

CITY OF OPA-LOCKA
"The Great City"

REGULAR COMMISSION MEETING MINUTES

September 12, 2012

7:00 P.M.

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

1. CALL TO ORDER:

Mayor Taylor called the meeting to order at 7:02 p.m. on Wednesday, September 12, 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 Opa-locka City Commission were present: Vice Mayor Dorothy Johnson, Commissioner Gail Miller, Commissioner Timothy Holmes, and Mayor Myra L. Taylor. Also in attendance were: City Manager Kelvin L. Baker, Sr., City Attorney Joseph S. Geller and Interim City Clerk Joanna Flores. Commissioner Rose Tydus arrived at 7:06 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.

Vice Mayor Johnson thanked everyone for their prayers for her father.

Mayor Taylor made a statement in regards to the recent newspaper article that raised questions about the operation and management of the city's police department. The story did not present changes the city made and addressed many of those past issues. Many of the assertions in the article were outdated, some were decades old and have been addressed. Like other municipalities, the city has it struggles, but they have made great strives in many areas. The article was unduly sensational and did not capture the current state of affairs in the City of Opa-locka. The City Manager must do due diligence to protect this city and make necessary additional changes to strengthen those areas that are weak and fix the problem areas.

She went on to say that the article was meant for bad, but it will be turned into good. As a body of commissioners, they do not dictate or involve themselves in operations or departmental administration because they are legislatures. The positive changes are happening in the City of Opa-locka and they are deeply committed to the overall primary concern of assuring public safety in an atmosphere of integrity for everyone. There's much to be done and much has been

done, but the City of Opa-locka is moving in the right direction for great change and this city will be a five star city.

5. APPROVAL OF AGENDA:

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

Vice Mayor Johnson requested to pull items 1, 4, and 8 from the consent agenda.

A request was made to amend the agenda as follows:

16-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE AMENDMENTS TO ORDINANCE NO.12-10, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY STORMWATER MANAGEMENT BETWEEN THE CITY OF OPA-LOCKA AND MIAMI-DADE COUNTY FOR A PERIOD OF TWO (2) YEARS, COMMENCING ON OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2014, PAYABLE FROM ACCOUNT NUMBER 43-538340; 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 item 16-1.

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

7. APPROVAL OF MINUTES:

Special Commission Meeting- 07/16/2012

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the minutes of the Special Commission Meeting of July 16, 2012.

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

Special Commission Meeting- 07/18/2012

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the minutes of the Special Commission Meeting of July 18, 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

Regular Commission Meeting- 07/25/2012

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the minutes of the Regular Commission Meeting of July 25, 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

Special Commission Meeting- 07/31/2012

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the minutes of the Special Commission Meeting of July 31, 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

8. **AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:**
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 County Commissioner Barbara Jordan came forward and invited everyone to the Hispanic Heritage Festival on September 22, 2012 at Country Village Park located at 6550 NW 188th Terrace, Miami Gardens, Florida (flyers were also provided).

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

14a. CITIZENS' FORUM:

Sheila Dudley of 17482 SW 33rd Street, Miramar, FL, appeared before the City Commission on behalf of her business, Room to Bloom located at 490 Ali-Baba Avenue, Opa-locka, Florida. She provided an overview of her business and indicated that she recently received a stop work order by the City of Opa-locka Code Enforcement Department and was told that she would have to go through a long costly process to have the property rezoned. In the past, the building was utilized for the same or similar purposes, without the proprietor or past lessee having to go through a similar process. She wasn't required to go through rezoning to get a certificate of occupancy and she would like to know why she is being treated differently.

Commissioner Holmes asked, what was the stop order for?

Ms. Dudley said the stop order said the building was not zoned to house children.

Commissioner Holmes, asked did she try to get in contact with anyone after receiving the stop work order?

Ms. Dudley said yes she did and she got the paper work and was told the zoning was taking place in Tallahassee and nothing would happen until after the first of the year.

Commissioner Holmes informed Ms. Dudley that she should have brought it to his attention three weeks ago so he could have assisted her.

Vice Mayor Johnson said it was mentioned that the facility was used for over ten years and if that is the case, why did it not have the correct zoning?

She further said she is aware that one of the Community Based Organizations ran an after school program there.

She does not believe in violating the process or lifting the process.

Vice Mayor Johnson further asked, what is the process?

Howard Brown, Community Development Director informed the City Commission that 490 Ali-Baba Avenue is owned and operated by Opa-locka CDC who entered into a lease with Ms. Dudley to operate a daycare and that zoning district is zoned industrial; daycares are not allowed in industrial zoned properties. The city is working on a comp plan amendment which the City Commission approved to be transmitted to Tallahassee; once its approved day cares will be allowed under the zoning district by right, but they still have to submit a site plan which goes to the Planning Council and the City Commission for approval.

