 of the Westside Blueway Trail project has commenced. The new trail will continue from Phase 1 (NW 42nd Ave/NW 179th St.) and extend approximately one mile. It will continue east along NW 179 Street, north across NW 183 Street and along the west side of NW 39th Court onto NW 191 Street. The proposed trail is a 10 feet wide multipurpose trail to include vita course station. The design phase of the project is funded by the City of Miami Gardens at a cost of \$68, 0215. The construction phase will be funded under FDOT/ LAP Project. Construction of this project has been moved to FY 2016, due to FDOT budget.
- The Bunche Park Area Sidewalk Improvement Project This project includes improvement to existing sidewalk, replacement of damaged sidewalk, ADA ramps, and construction of bus stop landings. Project area is between NW 17th Ave to NW 27th Ave & NW 155th Street to NW 167th Street. Metro Express Inc. under the City's sidewalk agreement was issued a Notice to Proceed on October 27, 2014. Work commenced on November 18, 2014. Contract period is five months. Project cost is \$510,265.30. Project is at 40 % completion.
- The Bunche Park Milling and Resurfacing Preliminary assessment for this project is completed. The preliminary estimated cost for the work is \$1, 591, 88.57. This includes milling and resurfacing of the area between NW 17th Ave to NW 22nd Ave & NW 155th Street to NW 167th Street (Phase 1) and between NW 22nd Ave to NW 27th Ave & NW 155th Street to NW 167th Street (Phase 2). This project is budgeted for FY 2015. Bids were advertised and received on February 27, for Phase 1 of this project. Due to limited budget, Phase 2 will be constructed in FY 2016. Procurement is compiling the bid sheet for submittal to Engineer.
- Stand Alone Sidewalk The City was approved to use \$250,000 of PTP funds for constructing stand- alone sidewalks for FY 2015. This will be administered through the existing agreement with Metro Express for sidewalk construction. Engineering, working with Public Works has identified the Norland, area to include NW 191 St – NW 199 St between 9th – 12 Avenue as the focus of this project. The Rolling Oaks Park area will also benefit by reconstruction of 80 square feet. The NTP for this project was issued on October 27, 2014. Construction commenced on November 17, 2014. Sidewalk in the Rolling Oaks park area has been completed. Construction is at 48 % complete.
- NW38Ct/NW25 Ct Drainage The city received grant funds from the state for the design and partial construction of a drainage system on NW 38 Ct between NW 195 and 196 Street and NW 25 Ct between NW 204 and NW 205 Street. Design Engineers CSA group have been requested to provide design services under the professional services agreement with the City. The design cost for this project is \$34,112. The Notice to Proceed was issued for December 15, 2014. The 60% design submittal was reviewed by the city. The plans are currently being reviewed by DERM.

Planning & Zoning Services Division

Expenditures

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Salaries & Wages	01-15-01-100	\$ 5,725.80	\$ 8,588.70	\$ 5,725.80	\$ 20,040.30
Personnel Benefits	01-15-01-200	\$ 1,430.10	\$ 2,121.37	\$ 1,414.66	\$ 4,966.13
Contracted Services	01-15-01-300	\$ 10,650.00	\$ 25,737.12	\$ -	\$ 36,387.12
Operating Expenditures	01-15-01-400	\$ -	\$ 2,680.00	\$ -	\$ 2,680.00
Operating Expenditures	01-15-01-500	\$ -	\$ 79.43	\$ -	\$ 79.43
Capital Outlay	01-15-01-900	\$ -	\$ -	\$ -	\$ 79.43
GRAND TOTALS:		\$ 17,805.90	\$ 39,206.62	\$ 7,140.46	\$ 64,232.41

Revenues

Description	Account Number	12/2014	01/2015	02/2015	Quarterly Total
Planning & Zoning Fees	01-00-00-322-001-00	\$ 61,790.12	\$ 39,529.10	\$ 37,814.73	\$ 139,133.95
GRAND TOTALS:		\$ 61,790.12	\$ 39,529.10	\$ 37,814.73	\$ 139,133.95

Permit Applications

Description	12/2014	01/2015	02/2015	Quarterly Total
Administration	11	8	1	20
Council/Hearing	8	10	11	29
Permits	21	21	25	67
GRAND TOTALS:	40	39	37	116

Permits Issued

Description	12/2014	01/2015	02/2015	Quarterly Total
Administration	4	7	1	12
Council/Hearing	1	3	8	12
Permits	18	24	19	61
GRAND TOTALS:	23	34	28	85

Plan Reviews

Description	12/2014	01/2015	02/2015	Quarterly Total
Plan Reviews	55	87	96	238
GRAND TOTALS:	55	87	96	238

Inspections

Description	12/2014	01/2015	02/2015	Quarterly Total
Inspections	11	6	21	38
GRAND TOTALS:	11	6	21	38

Major Projects

- 1 . Pending - Entertainment District Overlay (pending Council meeting March 11, 2015) .
- 2 . Pending - Landscape 2016 compliance deadline to be extended (under discussion).
- 3 . Pending - 3 RFP for Planning and Zoning Services.
- 4 . Approved - Entertainment Overlay District
- 5 . Approved - Retail at 19400 NW 27th Avenue
- 6 . Approved - Racetrac Market 3695 NW 183rd Street
- 7 . Approved - Willow Lake (multi-family - 121 units).
- 8 . Approved - Garden Club at Leslie Estates (30 townhomes)
- 9 . Unek Developers tentative plat (12 single family homes).

Finance Department

Below is a list of tasks the department achieved for the last quarter until February 28, 2015.

1. Submitted the FY 2015 budget documents to the Government Finance Officers Association (GFOA) for consideration of the Budget Award.
2. Drafted the FY 2014 Popular Annual Financial Report.
3. Auditors completed the annual financial audit for FY 2014 and Finance staff completed the compilation of the Comprehensive Annual Financial Report. The Report was presented at the February 25, 2015 Council meeting.
4. Filed all required financial reports to the State for the City's fiscal year ended September 30, 2014.
5. Sent the City's Comprehensive Annual Financial Report to all lending institutions for compliance of bond requirements.
6. Submitted Single audit report for grants reporting to the State, Federal, and County for compliance of all grant awards.
7. Submitted the application for consideration of the City's FY 2014 Comprehensive Annual Financial Report award and the Popular Annual Financial Report award to the GFOA .
8. Performed impact calculations for PBA union negotiations.
9. During the period of November 15 to February 2015, staff has submitted 15 grants totaling \$689,239.09 in grant reimbursements.

At the end of February, the year-to-date expenditures or revenues should reflect 41.66% of the budget. As most revenues have at the end of February recognized at least three months of revenue, staff is able to start projecting what year-end revenues may be. Certain revenue sources are showing signs of shortfall. Detailed analysis is discussed under the individual funds. Below is just a summary of some of the major variance that staff is projecting:

Telecommunication Tax: The City is projecting to generate a surplus of \$764,000 in this line item, attributing to the State performed audits for the vendors and amount due to City of Miami Gardens.

State Revenue Sharing/Half Cents Sales Tax: The State always performed a true up in July based on the actual amount collected during their fiscal year. Should the City received the same amount of true up as last fiscal year, there may be shortfall of \$200,000 but this will be offset by the projection that Sales Tax may generate an additional amount of \$200,000 when compared to budget.

