

CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING

OCTOBER 26, 2011

7:00 P.M.

City Commission Chambers
777 Sharazad Boulevard
Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Myra L. Taylor called the meeting to order at 7:01 p.m. on Wednesday, October 26, 2011 in the City Commission Chambers, 777 Sharazad Boulevard, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Vice Mayor Dorothy Johnson, Commissioner Timothy Holmes, Commissioner Gail E. Miller, Commissioner Rose Tydus and Mayor Myra L. Taylor. Also in attendance were: City Manager Bryan K. Finnie, City Attorney Joseph S. Geller and City Clerk Deborah S. Irby.

3. INVOCATION:

The Invocation was delivered by Mayor Myra L. Taylor.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

Mayor Taylor requested that the Commission allow the Chief of Police to make a presentation.

Chief Cheryl Cason of the Opa-locka Police Department came forward and highlighted some of the great things the police department is doing.

5. APPROVAL OF AGENDA:

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

The following items were pulled off the Consent Agenda to be discussed separately: 19-4, 19-7 (Johnson) and 19-5, 19-6 (Tydus).

Request to amend the agenda to include the following as item 16-1 (New Items):

16-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, NAMING OFFICERS TO THE COMMUNITY REDEVELOPMENT AGENCY AND ADOPTING ROBERT RULES OF ORDER (NEWLY REVISED) AS RULES OF PROCEDURE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. Sponsored by C.M.

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to amend the agenda to include the above resolution as item 16-1.

There being no discussion, the motion passed by a 5-0 vote.

Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Mayor Taylor	Yes

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Vice Mayor Johnson along with the members of the City Commission presented an award to Earline Taylor for being the longest living resident at the McCarthy Residence in Opa-locka.

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 10/12/2011

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the minutes of the Regular Commission Meeting of October 12, 2011.

There being no discussion, the motion passed by a 5-0 vote.

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

9. 17th CONGRESSIONAL DISTRICT OF FLORIDA REPORT:

10. STATE SENATORS REPORT:

11. STATE REPRESENTATIVES REPORT:

12. DISTRICT ONE - COUNTY COMMISSIONER REPORT:

Larry Gardner of Miami-Dade County Commissioner Barbara Jordan's office (District 1) came forward and invited everyone to the rescheduled Hispanic Heritage Festival on October 29, 2011 at Arcadia Park which had been cancelled due to the weather.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

1. Dr. Philip H. Mann, Director of the Entrepreneurial Institute – Barry University came forward and provided the history and overview of the program. He extended an invitation to the upcoming business seminar on November 19, 2011 at 10:00 a.m. which would be a collaborative effort with Neighbors and Neighbors Association (NANA).

2. George Costas of CBHC, LLC, 2251 Blount Road, Pompano Beach, Florida came forward and updated the Commission on the Sherbondy Park Village project which is scheduled to be completed by November 15, 2011.

Vice Mayor Johnson expressed her concern as it relates to change orders. In going through the reports from Finance, she said she noticed there were several change orders. She requested that Mr. Costas provide details on the need for the change orders.

Mr. Costas briefly explained the major change orders to the Sherbondy Park Village project. He clarified that there were several change orders done for things requested in addition to what was in the original scope of work (i.e. putting the city seal in the gymnasium and adding concrete steps to the pool to facilitate older persons). He also mentioned that Miami-Dade County Fire Department required additional changes to the building to comply with the requirements.

Commissioner Miller asked Mr. Costas if anyone from the city had requested that a particular firm or person be hired to work on the Sherbondy Park Project?

As a condition of the contract, Mr. Costas indicated that one of the requirements was to hire individuals who reside within the City of Opa-locka and they did that throughout the course of the job.

Commissioner Miller made reference to an article that appeared in the newspaper which gave the appearance that the city officials are not doing what they are suppose to or being underhanded with respect to the project. She asked Mr. Costas, was there a private meeting with any of the elected officials and David Chiverton?

Mr. Costas replied that all of the meetings he's had have been in relation to the project and about the project.

As it relates to the change orders, Commissioner Tydus asked, during the change were the plans changed or altered in anyway to change the size of the gymnasium from regulated to unregulated?

Mr. Costas said that the plans were always the same and the only changes to the plans were to make them in compliance with codes. The building size and configurations were kept exactly as in the original architect.

Of concern to Commissioner Tydus was the unregulated size of the gymnasium. She said she didn't recall it coming to the Commission that it would not be of regulated size.

Mr. Costas said that the size is the same size that was there since the bid documents.