Vice Mayor Johnson said she is comfortable with staff comments and anyone who leases a business should know the proper zoning. She said she doesn't feel comfortable in re-zoning anything for one particular party. But she would like staff to look into the matter and give it their immediate attention.

Commissioner Holmes asked, will that location be used for a day care?

Mr. Brown replied, yes.

Commissioner Holmes asked, what type of business is located on the first floor of the Town Center Building?

Mr. Brown said there is a day care in the Town Center building.

Commissioner Holmes asked, is the zoning different from the Town Center building than 490 Ali-Baba Avenue?

Mr. Brown replied, yes.

Everlena Lewis of 601 Perviz Avenue, Opa-locka, FL, appeared before the City Commission to voice her concerns as it relates to the temporary pump station #10 located at Sultan and Perviz Avenue. The pump station is outside her bedroom window and it is extremely loud, it vibrates the windows at her home. On several occasions she was told the issue would be resolved, but nothing was done. She asked to be provided with a timeframe as to when this issue would be resolved.

Commissioner Holmes mentioned that Mrs. Lewis has been before the Commission on several occasions and she has called him numerous of times. He forwarded her concerns to the City Manager and directed him to look into her concern.

He suggested should the city have a silent generator at another location that it be moved to pump station # 10 in an effort to alleviate the noise.

Vice Mayor Johnson said when Mrs. Lewis appeared before the Commission in the past, the Commission directed the previous City Manager to address the issue, but staff needs to set priorities because this has been going on too long.

She requested a written report in less than five days of what the corrective action is.

Oria Rodriguez of 785 Superior Street, Opa-locka, Florida appeared before the City Commission to voice her concerns as it relates to commissioners getting involved in the city's business.

Johnnie M. Greene of 2091 Wilmington Street, Opa-locka, Florida came forward and thanked the City Manager for attending the Crime Watch meeting and addressing the citizens concerns.

She stated her disagreement with resolution no. 1 under consent agenda. Although it is a good gesture, citizens should not be responsible to pay for a headstone. There are businesses that will probably help contribute towards that effort.

She continued by saying NW 22nd Avenue is deplorable, the trash containers are running over and people are loitering. She expressed her frustration on the recent Miami Herald article.

She further stated that there was a budget meeting, but no notice was sent out to the citizens and the citizens should have been afforded a Town Hall meeting to voice their concerns.

Commissioner Holmes indicated that Mary Allen was a former Commissioner of the City of Opa-locka and her family brought it to his attention that she does not have a headstone. He would like to take care of people that served the City of Opa-locka. There was a commissioner who passed away a few years ago and the city spent over \$50,000.00 on her burial.

Sonia Johnson-Bain of 12200 NW 18th Place, Miami, Florida appeared before the City Commission on behalf of the Beautiful Gate Cancer Resource Center. She invited the commission to their 2nd Annual Breast Health Symposium at Dr. Robert B. Ingram Elementary School on September 22, 2012 @ 10:00 a.m. – 2:00 p.m.

Vice Mayor Johnson asked, what is the method of getting the information out to the citizens?

Mrs. Bain said the City of Opa-locka is on their planning board and they are working with them as well as the School Board.

Vice Mayor asked, who are the members on the board from the City of Opa-locka?

Brian Dennis of 3133 NW 134th Street, Opa-locka, Florida appeared before the City Commission and addressed the recent Miami Herald Newspaper article.

Michael Delavoe of 1821 Wilmington Street, Opa-locka, Florida appeared before the City Commission on behalf of the Father's of Wilmington Street Family Project. He thanked the City Commission, Police Department, and Assistant City Manager for their support with his back to school giveaway.

In addition, he presented the City Commission with a framed t-shirt from the Father's of Wilmington Street.

Vice Mayor Johnson said it's good to see young men take a positive role in the community.

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, 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 Geller.

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

Vice Mayor Johnson could not support the resolution but offered to give a \$500.00 donation towards the purchase of the headstone. If the Commission wants to do due diligence then they can make a donation and raise the rest of the funds.

Commissioner Tydus concurred with Vice Mayor Johnson and said she would be willing to donate \$200.00 towards the cause. She is cautious of setting that precedence, but she is willing to solicit additional funds.

Since Vice Mayor Johnson agreed to contribute \$500.00 and Commissioner Tydus agreed to contribute \$200.00, Commissioner Holmes said he will contribute \$500.00. Mayor Taylor joined in on the conversation and agreed to contribute \$255.00.

In light of the discussion and donations by the members of the City Commission, Commissioner Holmes pulled item 19-1.

2. (19-4) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO EXECUTE CONTRACT WITH JVA ENGINEERING CONTRACTOR, INC. FOR IMPROVEMENTS FOR RUTLAND STREET DRAINAGE SYSTEM AND ROADWAY, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY SEVEN THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$127,850.00), PAYABLE FROM ACCOUNT NUMBERS 47-541807 AND 44-541807; 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 Vice Mayor Johnson, seconded by Commissioner Holmes to pass the resolution.

