

CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING

July 11, 2012

7:00 P.M.

Opa-locka Municipal Complex
780 Fisherman Street, 2nd Floor
Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Myra L. Taylor called the meeting to order at 7:00 p.m. on Wednesday, July 11, 2012 on the 2nd Floor of the Opa-locka Municipal Complex, 780 Fisherman Street, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Vice Mayor Dorothy Johnson, Commissioner Rose Tydus, Commissioner Gail E. Miller, Commissioner Timothy Holmes and Mayor Myra L. Taylor. Also in attendance were: City Manager Kelvin Baker, Sr., City Attorney Joseph S. Geller, and Interim City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was delivered by Mayor Myra L. Taylor.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. APPROVAL OF AGENDA:

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

Mayor Myra L. Taylor asked Clerk Flores if Mr. Kelvin Baker was sworn in as City Manager for the City of Opa-locka.

Clerk Flores informed the Commission that Mr. Baker was sworn in on Monday, July 09, 2012 at 10:30 a.m. and is officially the City Manager.

Mayor Taylor presented and welcomed Kelvin Baker as City Manager for the City of Opa-locka.

The following items were pulled off of the consent agenda to be discussed separately under agenda item 16 – New Items: 19-1, 19-2 (Johnson); 19-4 (Miller); and 19-3 (Holmes).

Manager Baker requested that agenda item 18B1 be deferred until the next meeting to allow him to review the legislation. He further pulled agenda item 19-4 until further notice.

For the record, Attorney Geller stated that because agenda item 18B1 is being deferred to the next meeting it would not have to be re-advertised because the city is giving notice now that the item is to be considered at the next meeting.

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the agenda, consent agenda and pull list.

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

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 06/27/2012

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the minutes of the Regular Commission Meeting of June 27, 2012.

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, Community Liaison for Commissioner Barbara Jordan's Office District 1 came forward and provided copies of the county's Hurricane Preparedness Booklets and newsletter.

Vice Mayor Johnson requested that Mr. Gardner express her appreciation to Commissioner Jordan for her support on the educational compact.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

14a. CITIZENS' FORUM:

1. Ida Irish of 1185 Sharazad Boulevard, Opa-locka, Florida came forward and expressed her concerns relating to her high water bill.

Commissioner Holmes requested that the City Manager have staff speak to the resident.

Manager Baker stated that this would be addressed first thing tomorrow morning.

2. Linder Parker, resident on Arabia Avenue came forward and requested to remove herself as member of the Community Relations, Recreation & Activities Board. She spoke about a recent event that took place on June 29, 2012 in which everything fell through the whole. Additionally, the members are not attending the meetings on a regular basis.

Vice Mayor Johnson publicly requested that Mrs. Parker accept the city's apology and allow the new City Manager the opportunity to address any potential error that may occur in the future. She further stated that she had no knowledge of the event.

Ms. Parker stated that this event came out of one of the Community Relations, Recreation & Activities Board meetings in which the former City Manager, Mr. Brown (Parks & Recreation) and Commissioner Tydus were present so it was not like it wasn't known.

Commissioner Tydus stated that she had a conversation with Mrs. Parker about that particular event and they both know that was a very successful event. Even with the greatest of planning, there will sometimes be some glitches and every effort was made by her and others on that board to make sure the event was successful. She suggested that they look at the final results and not so much how they got there. It was not easy in the final days of planning, but in the end it was successful.

She further begged Mrs. Parker to focus on the positive because they got there and it was successful. She asked that Mrs. Parker reconsider her resignation from the board, but the decision is hers to make and whatever issues she may have with the members, she must make it known to them.

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

1. (19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO RESUME HOSTING AN ARABIAN NIGHTS

FESTIVAL IN THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

The above resolution was read by title by Attorney Geller.

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

Vice Mayor Johnson asked, where would the money come from for the Arabian Nights Festival?

Manager Baker stated that the city will look to indentify the funds; there are numerous of approaches the city can take and one is identifying an anchor sponsor for the event or looking into the general fund to indentify dollars. However, he could not provide any specifics until having to spend some time with it, but there are numerous opportunities available in terms of getting the initial dollars lay out and as a result, allow certain components to the event to be fundraising or revenue producing initiative as well.

Vice Mayor Johnson stated to the sponsor that she would like for the City Manager to explore the opportunities to resume the festival. The city is currently in a deficit and the city lost money when the last Arabian Nights Festival was held. She mentioned that her resources would go toward the Educational Compact because that's going to benefit the children.

She further stated that she would support the resolution with exploring what the city could do and bring back a plan and not just resume the festival. She would like to see this resolution directing the City Manager to explore the opportunity and in that it would come back with a plan of action as to how it would be done. The city is currently in an awkward position financially and she doesn't want to put the burden back on the taxpayers.

