

CITY OF OPA-LOCKA

“The Great City”

**CLERK’S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING**

September 26, 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, September 26, 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 L. Baker, Sr., Assistant City Attorney Hope Calhoun, 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):

The following items were pulled from the Consent Agenda to be discussed separately under Action Items: 19-1 (Commissioner Miller) and 19-2 (Vice Mayor Johnson).

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

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

Request to amend the agenda to include the following items:

16-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AUTHORIZING THE CITY MANAGER TO NEGOTIATE WITH TOP RANKED BIDDER, M.C. HARRY & ASSOCIATES, INC., SOLICITED UNDER RFP 12-1405100 FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE REHABILITATION OF HISTORIC CITY HALL BUILDING, PAYABLE FROM ACCOUNT NUMBER 44-541823; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

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

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

16-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE AN AMENDED SETTLEMENT AGREEMENT WITH RAYMOND WALLS, BY CHANGING THE DATE OF SEPARATION FROM EMPLOYMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.A.*

It was moved by Commissioner Miller, seconded by Commissioner Holmes to amend the agenda to include item 16-2.

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

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

8. APPROVAL OF MINUTES:

First Budget Hearing – 09/12/2012

It was moved by Commissioner Holmes, seconded by Commissioner Miller to approve the minutes of the First Budget Hearing of September 12, 2012.

There being no 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

Regular Commission Meeting – 09/12/2012

It was moved by Commissioner Holmes, seconded by Commissioner Miller to approve the minutes of the Regular Commission Meeting of September 12, 2012.

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

Special Commission Meeting – 09/19/2012

It was moved by Commissioner Holmes, seconded by Commissioner Miller to approve the minute of the Special Commission Meeting of September 19, 2012.

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

9. 17th CONGRESSIONAL DISTRICT OF FLORIDA REPORT:

10. STATE SENATORS REPORT:

11. STATE REPRESENTATIVES REPORT:

State Representative John Patrick Julien, District 104

Ref: Pre-session update

State Representative John Patrick Julien, District 104 came forward and stated that due to redistricting he would no longer be representing the City of Opa-locka; District 104 is now in Weston. The City of Opa-locka is now in District 109 and the new representative is Cynthia Stafford. He continued by providing a pre-session update as to what is being proposed so that the city could lobby effectively.

12. DISTRICT ONE - COUNTY COMMISSIONER REPORT:

Larry Gardner, Community Liaison for Miami-Dade County Commissioner Barbara Jordan, District 1, came forward and announced that the CAA Beautification program is currently available for painting and landscaping and applications are available at the District Office, 2780 NW 167 Street, Miami Gardens, Florida.

Vice Mayor Johnson indicated that she spoke with Corey of CAA a few weeks ago and he indicated that there was a waiting list of over 100 applicants for the beautification program. She suggested that Mr. Gardner get further details as it relates to the waiting list prior to the city making an announcement.

Commissioner Miller added that she recently called CAA and was also told that there is a waiting list. She too suggested that Mr. Gardner get further details and provide it to the city prior to forwarding this information to the citizens.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

14a. CITIZENS' FORUM:

1. Sheila Dudley of 17482 SW 33 Street, Miramar, Florida, appeared before the City Commission and requested a temporary certificate of occupancy for her business Room to Bloom until the completion of the TOD.

Commissioner Holmes stated that he spoke to Mrs. Dudley several times and mentioned that there was a business at that facility last summer with the exact same type of business. He suggested that the city consider granting this individual her request until the TOD is completed.

Vice Mayor Johnson stated that she is concerned with some of the comments relating to this matter. She requested that the City Manager have staff come forward.

Howard Brown, Community Development Director for the City of Opa-locka came forward as called upon by the City Manager.

Vice Mayor Johnson asked what types of services were provided by the previous lessee at this particular facility.

Mr. Brown said he believed it was an after school care program.

Vice Mayor Johnson asked, did it require the same permit?

Mr. Brown stated that it wouldn't have been allowed.

Vice Mayor Johnson asked if the previous lessee would have not been allowed, how can the city now say something different? She further asked, what is the procedure that prohibits that to happen then and not now?

Manager Baker stated that the rules have not changed, but the issue is following the rules.

Vice Mayor Johnson stated for clarification purposes that it should have not happen during the time it happened and what the city is now doing is making sure whatever is on the books as far as legislation that the city is in compliance.