Vice Mayor Johnson asked, when is the execution of the project?

Manager Baker said the schedule will begin once the contract documents are signed.

Vice Mayor Johnson hoped that part of the plan is to notify the citizens in the area about the project.

Mohammad Nasir, Interim Public Works Director for the City of Opa-locka advised that once the notice to proceed is issued, the city will distribute notices to the residents regarding the construction. Based on his estimate, the project should be completed within 3 months from the date of the notice to proceed.

Vice Mayor Johnson asked, when should they receive the notice to proceed?

Mr. Nasir said once the resolution is approved by the commission, he will work with the City Attorney to get the approval and then he will go to the City Manager for a notice to proceed.

Vice Mayor Johnson said she will like to know the date of completion and she directed the City Manager to notify the citizens in the area.

There being no further discussion, the motion passed by a 4-0 vote.

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

3. (19-8) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO RENEW AND NEGOTIATE THE ANNUAL AGREEMENT WITH EMERGENCY COMMUNICATIONS NETWORKS, INC., IN THE AMOUNT OF NINE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS (\$9750.00), FOR THE CODE RED HIGH SPEED TELEPHONE COMMUNITY NOTIFICATION SERVICES PAYABLE FROM ACCOUNT # 14-512528; 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 pass the resolution.

Vice Mayor Johnson asked, how often is the Code Red System being utilized?

Nelson Rodriguez, Information Technology Director explained that it is his understanding this is the city's final year in terms of the Code Red. The weather alert system was discontinued two years ago because it was underutilized. The system is mainly used for water or sewer line breaks, construction in certain neighborhoods, and/or community notification for events and activities.

Vice Mayor Johnson said she would like to see staff analyze the utilization of the system to see if it's worth continuing the service.

Mayor Taylor said she is concerned that the Code Red system is used to announce social events.

Mr. Rodriguez said within the contract, there are two ways they can use the system: one is community notifications and the other is emergency notifications. When calling citizens, it specifically indicates whether it is a community notification or emergency notification.

Mayor Taylor said that the code red system should be used for emergency purposes only.

There being no further discussion, the motion passed by a 4-0 vote.

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

16. NEW ITEMS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE AMENDMENTS TO ORDINANCE NO. 12-10, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY STORMWATER MANAGEMENT BETWEEN THE CITY OF OPA-LOCKA AND MIAMI-DADE COUNTY FOR A PERIOD OF TWO (2) YEARS, COMMENCING ON OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2014, PAYABLE FROM ACCOUNT NUMBER 43-538340; 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 pass the resolution.

Mayor Taylor asked what services are being rendered for the extra cost.

Manager Baker said this would be providing additional stabilization to the shore lines. The city is experiencing some major erosion in a particular area.

Mayor Taylor asked, are the charges per your or one time?

Manager Baker said the amount is per year.

Vice Mayor Johnson asked, if there is corrosion on the bank line of the canal and it's fixed, why will there be a reoccurring cost for the next year?

She further said she did not see the scope of services listed in the contract.

Attorney Geller said the scope of services is listed on page 5, "Statement of Work".

Vice Mayor Johnson suggested that the contract to be amended because the City Manager indicated they will be providing additional services to do certain things, but it's not included in the contract.

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to amend the 5th Whereas clause of the resolution to read: "the annual cost to the City will increase by \$69,500 for the additional canal stabilization cost itemized in attachment B on page 3 of the attached agreement".

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

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

There being no further 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 Geller.

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

Commissioner Tydus asked the sponsor for clarification.

Commissioner Holmes said it was brought to his attention that 90 days is not long enough to determine if a person is suitable for a job.

Commissioner Tydus said she had never heard of a one year probationary period and an employer should know in the three months whether or not they want to hire the employee on a permanent basis.

Commissioner Holmes explained that police officers are hired permanent after a 90 day probation and after that period something may come up, but it would be too late to address because the employee is already hired.

Vice Mayor Johnson indicated that pursuant to Florida Statutes and the Department of Labor Fair Standard Act, an employer has 90 days in which they can decide to hire an employee on a permanent status. After 90 days, if they decide the employee is not meeting the performance, by law they can be terminated.

She asked the City Attorney what does the Florida Statutes say about the Fair Labor Standard Act?

Attorney Geller said he is not aware that there is something that limits the ability of the city to set the length of time for probationary employees. In fact, having reviewed the city's PBA agreement there is language with the city and the PBA that references to the agreement that there is to be a one year period for police officers.

Vice Mayor Johnson said if she understand it correctly this legislation has nothing to do with the PBA, it was stated by the sponsor that it is for all employees.

Commissioner Holmes agreed to pull item 18A1 until the next regular commission meeting.

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 Geller.

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

Commissioner Miller said she understands the intent of the ordinance, however some people may not be able to hire an off duty police officer every time they have an event.

She asked, will there be a special price and how much does it cost to hire a police officer for an event?