Mayor Taylor agreed with Vice Mayor Johnson and stated that this resolution is not to get the Arabian Nights Festival started. She requested a friendly amendment to include the word "explore".

Attorney Geller proposed the following friendly amendment: "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO RESUME HOSTING AN ARABIAN NIGHTS FESTIVAL IN THE CITY OF OPA-LOCKA, SUBJECT TO APPROVAL OF A PLAN BY THE CITY COMMISSION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE."

Vice Mayor Johnson was in support of the amendment pending approval by the Commission.

Commissioner Holmes said that the resolution itself is to resume hosting an Arabian Nights Festival and it doesn't say when. This is only to pass the resolution to look into

resuming the Arabian Nights Festival in the City of Opa-locka and there is really no big deal about it.

Commissioner Tydus understood what the Mayor was attempting to do with the resolution and she is in agreement with that if she understands correctly and that is to establish a signature event for the City of Opa-locka. One that would provide branding and generate revenue; however, they should consider current events and biblical history before putting the city's residents and the city itself in harm's way or unnecessary criticism when talking about an Arabian Nights Festival.

She strongly believed that the city should preserve and restore the historic structures as a part of the city's history, but she doesn't think the city needs to build on that for it's not representative of the community as it is today. But more importantly, if they don't know she is going to provide the Commission with the information they need to consider and that is current events, biblical history and how they could put the city in harms way as well as its citizens. She is in favor of a signature event, but the city is in need of branding and needs of generating additional revenues. She requested that the Commission give consideration to another type of event.

Mayor Taylor asked that Commissioner Tydus provide the Commission with a copy of the information she has.

Commissioner Miller said she would like for the City Manager to come back with a plan to see what the options are.

Attorney Geller explained that if the amendment was accepted by the sponsor and no objection then a motion is not required; that is what's called a friendly amendment.

Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes

Commissioner Tydus asked for clarification on the motion.

Mayor Taylor advised that the resolution is to explore a signature event.

Vice Mayor Johnson requested for clarification because the Commission had discussion, proceeded to take a vote and then it seems as though the amendment is not what he read into the record because the resolution reads "Arabian Nights Festival". If the City Manager is going to come back and modify it to a signature event, the sponsor accepted but...

Commissioner Holmes called for point of order. The City Commission already entered into discussion and is now in the middle of the vote; therefore, they shouldn't be in discussion at this point.

Commissioner Tydus said she was not out of order because she was asking for the motion to be read again.

Attorney Geller read the resolution with the friendly amendment into the record: “A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO RESUME HOSTING AN ARABIAN NIGHTS FESTIVAL IN THE CITY OF OPA-LOCKA, SUBJECT TO APPROVAL OF A PLAN BY THE CITY COMMISSION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.”

Commissioner Tydus	No
Mayor Taylor	Yes

There being no further discussion, the motion passed by a 4-1 vote.

2. (19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE TERMINATION OF THE CITY’S LEASE WITH TOWN CENTER, O-L I, LLC, OR ITS SUCCESSORS, AND TO INSTRUCT THE CITY MANAGER AND CITY ATTORNEY TO TAKE ALL NECESSARY STEPS TO ACCOMPLISH THE TERMINATION EFFECTIVE SEPTEMBER 30, 2012; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

The above resolution was read by title by Attorney Geller.

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

Vice Mayor Johnson recused herself from voting on this item.

Attorney Geller advised Vice Mayor Johnson to step down from the dais.

Commissioner Miller asked, where would the offices be located to?

Manager Baker informed the Commission that at the present time he is looking at a few options: one would be to move into the Sherbondy Park facility directly on the side of us, another option would be to take a hybrid approach to scale back on what we have here and relocate the offices somewhere else until they have either built or renovated a facility that would become the next City Hall. This is just three days worth of being here, this is more preliminary but they all are doable.

As it relates to Sherbondy Village, Commissioner Miller requested that the City Manager obtain information because it was told to the Commission that the city could not relocate its offices to Sherbondy Village. Before she can support this resolution, she said she needs to know exactly where the offices will be relocated to and how much money will be spent.

She further requested that the sponsor allow the new City Manager to come up with a recommendation before moving forth with the resolution.

Manager Baker suggested that the Commission consider amendments to the wording to allow him and the City Attorney to enter into renegotiation of this current contract. The reason being is because provided he is successful at finding another location, he would like to have the flexibility of leaving a couple of offices at Town Center (i.e. the water utility payment center on the 1st Floor and doing some other things). As soon as they are able to get the contract completely negotiated, it will come back for final approval. This would provide him the tools to begin to work with as oppose to not doing anything.