Fines: Fines collect on Parking, Traffic, Red Light Camera and False Alarm Fines are all less than budgeted as well as compared to FY 2014. Currently projection is a total shortfall of approximately \$580,000. This amount may be lower as the City has engaged a collection agency and may increase the collection of false alarm fines.

Parks & Recreation Revenue: Based on the revenue collected YTD as compared to FY 2014, the City may recognize a shortfall of \$150,000. This amount can also be adjusted depending on the registration for the Spring and Summer Camp.

Event parking is also projecting a shortfall.

As to expenditures, all categories are within budget allocation.

As of February 28, 2015 the City has available cash with Wells Fargo Bank in the amount of \$22,407,301. The City still has approximately \$8,102,045 in market value with the State Board of Administration earning 0.17% and \$10,403 in tax certificates with Dade County.

GENERAL FUND

Revenues as of February 28, 2015

		<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>
<i>Property Tax</i>	1	22,955,298	18,410,658	80.20%	23,600,098	19,443,165	82.39%
<i>Utility Tax</i>	2	10,128,037	2,921,365	28.84%	10,398,000	3,153,580	30.33%
<i>Franchise Fees</i>	3	4,560,000	484,613	10.63%	3,048,633	407,529	13.37%
<i>Permits/License Tax/Other Fees</i>	4	1,950,000	1,390,958	71.33%	2,001,301	1,609,025	80.40%
<i>Intergovernmental Revenue</i>	5	11,174,046	3,889,535	34.81%	11,294,476	3,790,923	33.56%
<i>Charges for Services</i>	6	6,391,691	1,221,128	19.10%	6,520,498	1,633,950	25.06%
<i>Fines & Forefeitures</i>	7	5,163,871	1,248,084	24.17%	4,017,751	1,066,915	26.56%
<i>Miscellaneous Revenues</i>		1,326,100	618,955	46.67%	1,524,150	573,105	37.60%
<i>Non-Operating Revenues</i>		13,735,088	562,233	4.09%	1,231,690	424,845	34.49%
TOTAL		77,384,131	30,747,529	39.73%	63,636,597	32,103,037	50.45%

- ¹ Property Taxes are not due until April 1, however homeowners receive discounts if paid before April 1 encouraging early payments.
- ² Revenue from electric, water and gas only reflected two months of revenue, so it is difficult for staff to project what year-end revenue will. Last year in Feb., the City has recognized 3 months of revenue in these three utility taxes. However, Telecommunication tax will reflect approximately \$765,000 surplus compared to budget due to audit performed by the State and the City received a favorable adjustment in December.
- ³ The majority of the franchise is derived from the Electric franchise fees which the City only receives once a year in August. The variance between FY 2015 and FY 2014 YTD receipts is attributed to two months of franchise fees received instead of 3 in FY 2014 as well as some solid waste franchise vendors have not renewed their annual license.
- ⁴ Business License tax, certificate of use and certificate of re-occupancy are due on October 1, therefore collection rate is high. The additional revenue in this category when compared to FY 2014 is attributed to the Planning fees which was in previous year recorded under the Development Services Fund.
- ⁵ The amount collected in FY 2015 is slightly less than FY 2014 is attributed to the reimbursement of the Byrne Grant and COPs grant program. City need to fund for a higher matching share of the COPII grant expenses.
- ⁶ The higher amount collected in FY 2015 is mainly attributed to Off duty service provided by the Police officers. This revenue is to off-set the amount the City will have to pay the officers for those services. Recreation fees when compared to last fiscal year for the same period of time is lower and when compare to budget, staff is projecting a shortfall of \$180K.
- ⁷ Both traffic fines and red light camera fines are coming in under budget. Staff is projecting a shortfall of \$115,000 in Traffic Fines, \$400,000 in Red Light Camera Fines and \$65,000 in False Alarm Fines.

GENERAL FUND

Expenditures as of February 28, 2015

	<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>
<i>Personnel Expenses</i>	43,208,526	18,148,273	42.00%	42,778,092	17,472,562	40.84%
<i>Operating Expenses</i>	13,560,065	7,459,266	55.01%	13,987,992	7,285,903	52.09%
<i>Capital Outlay</i>	1,337,154	76,466	5.72%	284,814	34,682	12.18%
<i>Grants and Aids</i>	78,000	332	0.43%	53,000	4,742	0.00%
<i>Other Uses</i>	7,779,165	3,221,452	41.41%	6,524,977	2,685,405	41.16%
<i>Emergency Reserve Build Up</i>	11,421,221	0	0.00%	7,722	0	0.00%
TOTAL	77,384,131	28,905,788	37.35%	63,636,597	27,483,295	43.19%

¹ Personnel expenses should be expensed at 41.15%. This is slightly lower due to vacancy and pending rectification of union contracts that may have fiscal impact to the City.

² Operating expenses should be expensed at 41.6%. This category is slightly higher which is attributed to nearly 50% of insurance premium has been paid and Jazz in the Gardens expenses

DEVELOPMENT SERVICES FUND

Revenues as of February 28, 2015

	<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>
<i>Permits/License Tax/Other Fees</i>	2,088,500	696,676	33.36%	1,606,200	920,302	57.30%
<i>Charges for Services</i>	173,335	86,977	0.00%	253,275	117,382	46.35%
<i>Miscellaneous Revenues</i>	0	0	0.00%	0	947	0.00%
TOTAL	2,261,835	783,653	34.65%	1,859,475	1,038,630	55.86%

¹ More permits activities

DEVELOPMENT SERVICES FUND

Expenditures as of February 28, 2015

	<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>
<i>Personnel Expenses</i>	1,686,162	704,214	41.76%	1,373,542	592,127	43.11%
<i>Operating Expenses</i>	88,489	29,354	33.17%	68,633	35,655	51.95%
<i>Other Uses</i>	487,184	202,198	41.50%	417,300	173,875	41.67%
TOTAL	2,261,835	935,766	41.37%	1,859,475	801,657	43.11%

¹ Engage outside professional service due to employee in FMLA leave.

TRANSPORTATION FUND

Revenues as of February 28, 2015

		<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>
<i>Local Option Gas Tax</i>	¹	2,076,000	742,968	35.79%	2,089,517	750,101	35.90%
<i>Permits/License Tax/Other Fees</i>	²	50,790	28,453	56.02%	62,000	55,169	88.98%
<i>Intergovernmental Revenue</i>		4,795,135	898,555	18.74%	4,675,774	920,265	19.68%
<i>Charges for Services</i>		6,500	3,900	60.01%	6,500	7,008	107.81%
<i>Miscellaneous Revenues</i>	³	116,778	113,499	97.19%	215,000	1,736	0.81%
<i>Non-Operating Revenues</i>		4,745,611	75,108	1.58%	572,628	75,860	13.25%
TOTAL		11,790,814	1,862,483	15.80%	7,621,419	1,810,139	23.75%

¹ Local Option Gas Tax distribution is lagging by one month. Revenue is slightly higher than projected as it should reflect 33.33% of budget

² More activities for permits issued

³ In FY 2014, the City received developer's contribution. FY 2015 revenue is lagging attributed to bus benches revenue.