Commissioner Holmes referenced an event on 151st Street and Veterans Way a few weeks ago where two people were killed and three people were injured.

He said that Mayor Taylor had a news conference and it was discussed if anyone wants to have outside events with crowds of people they must hire 1 or 2 police officers. This is not going to benefit him but it's to prevent tragedy from occurring.

Commissioner Miller said she is not opposing the ordinance; however there should be something in place for people that cannot afford to pay for an officer, perhaps hiring a security officer.

Commissioner Holmes said a friendly amendment would be if you cannot afford to hire a police officer, then you can hire a uniform security guard.

Vice Mayor Johnson said the legislation is too general and she suggested that the City Attorney reword the ordinance to determine a fee scale based on the number of people at the event and get feedback from the citizens.

Commissioner Holmes pulled item 18A2 so the City Attorney can make changes and he welcomed input from his colleagues.

Commissioner Tydus said that the cost is an issue and she would like the administration to provide the cost analysis because there was conversation about security versus an off duty police officer.

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CLOSE, VACATE OR ABANDON THE ALLEY ADJACENT TO ALADDIN AND FISHERMAN STREETS, CONSISTING OF APPROXIMATELY .14 ACRES (5973.10 SQ FT.), AT THE REQUEST OF RUDG TOWN CENTER , LLC., TO ACCOMMODATE FOR A SENIOR CITIZENS AFFORDABLE HOUSING DEVELOPMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

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

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

B. SECOND READING/PUBLIC HEARING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A FIVE (5) YEAR INTERLOCAL AGREEMENT AS CO-PERMITTEES WITH MIAMI-DADE COUNTY FOR PROFESSIONAL SERVICES PERTAINING TO THE CONTROL OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), PERMIT NO FLS000003-0003, IN AN AMOUNT NOT TO EXCEED SEVEN THOUSAND FIVE HUNDRED ELEVEN DOLLARS (\$7,511.00), PAYABLE FROM ACCOUNT NO. 43-538340; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading held on July 25, 2012). *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

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

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

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO REZONE 2070 LINCOLN AVENUE (FOLIO NO. 08-2122-003-570), OWNED BY MAGNOLIA NORTH APARTMENT, LLC, FROM R-2 (TWO-FAMILY) ZONING DISTRICT TO THE MAGNOLIA NORTH REDEVELOPMENT OVERLAY DISTRICT (MNRO), WITH SPECIAL EXCEPTIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on July 25, 2012). *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

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

Vice Mayor Johnson requested clarification as it relates the length of time for special exceptions associated with the above item.

Howard Brown, Community Development Director said the special exceptions are listed in the resolution under section 2. He started to read those items enumerated as follows: the number of parking spaces be reduced from 20 to 17.

Vice Mayor Johnson interjected and asked, how many parking spaces are handicapped?

Mr. Brown was unable to answer the question, but indicated that when the applicant goes through the building permit process, the requirement is for a portion of parking spaces to be designated as ADA accessible.

Vice Mayor Johnson asked, how many parking spaces out of the 17 for this project would be designated as handicap?

Mr. Brown explained that it is approximately 2% that they are required under the Florida Building Code to make any accessible or handicap.

He continued by reading from the development agreement as follows: (2) An increased density from 9 units to 12; (3) reduce the number of minimum size the bedroom units to 410 square feet.

Vice Mayor Johnson asked, what is the requirement for the minimum size of the unit?

Mr. Brown stated that there is no requirement under the ordinance.

Vice Mayor Johnson asked whether the project consisted of making the units smaller.

Mr. Brown explained that this is an existing building and under the current regulations, it can't be reoccupied under the current conditions. The overlay district allows for the reoccupancy of those buildings.

Vice Mayor Johnson asked, does it make the living space smaller or larger?

Mr. Brown said that the living space is smaller.

Vice Mayor Johnson further expressed her concerns with the reduction in size of the units which will not accommodate the needs of today's families.

Mr. Brown stated that if this was a new building constructed, then the applicant would have to comply with the current regulation, but because this is an existing building which cannot be reoccupied.

Mayor Taylor asked for the consensus of the Commission to allow Dr. Willie Logan to address this item.

Dr. Willie Logan of the Opa-locka CDC came forward and explained that the units for 2070 were reduced so that the units could be larger for 2 bedroom units, but it still doesn't meet the current requirement if it were new construction. There are now larger units, a less number of units and even 2 bedrooms units.

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

C. RESOLUTIONS/PUBLIC HEARING:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE CONSTRUCTION OF A 127-UNIT SENIOR CITIZEN'S HOUSING DEVELOPMENT PROJECT AT THE SITE OF 551 FISHERMAN STREET AND 300 SHARAZAD BOULEVARD, FOLIO NOS.: 08-2121-004-1610, 08-2121-004-1620, AND 08-2121-004-1630; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing.