Manager Baker replied, correct.

2. Alvin Burke of 2928 NW 132nd Street, Apt. 328, Opa-locka, Florida, came forward and pointed out that this is what happens when the city goes around not doing things the right way and doing favor for friends. The venue ended up at the time through the City Manager, but now the city has a new City Manager who is trying to clean it up and do things the right way and if anyone wants to do business in the City of Opa-locka, they will have to do it by the book.

He further suggested that the City Commission work with the City Manager to get on the right track.

3. Dr. Willie Logan of the Opa-locka Community Development Corporation appeared before the City Commission and stated that the issue is not whether or not the procedures of the city should be followed; whether it was followed last time or not is not the issue, it's following it this time. But the fact is Ms. Dudley is not trying to do any construction change so why does she need to provide seven copies of plans when the city has the plans. The Opa-locka CDC recently remodeled the building and submitted plans, obtained building permits, and site plans. This individual is not trying to change the building so why can't she apply for a variance or something to change the use, but to come up with all these plans and documents when she's not trying to do any construction doesn't make literal sense. There should be a more cost effective way in order to deal with this than to force this individual to get fifteen copies of documents that the city already has. He suggested that the city come up with a reasonable way where this business can at least attempt to get the variance.

Vice Mayor Johnson recommended that the city adhere to its rules and regulations because if they do this for one then they will have to do it for all; therefore, she could not support this. She expressed her concerns as it relates to the safety because she is not in support of small children wondering around near trains. Unless there is a safety plan in place, this is a hazard. She stated to staff that when anyone comes into this city to do anything they need to know what the rules are because too often this problem is occurring.

Commissioner Holmes stated that he was told if the TOD which the Commission passed and is now pending approval from the State that this type of business is allowed at that location.

Dr. Logan stated that the City Manager is correct in saying that the rules are different then they were when the first business was in there. As a matter of fact, the city approved the process in order for this business to operate legally in there where as before there was

not a TOD or allowable cause, but the city is waiting on the State to approve what they already have approved.

Commissioner Holmes expressed his frustration with this matter in that the city has allowed other entities to operate at that exact same location providing the same services. He suggested that the Commission be fair to everyone.

4. Brian Dennis of 3133 NW 134th Street, Opa-locka, Florida came forward and stated that he has two other individuals present who will be giving him their time. Both Maurice Smith of 2760 NW 131st Street, Opa-locka, Florida and Mr. Williams of Brothers of the Same Mind relinquished their time to Brian Dennis.

Mr. Dennis expressed his concerns relating to the Opa-locka Police Department making reference to the article in the Miami Herald. He further made comments concerning the Chief of Police, the Deputy Chief and the upcoming City of Opa-locka general election and the candidates.

Commissioner Holmes stated that the Chief of Police brought the Deputy Chief to Opa-locka and they work great together. Although there have been attempts to discredit the Deputy Chief, the Deputy Chief has been doing a great job.

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

1. (19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE A HEADSTONE FROM DADE MEMORIAL PARK FOR FORMER COMMISSIONER MARY E. ALLEN, IN AN AMOUNT NOT TO EXCEED \$1,455.00, PAYABLE FROM ACCOUNT 10-511493; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by T.H.

The above resolution was read by title by Attorney Calhoun.

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

Commissioner Miller asked, what happened to the four individuals who agreed to contribute towards the headstone during the last commission meeting? She said she would not support this resolution because it would open up the door for others and it is not fair to the citizens to pay for a headstone.

Commissioner Holmes concurred that at the last commission meeting four members of the Commission did agree to contribute towards the \$1,400.00, but other than himself, one other member provided their check. This is the reason why the resolution is back on the agenda. Although certain members keep mentioning that this would set precedence, the Commission did this for one of their colleagues two years ago and spent \$50,000 plus to bury one of their colleagues. The family of former Commissioner Mary Allen is solely requesting the city to assist in the purchase of a headstone.

Vice Mayor Johnson stated that she did agree at the last meeting to contribute, however, due to personal circumstances, this was not a priority. She said she would not support this resolution or give a donation, but should she chose to give something, she would go to Dade Memorial herself and if she chose not to then she won't.

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

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

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BEST WELLS, INC., FOR COMPLETION OF ABANDONMENT OF OLD WELLS AT THE OLD WATER PLANT AS PART OF THE WATER PLANT DEMOLITION PROJECT IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00), PAYABLE FROM ACCOUNT NUMBER 64-533822; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Calhoun.