TRANSPORTATION FUND

Expenditures as of February 28, 2015

		<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>
<i>Personnel Expenses</i>	¹	2,216,938	834,767	37.65%	2,330,535	864,802	37.11%
<i>Operating Expenses</i>		1,607,566	431,697	26.85%	1,435,869	348,464	24.27%
<i>Capital Outlay</i>		6,334,851	977,835	15.44%	2,532,047	362,606	14.32%
<i>Grants & Aids</i>		5,000	0	0.00%	0	0	0.00%
<i>Other Uses</i>		1,626,459	316,826	19.48%	1,322,968	337,315	25.50%
TOTAL		11,790,814	2,561,125	21.72%	7,621,419	1,913,188	25.10%

¹ Personnel expenses is lower attributed to vacancies and union contract has not been rectified yet

STORMWATER FUND

Revenues as of February 28, 2015

		<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
		<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Revenues</i>	<i>of Budget</i>
<i>Permits/License Tax/Other Fees</i>		40,000	19,470	48.68%	52,000	22,849	43.94%
<i>Grant</i>		39,000	24,000	0.00%	360,000	0	0.00%
<i>Charges for Services</i>	¹	3,489,549	3,148,601	90.23%	3,578,616	2,889,899	80.75%
<i>Miscellaneous Revenues</i>		5,000	1,213	24.25%	4,000	891	22.27%
<i>Non-Operating Revenues</i>		1,422,103	0	0.00%	61,569	0	0.00%
TOTAL		4,995,652	3,193,284	63.92%	4,056,185	2,913,639	71.83%

STORMWATER FUND

Expenditures as of February 28, 2015

	<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>
<i>Personnel Expenses</i>	1,027,889	375,055	36.49%	876,304	324,180	36.99%
<i>Operating Expenses</i>	1,078,763	234,404	21.73%	994,666	269,100	27.05%
<i>Capital Outlay</i>	532,005	197,135	37.06%	1,117,501	22,196	1.99%
<i>Debt Service</i>	666,216	0	0.00%	632,400	285,560	0.00%
<i>Other Uses</i>	1,690,779	179,585	10.62%	435,314	181,380	41.67%
TOTAL	4,995,652	986,178	19.74%	4,056,185	1,082,416	26.69%

¹ Vacancies in the stormwater fund and union contract has not yet been rectified

CAPITAL PROJECTS FUND

Expenditures as of February 28, 2015

	<i>FY 2014</i>	<i>FY 2014</i>	<i>%</i>	<i>FY 2015</i>	<i>FY 2015</i>	<i>%</i>
	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>	<i>Budget</i>	<i>YTD Expenses</i>	<i>of Budget</i>
<i>Personnel Expenses</i>	557,075	227,978	40.92%	349,501	139,855	40.02%
<i>Operating Expenses</i>	40,780	44,963	110.26%	139,821	72,813	52.08%
<i>Capital Outlay</i>	16,668,574	7,764,964	46.58%	61,758,615	1,604,715	0.00%
<i>Other Uses</i>	3,605,956	1,505,398	41.75%	5,829,829	2,429,095	41.67%
TOTAL	20,872,385	9,543,304	45.72%	68,077,766	4,246,478	6.24%

¹ Higher expenses is attributed to attorney fees incurred for the City Hall project

Revenues from Capital Projects Fund are either from grants or transfer from General Fund.

Grants Administration

Enclosed is a list of tasks completed during December 1, 2014 – February 28, 2015.

Grants Administration

- Prepared/coordinated site visit Levitt Foundation grant.
- Prepare agenda memo for acceptance of the TD Bank Green Street/Arbor Day Foundation Grant – \$20,000.
- Prepare Direct Payments for Public Services.

- Attended Health Foundation Community Partnership meetings.
- Reviewed and routed potential grants to various departments for review.
- Worked with videographer and historian for the Florida Historic Preservation Grant on second deliverable to the Grantor for the iami Gardens Historic Video.
- Prepared timeline/RFP for Technical Assistant Workshop for FY2015-2016 Public Services Proposal.
- Schedule Public Service grantees for FY2014-2015 yearly monitoring of funds.
- Submitted signed award for the acceptance of the Tourist Development Grant for \$25,000 for 2015 Jazz in the Gardens
- Submitted 2015 GRO1000 Grassroots grant application.
- Reviewed and routed potential grants to various departments for review.

Human Resources Department

**CITY OF MIAMI GARDENS
HUMAN RESOURCES DEPARTMENT
MONTHLY REPORT
December 1, 2014 – February 28, 2015**

I. POLICIES AND PROCEDURES:

Staff is working on a draft revision of the Employee Policy and Procedure Manual.

II. CITYWIDE STAFFING

Employee Composition

Full-Time Regular	533
Female	223
Residents	162/30.4%
Regular/Intermittent PT	80 (included in full-time composite)

City-Wide Staffing – Hires and Separations (12/01/2014 – 02/28/2015)

During the current reporting period there were three (3) non-resident new hires and one (1) resident new hire (see table below).

During the current reporting period there were twenty (20) separations (see table below). Of the twenty (20) separations five (5) are City Residents (see table below).

ALL NEW HIRES 12/1/2014 – 2/28/2015

NAME	DEPARTMENT	Hire Date
BARNES, NOELLE KRISTINA	CITY MANAGER	2/17/2015
COMBRINCK-GRAHAM, ILDIKO ANNA	CITY MANAGER	12/1/2014
JAMES, DAVID EML	CITY CLERK	2/9/2015
STEVENS, LAVETTE CHERYL	POLICE DIVISION	2/9/2015

NEW HIRES/City Resident 12/1/2014 - 2/28/2015

Full name	Home Department	Hire Date
BARNES, NOELLE KRISTINA	CITY MANAGER	2/17/2015

ALL SEPARATIONS 12/1/2014 – 2/28/2015

NAME	DEPARTMENT	POSITION	TERMINATED
TAMMY WILLIAMS-LEE	PARKS RECREATION DIVISION	RECREATION AIDE	12/26/2014
PAMLA THOMPSON	PROCUREMENT	DIRECTOR	1/30/2015
JOHN STANLEY	PARKS RECREATION DIVISION	RECREATION SUPERVISOR	1/23/2015
JESUS NAVIA	BUILDING SERVICES	CHIEF PLANS EXAMINER	2/20/2015
MAYRA MORALES	PARKS RECREATION DIVISION	PARKS & REC OPERATIONS MANAGER	2/27/2015
JOHN KEELS	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	12/19/2014
ANETA KAMYCZEK	PROCUREMENT	BUYER	1/23/2015
CARL KALLICHARAN	PUBLIC WORKS - STREETS DIVISION	LANDSCAPING SUPERVISOR	1/2/2015
FABIOLA JOSEPH	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	12/19/2014
WILLIAM JOHNEKINS	PUBLIC WORKS - STREETS DIVISION	PUBLIC SERVICE WORKER II	2/20/2015
DESSAIRE JIMESON	PARKS RECREATION DIVISION	RECREATION AID II	2/11/2015
LAKEELA GUYTON	PARKS RECREATION DIVISION	RECREATION AIDE II	2/11/2015
ARLENE GRACE	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	12/19/2014
ALETHEA GATLIN	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	2/13/2015
NICOLAS DE LA CRUZ JR	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	1/26/2015
SHENIKA DAVIS-CARTER	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	1/30/2015
MARIO BATAILLE	CITY CLERK	ASSISTANT CITY CLERK	1/16/2015
KENNETH BARNES	POLICE DEPARTMENT	POLICE OFFICER	12/5/2014
VERONICA DAVIS	HUMAN RESOURCES	DIRECTOR	2/27/2015
STEPHEN JOHNSON	POLICE DEPARTMENT	POLICE CHIEF	2/27/2015

SEPARATIONS – Resident 12/1/2014 – 2/28/2015

NAME	DEPARTMENT	POSITION	TERMINATED
TAMMY WILLIAMS-LEE	PARKS RECREATION DIVISION	RECREATION AIDE	12/26/2014
JOHN STANLEY	PARKS RECREATION DIVISION	RECREATION SUPERVISOR	1/23/2015
ALETHEA GATLIN	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	2/13/2015
NICOLAS DE LA CRUZ JR	SCHOOL CROSSING GUARD	SCHOOL CROSSING GUARD	1/26/2015
LAKEELA GUYTON	PARKS RECREATION DIVISION	RECREATION AIDE II	2/11/2015

III. INTERNSHIP PROGRAM STATISTICS

The HR Department posted a continuous Recruitment Notice for Student Interns and has received responses from approximately 6 potential student interns.

