

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING

October 24, 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 7:03 p.m. on Wednesday, October 24, 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., City Attorney Joseph S. Geller, and 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: 19-2, 19-3, 19-5 (Vice Mayor Johnson) and 19-1 (Commissioner Tydus).

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 Tydus	Yes
Commissioner Miller	Yes

Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Mayor Taylor	Yes

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 10/10/2012

It was moved by Commissioner Holmes, seconded by Vice Mayor Johnson to approve the minutes of the Regular Commission Meeting of October 10, 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

9. 17th CONGRESSIONAL DISTRICT OF FLORIDA REPORT:

10. STATE SENATORS REPORT:

11. STATE REPRESENTATIVES REPORT:

12. DISTRICT ONE - COUNTY COMMISSIONER REPORT:

Larry Gardner, of Miami-Dade County Commissioner Jordan's Office (District 1) came forward and stated that their office is happy to be of assistance to the City of Opa-locka.

Vice Mayor Johnson said she noticed on the news there was a community in Miami-Dade County relating to the environment. She is requesting a written report.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

- 1. Anthea Pennant, Director of Government Relations & Advocacy
Feeding South Florida
re: Hunger Relief**

Anthea Pennant, Director of Government Relations came forward and informed the City Commission that they are a non profit organization that has been in existence for thirty years. She urged the citizens to visit their website if they are in need of food.

Vice Mayor asked, what is the difference between Farm Share and Feeding South Florida?

Mrs. Pennant said Farm Share distributes fresh fruits and vegetables only, while Feeding South Florida distributes a variety of items.

14a. CITIZENS' FORUM:

1. Alvin Burke of 2928 NW 132 Street, Opa-locka, Florida, appeared before the City Commission and voiced his concerns regarding the Opa-locka Community Development Corporation choosing the City of Opa-locka to revitalize. The city has given a lot to the Opa-locka Community Development Corporation and the OLCDC have not given anything to the city in return.

He further stated that the Opa-locka Community Development Corporation is asking the city to forgive \$104,456 in liens and fines, the city cannot continue to give to the Opa-locka Community Development Corporation. The city will not receive any revenue from the property in question until it is sold and right now it looks like they are in the rental business.

2. Rev. Joseph Kelley of 485 Dunad Avenue, Opa-locka, Florida, came forward and voiced his concerns as it relates to waiving the fees for the Opa-locka Community Development Corporation.

He further said he appeared before the City Commission at the budget hearing and asked how the city will come up with an additional \$270,000 and he was told that money will be raised by collecting fees from outside people for the rental of facilities. Today there is an item on the agenda to increase fees throughout every phase of the city, he is totally opposed to that.

Commissioner Holmes said he does not recall a public forum for the citizens to voice their concerns regarding the fee increase.

Vice Mayor Johnson shared the same concerns as Commissioner Holmes. During the workshop she asked several times, will there be a public hearing and she was told yes.

Commissioner Holmes said revenue enhancement is bringing money into the city, but this has affected business owners and citizens, therefore they must be made aware.

Commissioner Tydus said this is a first reading and there is time between now and the second reading to get public input. This is a business and a business is not operated by emotions, it is operated by facts, figures, and numbers.

Vice Mayor Johnson said she would like to see the citizens have public input prior to first reading.

Commissioner Holmes said he has not seen it written in the state, county, or city charter that the books have to be balanced on fees.

3. Eldred Redmon of 2766 NW 131 Street, Opa-locka, Florida, appeared before the City Commission and thanked staff for the cleaning of a vacant lot.

He further said there was a gospel explosion in the city that amounted to \$13,605. He was told the funds were taken from the city's budget. After reviewing the budget, there was no mention of a gospel explosion. He requested documentation indicating how the gospel explosion was funded but he received the Parks & Recreation budget.

He asked, how many times the city donated computers to the surrounding schools to better their education.

He continued by saying republicans categorize democrats as 47% they don't care about, they seek to take away Medicaid, funding from the children and there are republicans that say they support President Obama.

Vice Mayor Johnson asked were the comments made true?

Manager Baker said in terms of the total amount, yes that is correct.

Vice Mayor Johnson said she donates to children everyday.

Mayor Taylor said the City Commission works as a team and everyone supported the event whether they attended it or not.

Commissioner Tydus said Parks & Recreation is not only for children, it is a family oriented department. When the City Commission approved the city's budget, it included every department in the city. The Gospel Explosion was a Parks & Recreation sponsored event and she was asked to host it. Most of the time when she host a event she makes sure she get corporate sponsors, however, there were not any corporate sponsors for the Gospel Explosion. The Gospel Explosion benefited the entire community and it provided support to the Make A Wish Veterans in an effort to help them raise funds for their food distribution program.

She further said she is a registered republican and her party affiliation does not obligate her to vote party.