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

Vice Mayor Johnson expressed her concerns relating to this item coming before the City Commission and the minutes will reflect she asked for a final inspection. At that time, the invoice was \$6,400.00, but she now sees a revised invoice with the same items and same scope of services for \$15,000.00. She asked for the reason as to the increase in the amount of the invoice.

Manager Baker requested that Mr. Mohammed Nasir come forward.

Mohammed Nasir, Interim Public Works Director for the City of Opa-locka came forward and stated that the Purchasing Officer for the city submitted the information relating to the quotes and he could not answer the question as to the reason for the change in the amount.

Vice Mayor Johnson stated that the documents reflect a substantial amount in the increase. She suggested that this item is deferred until the city can provide justification for the increase.

Commissioner Holmes asked, how many wells would this resolution cover?

Manager Baker replied, six.

Commissioner Holmes said he was told there might be one more in addition to the six and that this company may not know where all the wells are at.

He continued by asking for the location of the company.

Manager Baker stated this company is located in Miami, Florida.

Mayor Taylor said that it appears that the City Manager nor Mr. Mohammed are prepared for this resolution and she doesn't know why it is on the agenda. She suggested that the City Manager not put a resolution on the agenda that he cannot defend.

She requested that the City Manager defer this item until he gets all of the answers and everybody knows what has to be done.

Commissioner Holmes continued asking for the address of the company.

Manager Baker provided the following address for the company: 9719 S Dixie Highway.

Commissioner Holmes asked, why does this company list an office in Opa-locka in the old Sears building on Lejeune Road? He expressed his concerns as it relates to company coming into the city opening up an office just to get more points. He said that these are friends that people bring in to get contracts from the city.

The above resolution was deferred by the City Manager.

16. NEW ITEMS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AUTHORIZING THE CITY MANAGER TO NEGOTIATE WITH TOP RANKED BIDDER, M.C. HARRY & ASSOCIATES, INC., SOLICITED UNDER RFP 12-1405100 FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE REHABILITATION OF HISTORIC CITY HALL BUILDING, PAYABLE FROM ACCOUNT NUMBER 44-541823; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Calhoun.

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

Vice Mayor Johnson asked, does this company have a history of historical preservation prior to now?

Manager Baker replied, yes.

Vice Mayor Johnson expressed her concerns relating to all city staff members sitting on the committee and the modification of numbers in the packet. She asked that the City Manager explain the modification in the numbers. In the past she requested that the committee include someone from the outside or from another city.

Manager Baker stated that that was the case here.

Vice Mayor Johnson asked, who is the outsider because the person who made the modification is insider?

Manager Baker stated that Mary is the outsider. This individual is doing consulting work with the Opa-locka CDC.

Of concern to Vice Mayor Johnson was that the outside individual works with the Opa-locka CDC and the city works with the Opa-locka CDC and perhaps this is a conflict of interest.

Manager Baker stated that this is a historical project.

Vice Mayor Johnson said she is well aware that this is a historical project, however, she doesn't feel comfortable because the outside person needs to be someone that has no affiliation with the city and/or its employees. She reiterated that she was concerned with the modifications in the numbers which may be nothing, but it gives the wrong perception.

Mayor Taylor asked, what is Mary's expertise since she is not a part of staff and why is she on the judging list?

Manager Baker stated that this individual is the planner of land use and has worked on numerous historical projects and the wisdom at that time felt she would bring a level of expertise to the committee that the city did not have.

Mayor Taylor asked, is there a policy as to who can be on the committee?

Manager Baker replied, no. The decision is usually made on the front end if the Commission wants to do something differently, but usually in-house staff is used for the selection committee and this is the standard process for the most part.

Mayor Taylor stated to the City Manager that he may want to reconsider his policy. She said she doesn't have a problem with getting outside people that has expertise in the area of the project.

Vice Mayor Johnson recalled when a similar situation occurred before that should be reflected in the minutes and/or the DVD, at that time the City Manager indicated that legislation was not needed because that was a norm for the Commission. She further made reference to the numbers in the package that were changed.

She continued by asking the City Manager about his involvement with the design of the Cultural Arts Center in the City of North Miami Beach as to how many outsiders were brought in for that project.