Staff has appointed Student Interns for the following areas:

Department	Number of Interns
City Clerk's Office	2
City Manager's Office	2

Staff is collaborating with other Departments to assess the need for and identify additional volunteer appointment opportunities.

IV. RISK and LIABILITY STATISTICS

Workers Compensation:

The City has a total of (44) open Workers' Compensation claims.

General Liability:

The City has a total of (68) open Property and Casualty and General Liability claims.

Other:

Staff is assessing citywide Employee Safety Training needs, the initial Safety Committee meeting was held on 2/26/15 with 13 members in attendance. CPR/AED training was held on 2/12/15, 23 employees became CPR/AED Certified.

V. ORGANIZATIONAL DEVELOPMENT AND TRAINING

Succession Planning

Staff has begun to assess and identify employee course designs for the City's Career and Professional Development and Management Fast-Track components of the Succession Plan.

Training and Development

During this reporting period staff held city-wide Unlawful Harassment and Retaliation. Staff is developing the content for city-wide Supervisor and Management Training, and also for New Employee Orientation.

Staff continues to assess the City's employee, departmental and organizational training and development needs.

VI. HUMAN RESOURCES DEPARTMENT STAFFING

The Human Resources Department is operating with reduced staffing levels due to the termination of Benefits Coordinator.

VII. HUMAN RESOURCES DEPARTMENT – PROCESS IMPROVEMENTS/STAFF DEVELOPMENT

HR Staff Development

HR staff continues to assess and address departmental staff development needs.

Human Resources Information System (HRIS)

Staff has identified an HRIS (NeoGov) and have begun the implementation process.

Website Design

Staff is working with IT department to overhaul the Human Resources Department webpage. The goal is to Develop an electronic platform through which the public, employees and potential employees can more readily access information. This project is ongoing.

VIII. EMPLOYEE/LABOR RELATIONS

Staff continues to engage in ongoing negotiations with PBA bargaining unit.

IX. SPECIAL PROJECTS

Open Enrollment

Staff coordinated the City's Annual Employee Benefits Enrollment period for Plan Year 2015. Open Enrollment was held from November 13, 2014 – December 12, 2014.

Health Insurance Plan Renewal

The City's Health Insurance Plan was renewed with AvMed effective 1/1/2015. The City's Dental and Vision Insurance Plans were also renewed effective 1/1/2015 with Humana.

Request for Qualifications – Broker Services

PRIA (Brown and Brown) was awarded the contract for workers' compensation and liability risk services. Wells Fargo was awarded the contract for benefit services.

Information Technology

IT Dept Overview

This Status report covers the activities of the Information Technology Department for the period from 12/03/2014 through 02/28/2015. It is organized into the following areas:

- **Significant Accomplishments**
- **Projects and Project Status**
- **Significant Issues**
- **Travel Activity and Training**

Quarterly Accomplishments:

○ **Significant Accomplishments**

- HR webpage completed
- Created new website front page (picture of the new CH)
- Worked with Forensic Logic to create access to the CAD server for data extraction
- Worked on garage doors for the inspection gate
- Worked with Fleet staff to provide Sharepoint Calendar access in Public Works
- Updated new graphic optimizing for faster downloads on website
- Worked on Symantec Backup exes issues
- Worked with FUNA regarding sounds issues in Council Chambers
- Worked to search and download selected security cameras data
- Installed Trend Micro on File server
- Worked with AT&T and Miami Dade tech to fix connectivity issue on CAD PC access
- Created new voicemail for TeleStaff OS upgrade
- Telestaff OS upgrade completed
- Worked with Microsoft Office 365 team to resolve various issues
- Worked with ATCI staff on CH cameras and doors database integration
- Created new phone database
- Provide 4 digit extension dialing between CH and PD
- Worked on image processor for Project Victory
- Worked with Coban to reconfigure Coban videos burner
- Worked with Coban to correct yellow screen and lost data
- Completed monthly Windows server updates
- Worked with PDA issues for the Motor Officers
- Worked with Miami Dade ITD to replace routers in MDF
- Cleaned up Office 365 user's primary email addresses
- Setup Barracuda web filter-b (Now Redundant Web Servers exist)
- Restored code enforcement files per staff request
- Tested new Coban software on patrol unit
- Created documentation for Cisco PD switch ports
- Fixed Netmotion issues
- Worked on Totalview net reports
- Resolved all issues at BTFRC regarding printing and internet issues
- Provided Support for BTFRC VITA Tax Program

- Resolved fingerprint issues at Carol City Park.
- Patching CH servers with Microsoft updates
- Checked server logs and free disk space
- Installed Telestaff on client machines
- PD main rear door was repaired.
- Deployed Fax over IP solutions
- Created 2 new fields for ID cards (vendors and janitorial)
- Provided support for various Citizens Academy classes
- Setup and configured Brother MFC-8950DW printer on the Kraken printer server for the BTFRC lab
- Configured and updated a PC for Miami Carol City Park to be swapped with a malfunctioning PC at the front desk
- Worked with Strategic Planning Team
- Worked with Real Time Crime Center (RTCC) Team
- Worked to URS and Jimmie Allen on corrections to the design of Low Voltage wiring and station configuration in the new PD building.
- Attending Briefing on PSIM for RTCC presented by Tampa Chief of Police
- Increased efforts of Proactive Customer Service by adding Monday walk-a-rounds at CH and Parks.
- Worked with Public Works on signage for new Buses
- Worked with team to provide radio communication in new PD
- Configured 5 laptops to be distributed for Councilman Ighodaro's Initiative.
- Installed TOPS software and Eden access on IT training room PCs
- Team Members Participated in various Big Brother/Big Sister sessions

- **Projects and Project Status**
 - PD & CH tie line – 100 % complete
 - Facelift of City Website – 100% complete
 - Bus Sign– 90% complete
 - New PD IT Planning, implementation and Support on going – 60% complete
 - Researching moving FileServer over to Virtual Environment – 15% Complete
 - Convert or retire 2003 CH servers to 2008, 2012 on going – 75% Complete
 - Migration of File Server over – 5% complete

- New Surplus Inventory list–15% complete
- RTCC Initiation Phase – 50% Complete
- SharePoint Uplift – 10 % Complete

- **Significant Issues**
 - Provided data to ATCI for cameras to be fixed and informed about lock doors due to new license – ATCI has been slow to complete Access Control Information and complete required task.
 - Contacted OSSI support to fix CAD installation issues.- Most issues resolved
 - Worked with Word Systems to resolve several issues with the iRecord Interview System – Most issues resolved.
 - Worked to troubleshoot CMGweberp server that suddenly no longer communicated with the network – Issue Resolved
 - Worked w/Microsoft on activating Fax Over IP function in Office 365 Issue Resolved
 - Worked with Coban to solve yellow video issues – Issue Resolved
 - Worked with Control Communications to solve Patrol Unit Coban issues – Issue Resolved
 - Coordinated repairs for iRecord system – Issue Resolved
 - Wiped out hard drives for surplus items - Completed
 - Worked on bad virus which was sending thousands of emails from user system. – Issue Resolved
 - Worked on Ransomware that had taken over some user laptops and requested ransom to get data back. – Issue resolved and no ransoms were surrendered.
 - Working to get a Radio solution installed in the new PD for officers.
 - Working with Team to resolve Design and Requirements for RTCC and EOC. Time for moving into the new building is drawing near.