Mayor Taylor asked, with regards to the change orders required by Miami-Dade Fire Department, wouldn't the contractor know the Fire Department's rules and regulations from the beginning?

Mr. Costas explained that once the drawings are complete, it goes to the Fire Department review process, and historically the Fire Department always have their opinion on as to how projects meet fire safety codes.

Mayor Taylor stated her purpose for asking was that the Fire Department had its list of things that should already be drawn in the plans. She said she didn't see this to be a change order more than a norm because there are certain documented things already drawn.

Mr. Costas added that many times when things are drawn a certain way, it is a matter of interpretation.

3. Lawrence Wright, Wright & Partners, Inc. of 3827 NW 125 Street, Miami, Florida, appeared before the City Commission and stated that there had been approximately thirteen change orders due to permit fees not included in the contract, the Fire Department and landscaping. Also, there were change orders due to the steps for the pool and the fence height for security reasons. He stated that the deadline for completion is November 15, 2011.

Commissioner Holmes inquired about the types of trees planted?

Mr. Wright named several types of trees that would be planted.

Commissioner Holmes expressed his concerns about the tree roots breaking through the sidewalks.

Although the trees are of substantial size, Mr. Wright believes it would not affect the sidewalks because of the distance.

Commissioner Holmes suggested that Mr. Wright reconsider replacing the trees with types of trees that don't risk damage to the sidewalks in the future.

Mr. Wright said once he verifies with the landscape architect, the trees would be pushed back more to reduce that risk.

As a contract management firm, Vice Mayor Johnson said it was Mr. Wright's due diligence to make sure that employment was from the Opa-locka area. She asked, on a scale of 1 – 10 was the employment met and did it actually happen?

Mr. Wright replied, some portions of it did. Due to the timing when he came onto the project, he said those things have to be done so far ahead of time to be able to benefit from the local community.

Vice Mayor Johnson asked, is the City of Opa-locka current on the reimbursements as far as payments?

Mr. Wright replied, yes.

Vice Mayor Johnson said she received strange correspondence alleging that a portion of Mr. Wright's company is not licensed. She asked that Mr. Wright put on record whether all his companies are insured.

Mr. Wright explained that Lawrence Wright & Partners is the marketing brand and the facilitator is the license holder (Production Construction) that manages and handles all of the licensing and signing off any permits and things of that nature, but all of his companies are licensed and insured.

Vice Mayor Johnson stated that it has also being alleged that Mr. Wright was brought up at the beginning part of this project. She requested that Mr. Wright put on record when he actually came to be a part of this project.

Mr. Wright said the agreement was signed on November 2 and he actually started work on November 3.

Vice Mayor Johnson asked the City Manager when did this project start?

Manager Finnie said that unfortunately he had left the city prior to selection of a contractor.

Commissioner Miller expressed her concerns with oaks trees and shared the problem she is experiencing with an oak tree near her home that is damaging her home.

She continued by asking if Mr. Wright had a private meeting with David Chiverton, the Mayor and the Mayor's husband pertaining to the changes discussed?

Mr. Wright said he didn't know if the meeting was private, but there was a meeting.

Commissioner Miller asked, were there other commissioners present at the meeting?

Mr. Wright replied, no there wasn't any other commissioners.

Mayor Taylor suggested that Mr. Wright clarify the information. She asked, where was I when Mr. Wright saw her?

Mr. Wright replied, second floor.

Mayor Taylor asked, what was the Mayor doing?

Mr. Wright said that the Mayor was going throughout the building assessing what kind of opportunity of changes to make to move from the office complex on the 4th floor to the 2nd floor of the building.

Mayor Taylor asked, was there a formal meeting?

Mr. Wright said they were gathering, meeting and discussing what things need to be done to make it happen.

Mayor Taylor asked, what was she at the building for?

Mr. Wright said that the Mayor was present to give input and her opinion.

Mayor Taylor stated to Mr. Wright that he came in late to the meeting or gathering, but she was there to take a tour and inspect the building. The tour was done by George (the architect). She proceeded to asked Mr. Wright, where was the Mayor when he came in?

Once again Mr. Wright stated that the Mayor was going throughout the building assessing what possible things could happen.

Mayor Taylor asked Mr. Wright whether there was a formal meeting to his knowledge?

Mr. Wright said he wasn't unsure whether there was a formal meeting; he just knows what he came in on and what he saw.

After hearing the discussion which she had no knowledge about, Vice Mayor Johnson said it gives her some concern. She said she hopes there was only conversation and no actual change orders.

Mr. Wright explained that there were no change orders done and the conversation was on what could be possible. At the end of that conversation, he informed the group that they can't do anything.