Commissioner Miller said Citizens Forum is for the Commission to hear the concerns of the citizens and move forward.

4. Ricardo Carnero of 695 Curtiss Drive, Opa-locka, Florida, came forward and mentioned that he received a citation for not obtaining a permit to install a 6 feet wooden fence to beautify his property. After receiving a permit, he was told he needed to remove his fence, because the city does not allow 6 feet fences facing the street.

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

(19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO OBTAIN COMPETITIVE PRICES FOR THE PURCHASE OF TEN (10) NEW VEHICLES FOR THE OPA-LOCKA POLICE DEPARTMENT 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 Tydus, seconded by Commissioner Holmes to pass the resolution.

Commissioner Tydus said she does not have any problems with resolution because it's not directing him to make any purchases at this time.

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

(19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO RENEW THE ANNUAL AGREEMENT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR INMATE WORK SQUAD(S), IN AN AMOUNT NOT TO EXCEED FIFTY EIGHT THOUSAND FOUR DOLLARS (\$58,004.00), PAYABLE FROM ACCOUNT NUMBER 41-541340, FOR A ONE (1) YEAR PERIOD, COMMENCING DECEMBER 15, 2012, AND ENDING DECEMBER 14, 2013, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL ONE YEAR PERIOD; 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 said all agreements must have a one year term.

During a workshop she mentioned that the city was paying \$8,500 for food in addition to the contracted amount.

Manager Baker said after meeting with the State of Florida, the funding for lunch has been eliminated.

Vice Mayor Johnson said it is not mentioned in the legislation.

Manager Baker said the city did not enter into an agreement to purchase lunch for the work squad, it was a good faith gesture on behalf of the city.

Vice Mayor Johnson said she would like to see that incorporated into legislation.

She further stated that she would like verbiage included that states lunch will not be included.

Attorney Geller said that verbiage will be included in a new third whereas clause which should read "Whereas the city will no longer provide lunches to the inmate work squads and personnel".

Commissioner Holmes expressed his concerns as to the number of hours the inmate work squads are working. He asked why they only work four hours.

He further asked as it relates to the saggy pants ordinance, has anyone gone before the Special Masters since the last commission meeting?

Manager Baker replied, no.

He further said a hearing was scheduled, however due to a hurricane it was canceled so staff is in the process of preparing for another hearing.

Commissioner Tydus asked that the Mayor keep the decorum ordinance available and begin to enforce it.

Vice Mayor Johnson said page 3, letter G of the agreement states that the department should provide food and drinks for inmate lunch and that does not tell her the City of Opa-locka should spend \$8,597.24.

Attorney Geller said the City Manager has stated that he has informed the State of Florida Department of Corrections that the City of Opa-locka will no longer provide lunch. The contract will be changed before executed.

Vice Mayor Johnson said they are using the city's equipment, but we are being charged for it.

Manager Baker said part of the contract includes them utilizing their van.

Vice Mayor Johnson said when she see the inmate workers they are utilizing a van with the city logo.

Mayor Taylor said at the last Commission Meeting she recall asking the City Manager to review the contract. The contract includes for a salary incentive payment, repair and maintenance, state personnel assessment, training/criminal justice standard, uniform purchase, and technology fee.

Item 19-2 was deferred by the sponsor.

(19-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PREPARE AND ISSUE A REQUEST FOR PROPOSALS FOR A CONTRACTOR TO MAINTAIN CITYWIDE ALLEYS, NW 27TH AVENUE, AND NW 22 AVENUE, PAYABLE FROM ACCOUNT NUMBER 65-533340 AND 41-541340; 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 said there was a concern brought to her attention regarding the alleys being cut on an emergency basis. She was not comfortable with the method that is being used to have services provided.

Manager Baker said he does recall having an extensive conversation with Vice Mayor Johnson in regards to a contractor being hired on an emergency basis to cut the city alley ways.

Vice Mayor Johnson said she would like the resolution to allow any prior vendors an opportunity to submit a proposal.

Motion made by Vice Mayor Johnson, seconded by Commissioner Miller to include the wording "to include appropriate consideration of prior experience as a city vendor" at the end of Section 2.

Commissioner Holmes asked is there anyone else cutting the alleyways other than the Urban Rangers?

Manager Baker said the Urban Rangers are cutting the alleys and in some cases the inmates have provided additional assistance.

With regards to the maintenance of the city alleyways, Commissioner Holmes said he received a lot of complaints. The Urban Rangers are in need of additional personnel or a company needs to be hired.

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

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

(19-5) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE WAIVER OF CODE ENFORCEMENT LIENS AND CITATIONS ON 2060 LINCOLN AVENUE, 2070 LINCOLN AVENUE AND 15050 DUVAL STREET IN THE OUTSTANDING AMOUNT OF \$343,637.98; 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 Miller to pass the resolution.