David Grant of 17740 NW 14 Court, Miami Gardens, Florida, appeared before the City Commission and expressed his concerns regarding the above project. He said he could not understand the reasoning why the city was allowing this project to move forth. Although he is in favor of redeveloping the Downtown area, the city is compounding and not giving enough thought to come up with a comprehensive plan to redevelop the area for the betterment of the community; a plan that would create jobs and bring in businesses. He recalled during the time when Town Center One was presented to the Commission, the plan was to bring in a bank, a restaurant, and different businesses. The State Building was also supposed to bring in businesses and create jobs, but none of this has occurred.

He continued by saying that he is not against this project; he just doesn't think it should go forth at this particular time. There is still a lot of work that needs to be done in the city first in terms of pump stations, etc. As he understands it, the city is considering moving out of Town Center and

it is currently the biggest tenant. He asked, what is going to happen to the building now and then they want to add two more buildings when Town Center has not fulfilled its plan.

Albert Milo, Principle of Related Urban came forward and stated this project has nothing with the development of Town Center. As a matter of fact there is language in the development agreement specifically eluding to the fact that they are an independent development company assembling three parcels of land in order to build a multi-faced project. The first phase is a 127-unit senior housing building fully founded. This is real development that will be moving forward and construction will start prior to year's end.

After hearing the comments and suggestions from the Commission at a workshop, he said that he was able to accommodate a laundry facility on every floor, a storage facility, and add space on the ground floor for a wellness center.

Furthermore, he stated that there is planning in place that the City Commission has started to do as far as laying the ground work for the private sector to come and invest the dollars and that's the way to create economic development. Also, they have a community organization, the Opa-locka CDC as their partner in this project.

There being no further persons to speak on the public hearing, the public hearing was closed.

Commissioner Holmes asked, how did Urban Development get the land if Mr. Milo stated that the project has nothing to do with Town Center?

Mr. Milo explained that they are acquiring three parcels of land: one is owned by the original developer of Town Center, but they have nothing to do, other than just buying a piece of property from them.

Commissioner Holmes asked, so the original developer of Town Center has no interest in this project?

Mr. Milo stated that the individual in question has no interest and he actually has a statement which will be addressed in the developer's agreement and the City Attorney can confirm that, that they are making a affirmative statement that they have no interest with the current developer or no interest with the other because they are also buying another private piece of land from a different party.

Vice Mayor Johnson stated that although she didn't attend the workshop, she spoke with the developer and Dr. Logan to make sure of the affiliations and she was comfortable with the response. She encouraged everyone to not rely on rumors, but on facts.

Commissioner Holmes reminded the Commission of several proposed projects that recently came before them and were turned down by the majority members on the dais.

Commissioner Tydus said this project came as a result of countless hours of planning, workshops, and meetings with the developers. There were some things with the project initially

that she had deep concerns about, but every effort has been made to meet all of the concerns which she would like to be read into the record before taking the vote.

She went on to say that someone has to step up to the plate and begin the process. These developers have come and they've done that and this will be the catalyst, the stimulus for the development of the city's downtown area. This particular developer is a Blue Chip Development Firm and Blue Chip developers follow Blue Chip developers so there will be interest of other developers after they see these particular developers have taken the risk. She applauded the developers for willing to take the risk of which she believes is going to be the catalyst and stimulus needed in the development of Opa-locka downtown area.

She further stated that her initial concern was the height of the building which the developer accommodated somewhat on that. This was one of Commissioner Holmes' initial concerns as well. The residents need to see something above ground to give them some hope. She asked the City Manager whether the developers will provide the city with a plan for the downtown so that everything would be consistent in planning for the future?

Manager Baker stated that the Opa-locka Community Development Corporation will be providing that.

Dr. Willie Logan of the Opa-locka CDC came forward and indicated that they hired a team of planners and consultants throughout the county working on a full downtown plan that integrates both the Tri-Rail Station all the way to City Hall which includes this particular building.

As it relates to this particular project, Vice Mayor Johnson stated that she consulted with Commissioner Barbara Jordan to assure the monies alluded in conversation were available and the monies are available for that. Secondly, there may be projects she won't support if it has a lot to do with environment, therefore, she will not support everything that comes into the city for growth.

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

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF OPA-LOCKA AND MV REAL ESTATE HOLDINGS, LLC, AND RUDG-TOWN CENTER, LLC FOR THE CONSTRUCTION OF A 127-UNIT SENIOR CITIZEN'S HOUSING DEVELOPMENT AT THE SITE OF 551 FISHERMAN STREET AND 300 SHARAZAD BOULEVARD, FOLIO NOS.: 08-2121-004-1610, 08-2121-004-1620, AND 08-2121-004-1630;

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

The above resolution was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing.