Vice Mayor Johnson interjected and asked, who is in the group?

Mr. Wright said he along with George, David Chiverton, David Laney and the Mayor were standing in the group. The Mayor's husband was there, but he wasn't in the gathering. He went on to say that they were standing there reflecting on things that could possibly happen in the building, but he indicated at that time that no changes could be done to the building because a CO must first be obtained on what is already approved.

Commissioner Holmes suggested that the discussion continue in a different setting and not at the commission meeting because that was not the proper setting.

Vice Mayor Johnson said whenever she reads an article in a public newspaper from a citizen of the great City of Opa-locka with allegations and not facts, then she has the right as an elected official to address it. She said she was not pleased with what she was hearing and she believes in dealing with facts.

Commissioner Holmes clarified that he didn't say the Commission didn't have the right to do this; what he said was that it was not the proper format to do so at that time. Although the Commission has the right to ask whatever questions they want, he suggested that the individuals be questioned in a different setting.

Mayor Taylor asked, were there any change orders discussed or made at that assessment that the Mayor made?

Mr. Wright said change orders were not discussed; they were just trying to paint the picture of what could be.

14a. CITIZENS' FORUM:

1. Prophetess Celeste Dixon Fitzpatrick of 2523 Opa-locka Boulevard, Opa-locka, Florida, appeared before the City Commission and stated that Public Works is needed to work on weekends. She spoke in support of Chief Cheryl Cason of the Opa-locka Police Department.

2. Mark Brown, President and Beverly Washington, Vice President of Black Global Bikers Association, Inc. came forward and addressed the question asked during the last commission meeting in terms of what agencies within the city their organization has reached out and participated in the annual toy run. Ms. Washington provided an overview of the list provided to the Commission with information on the agencies and participants.

Vice Mayor Johnson suggested that Mr. Brown adhere to the HIPAA Act and not allow anyone under no circumstances to put him in a bind with the HIPAA Act. The HIPAA Act restricts all information pertaining to children.

3. Lilly Odom of 781 Curtiss Drive, Opa-locka, Florida, appeared before the City Commission and announced her interest in becoming a city official in the near future.

Vice Mayor Johnson informed Mrs. Odom that the city currently had openings on several boards and perhaps she would be interested in serving to get some exposure.

4. John Riley of 2963 NW 135th Street, Opa-locka, Florida, came forward and referred to Miami-Dade County Home Rule Charter Amendment Citizen's Bill of Rights. As it relates to the Sherbondy Village Project, he spoke about the city having three design companies who were paid and made reference to a resolution where the City Commission ratified the expenditure of \$98,000.00. He agreed with Commissioner Holmes in that the commission meeting was not the venue for the Sherbondy Park discussion and requested that the Commission schedule a Town Hall Meeting/Public Hearing so that all of the facts would come out.

Vice Mayor Johnson welcomed Mr. Riley's input, but suggested that an investigation is first completed because she noticed that Mr. Riley has more information than she's ever seen.

5. Johnnie Green of 2091 Wilmington Street, Opa-locka, Florida, came forward and stated that the community is not in favor of changing the meeting times to 11:00 a.m. She suggested that the Commission either keep the meetings at 7:00 p.m. or go back one hour to 6:00 p.m.

She further expressed her concern relating to the disrespectful behavior displayed by certain individuals on the dais.

6. Urie Jones of 4055 NW 17th Avenue, Miami, Florida, came forward representing Brothers of the Same Mind and yielded his time to Brian Dennis.

7. Terry Jones of 4055 NW 17th Avenue, Miami, Florida, came forward representing Brothers of the Same Mind and yielded his time to Brian Dennis.

8. Kamari Dennis of 4055 NW 17th Avenue, Miami, Florida, came forward representing Brother of the Same Mind and yielded his time to Brian Dennis.

9. Brian Dennis, President of Brothers of the Same Mind, 4055 NW 17th Avenue, Miami, Florida, appeared before the City Commission and expressed his concerns as it relates to the Sherbondy Village project. He made reference to a resolution ratifying expenditures for this project which was already paid to the same company under a different name.

Vice Mayor Johnson expressed her frustration with the allegations being made and said she has never been a part of any corruption. The same people who brought the information, if they knew it then, they should have done something about it because if they're just saying something now, then she believes those same individuals are a part of it.

Mr. Dennis apologized to the Commission if his statements were taken as if he pulled everyone in, but that was not his intent.