- **Travel Activity and Training**
 - IT Team attended Unlawful Harassment Training.
 - IT Managers and CIO attended Supervising in a Unionized Environment Training
 - IT Team signed up for various training through Lynda.com
 - IT Team began using free Microsoft Training through our Enterprise Agreement
 - Tom attended a Procurement training session on doing purchase requisitions in Eden.

- Tom attended a Fax over IP webinar.
- Tom attended a MCCI webinar on best practices for Laserfiche backup and recovery.
- Tom attended webinar: “Securing your Virtual Environment with Kaspersky”
- Tom attended webinar: “Secure Your Organization Against IT Security Threats” by Barracuda
- GP attended a Laserfiche Conference
- GP attending various Toastmaster classes
- Ron and Tristan attended the FLGISA Winter Conference
- Ron presented at the FCCMA monthly meeting
- Renata attended a Microsoft Office 365 training
- Chas will be attending Cisco VOIP training in March of 2015
- Felix attended an Adobe Connect Conference
- Felix will be attending a CACS conference in March 2015
- Ron will attend Enterprise Connect in March of 2015.

Park & Recreation Department

The following data is representative of December 15 to March 11, 2015

Recreation Division

Activity	Frequency	Enrolled	Comments
Shining Star	Monday – Friday	Aver: 118	Operates at three (3) locations

Revenues Collected

Revenues Collected from After-School Camp	
Miami Carol City Park	\$ 3,005.00
Norwood Park	\$ 4,030.98
Rolling Oaks Park	\$ 4,585.00
Total Revenue	\$ 11,620.98

Revenue Collected from Facility Rentals	
A.J. King Park	\$ 1,007.00
Buccaneer Park	\$ 5,775.00
Cloverleaf Park	\$ 171.00
Dr. Lester Brown	\$ 141.00
Myrtle Grove Park	\$ 411.00
Miami Carol City Park	\$ 2,137.00
Total Revenue	\$ 9,642.00

Highlights & Upcoming Recreation Events

- Special Olympic practices are held on Tuesdays and Thursdays on the multipurpose field at the Betty T. Ferguson Recreational Complex.
- December 9th – Councilman Williams held a science fair at the Betty T. Ferguson Recreational Complex.
- December 29th- Sunshine's Heart, Inc and the parks department established an Intervention Program at the Betty T. Ferguson. The program is held on Mondays for middle and high school students.
- During the months of January and February, the Mobile Farmers Market was held at Vista Verde Park. There were over 300 people in attendance to select fresh produce.
- January 10th –High School Football tryouts were held at the Betty T. Recreational Complex for local football athletes to compete in a Nike flag football tournament in Oregon.
- February 3rd- Neighborhood College was held at Betty T. Ferguson Recreational Complex to educate the residents about various programs taking place in the parks department. The department had over 25 people in attendance.
- February 24th- The annual Heritage Bowl took place at Florida Memorial University.
- March 19th- The annual Bid Whist is taking place at the Betty T. Ferguson Recreational Complex.
- February 23rd- Mayor Gilbert's Open Mic Night at the Betty T. Ferguson Recreational Complex. This was a success!!
- March 20th- Miami Carol City Park presents 1st Annual Spring Bling.
- March 23rd- March 27th Spring Break Camp.
- March 23rd- Mayor Gilbert's Open Mic Night at the Betty T. Ferguson Recreational Complex.

Athletic Division

- Miami Marlins donated \$20,000 to City of Miami Gardens Youth Sports Baseball league.
- Two Athletic Coordinators were hired. One coordinator will specialize in Special Needs and Senior programs, while the other will work with youth and adult sports programs.
- Basketball season is 10 weeks; the regular season begins January 17th - March 28, 2015.
- Track & Field season is approximately 6 months; the regular season begins February 28th- August 9th.
- Baseball season 11 weeks, regular season begins March 21st- May 30th with playoffs and tournaments.

CMGYS – Basketball Season 2015

Teams	Total
U7	11
U9	17
U11	25

U13	19
Total	72

Revenue Collected from Athletics	
Total Revenue for Basketball:	\$5,040.00

CMGYS – Track & Field Season 2015

Teams	Total
General	45
Total	45

Revenue Collected from Athletics	
Total Revenue for Track & Field:	\$3,375.00

CMGYS – Baseball Season 2015

Teams	Total
U6	3
U8	2
U10	1
U12	2
U14	0
Total	8

Revenue Collected from Athletics	
Total Revenue for Baseball:	\$560.00

Partnerships

**Betty T. Ferguson Recreation Complex
Programs/ Activities**

CMG Programs at BTFRC	Enrolled to Date	Revenue
Fall Ballet 2014-2015	74	\$3,285.00
Learn to Swim	168	\$4,980.00

Parent & Child swimming	18	\$360.00
Aqua Fit (Drop In)	28	\$140.00
	Contracted Programs	
Youth Drum Line	25	\$790.00
Martial Arts	60	\$3,490.00
Spinnercise (Drop Ins)	84	\$840.00
Trips	Enrolled	Revenue
	CMG Senior Memberships	
Gold	10	\$250.00
Silver	7	\$105.00
Bronze	9	\$45.00
Senior Drop-In	0	\$0.00
	Daily Drop- In	
Aquatics	Enrolled	Revenue
Water Aerobics	92	\$460.00
Senior	5	\$25.00
Youth	10	\$50.00
Adult	2	\$20.00
Gymnasium	Enrolled	Revenue
Adult	30	\$300.00
Senior	35	\$175.00
Youth	287	\$1,435.00
Fitness	Enrolled	Revenue
Adult	34	\$340.00
Youth	0	\$0.00
Senior	38	\$190.00
Personal Training	0	\$0.00
	Memberships (includes Fitness Center & Classes, Gymnasium and Aquatics)	
Membership	236	2,495.00
Total Revenue BTFRC:		\$19,775.00

Grand Total for all: \$50,012.98

Police Department

This report details the current staffing of the Department and a breakdown of statistics and/or events in each Division during this period.