Allen Kirsher of the Law Offices of Holland & Knight, 701 Brickell Avenue, Miami, Florida appeared before the City Commission on behalf of the developer and stated that this is the companion item to the site plan approval just approved. He mentioned that they had diligently worked with the city's professional staff and legal team on the development agreement up and through exchanging drafts to reflect some of the things talked about at the workshop to make sure it is up to date. In the exchange of those drafts there are three changes to the document in the package to be suggested to the Commission. The first is on page 5, paragraph 9, the description of phase II, there is an error in that description. Currently it provides for phase II having 65 residential units per acre and it should be "65 residential units". It also provides for a limit of 4800 of square feet of commercial and it should be that Phase II must contain at least 4800 square feet of commercial. In prior discussions there has been a desire that there be at least 4800 square feet and the way this document is drafted is that it should be the maximum of 4800 square feet.

Commissioner Holmes asked, what is this information being provided by the Clerk?

Clerk Flores stated that it was the development agreement for the item being discussed.

Commissioner Holmes expressed his frustration with just being provided with the development agreement at the last hour without allowing the Commission the adequate time to review.

Albert Milo, Related Urban Development Inc. stated that the document was already a part of the package. The only difference is with the three modifications to three sections of what was already provided in their package. This is not a new document, but just includes three modifications which the City Attorney can confirm and their attorney is trying to explain those changes.

Attorney Kirsher stated that the changes he is mentioning should be included in the last draft of the development agreement which they have been discussing with the city's professional staff and legal team.

He continued by saying that on page 7, paragraph 10(k), there's a obligation that they must submit an application for phase 2 within 6 months of obtaining tonight's site plan approval of phase 1. The draft that was given to the commission has an additional obligation relating to obtaining site plan approval. Once the package is submitted it's outside of their control, they can't commit to how long it takes the city's professional staff and the commission to process it so they recommend striking that phrase, so striking the phrase and obtaining site plan for no less than 10 months from submittal. And finally in paragraph (M) of the same page where it reads honor before the effective date, that's the required contribution for art and public places. They

would request that it read instead of honor before the effective date 9 months after issuance of a building permit so that can line up with their financing and so they will have the funds available to fund the art and public places, they confirmed with Mr. Brown that it will match up with the city's timing. The art and public places will not be installed until the construction is completed. They are in agreement with the rest of the terms of the development agreement.

Attorney Geller said Hope Calhoun is a specialist in this area and she has been negotiating this agreement. It is his understanding that absent the three changes that Mr. Kirsher set forth, this was agreed to by the developer and administration.

David Grant of 17740 NW 14 Court, Miami Gardens, Florida, appeared before the City Commission and expressed his concerns regarding the above project. He said he is not against the project; however he disapproves of the way it's being done.

He further said he grew up in the City of Opa-locka and he is a business owner in the city.

Mr. Grant continued by saying at the workshop a question was asked if there were any negative feedback from the people in the community in reference to the development, Dr. Willie Logan replied no and he mentioned his business. Mr. Grant said no one came to his business with a petition and he saw where his name was signed that he was notified.

Vice Mayor Johnson said she is concerned when she hears a resident say someone signed his signature.

Manager Baker said he is unaware of that activity.

Vice Mayor Johnson said he should know because the development has to go before the planning council and staff has a list of everyone who was notified.

Manager Baker said he is hearing about this for the first time and he is not aware of anyone name being forged and will look into it.

Vice Mayor Johnson requested the package that went to the planning council because that listing should be included in that package. Any correspondence that went to the planning council should travel with the package.

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

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

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

Attorney Geller informed the City Commission that they should consider approving the development agreement with the following 3 amendments:

1. Page 6 – Delete the words per acre and after the word and it has read must contain at least before 4800 sq. ft. of commercial use.
2. Page 7 – (K) After the words within 6 months of obtaining site plan approval of phase 1 put a period and delete the rest of the sentence.
3. Item M – Reads 9 months after issuance of the building permit, the developers shall contribute the sum of \$45,000.00 to the city.

It was moved by Commissioner Miller, seconded by Vice Mayor Johnson to approve the amendments.

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

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

19. ADMINISTRATION:

CONSENT AGENDA:

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH CORZO CASTELLA THOMPSON SALMAN (C3TS) FOR COST SOLICITATION FOR PREPARATION OF TRANSPORTATION MASTER PLAN AND ENHANCEMENT STUDY PHASE 1 PER METROPOLITAN PLANNING ORGANIZATION (MPO) GRANT; 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, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE CONTRACT WITH F.R. ALEMAN FOR COST SOLICITATION FOR THE PREPARATION OF WATER AND SEWER SYSTEM ATLASES; 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, TO AUTHORIZE THE CITY MANAGER TO ISSUE PAYMENT TO SUNGARD PUBLIC SECTOR (PLUS SERIES SOFTWARE) FOR YEARLY SOFTWARE MAINTENANCE, IN THE AMOUNT OF THIRTEEN THOUSAND FOUR HUNDRED NINETY-TWO DOLLARS AND NINETY CENTS (\$13,492.90) PAYABLE FROM

ACCOUNT NUMBER 14-512528; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

6. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO APPLY TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) 2012-2013 GRANT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

7. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO SUBMIT AN APPLICATION TO MIAMI-DADE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FY2013 NON-HOUSING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

9. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ISSUE REQUEST FOR PROPOSALS TO QUALIFYING PLANNING AND ENGINEERING FIRMS FOR THE PURPOSES OF ADMINISTERING THE U.S. HOUSING AND URBAN DEVELOPMENT (HUD) 2011, COMMUNITY CHALLENGE GRANT TO ASSIST THE CITY OF OPA-LOCKA; 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 consent agenda resolutions 2, 3, 5, 6, 7 and 9.