With all of Mr. Dennis knowledge now, Commissioner Holmes inquired as to Mr. Dennis whereabouts when the resolution was presented to the Commission. He said if he would have known then what he knows today, then he would have never supported the item. He mentioned that certain individuals have called him about this issue threatening him to take sides with other individuals to fire the City Manager, but he refuse to play those types of games because those individuals don't like the City Manager.

Commissioner Miller expressed her displeasure with the comments made by Mr. Dennis. She said she was not corrupt nor does she need anyone's money. When Mr. Dennis addressed the Commission he addressed all of them and her name is not even on the resolution and she wasn't on the Commission when the Sherbondy Village project started, but she is here now. For the last couple of weeks she's been threatened about her daughter getting fired and being arrested if she didn't change her vote. She stated to Mr. Dennis that the individuals who brought the information to him are the ones who got all this mess going on in this city.

10. Eldridge Redmon of 2766 NW 131st Street, Opa-locka, Florida, came forward and expressed his concerns relating to the sexual offenders in the area. Because Halloween was approaching, he requested that the police officers visit the areas and if those lights are on inviting the children, the police officers can direct the sexual offenders to turn their lights off. There are over 250 sexual predators living within the City of Opa-locka and 34 are labeled serious sexual predators.

Since his discrimination complaint, he said that Top Value had hired three African Americans plus two Hispanics from the City of Opa-locka. He named several other local businesses who recently hired individuals from the City of Opa-locka. He thanked the City Manager Bryan Finnie because when he brought this issue to his attention, the City Manager quickly acted on it.

Vice Mayor Johnson agreed with the sexual predators information; however, her statistics shows that the 33054 Zip Code is not completely within the boundaries of Opa-locka, it includes portions of Miami Gardens.

Mayor Taylor appreciated Mr. Redmon bringing this matter to the city's attention because the light on would draw the children. However, she was concerned about the 250 number which is in zip code 33054. As the Vice Mayor mentioned, Opa-locka does share that zip code with a portion of Miami Gardens. She suggested that Mr. Redmon get with the police department and work on verifying the addresses. If the number is wrong, then she would like for the police department to come back with a correct number.

Mr. Redmon advised that he provided Major Barrett with the documentation.

11. Luis Santiago of 1156 Peri Street, Opa-locka, Florida, appeared before the City Commission and said that the concern of many of his neighbors who were present in the audience, was the high water bills. He asked, when would the residents be able to see a relief in the water bill?

He further encouraged the Commission to set up a fund to assist long time Opa-locka residents.

Vice Mayor Johnson requested that staff review the legislation sponsored by Commissioner Holmes for a relief in the water bill. Also, staff should make residents aware of the hardship program as well as the programs available through the Community Action Agency (CAA) and this information should be available in English, Spanish and Creole.

Mayor Taylor said that in the information provided by the City Manager she noticed that there were only four checks under the Hardship Assistance Program. She asked, is the program still going on and are the people aware of it?

Manager Finnie said that the Hardship Assistance Program is still going on; however, he is not sure how aggressively the program is being marketed.

12. Althea Jacobs of 2070 Wilmington Street, Opa-locka, Florida came forward and voice her concerns in opposition to the ordinance changing the time of the commission meetings.

13. Jeanette Arline of 2324 Service Road, Opa-locka, Florida, appeared before the City Commission and spoke in opposition to changing the time of the commission meetings to 11:00 a.m.

14. Elliot Flanders of 1941 Wilmington Street, Opa-locka, Florida, came forward and spoke in opposition to the ordinance to change the time of the commission meetings.

15. Albert Jones of 1200 Oriental Boulevard, Opa-locka, Florida, appeared before the City Commission and spoke against the proposed time change of the city commission meetings.

16. Linda Parker, resident on Arabia Avenue, Opa-locka, Florida came forward and stated that she is against changing the time of the city commission meetings.

After hearing the comments from the citizens relating to the ordinance for a change in the time of the commission meetings, Commissioner Holmes informed the public that he would withdraw the ordinance.

17. Vera Daniels of 13201 NW 28 Avenue, Opa-locka, Florida, came forward and thanked the Commission and the City Manager for getting the senior's bus back on the road.

Vice Mayor Johnson informed Ms. Daniels that by Christmas she should have a flat screen TV for the senior citizens.

18. Steven Barrett of 633 Sharar Avenue, Opa-locka, Florida, appeared before the City Commission and stated that the taxpayers of the City of Opa-locka decide whether or not they will do a recall and nobody would influence this community from the outside. When things don't go in favor of one person in the city, these individuals bring these people in and cause this type of animosity.

