

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

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**CLERK'S ACTION SUMMARY MINUTES**  
**SPECIAL COMMISSION MEETING**

**July 16, 2012**

**1:00 P.M.**

**Opa-locka Municipal Complex**  
**780 Fisherman Street, 2<sup>nd</sup> Floor**  
**Opa-locka, FL 33054**

**1. CALL TO ORDER:**

Mayor Myra L. Taylor called the meeting to order at 1:00 p.m. on Monday, July 16, 2012 on the 2<sup>nd</sup> 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: Commissioner Gail E. Miller, Vice Mayor Dorothy Johnson, Commissioner Timothy Holmes and Myra L. Taylor. Also in attendance were: City Manager Kelvin Baker, Sr., City Attorney Joseph S. Geller and Interim City Clerk Joanna Flores. Commissioner Rose Tydus arrived at 1:01 p.m.

**3. INVOCATION:**

The Invocation was delivered by Mayor Myra L. Taylor.

**4. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**5. RESOLUTIONS:**

- a) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE FINAL NEGOTIATED CHANGE ORDER FOR THE CONSTRUCTION OF SHERBONDY VILLAGE COMMUNITY CENTER IN THE AMOUNT OF ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$125,000.00), PAYABLE FROM ACCOUNT NO. 44-541802; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

Vice Mayor Johnson expressed her concern relating to Section 2 of the resolution which reads “authorizes and directs the City Manager to execute all necessary documents, and upon execution”. She asked, what other documents is included that may not be in the package?

Attorney Geller stated that other documents would include final releases, release of any liens, and repayments that have to be paid after turnover. With the understanding that turnover is scheduled for Wednesday and the city has to be presented with a number of things at that time, to include releases from all subcontractors and provide the city with final release to accept turnover. The resolution is predicated on the fact that it authorizes, but the city will not be paying this money until after the City Manager does his review and the contractor has provided everything as per the contract.

Vice Mayor Johnson stated that she is not comfortable with the language included in the resolution and she wanted the City Attorney to put that on record, but that should have been spelled out in the resolution. She requested that the “necessary documents” be provided to the City Commission.

Attorney Geller proposed an amendment to the resolution as follows: “all necessary documents as provided for in the agreement or in the contract between the city and the contractor”. There are just a lot of things that our engineers review and that the City Manager, finance and accounting staff all review and the reason he didn’t want to list them because he didn’t want to risk omitting one from an entire lengthy contract. He asked, would it be helpful to say “all necessary documents as set forth in the contract” between the City of Opa-locka and the contractor.

Although that language may be acceptable to her colleagues, Vice Mayor Johnson stated to the City Manager that she wants it spelled out, made a part of this document and that a copy is provided to the City Commission. As it relates to the 5<sup>th</sup> Whereas in the resolution, she asked if the reduction in the change order was a 56% reduction from the original amount versus what the city is paying.

Manager Baker replied, yes.

Vice Mayor Johnson asked, would this end this project as it relates to change orders?

Both Manager Baker and Attorney Geller replied, yes.

Commissioner Holmes questioned Manager Baker as to whether he had an opportunity to review this item?

Manager Baker explained that he did have a chance to review the entire package and he is satisfied. This is a step in the right direction to finally take in full occupancy of this project and facility.

Commissioner Holmes further asked whether Manager Baker had discussion with the City Attorney.

Manager Baker replied, that is correct.

Commissioner Holmes asked, so both the City Manager and City Attorney are in agreement with this?

Manager Baker replied, yes.

Commissioner Holmes said his only concern is making sure the City Manager stays on top of this issue.

Mayor Taylor stated that this resolution is to pay the \$125,000.00, but that is under the contingency that all documents have been submitted, signed properly, etc.

Manager Baker replied, absolutely.

Commissioner Holmes asked for an update on the Certificate of Occupancy for the building.

Manager Baker explained that everything would be linked, but there are other elements to this project which have nothing to do with the construction of the facility that the city is working through. However, this is probably one of the most essential pieces to close out. There are other hurdles he is confident the city would be able to jump, but this is the major piece.

Commissioner Holmes asked for a time frame as it relates to the pump station at Sherbondy Park.

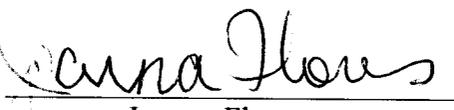
Manager Baker said it is subject to the actions today based on his discussion with the department head on the county level.

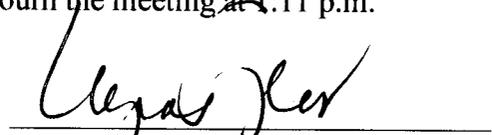
There being no further discussion, the motion passed by a 5-0 vote.

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

**6. ADJOURNMENT:**

There being no further business to come before the City Commission, it was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to adjourn the meeting at 1:11 p.m.

  
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Joanna Flores  
INTERIM CITY CLERK

  
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Myra E. Taylor  
MAYOR