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

A. CITY MANAGER’S REPORT:

Manager Baker reported that he had a series of meetings with Johnson Control concerning the meter system and they are trying to get the system running.

He is pleased to report that he should be receiving the final approval from Miami-Dade County Water & Sewer to release the Sherbondy Village lift station, which in terms allows the city to schedule a grand opening of the new facility.

He further mentioned that he is in negotiations with the owner of the Town Center Building, he tendered an offer, however he has not been successful at this point in getting the offer finalized. If he does not get an offer, he has a second plan that he must activate on Monday morning. The maximum amount for the complete location is an estimate of \$230,000.00. In the purchase agreement, he is asking for a month to month lease while going through the loan process.

As it relates to the recent newspaper article, he would like for everyone to be vigilant in moving forward with improvements. He encouraged everyone to stay positive and for the city to start publicizing its own news.

Commissioner Holmes asked, what is the projected start date for pump station #10?

Manager Baker said he will look into purchasing a silent generator until the pump station project starts.

Commissioner Holmes said there's a company working in the building & license department and it has been brought to his attention that the city is not making any money and still has to pay the company on a monthly basis.

Manager Baker said the company only makes money when the city makes money.

Commissioner Holmes wants to know the status of the empty lot on Opa-locka Boulevard that has over grown grass.

Manager Baker said to his knowledge something has been addressed there, but he does not have the specifics.

Commissioner Holmes requested a follow up as it relates to the red right cameras in the city.

Manager Baker said the city has had some discussion with their attorneys and they are working on an interim plan to figure out a solution to what they currently have.

Vice Mayor Johnson thanked the City Manager for the improvements at Public Works.

She said she is concerned about the city's signage and beautification on NW 22nd Avenue. The city has been leasing a pump on 22nd/27th Avenue and 135th Street for \$5,000 for over a year and the city could have purchased the pump versus renting.

She went on to say that there was legislation in 2006 for enclosed garbage containers. She reported a sofa on Burlington Street and 22nd Avenue that has been there for two weeks and there is a very bad smell in that area.

She further said that citizens and business owners must be informed of their responsibility in keeping the easements cleaned and maintained.

Vice Mayor Johnson expressed her concerns relating to the operations of Sherbondy Village because there needs to be quality programs in that building and for the record TPOE is not interested.

In Mr. Baker's interview, he mentioned that he was looking at CBO's coming in to run the park and she thinks this is a good idea because she is concerned about the ratio of students to staff, as well as the programming at the facility and the youth/parent satisfaction as it relates to the programs.

She asked Mr. Baker what he needed from the Commission to re-locate to other locations.

Manager Baker said that by the end of the week, if he is not confident that he has an agreement to stay in the building and the city takes ownership, then he will be calling a special meeting to hire different contractors to do the move, wiring, re-locate master computer system, and whatever is needed to move.

Vice Mayor Johnson asked, where will the money come from for this move?

Manager Baker said the funds are allocated.

Dr. Ezekiel Orji, Finance Director said the city has money in the construction fund for Sherbondy that has not been spent.

Commissioner Miller said the canal on Burlington Street needs to be cleaned.

She further said a police officer was stationed on 22nd Avenue and Rutland Street to try to alleviate a lot of the loitering and she would like to have an officer back at that location.

Commissioner Tydus said she received telephone calls from residents voicing their concerns reference the relocation of city hall to the recreation center and they feel that the intended use is being compromised with the move. The residents also raised the question as to the liabilities, if any, attached to that.

She asked the administration to reiterate the legal ramifications, if any, concerning the use of state and federal funds for the construction of the building and how that may or may not affect the move.

Manager Baker said should the move take place it will only be a temporary location. Staff has looked at several locations for possible construction of a new city hall.

Attorney Geller indicated that Michael Crow was outside counsel that represented the city during the original lease negotiations and they talked to the county attorney's office. The city has a good handle on exactly how much came from CDBG, Safe Neighborhood Parks, and any other county and federal sources and that number is close to \$1.5 Million Dollars. The city is looking at, because it is driven by budget and having a building that doesn't have funds to operate any programming because the money is being spent on rent is not an effective way of providing park

services. This is a park facility and it is intended for recreational purposes. Nothing they are doing will interfere with the primary mission.