As it relates to the Planning Council, he mentioned that several months ago when individuals wanted certain deals to happen, they brought certain people out the apartments. When the meeting was over, he sat on the steps and watched this gentleman pull his checks out as the people walked in line to receive a check for a project on Port Said Road.

Additionally, the Commission has individuals providing wrong information because when Mr. Patterson was the City Manager, he sat on a letter from Miami-Dade County for several months regarding 2.6 Million Dollars. If Mr. Patterson would have brought the letter to the Commission when he received it, the Commission had the opportunity to stop the project and save the taxpayers 2.6 Million Dollars during that time.

Commissioner Holmes said that politics in Opa-locka is dirty and when people don't get their way, they try to destroy. Since Mr. Finnie was appointed City Manager, people have been coming at him all kinds of ways threatening him in so many ways. As long as Mr. Finnie is moving this city forward in a positive direction, he will support him.

Commissioner Miller thanked Mr. Barrett for his comments and encouraged him to continue attending the commission meetings.

Vice Mayor Johnson suggested that Mr. Barrett consider serving on one of the city's boards.

19. Sandra Collado of 301 Bahman Avenue, Opa-locka, Florida, came forward expressed her concerns relating to the high water bill and the drug activity at the park and in the surrounding area.

Mayor Taylor directed the City Manager to have staff speak with Ms. Collado about her concerns.

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

1. (19-4) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR A QUALIFIED IN-HOUSE CITY ATTORNEY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J. and G.M.*

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Miller, seconded by Vice Mayor Johnson to pass the above resolution.

After comparing the salary paid to the firm versus an in-house attorney, Vice Mayor Johnson said she would like to modify the resolution to require municipal government experience including experience in redevelopment. Because the resolution is co-sponsored by Commissioner Miller, she requested that the resolution be deferred until the next commission meeting so that it could include the correct information.

Commissioner Miller agreed with deferring the resolution.

The motion and seconded were withdrawn.

2. (19-5) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE AND DIRECT THE CITY MANAGER TO CONSULT WITH THE FIU METROPOLITAN CENTER FOR THE REVIEW OF ALL REQUEST FOR PROPOSALS (RFP), REQUEST FOR QUALIFICATIONS (RFQ), BIDS, COMPETITIVE BIDS, NON-COMPETITIVE BIDS, AND TO HAVE THE CENTER ACT AS A LIAISON COMMITTEE FOR RECOMMENDATIONS TO THE CITY COMMISSION AT NO CHARGE TO THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Miller, seconded by Vice Mayor Johnson to pass the above resolution.

Commissioner Tydus asked Attorney Geller whether the resolution was consistent with the provisions in the City of Opa-locka charter and code as it relates to competitive bidding because there seems to be a conflict.

Attorney Geller explained that it depends on how it is applied. It cannot be read to substitute for the provisions of the city's code that relate to competitive bidding and it cannot act to delegate the responsibility for making decisions to some other bodies than your own administration or the City Commission ultimately. In using the language as a liaison committee, and if it is intended to act as he understood it to be from that in an advisory capacity to state that items will be referred to be reviewed and commented upon,

but not delegated in the actual authority. As long as the city continues to comply with its own charter and code, asking for outside help that's advisory in nature as liaison committee is not a problem.

Commissioner Tydus stated that the way it's written, it appears the center acting as a liaison committee would be taking from the power and authority of the City Commission regarding these particular matters. She said she was just not comfortable with the language.

Manager Finnie explained that as he reviewed this item he believes the intent is for FIU to use their expertise to participate in the city's review panel in reviewing proposals and giving their estimates of what they deem to be the best and most responsive. It would still be subject to staff evaluation and submission to the Commission for approval. This would give a wider range of skill set to review the various proposals received.

Commissioner Tydus asked, would FIU be a part of the evaluation process or the creation of the RFP itself?

Manager Finnie indicated that FIU would primarily be a part of the evaluation process, but if they want to give technical assistance for a more precise RFP then the city would be more than happy to accept that assistance as well.

Commissioner Tydus asked Manager Finnie if he knows any other municipality that FIU provides this kind of service to?

Manager Finnie stated that the Metropolitan Center provides technical assistance support to municipalities throughout Miami-Dade and Broward counties.

Commissioner Tydus said it seems that the City Manager is the sponsor of this resolution as oppose to Vice Mayor Johnson with the way he is responding to the questions.

Manager Finnie advised that Vice Mayor Johnson is the sponsor of the resolution, but when she briefed him on what the intent was, he is very excited about expanding the pool of individuals double checking what the city is doing.