Police Department Staff

TOTAL BUDGETED POSITIONS: 274

TOTAL HIRED TO DATE: 262

- 0 Chief-1 vacancy
- 2 Assistant Chiefs
- 4 Majors
- 7 Captains
- 27 Sergeants
- 173 Police Officers-9 vacancies
- 4 Community Service Aides 1-vacancy
- 1 Traffic Assistant
- 16 Telecommunications Operators
- 1 Telecommunications Supervisors 1-vacancy
- 1 Telecommunications Manager
- 1 Records Supervisor
- 4 Records Clerks
- 1 Executive Secretary
- 4 Administrative Assistants
- 2 Property Control Officers
- 1 Custodian
- 1 Crime Analyst Supervisor
- 1 Crime Analyst
- 1 Court Liaison/Off Duty Coordinator
- 2 Administrative Analysts
- 1 Management Analyst
- 1 Investigative Assistant
- 1 Crime Scene Supervisor
- 5 Crime Scene Technicians
- 1 Victim Advocate

The quarterly activity for the Operations/Special Operations Bureau from December 2014 through February 2015 is as follows:

Arrests:

- Felony 163
- Misdemeanor 369
- Traffic 607
- DUI 0
- Warrant 71

Total Arrest 1210

Seizures/Apprehensions:

- Firearms Seized 27
- Marijuana Seized 706 Grams
- Cocaine Seized 89 Grams
- Search Warrants 5
- Federal Indictments 4

Citations:

- Moving 929
- Non-Moving 942
- Parking 18

Total 1889

Field Interview Cards 228

Total Calls responded to 18728

Reports Written 4214

Traffic Crashes 610

The quarterly activity for the Support Services Division from December 2014 through February 2015 is as follows:

Property and Evidence, Number of property items processed:

<u>804</u>	- Property Receipts Processed
<u>58</u>	- Property Receipts Rejected
<u>234</u>	- Property Released
<u>148</u>	- Property Out to Lab
<u>674</u>	- Property to be Disposed
<u>11</u>	- Lab Runs to MDPD
<u>\$5,416</u>	- Cash Impounded
<u>59</u>	- Firearms Impounded *not counting CSI direct delivered to lab.

Number of reports processed and number of requests made at window for records:

Reports Processed 4,724 / Walkup Requests at Window 2,207 / Mail Logged In 1,329 / Fingerprints 35 / Background Checks 165 / Total Revenue Collected \$588,489.

Number of calls received by dispatch:

CAD Calls = 28,288 / FCIC Entries = 508 / Overtime Hours = 1,669

Court Liaison and Off-Duty

199 subpoenas stamped and placed in the officers' mailboxes.
 2,777 off duty slips processed and entered into Eden for payroll processing.
 17 off duty vendor requests processed.

The quarterly activity for the Investigations Division from December 2014 through February 2015 is as follows:

Arrests – Total: 182

Felonies –134
 Misdemeanor –48
 Field Interview Cards – 0
 Pawn Shop Inspections –96
 Pawn Slips/Subject Checks –5,657
 Value of Property Recovered by Pawn Unit - \$9,000
 Value of Property Seized by Other Units - \$829,530
 Arrest Warrants Served –1
 Sexual Predator Checks –221

Total Cases Assigned 1,395 Closed 547 Rate 39.21%

Scenes Processed by Crime Scene Investigations Unit- 228

School Crossing Guard**Tasks Completed:**

- **01/13/2015-** Harassment Workshop (Supervisors)
- **01/26/2015-** Harassment Workshop (SCGs)
- **02/04/2015-** Surcharge Report Submitted (Miami-Dade County)
- **02/25/2015-** Bike Helmet Training

Meetings Attended:

- **12/01/2014-** Inter-Departmental Meeting
- **12/18/2014-** Department Meeting w/ SCGs
- **01/05/2015-** Inter-Departmental Meeting
- **01/20/2015-** CTST Meeting
- **01/28/2015-** Meeting w/ Assistant Chief Brooklen
- **02/02/2015-** Inter-Departmental Meeting
- **02/04/2015-** Administrative CompStat Meeting w/ PD
- **02/10/2015-** Meeting w/ HR

Meetings and Task Scheduled:

- **12/01/2014-** Inter-Departmental Meeting
- **12/18/2014-** Department Meeting w/ SCGs
- **01/05/2015-** Inter-Departmental Meeting

- **01/13/2015-** Harassment Workshop (SCGs)
- **01/20/2015-** CTST Meeting
- **01/26/2015-** Harassment Workshop (SCGs)
- **02/04/2015-** Administrative CompStat Meeting w/ PD
- **02/02/2015-** Inter-Departmental Meeting
- **02/25/2015-** Bike Helmet Training

Misc.:

- **02/06/2015-** National School Crossing Guard Appreciation Day
- **02/06/2015-** 2 SCGs Honored at PD Awards Ceremony

Employee Incident Reports:

- **Total: 0**

Terminations: 0 Resignations: 6 New Hires: 0

Procurement

- Prepared and issued eight (8) bid in the months of January-February 2015
 1. Fleet Vehicle Carwash Services (Awarded)
 2. Trolley Circulator Services (Awarded - Pending signed contract from vendor)
 3. NW 177th Terrace Drainage Improvement Project (Awarded)
 4. Bus Transportation Services (Pending Negotiation w/next lowest vendor)
 5. Milling & Resurfacing Project Bunche Park (Pending Dept. Director's award recommendation approval)
 6. Purchase and Delivery of Sports Equipment - (Under evaluation-Purchasing) under \$50,000
 7. Livable Neighborhood Improvements Vista Verde Phase II Drainage & Roadway Improvement (Under evaluation- Purchasing)
 8. Home Rehab 18515 NW 23rd Avenue (Under evaluation-Purchasing)
- Prepared and issued four (6) quotations in the months of Dec. 2014- Jan. 2015
 1. Newsletter Printing and Mailing – Parks and Recreation/Development Services Department
 2. Tree Removal, Tree Replacement and Planting – Public Works
 3. Title Search Services – Community Development and Development Services
 4. Litterkat – Parks & Recreation
 5. Safety Emergency Lights for Motorcycles – Police Department
 6. Environmental Testing Services – Community Development
- Preparing specifications for the following:
 - Recreation Management Software
 - Youth Sports Uniform

Issued 130 Purchase Orders from Dec. 2014- Feb. 2015

- Continue to order and assist with auditing fuel card program
- Continue to train and assist City staff on Eden software
- Continue assisting vendors with on-line vendor registration Bids & Quotes – bid vendors (ongoing)
- Continue to add current contracts to Procurement Web Page
- Continue to audit P-Card program
- Continue to reconcile vendor invoices for City Hall Municipal Complex
- Continue to provide services for Citizens Academy

Purchases \$25,000-\$50,000			
Date	Vendor	Service/Project	Amount
12/19/14	PUBLICSTUFF INC	PUBLICSTUFF 2ND YEAR OF 3 YEAR TERM	\$12,500.00
1/06/15	QUALITY PLUS CONSTRUCTION	SHIP REHAB PROJECT	\$10,700.00
1/09/15	CSA GROUP	DRAINAGE SYSTEM FOR 38 COURT	\$34,112.00
1/09/15	PETERSON'S HARLEY DAVIDSON	Motorcycles for PD	\$22,500.00
1/13/15	WABASH VALLEY MANUFACTURING	TRASH RECEPTACLE	\$14,609.15
1/13/15	CIRCLE OF ONE MARKETING INC.	Event Planning MLK	\$13,370.00
1/14/15	AVAYA INC.	Avaya Annual maintenance	\$38,706.60
1/14/15	QUALITY PLUS CONSTRUCTION	SHIP REHAB PROJECT	\$12,600.00
1/27/15	Juanita's Kitchen	Seniors Breakfast	\$23,417.50
1/27/15	SUPREME ROOFING & CONSTRUCTION	CDBG Housing Rehab	\$22,050.00
1/27/15	WORK 4 U, CORPORATION	CDBG Housing Rehab	\$19,169.00
2/04/15	QUALITY PLUS CONSTRUCTION	CDBG Rehab 2260 NW 174TH STREET REHAB	\$22,505.00
2/11/15	NW 155TH TER DRAINAGE UPGRADE-SIDEWALKS	NW 155TH TER DRAINAGE UPGRADE-SIDEWALKS	\$16,079.58
2/11/15	OFFICE DEPOT, INC.	MAINTENANCE ONSITE HARDWARE SUPPORT	\$39,249.29
2/17/15	A& P CONSULTING TRANS.ENG.CORP	Modify existing outfalls in Coconut Cay Community NW 203 ST BTWN 7 TO 15 AV	\$47,970.00
2/19/15	BLISS PRODUCTS & SERVICES INC.	OUTDOOR FITNESS STATION AT DR. LESTER B. BROWN PARK	\$44,238.00
2/25/15	DELL MARKETING L.P.	LATITUDES E6440	\$10,294.08