Manager Baker stated that most of the bidding done at the City of North Miami Beach was done with using in-house personnel on the panel; on very rare occasion would they bring an outsider in.

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

Commissioner Miller	Yes
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Commissioner Holmes asked, where is the city getting the money for these services?

Manager Baker stated that this is being funded through the county historical grant that Commissioner Jordan has made available to the city for the rehab of historical city hall.

Commissioner Holmes expressed his frustration with the fact that he asked how much money the city has in the budget for Segal Park and nothing was said at that time.

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

Mayor Taylor asked what is the start date?

Manager Baker stated that once the contract is executed the city will be able to issue a notice to proceed which would be in approximately 30 days.

Due to the deterioration of Historic City Hall, Mayor Taylor suggested that the City Manager expedite the process.

16-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE AN AMENDED SETTLEMENT AGREEMENT WITH RAYMOND WALLS, BY CHANGING THE DATE OF SEPARATION FROM EMPLOYMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.A.*

The above resolution was read by title by Attorney Calhoun.

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

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

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

17. PLANNING & ZONING:

A. HEARINGS:

B. APPEALS:

18. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST READING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND PERSONNEL POLICY TO EXTEND THE PROBATIONARY PERIOD FOR ALL CITY EMPLOYEES FROM NINETY (90) DAYS TO ONE (1) YEAR; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

The above ordinance was read by title by Attorney Calhoun.

It was moved by Commissioner Holmes; motion died for lack of a seconded.

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUIRING SPECIAL EVENT PERMIT APPLICANTS TO HIRE AN OFF-DUTY OPA-LOCKA POLICE OFFICER TO PROVIDE SECURITY AT SPECIAL EVENTS THAT ARE HELD IN THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

The above ordinance was read by title by Attorney Calhoun.

It was moved by Commissioner Holmes, seconded by Vice Mayor Johnson to pass the ordinance on first reading.

Vice Mayor Johnson asked for the cost analysis for police officers versus security officers.

Manager Baker directed Vice Mayor Johnson's attention to tab 3 of the packet provided by the City Manager's Office which includes the rates.

Chief Cheryl Cason of the Opa-locka Police Department along with Deputy Chief Antonio Sanchez came forward. Deputy Chief Sanchez stated that the Opa-locka Police Department was asked to prepare the memorandum for the City Manager and Deputy City Manager in response to a question that came up about off-duty police officers and security officers. The memorandum addresses all those questions and the bottom line is the rates. The hourly rates for Opa-locka police officers is \$33.00 per hour or which \$3.00 goes back to the city to cover the cost and associated expenses of having the officers on scene. The OLPD was able to contact four local security guards companies for pricing and those prices are included in the memorandum. As indicated in the

memorandum, there are concerns regarding the use of private security versus off-duty police officers for a number of reasons.

Of concern to Vice Mayor Johnson was whether a complete hour would be charged for 30 minutes.

Deputy Chief Sanchez stated that the city would have to because this is a matter covered under the collective bargaining agreement through the police union so they have to honor that and it is a three hour minimum which is standard with all police departments. The private security firms charge a minimum of five hours.

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. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND ORDINANCE NO. 11-07, SECTION 2.45 OF THE CODE, CHANGING FLORIDA 17TH CONGRESSIONAL DISTRICT TO THE 24TH CONGRESSIONAL DISTRICT OF FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

The above ordinance was read by title by Attorney Calhoun.

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to pass the ordinance on first reading.

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

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND ORDINANCE NO. 05-01, SECTION 2-45 OF THE CODE TO ALSO INCLUDE DISTRICT 2 COUNTY COMMISSIONER REPORT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to pass the ordinance on first reading.

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

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

B. SECOND READING/PUBLIC HEARING:

C. RESOLUTIONS/PUBLIC HEARING:

19. ADMINISTRATION:

CONSENT AGENDA:

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

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RUIZ TRANS DEVELOPMENT, INC. FOR THE REPLACEMENT OF THE PORT SAID ROAD GRAVITY SEWER MAIN REPLACEMENT, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY-TWO THOUSAND TWO HUNDRED FIFTY-FIVE DOLLARS (\$142,255.00); PAYABLE FROM ACCOUNT NUMBER 35-535630; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GENERAL ASPHALT CO., INC., FOR THE MILLING AND RESURFACING OF BURLINGTON STREET, FROM OPA-LOCKA BLVD TO NW 27TH AVENUE, AT THE INTERSECTION OF BAHMAN AVENUE AND JANN AVENUE, AND THE INTERSECTION OF SUPERIOR STREET AND ALADDIN STREET, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY THOUSAND TWO HUNDRED DOLLARS (\$140,200.00), PAYABLE FROM ACCOUNT NUMBER 47-541630; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, CALLING FOR A GENERAL AND SPECIAL ELECTION TO BE HELD IN AND FOR THE CITY OF OPA-LOCKA, FLORIDA, ON NOVEMBER 6, 2012; PROVIDING AUTHORIZATION FOR THE CITY CLERK TO PUBLISH THE APPROPRIATE NOTICE OF THE GENERAL AND SPECIAL ELECTIONS IN A NEWSPAPER CIRCULATION IN THE CITY AT LEAST FIFTEEN (15) DAYS PRIOR TO THE ELECTION AS SET FORTH IN SECTION 8.5-3 OF THE CODE OF ORDINANCES OF THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR

INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by C.C.

6. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING CLERKS AND INSPECTORS FOR THE GENERAL AND SPECIAL ELECTIONS TO BE HELD IN AND FOR THE CITY OF OPA-LOCKA, FLORIDA ON NOVEMBER 6, 2012, AS REQUIRED BY CHAPTER 8.5 SECTION 8.5-5 OF THE CODE OF ORDINANCES OF THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.C.*

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to pass items 3, 4, 5 and 6 of the consent agenda.

The motion passed by a 5-0 vote.

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

A. CITY MANAGER'S REPORT:

Manager Baker reported that at the direction of the City Commission, he made arrangements to be out of the Town Center Building by the end of the weekend. Arrangements have been made and contracts have been executed to make the necessary move. He said he provided the Commission with a series of letters of communication between his office and Mr. Dennis Stackhouse. He received an offer this afternoon from Mr. Stackhouse of a 30 day extension and a counter offer of \$11.7 Million Dollars for the purchase of the building; he placed a counter offer with a 90 day extension and an offer of \$9.1 Million Dollars. With the negotiations getting closer, he is requesting an approval from the City Commission to temporary cease moving the offices out of the building until they are able to reach a reasonable price with Mr. Stackhouse.

Vice Mayor Johnson said it was her understanding that it was the desire of the majority of the Commission to relocate the city offices to save money.

She asked, where will the city get the funds for the purchase of the building?

Manager Baker said they will borrow the money.

Vice Mayor Johnson asked, who authorized the City Manager to borrow any money.

Manager Baker said he was instructed to enter into contract negotiations with the owner of the building and that is what he's being doing for a month.

Mayor Taylor asked Manager Baker if he was still in negotiation.

Manager Baker replied, yes.

Mayor Taylor said there is nothing for the Commission to consider until the City Manager and Mr. Stackhouse finish negotiating.

She asked Manager Baker if he had any sources to purchase the building and is the city's Financial Advisor involved in the process of purchasing the building?

Manager Baker replied, yes.

Mayor Taylor asked, are there any financial sources he can go to for the money?

Manager Baker replied, yes.

Commissioner Holmes indicated that the City Commission authorized the City Manager to go into negotiations with the owner of the building. The negotiation will not be complete until both parties agree on a price. As stated, there are people available to loan the city money to purchase the building.

Due to the current condition of the city, Vice Mayor Johnson requested that the record reflect where the funds would come from for the purchase of the building.

Manager Baker said there are financial institutions and the finance director will comment on each of them that they have made contact with.

Dr. Orji, Finance Director came forward and said that based on the directive that was given to the City Manager staff is looking at several options to purchase the building in the event a purchase price is agreed upon. They contacted the Florida League of Cities, Banks, and the city's Financial Advisor. A meeting was held with the Financial Advisor who has reviewed the city's financial conditions and advised that the city has the capacity to finance the purchase price for the building.

Vice Mayor Johnson asked, when was the meeting held with the Financial Advisor?

Dr. Orji said they had several meetings; the last meeting was done by a conference call this morning that involved Dennis Stackhouse, Mr. Baker, and himself.

Vice Mayor Johnson asked, who is the city's Financial Advisor?

Dr. Orji said First Southwest Inc.

Vice Mayor Johnson requested a copy of the legislation and agreement hiring First Southwest Inc. as the city's Financial Advisor.