Of further concern to Commissioner Tydus was whether or not this was going to be any kind of impedence upon the administration.

Manager Finnie advised that the administration is supportive of this recommendation.

Mayor Taylor asked, is FIU just providing recommendations based on the bids that have come in?

Manager Finnie explained that a review package would be put together and everyone on the panel would review the package and score them. The city would then take those scores and review them to bring to the Commission for final approval.

Mayor Taylor asked, if the paper looks good, but the business has not had any experience, at what level is that evaluated?

Manager Finnie said the city would review it initially, but the intent is that if we go to FIU, the people on the panel would be professors who have practical and professional experience in engineering. If done the right way, this would enhance the city's ability to analytically look at these things.

Commissioner Tydus asked Manager Finnie if he has consulted with FIU to inquire if they would be willing to provide this particular service?

Manager Finnie said that the city has begun those preliminary discussions and FIU is excited about the opportunity.

There being no further discussion, the motion passed by a 5-0 vote.

Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Mayor Taylor	Yes

3. (19-6) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE AND DIRECT THE CITY MANAGER TO CEASE ALL RATIFICATION OF NON-EMERGENCY MATTERS, WITH ALL RESOLUTIONS TO COME BEFORE THE COMMISSION FOR FINAL APPROVAL AND BE PRE-APPROVED AS TO THE STATUS OF THE EMERGENCY, ALL EMERGENCY ITEMS MUST BE ATTESTED BY THE CITY CLERK WHO IN TURN WILL CONTACT A MAJORITY OF THE CITY COMMISSION BEFORE ANY EMERGENCY RESOLUTIONS ARE ATTESTED TO; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by D.J.

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Miller, seconded by Vice Mayor Johnson to pass the above resolution.

Commissioner Tydus requested an explanation as to how this process works because it doesn't seem consistent with the code as it is today. She asked, would this require an ordinance as oppose to a resolution.

Vice Mayor Johnson made reference to comments made during the meeting relating to a ratification resolution for \$98,000.00. She said the Commission should have tools in place to avoid the perception. Additionally, the charter addresses ratifications and it says

in emergency situations. She recalled certain occasions when emergencies have gone for several months which are not really an emergency and these emergencies have resulted in a substantial amount of money. This resolution is in an effort to discontinue this type of behavior from staff and the City Manager. Anytime she sponsors legislation, she has always gone to the City Manager, City Clerk or City Attorney for legal sufficiency and she always reads the Charter/Code to support it. She asked the City Manager for his thoughts regarding this resolution.

Manager Finnie stated that this legislation would bring structure to the city's process and would allow staff on an emergency basis to be able to execute and enter into arrangements to procure goods on an emergency basis.

Vice Mayor Johnson added that the correspondence would hold everyone more accountable of what they're doing and not just doing it without a good transparent paper trail.

Commissioner Tydus advised that she understood the intent, but she doesn't see how it will be accomplished in this particular process. For instance, the title reads: "all emergency items must be attested by the City Clerk". She asked, what is the City Clerk going to attest?

Vice Mayor Johnson referenced correspondence she had received the previous week as an example that was addressed to her, but the salutation read "Dear Mayor Taylor". She assumed that all of the city's correspondence should be attested by the City Clerk and there should be a file. Since the City Clerk is the custodian of records for the city, all city documents should be attested to.

After hearing Vice Mayor Johnson's comments on this resolution, Commissioner Tydus said she was still confused and still didn't understand.

Vice Mayor Johnson said she would provide everyone a copy of the correspondence she received via US mail relating to Sherbondy Village project. This correspondence included all the supported information in terms of the resolution, etc. and the supporting documentation was not attested to by the City Clerk.

Commissioner Tydus advised Vice Mayor Johnson that she was still not addressing her concern. The resolution title reads: "all emergency items must be attested by the City Clerk who in turn would contact the majority of the City Commission before any emergency resolutions are attested". She asked for clarification on that portion of the resolution.

As an example, Vice Mayor Johnson referenced a recent incident when Dr. Orji contacted the Commission about an emergency repair on the police department's air conditioning. Based on the conversation, she assumed Dr. Orji also contacted the other members of the City Commission and now that needs to be documented. Whatever the emergency is, it needs to be documented.

Commissioner Tydus stated that was not what the resolution was saying.

Manager Finnie said that how he perceives this working is that the city has an emergency, that emergency is in writing, each commissioner is called, a package is put together with a description of work, attach three bids and make a recommendation. At the end of the memo, there will be an area for signatures and it would be his responsibility to obtain each commissioners signature. When that document is done, it would then go to the City Clerk to attest. That memorandum would then be turned into a resolution to be brought back to the Commission for ratification.