Public Works

Public Works Director's Monthly Report **Quarterly Report - March 2015**

1. Our team members have concluded the Sunshine Parkway East & West. There will be only continual maintenance for future management.
2. We have had a team to remove our City Christmas decorations and pole mounts.
3. The tree cutting crew is doing a great job in managing the work orders which are in the system for maintenance. Within this previous reporting month they have been successful in completing many job assignments.
4. Our construction team continues to repair sidewalks and roadways in accordance to issued work orders. Our main focus is residential.
5. We have manually entered and have taken pictures of each individual bus shelters throughout the city using the ARC Collector app tracking system to track bus shelters maintenance and installation dates; we are at 95% completion. A new blanket purchase order has been submitted to fully complete the inventory.
6. Sanchez Arrango Construction continues to implement repairs and replacement of our bus shelters and trash receptacles as contracted and requests by the Trolley Program Manager.
7. Our grounds crew continues to maintain the newly installed trash cans and bus benches by way of trash removal. Additionally, our grounds crew continues to maintain the existing trash cans by removing trash daily throughout the City.
8. The Trolley Program Manager continues to inspect all bus stop amenities throughout the city making sure they are up to standards and are safe for riders.
9. The Trolley Program Manager continues to respond and resolve all MDT complaints.
10. RFP# 14-15-004(A) for the Trolley Service was advertised on December 23, 2014. We received 1 bid proposal response from Limousines of South Florida. The bid was reviewed by the Evaluation Committee, which took place on January 6, 2015 pertaining to the RFP. The Evaluation Committee met with the vendor to negotiate in good faith. The agenda item is going before Council to award the Trolley service on February 25, 2015. On January 26, 2015 the Director and staff together with the Procurement department conducted a negotiation meeting for RFP#14-15-004(A) Trolley Circulator Services.
11. Trolley Program manager and PW Assistant Director attended Transportation Summit 2015 on January 22, 2015.

12. Trolley Program manager completed and sent quarterly report for PTP funding allocation and work status to Denese on February 2, 2015.
13. On January 20, 2015, the Director attended the Strategic Highway Research Program 2 (SHRP 2) Training at FDOT/Florida Highway Patrol Training Room.
14. On January 20, 2015, the Director attended the Coconut Cay CDD Board Meeting to listen to the stormwater adjustment for the flooding. To date all permits are approved and it is up to the CDD to have the contractor start the weir adjustment in the west structure.
15. On January 20 and 23, 2015, the Assistant Director participated/assisted in the Evaluation Committee for the Town of Miami Lakes RFQ 2015-08 - Surveying Services & Mapping for Canal Bank Stabilization and For Miscellaneous Surveying & Mapping Services and RFQ 2015-09 - Geotechnical Services For Canal Bank Stabilization and For Miscellaneous Geotechnical Services.
16. On January 21, 2015, the Assistant Director participated in the Contract Negotiation Meeting DB14-WASD-01 - Design Build Services for the Replacement/Rehabilitation of 72-Inch Sanitary Sewer Force Main along Northwest/Northeast 159th Street between Northwest 17th Avenue and Northeast 10th Avenue. This is a Miami-Dade County Water and Sewer department construction project within City boundaries.
17. On January 22, 2015, the Director attended the Development Review.
18. On January 22, 26, 2015, staff attended the Supervising in a Unionize Environment training.
19. On January 22, 2015, the Director met with the Coconut Cay HOA President (Troy Jones) to talk about the speeding in the community and the flooding issues.
20. Memo completed on January 28, 2015 for a Resolution to Award contract to Limousines of So. Fl. at approaching council meeting.
21. On February 5, 2015, the Assistant Director attended the America Public Works Association (APWA) Board of Directors meeting.
22. On February 5, 2015, the Assistant Director attended the Crestview Homeowner's Association meeting and presented to the community about proper tree care.
23. On February 6, 2015, the Assistant Director attended the Miami-Dade Transit Pre-Bid Meeting for RFQ No. 285783 - ARRA Municipalities – for the construction of four (4) new bus shelters in the City. The project is funded through remaining funds in the American Recovery and Reinvestment Act (ARRA) of 2009.
24. On February 9, 2015, the Director attended the Norland Crime Watch and spoke about Public Works to include litter, tree care, street lights being out, and other topics and answer questions from the residents.

25. On February 12, 2015, the Director assisted on interviews for the Assistant to the City Clerk.
26. On February 19, 2015, staff met with Miami Dade County on lift station upgrades.

Keep Miami Gardens Beautiful Quarterly Report March 2015

Keep America Beautiful (KAB) Annual

- The KMGB Coordinator attended the KAB National Conference from 01/26/15/1/30/2015.
- We have registered for Great American Cleanup 2015 which will take place in March and April 2015.

Beautification Awards

- Currently seeking board members.

Community Beautification Grant

- The Community Beautification Grant is no longer available due to no funds this fiscal year.

Landscape Maintenance

- City crews are currently maintaining all landscape areas throughout the city: fertilizing, mulching, weeding, adding pre-emergent, replacing sod and removing dead palms. Staff has modified landscaping schedules to accommodate for dry the season.

Community Planting 2014

- KMGB Coordinator will schedule more canal plantings and volunteer plantings this year.

Tree Planting

- We have resumed our tree planting and we will be continuing throughout the year.
- The Tree Canopy Study is helping us to identify what areas need trees and will also determine our canopy coverage.
- We have several street tree planting projects that have been completed recently and some currently in progress.

NW 11th Court from 191st Street- 192nd Street (Swales)-Completed
NW 32nd Avenue from 196th Lane to 199th Street (Swales) - Completed
NW 207th Street from 441-NE 2nd Avenue (Removal and Replacement) - In progress

Forthcoming:

NW 196th Lane from 37th Avenue to 34th Court
NW 28th Court from NW 153rd Terrace to NW 154th Terrace
NW 28th Place from NW 154th Terrace to NW 152nd Terrace
NW 441/NW188th Street

Anti-Litter campaign

- We in the process of revamping the SWAT-A-Litterbug program. We will be revealing a new character and new promotional materials.
- We have received a \$15,000 grant from FDOT and KAB in order to provide litter education in the community. This will help to combat the increasing litter that we have been experiencing in the City.

National Service Days

- We are currently planning for the Great American Cleanup and several cleanup events with City of Miami Gardens' Councilmembers.