He said he was not intimately involved with the language in the existing contract, however, he does know it is critical when talking with a property owner for him to have an authority to enter negotiations. Sometimes this brings about some favorable outcomes when that flexibility is there.

Commissioner Miller agreed with Mr. Baker, but stated that she just didn't want to stop the contract not knowing where the city offices will be relocated.

Mayor Taylor asked Attorney Geller if the city has the time.

Attorney Geller said he believes the city has time and he could suggest language along the lines.

Mayor Taylor said she was going to defer this resolution, but just needed to know about the time.

Commissioner Tydus stated that she was in favor of the deferment along with the City Manager to implement his written recommendation on this.

Commissioner Holmes stated that there was nothing wrong with Mr. Baker looking into the options available, therefore, he agreed that the Commission should allow Mr. Baker time to review this matter.

Since the city is under contract, Mayor Taylor said that the reason she was asking Attorney Geller how time sensitive was this. She deferred this resolution with the understanding that Mr. Baker and Mr. Geller would get together to get this done.

The above resolution was deferred.

Vice Mayor Johnson returned to the dais at the conclusion of the above discussion.

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE SETTLEMENT FOR EDWARD BLACKMAN IN THE MATTER OF EDWARD BLACKMAN VS. THE CITY OF OPA-LOCKA, IN THE TOTAL AMOUNT OF \$65,000.00, PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by C.M.

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Holmes, seconded by Commissioner Miller to pass the above resolution.

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

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

4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH JAMES ANASTON-KARAS PLANNING AND FACILITATION SERVICES D/B/A SYNAETHESIS, LLC, FOR STRATEGIC PLANNING SERVICES IN A TOTAL AMOUNT NOT TO EXCEED NINE THOUSAND SEVEN HUNDRED EIGHTY-THREE DOLLARS (\$9,783) PAYABLE FROM ACCOUNT NO. 19-519340; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was deferred by the City Manager.

16. NEW ITEMS:

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 IMPOSE A MORATORIUM ON NEW JUNKYARDS, SCRAP METAL FACILITIES AND AUTO SALVAGE BUSINESSES CITYWIDE FOR TWELVE (12) MONTHS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on June 13, 2012). *Sponsored by C.M.*

The City Manager deferred the above ordinance.

C. RESOLUTION/PUBLIC HEARING:

19. ADMINISTRATION:

CONSENT AGENDA:

A. CITY MANAGER'S REPORT:

Manager Baker thanked everyone for such a warm welcome to the City of Opa-locka. He said that it was his desire not only to meet the expectations, but to far exceed them. He reported that he is quickly putting together a capital improvement program. His goal is every month to have something that the city is doing significant in the community to bring the community together. In addition, he already met with senior staff and they are putting together a plan which he would hopefully be introducing in August for a new organizational structure as to where he plans to go and seeking approval as well as many new initiatives.

He further thanked the Commission for their vote of confidence in him and looks forward to working with them. He briefly introduced his family members in the audience.

Commissioner Holmes asked Mr. Baker if he had a chance to look at the city's budget.

Manager Baker replied, yes, but not in depth. The budget is on his agenda for first thing tomorrow morning when they are planning on laying out the entire budget.

B. ACCOUNTS PAYABLE:

Dr. Ezekiel Orji, Finance Director for the City of Opa-locka came forward and stated that in the handouts given, tab 2 and tab 3 include the grant management updates, the account receivables, the cash requirement reports, and check register.

Vice Mayor Johnson stated that over the years she has been looking for the monies to be broken down by item as money comes into and goes out of the city. This is important for accountability purposes. She requested that Dr. Orji provide a snap shop as to where the city is as it relates to the budget. The City Commission is in the process of the budget amendment and she would like to know how the money coming out of the reserve is going to be spent. She requested a detailed report.

As it relates to the expenditures in the water bills and monies owed to the city, she asked how the city would retrieve those monies. There is legislation on the books authorizing collection agencies to collect that money and she would like an update on this matter.

She further stated that everyone should be treated the same as it relates to water bills and expenditures and there should be no exceptions. No monies should be forgiven unless it is coming back to the Commission for approval.

20. OFFICIAL BOARD REPORTS:

John Riley of 2963 NW 135 Street, Opa-locka, Florida came forward as Chairman of the City of Opa-locka Civil Service Board and requested a workshop for administrative procedures and rule changes. One of the rule changes is vital because it concerns the police department.

21. CITY ATTORNEY'S REPORT:

Attorney Geller stated that he provided a written report to the City Commission.

Vice Mayor Johnson requested that Attorney Geller provide a breakdown of his scope of services as it relates to the city, CRA and litigation. She previously requested that a resolution come back in August for the Commission to look at another law firm, but she wants to make sure all due diligence is down for accountability for the city.