Commissioner Tydus asked, how much does the city pay Town Center for rent?

Attorney Geller said it's approximately \$600,000.00.

Commissioner Tydus asked has any consideration been given to parking?

Manager Baker said yes, there is a plan for parking and he will be making modifications to the site.

Commissioner Tydus concurred with Vice Mayor Johnson as it relates to staffing and she feels that contracting it out to Community Based Organizations would be the best route.

She encouraged the City Manager to make the best decision based on the need and the city's budget.

She further said she have not received the plaques to be placed on the trees at the butterfly garden.

Vice Mayor Johnson asked, did anyone consult with the Community Relations, Recreation & Activities Advisory Board as it relates to the programs at Sherbondy Village?

Manager Baker said he is not aware of it and he will address it.

Mayor Taylor said a task force is needed to go around the city to board up, cut up, and clean up properties.

She requested a large metal sign on historic city hall with all the elected official names.

She reminded him to inform the county that the city would like to annex.

Commissioner Tydus said as it relates to improving the city's image she would like for the City Manager to pay for a quarterly advertisement in the Miami Herald outlining the positive things that took place in the city for that quarter.

B. ACCOUNTS PAYABLE:

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

20. OFFICIAL BOARD REPORTS:

21. CITY ATTORNEY'S REPORT:

Attorney Geller reported that Oliver Gilbert was elected as Mayor for the City of Miami Gardens.

He stated in the near future he will be asking for an executive session regarding the city's matter with Deborah Irby and Raymond Walls.

He said Hope Calhoun will be filling in for him at the next commission meeting because he will be celebrating a religious holiday.

Commissioner Miller said she was under the impression that the Raymond Walls case was settled.

Attorney Geller said a minor matter came up and they asked the city to amend the agreement as to the date of separation.

Vice Mayor Johnson said the liquor stores are still opening on Sundays before 1:00 p.m.

She directed the City Attorney to bring legislation reference to the educational compact at the next regular commission meeting.

She requested a status on the outside debt owed to the city.

Commissioner Tydus said she would like the City Attorney to provide her with legislation from other municipalities as it relates to nepotism and employees suing the city and still be able to work for the city.

She asked for an update on the Opa-locka/Hialeah Flea Market.

Attorney Geller said the city has filed a motion to compel discovery that they failed to make and he will ask the judge if they don't make it to give them a certain amount of days to come up with it or to hold them contempt of court.

Commissioner Tydus said they should have responded two months ago.

Attorney Geller said they are over due, that's why he has a motion to compel their response.

Mayor Taylor requested a written interpretation whether advertisements can be on public access channels.

Attorney Geller said they researched the issue and it is at the city's discretion.

22. CITY CLERK'S REPORT:

City Clerk Flores reported that some time last year one of the city's precincts was changed outside the city limits at Westview Baptist church and she been working with Miami-Dade

County Elections Department to identify a location within the city. She found a location that is pending approval by the Miami-Dade County Supervisor of Elections.

Vice Mayor Johnson said the old campaign signs need to be removed.

She asked that City Clerk and City Attorney work together on the ordinance she requested reference to signage and also requested a workshop.

Attorney Geller said Mr. Gilbert indicated that he is ready to move forward so Vice Mayor Johnson can move forward with a workshop.

Vice Mayor Johnson requested that the Clerk and Sha'mecca follow up on a workshop.

23. MAYOR/COMMISSION REPORT:

Commissioner Miller suggested that when Mayor Taylor is not attending funerals that she inquire with her colleagues to represent the city.

Commissioner Holmes would like the Chief of Police to give the police officers directive to start back citing people for wearing their pants below the waist.

Vice Mayor Johnson mentioned that she is with a project that will bring additional resources to some components. A few years ago the city agreed to pay for 50 homes for the global sustainability and her organization will be paying for it, but more information will be provided.

Mayor Taylor said she will be working closely with the City Manager to address the previous Miami Herald newspaper article.

24. OFFICIAL BOARD APPOINTMENTS:

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to re-appoint Gloria Hernandez 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

Mayor Taylor asked for clarification as it relates to one person serving on two boards?

Attorney Geller indicated that he has not found anything to prohibit it.

Commissioner Tydus said that her question is whether a person can serve on two quasi judicial boards?

Attorney Geller said the would research this issue.

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to re-appoint Karen Jackson to the Civil Service Board.

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

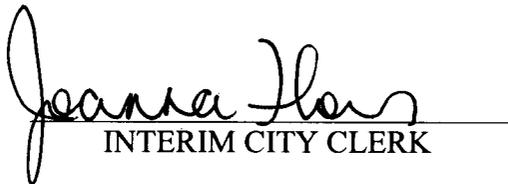
25. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Miller, seconded by Commissioner Holmes to adjourn the meeting at 10:33 p.m.



MAYOR

ATTEST:



INTERIM CITY CLERK