B. ACCOUNTS PAYABLE:

Dr. Orji, Finance Director came forward and stated that all documents required for his report have been provided in writing and are a part of the package provided to the Commission.

Vice Mayor Johnson asked, what is the plan to replace the \$300,000.00 back to the reserve that was borrowed to fill the budget last year?

Dr. Orji said there is a \$500,000.00 provision in this year's current budget that was just adopted and it is their intent to be responsible by managing the finances so as additional revenue is received it is put into the reserve account to build it back up.

Vice Mayor Johnson requested a report by the next City Commission Meeting informing the Commission how the \$300,000.00 will be put back in the city's reserve account.

20. OFFICIAL BOARD REPORTS:

21. CITY ATTORNEY'S REPORT:

Vice Mayor Johnson reported that the Educational Compact will be presented to the Miami-Dade County School board on October 10, 2012 at 1:00 p.m. and it will come before the City Commission that evening for consideration. She will provide the City Attorney with the legislation.

She further said Attorney Geller was working on the foundation, she checked sunbiz and the City of Opa-locka does not have an active foundation.

Commissioner Tydus mentioned that at the last Commission Meeting she requested that the City Attorney draft two ordinances, arrange a meeting with her to review the legislation and provide her with information how other municipalities deal with those items. The items she requested were an ordinance prohibiting nepotism and an ordinance prohibiting the continuance of employment with the city if an employee sues the city.

22. CITY CLERK'S REPORT:

City Clerk Flores reminded the City Commission that there are two board applications in the agenda for consideration.

Vice Mayor Johnson said at the last Commission Meeting there was an applicant that applied for the Housing Authority & Civil Service Boards and Attorney Geller was suppose to advise the Commission if the applicant can serve on two quasi judicial boards.

Mayor Taylor said there are signs throughout the city selling mattresses and houses. She asked the City Clerk to research if the city has any legislation prohibiting such signs.

Vice Mayor Johnson said in 2008 the City Commission passed legislation to cover all signage and staff needs to enforce it.

23. MAYOR/COMMISSION REPORT:

Commissioner Tydus reported that she was the keynote speaker at the El Shadi Global Ministries on last Saturday and she encouraged everyone to come out to the 2nd Annual Gospel Explosion on Saturday, September 29, 2012 at 6:00 p.m. at Sherbondy Park. She

asked the attendees to bring a non perishable food item to help the Veterans Make A Wish Foundation food distribution program.

Commissioner Miller reported that she invited the Miami-Dade County State Attorney's Office and Miami-Dade County Elections Department to hold an Absentee Ballot Forum on Wednesday, October 3, 2012 @ 6:00 p.m. at 780 Fisherman Street, 2nd Floor.

Vice Mayor Johnson thanked everyone for the support during her time of bereavement. Her father's funeral will be on Saturday, November 29, 2012 in Brunswick, GA.

She further said she is working to enhance the OpaSteppers and has joined Move It in order to make Weight Watchers part of the working environment.

She has been contacted by President Obama's campaign to get a satellite office in Opa-locka and they are not part of her 501C3. If there is anyone located in the city with available space they are looking for space until November 2nd as an in-kind.

She further said that Jesus People Ministries is having a trial employment experience being held on Friday, November 28, 2012 at 9:00 a.m.-2:00 p.m. at 4055 NW 183rd Street, Miami Gardens, FL.

Commissioner Holmes thanked the City of Opa-locka Police Department for their outstanding work over the last few weeks.

As it relates to the officer that was bitten by a dog, he asked, what is his current condition?

Manager Baker said the officer is doing well and is back at work performing light duty.

Commissioner Holmes said he would like to see the State Attorney's Office check people using fake identification by using the address at a residence they no longer reside at for voting purposes.

Mayor Taylor thanked the City of Opa-locka Police Department for the fine job they are doing.

She further thanked the City Manager and Finance Department for their negotiations with the purchase of the Town Center Building.

24. OFFICIAL BOARD APPOINTMENTS:

It was moved by Commissioner Tydus, seconded by Commissioner Holmes to re-appoint Eugene Stanley to the Community Relations, Recreation & Activities Advisory Board.

There being no 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

25. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Vice Mayor Johnson, seconded by Commissioner Miller to adjourn the meeting at 9:03 p.m.



MAYOR

ATTEST:



INTERIM CITY CLERK