22. CITY CLERK'S REPORT:

Deputy Clerk Lawson reminded everyone of the Voting Education Day on July 18, 2012 @ 6:30 p.m. at the Opa-locka Municipal Complex, 780 Fisherman Street, Opa-locka, Florida.

23. MAYOR/COMMISSION REPORT:

Commissioner Miller reported her attendance at several events where President Obama and Michelle Obama were present.

Commissioner Tydus reported her representation on behalf of the city in presenting a resolution of sympathy to the family of one of the city's board members. She said she read to the children at the Freedom School in Opa-locka, attended the Bicycle Safety Event on June 29, 2012, and met with Mr. Karas regarding Strategic Planning for the city.

She further announced that the Miami-Dade County Chamber of Commerce Women's Business Council is having a Hat & Tea Luncheon at Jungle Island on Saturday, July 14, 2012 of which she would be one of the keynote speakers on behalf of the city.

Vice Mayor Johnson reported that she presented a resolution to Dr. Carlton Fisher, long time educator in the community. She met with staff regarding the educational compact and she will be meeting with the North Dade Chamber of Commerce on July 12, 2012. She worked with the Clerk's Office on the Voter's Education Day and they are on target for July 18, 2012. She also worked with the State of Florida on a resolution with the Florida League of Cities to make equality for special interest groups as it relates to women. As the outgoing President of Women Elected to Municipal Government, she requested that her colleagues help her find sponsors for the conference at the Westin Diplomat on August 24, 2012.

Commissioner Holmes reported that since being first elected as Vice Mayor in 1994, he made many trips, but over the last several years he has dedicated his time by serving the citizens of this community with their concerns.

He welcomed Manager Baker as City Manager of the City of Opa-locka.

24. OFFICIAL BOARD APPOINTMENTS:

Commissioner Miller asked, how many boards can a person serve on?

Attorney Geller said that currently there's not a limit on the number of boards a citizen can serve on.

Commissioner Tydus asked, what boards are quasi judicial boards?

Attorney Geller stated that Planning & Zoning, Civil Service Board are quasi judicial boards. He believes that the Housing Authority is quasi judicial; there are some actions it could take that are quasi judicial in nature.

Commissioner Tydus said that an individual would not be able to serve on two quasi judicial boards. She asked, is that correct?

Attorney Geller said he is not aware of such a restriction. He heard discussion that it might be advisable, but he is not aware there is any restriction even as a quasi judicial board. He hesitated to say that because of the complexity of the charter, but to his knowledge, there is no prohibition.

Commissioner Tydus requested that Attorney Geller research this further because she believes there is something in the city's charter.

She asked, is Alvin Burke still serving on the Planning Council?

Clerk Flores stated that Alvin Burke previously resigned from the Planning Council.

Commissioner Miller said she didn't want to vote on this until the City Attorney provided his legal opinion after doing his research.

Vice Mayor Johnson asked if the wish of the Commission was to defer the board appointments until they get clarification.

Mayor Taylor said she wasn't quite sure the reason for the deferment on these two applications when they vote on any other applications that come through because they appreciate the people volunteering. She questioned as to why these two board applications are being held up?

Commissioner Tydus said she received the clarification she needed as to whether or not Mr. Burke was on the Planning Council. If he was still on the Planning Council then she could not vote on it until she got legal opinion from the attorney.

Commissioner Miller said that she still wanted to wait and get clarification from the City Attorney.

Commissioner Holmes expressed his concern about not understanding what the issue was when neither one of the applicants were on any other city board.

Commissioner Tydus appointed Oria Rodriguez to the Charter Review Board.

Mayor Taylor relinquished the gavel to Vice Mayor Johnson. It was moved by Mayor Taylor, seconded by Commissioner Holmes to appoint Alvin Burke to the Housing Authority.

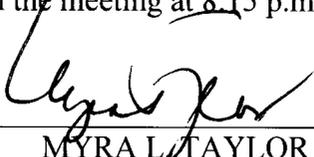
There being no further discussion, the motion passed by a 5-0 vote.

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

Mayor Taylor acknowledged the family of the new City Manager Kelvin Baker, Sr.

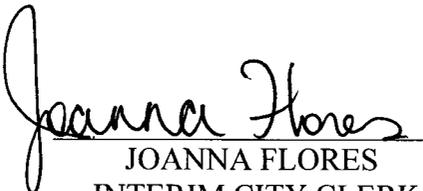
25. ADJOURNMENT:

There being no further business to come the City Commission, it was moved by Vice Mayor Johnson, seconded by Commissioner Miller to adjourn the meeting at 8:15 p.m.



MYRA L. TAYLOR
MAYOR

ATTEST:



JOANNA FLORES
INTERIM CITY CLERK