Great American Cleanup Activities 2015:

City Year Sat 2/28/15

Riverview Crime Watch Sat 2/28/15

City Year-Councilman Harris-Teach for America Sat 3/7/15

City Year Sat 3/14/15

FLEET DIVISION QUARTERLY REPORT March 2015

- **Vehicle Service Concerns being addressed by Fleet Management**
 - a) Tahoe poor engine performance, stall and idle surge – The DOT advised that they have completed their investigation and in their opinion the new calibration from General Motors resolves these concerns. While we have not had the same success, city management is aware of the concern.
- **Vehicle Utilization / Budget**
 - a) The Fleet Department is working within budget boundaries for repairs to the best of our abilities; with older units both repairs and refurbishing costs expose us to exceeding our budget. Please note that units that have collision damage that normally would be disposed of are being repaired so as not to deplete the fleet.
 - b) Fuel prices were lower the past few months, the fuel savings can be used to offset additional repair cost.
- **Documentation of all Fleet Transactions (Ongoing)**

- a) Repairs are being entered in the data base, and vehicles are being tracked based upon the established preventative maintenance schedule
- b) Fuel usage is being entered into the database reflecting both economy and total operating cost
- c) Reports are now available to reflect expenditures by repair category or department
- d) Units with low utilization are brought to respective management's attention to make sure they are rotated into service.
- e) Monthly reports are generated for PD command staff.
- o **Fuel Usage (Ongoing)**
 - a) Monthly reports of fuel usage with concern identification provided to all Department Managers for concurrence.
 - b) Fuel invoices are being maintained electronically and master bill.
 - c) Fuel invoices are reviewed and billing errors are reported to Procurement for investigation and resolution.
 - d) Low utilization vehicles are being brought to the attention of department heads.
 - e) Employees are directed to procure fuel within city limits, purchases outside of city limits are brought to the attention of the respective department head.
- o **Collision Repair (Ongoing)**
 - a) Continue to work closely with vendors, Risk Management, and user department to provide prompt collision repairs within departmental policy and procedures.
 - b) Fleet Service Rep. obtains estimates of crashed vehicles and provides to Risk Manager for review and repair approval.
- o **Meeting/Events/Training**
 - a) 1/14/15 Fleet Meeting with Software vendor re: Fleet Software
 - b) 1/15/15 Fleet Meeting with IT & Software vendor re: Fleet Software
 - c) 1/30/15 So. FL. Fleet Managers Meeting hosted by the city of Sunrise Topic: Vehicle Purchase Leasing Options
 - d) 2/13/15 PW Staff Meeting
- o **Warranty Repairs (Ongoing)**
 - a) Check service repair invoices against vehicle warranty to insure proper billing for services.
 - b) Credits received when billing discrepancies are found for overcharges and warranty covered items.
- o **Vehicle Lot Checks/Inspections**
 - a) 1/14/15 Fleet Dept. vehicle inspections performed on PW Dept.
 - b) 2/2/15 Fleet Dept. vehicle inspections performed on P&R Recreation and Maintenance Divisions.
- o **Surplus Disposal**
 - a) 2 damaged vehicles sold through online auction.
- o **Other Ongoing Fleet Items**
 - a) Fleet Administrator working with PD for graphic decal design on motorcycles.

- b) Fleet Administrator process invoices from vendors regarding parts, service, and maintenance repairs on vehicles and equipment.
- c) Fleet Administrator prepares requisitions necessary to purchase parts, accessories, maintenance and services.
- d) Fleet Administrator schedules car wash detail appointments and window tinting services for various departments.
- e) Fleet Staff responds to multiple service calls for Police, Public Works, Parks and Recreation, School Crossing Guards, IT, Mayor's Office and Development Services addressing their concerns.

Month	Work order Volume	Repair Expenses 460	Fuel Costs 640
Oct	199	\$53,540	\$94,000
Nov	182	\$48,320	\$70,000
Dec	180	\$42,000	\$67,000
Jan	188	\$78,000	\$60,000
Feb			
Mar			
Apr			
May			
Jun			
Jul			
Aug			
Sep			
Total	749	\$221,860	291000
Monthly average	187.25	\$55,465.00	\$72,750
Tracking	2247	\$665,580	\$873,000
Annual Budget		\$550,000	\$1,174,750
Tracking as % of Budget	Budget	121%	74%

Performance Indicators

1	Performance Indicators	Dept.	Totals 2013/14	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	July	Aug.	Sept.	Year to Date Totals
2																
3	# of complaints received by Phone and Walk-ins	Admin.	739	80	70	80	97									327
4	Amount of Grants Received	Admin.	\$1,360,000.00	\$0.00	\$0.00	\$0.00	#####									\$15,000.00
5																
6	# of special projects completed	Admin.	6	0	0	0	0									0
7	# of work orders submitted	Admin.	308	36	15	24	26									101
8	# of work orders completed	Admin.	316	14	18	29	32									93
9																
10	# of miles street paved	Streets	28	3	2	5	5									15
11	# of potholes repaired	Streets	157	13	10	5	11									39
12	# feet of sidewalks repaired	Streets	9018	291	233	277	228									1029
13	# of sidewalks placed	Streets	45204	150	175	125	145									595
14	# of tree planted	KMGB	12	2	1	19	54									76
15	# of gals water used in landscaping (X 1000)	KMGB	45717	3,452	3,321	3345	3,572									13,690
16	# of acres of irrigated swales insp./maint.	Landscp	602.18	26.85	32.14	23.14	26.33									108.46
17	# of acres of NON irrigated swales insp./maint	Landscp	271	8.69	16.22	14.18	18.43									57.52
18	# of trash bags collected by the Department of Corrections and Adopt A R	KMGB	6027	500	478	520	540									2038
19																
20	# of miles picked up by the Department of Corrections	KMGB	2128	184	186	190	195									755
21	# of Roads Adopted	KMGB	NEW	0	0	3	4									7
22	# of miles cleaned by Adopt-A-Road	KMGB	58	6	4	4	4									18
23	#of Volunteer Hours	KMGB	2106	448	400	122	120									1090
24																
25	# of Riders per Month	CITT	NEW	0	0	0	0									0
26	Percentage of Punctuality in Bus Stop arrivals	CITT	NEW	0	0	0	0									0
27																
28	Note: The yellow highlighted areas are NPDES Requirements that must be prioritized and completed monthly in order to meet the State Requirements															
29	The above in red are new for this Fiscal Year to reflect the budget performance indicators for the KMGB and the Trolley (Circulator)															
30																
31																
32	Performance Indicators	Dept.	Totals 2013/2014	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	July	Aug.	Sept.	Year to Date Totals
33	# of acres of canal banks and flats inspected and maintained	SWU	44	4	4	4	4									16
34	# Catch Basins Inspected/Cleaned	SWU	745	59	92	78	65									294
35	Linear of ft of connecting pipe cleaned and inspected	SWU	35,837	3,820	4,432	2,889	3,357									14,498
36	# Miles of Canal Inspected/Cleaned	SWU	264	22	18	20	16									76
37	# of culverts cleaned, inspected, or maintained		28	2	4	4	4									14
38	# Miles of Street Cleaned	SWU	2,823	213	169	145	125									652
39	Volume of street sweepings collected by weight (cubic yards)	SWU	923	70	77	55	150									352
40	# of Manholes Cleaned and Inspected	SWU	574	51	63	74	88									276
41	# of miles of water-based litter control Inspection and Maintenance	SWU	212	28	22	22	22									94
42	#'s of major outfalls insp./maint.	SWU	24	2	2	2	2									8
43																
44	Note: The highlighted areas are NPDES Requirements that must be prioritized and completed monthly in order to meet the State Requirements															
45																