Commissioner Tydus requested that the resolution be clearer.

Vice Mayor Johnson said she would defer the resolution until the next regular commission meeting to allow the commissioners to contact the City Attorney with their comments and then she would get back with the City Attorney and go from there.

The above resolution was deferred by Vice Mayor Johnson. The motion and seconded were withdrawn.

4. (19-7) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUIRING THAT ALL BOARD MEMBERS ATTEND ETHICS TRAINING ANNUALLY, DURING THE CALENDER YEAR, JANUARY THROUGH DECEMBER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Miller, seconded by Vice Mayor Johnson to pass the above resolution.

Vice Mayor Johnson indicated that all board members should attend training. After reviewing minutes from several boards she is concerned that the board members may not be aware of what the impact or perception may be with some of the judgments they have made. In order to ensure, she asked the City Clerk to schedule as many ethics training. From an HR point of view, she hopes that employees will also attend ethics training.

Mayor Taylor added that she spoke to the State Attorney and Mr. Centorino to make sure the Commission gets training as well. She directed the City Clerk to follow up on the training.

Vice Mayor Johnson informed the Mayor that the Commission on Ethics would come out and provide training.

Attorney Geller clarified that this is a session to be conducted by the Miami-Dade Commission on Ethics.

There being no further discussion, the motion passed by a 5-0 vote.

Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Miller	Yes
Commissioner Tydus	Yes
Mayor Taylor	Yes

16. NEW ITEMS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, NAMING OFFICERS TO THE COMMUNITY REDVELOPMENT AGENCY AND ADOPTING ROBERTS RULES OF ORDER (NEWLY REVISED) AS RULES OF PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to pass the above resolution.

Vice Mayor Johnson nominated Commissioner Gail Miller as the Chair and Commissioner Rose Tydus as the Vice Chair of the Community Redevelopment Agenda (CRA).

Commissioner Tydus declined the nomination.

Commissioner Miller nominated Vice Mayor Dorothy Johnson as the Vice Chair of the CRA.

Commissioner Holmes stated that after the previous fallout on this same resolution when everybody wanted to be Chair of the CRA, he is withdrawing his support on this item.

There being no further discussion, the motion passed by a 3-2 vote.

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	No
Mayor Taylor	No

17. PLANNING & ZONING:

A. HEARINGS:

B. APPEALS:

18. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST READING:

B. SECOND READING/PUBLIC HEARING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND SECTION 2-8, RULE 1.02 OF THE CODE OF ORDINANCES, TO PROVIDE THAT REGULAR COMMISSION MEETINGS WILL COMMENCE AT 11 O'CLOCK AM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on September 28, 2011). *Sponsored by T.H.*

The above ordinance was withdrawn by Commissioner Holmes.

C. RESOLUTION/PUBLIC HEARING:

Mayor Taylor acknowledged the presence of Mayor Shirley Gibson of the City of Miami Gardens.

19. ADMINISTRATION:

CONSENT AGENDA:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE AWARD OF GRANT FUNDS FROM THE DEPARTMENT OF JUSTICE AND THROUGH MIAMI-DADE COUNTY OFFICE OF GRANTS COORDINATION, AND TO EXPEND AND AMEND THE FY 2012 EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF THREE THOUSAND SEVEN HUNDRED AND FORTY-TWO DOLLARS (\$3,742.00) AND EXECUTE AGREEMENT WITH THE PURPOSE OF CONTINUING THE RECORD IMPROVEMENT PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PARTNERSHIP MEMORANDUM OF UNDERSTANDING WITH THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL TO BECOME A GENERAL PARTNER OF THE SOUTHEAST FLORIDA REGIONAL PARTNERSHIP; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR THE TIGER III DISCRETIONARY GRANT PROGRAM TO THE DEPARTMENT OF TRANSPORTATION REQUESTING FUNDS IN THE AMOUNT OF TEN MILLION DOLLARS (\$10,000,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above consent agenda resolutions were read by title by Attorney Geller.

It was moved by Vice Mayor Johnson, seconded by Commissioner Tydus to pass the Consent Agenda resolutions.

The motion passed by a 5-0 vote.

Commissioner Tydus	Yes
Vice Mayor Johnson	Yes
Commissioner Miller	Out of room
Commissioner Holmes	Out of room
Mayor Taylor	Yes

A. CITY MANAGER'S REPORT:

Manager Finnie reported the actual costs for Lift Stations 1 (\$408,901.00) and 2 (\$469,000.00).

He announced that the city now has the ability to streamline meaning anyone can go on the computer and see the commission meetings live.

Vice Mayor Johnson asked, when will the Commission get the IPADS?

Manager Finnie said the city is still working on getting IPADS.

Based on the completion of the Sherbondy Park project and completion of 11A, he reported that he expects for the city to be in the building by March 2012.

Commissioner Holmes informed the City Manager that it was brought to his attention that several African American males were stopped by Opa-locka officers who stated that they has a quota to meet. He has never heard the police department having to meet a quota of any specific race.

Manager Finnie provided an update on Commissioner Holmes request that the City Manager inquire about early retirement for employees.

Commissioner Tydus asked for an update on her request for the city to look into having a public auction on confiscated items.

Manager Finnie stated that the city has to do an inventory, but he would provide a report at the next meeting.

Because there was a lot of discussion in terms of water bills, Commissioner Tydus directed the City Manager to include an insert in the next billing on water conservation tips, and address the hardship program and social services agencies that provide assistance.

Vice Mayor Johnson directed the City Manager to work on a plan to address the roofing at Historic City Hall in order to be prepared in case monies become available since the city is on the short list in Tallahassee.

Mayor Taylor asked, does the city have a cost on what it would take just to repair the roof at Historic City Hall?

Manager Finnie replied, not to my knowledge.

Mayor Taylor said what happens is when money becomes available and the question is asked, how much money is needed for the roof then the city must have that cost ready. She directed the City Manager to have a figure ready on how much it would cost at least to stop the leaking at Historic City Hall.

Manager Finnie stated that there was an extensive meeting on this very same issue and there is a meeting going to be set up for him to go over the previous plans and application done to get a better snapshot of what the original estimates are to provide a tangible number.

Mayor Taylor asked, does the city need a person versed in Historic Preservation to provide an estimate on the roof or can a regular roofer do the work?

Manager Finnie said the city would have to find an architect who has a historical certification and then go through some type of process to identify a contractor who can repair the roof.

Mayor Taylor requested that the city put their emphasis on visible services (i.e. street lights, road repairs, police visibility, sidewalk repairs).

She continued by saying that she had not received the list of sidewalks to be repaired. She asked, did the city put an RFP out for sidewalks?

Manager Finnie replied, yes.

Mayor Taylor asked, has the city chosen a vendor?

Attorney Geller stated that what is going on at Aswan Village is not permissible and there were some discrepancies in the bills furnished. The bill is odd because the monthly amounts were like \$2.00 and \$3.00 and yet is showed a \$300.00 past due amount.

Commissioner Miller expressed the urgency of addressing this issue because the tenants are being charged a different rate.

Attorney Geller said it is illegal what they are doing.

Commissioner Miller said if in fact it is illegal then she really needs the city to address this matter immediately because it is not fair to the citizens in that area.

22. CITY CLERK'S REPORT:

Clerk Irby informed the Commission that the Ethics Training for elected officials has been tentatively set for November 30, 2011.

She continued by saying that she would like to schedule a mock commission meeting on December 1, 2011 or December 8, 2011 to go over the agenda management system via the IPAD.

Mayor Taylor said she disagrees with utilizing the IPAD and agenda management system.

Clerk Irby announced the business seminar scheduled for Saturday, November 19, 2011 at 10:00 a.m.

Vice Mayor Johnson directed the City Clerk to pull the resolution she sponsored for pioneer residents to be honored by the city with certain items at the time of their demise and provide it to the IT Department for placement on the city's Website.

She continued by saying that she visited a couple of seniors and she was told that they received fruit baskets from the city, but when fruit baskets are sent from the city paid with city funds then it needs to be from the Commission.

Clerk Irby informed the Commission that a "Thank You" card was sent from the Russell Family in appreciation of support during their time of bereavement.

23. MAYOR/COMMISSION REPORT:

Vice Mayor Johnson reported that she would be meeting with the District on the following week to discuss the Education Compact.

Mayor Taylor thanked the IT Department for the music on the city's telephones.

24. OFFICIAL BOARD APPOINTMENTS:

Clerk Irby informed the Commission that she received a letter from Ella Cobbs resigning from several city boards.

Vice Mayor Johnson asked, is the Civil Service Board meeting?

Clerk Irby stated that she had not received any notification of meetings for that board.

Attorney Geller advised that the Civil Service Board recently held a meeting.

25. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Miller, seconded by Vice Mayor Johnson to adjourn the meeting at 10:06 p.m.


MAYOR

ATTEST:


CITY CLERK