Vice Mayor Johnson said in the original resolution the amount was \$101,456.00, how can staff made such a drastic mistake.

Manager Baker said it was brought to his attention that each of the properties listed have extensive liens and the original resolution only calculated one of the liens.

Attorney Geller said, for the record, the first paragraph of the resolution should read "Opa-locka Community Development Corp. (OLCDC)".

Vice Mayor Johnson asked Mr. Baker what is his reason for asking the City Commission to forgive the entire lien?

Manager Baker said the applicant has come forward with that request and he does not have the authority to grant it, therefore, he is presenting it to the City Commission.

Vice Mayor Johnson said any time there is an opportunity for negotiations then staff should do so, the city is not in the position to forgive everything. In addition, the city has given a lot to the redevelopment project; she cannot support forgiving the entire amount.

She said anyone serving on the dais that is affiliated with the Opa-locka Community Development Corporation should recuse themselves from voting on the item.

Commissioner Miller said she shares the same concerns as Vice Mayor Johnson, the city have given the Opa-locka Community Development Corporation several properties and they should be obligated to pay half of the liens.

Commissioner Holmes said he echoes the same concerns of his colleagues; he is not in favor of forgiving the entire loan, and they need to pay at least half of the amount.

Item 19-5 was deferred by the sponsor.

16. NEW ITEMS:

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, AMENDING SECTION 7-6 OF ARTICLE I OF THE CITY OF OPA-LOCKA CODE OF ORDINANCES RELATING TO BUILDING FEES BY AMENDING THE UNIFORM FEE SCHEDULE FOR THE BUILDING AND LICESES DEPARTMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by C.M.

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE IX.5 OF THE CODE OF ORDINANCES RELATING TO COMMUNITY DEVELOPMENT FEES BY PROVIDING FOR AN AMENDED SECTION 2-423 UPDATING THE FEE SCHEDULE FOR THE COMMUNITY DEVELOPMENT DEPARTMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING PUBLIC WORKS AND UTILITIES FEES BY PROVIDING FOR A FEE SCHEDULE FOR THE PUBLIC WORKS AND UTILITIES DEPARTMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ESTABLISH PARK AND RECREATION FEE SCHEDULE FOR THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

5. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA TO ESTABLISH MISCELLANEOUS FEE SCHEDULE FOR THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

Manager Baker deferred items 18 A1, 18 A2, 18 A3, 18 A4, and 18 A5.

B. SECOND READING/PUBLIC HEARING:

1. 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 (first reading held on September 26, 2012). *Sponsored by T.H.*

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.

Vice Mayor Johnson said during the workshop there was discussion as to the amount of officers needed depending on the capacity of the event and it should have been spelled out in the ordinance.

Attorney Geller said in section 2 the language says on terms to be established, which means it needs to be size appropriate.

Motion made by Vice Mayor Johnson, seconded by Commissioner Holmes to correct the title of the ordinance, deleting the word “an” and add an “s” on officer and “subject to the prior approval of the City Commission”.

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

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

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

2. 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 (first reading held on September 26, 2012). *Sponsored by D.J.*

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 Holmes to pass the above ordinance.

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

3. 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 (first reading held on September 26, 2012). *Sponsored by D.J.*

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 Holmes to pass the above 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

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ADOPT THE FUTURE LAND USE MAP AND TEXT AMENDMENTS, AMEND THE PARKS AND RECREATION ELEMENT TO THE CITY'S COMPREHENSIVE DEVELOPMENT MASTER PLAN, AND AUTHORIZE THE TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FINAL ADOPTION; PROVIDING FOR INCORPORATION OF

RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading held on October 10, 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 Holmes to pass the above ordinance.

Commissioner Holmes asked for an update on the ordinance.

Manager Baker said this ordinance deals with the transit overlay district that will allow mixed use within the transit district overlay area.

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:

19. ADMINISTRATION:

CONSENT AGENDA:

4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH JAMES ANASTON-KARAS PLANNING AND FACILITATION SERVICES D/B/A/ SYNAETHESIS, LLC, FOR STRATEGIC PLANNING SERVICES IN A TOTAL AMOUNT NOT TO EXCEED \$4,933, WITH THE TOTAL PROJECT COST NOT EXCEEDING NINE THOUSAND SEVEN HUNDRED EIGHTY-THREE DOLLARS (\$9,783) PAYABLE FROM ACCOUNT NO. 19-519340; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

It was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to pass item 1 of the consent agenda.

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

Commissioner Holmes	Yes
Vice Mayor Johnson	Yes

Commissioner Miller	Not Present
Commissioner Tydus	Yes
Mayor Taylor	Yes

A. CITY MANAGER’S REPORT:

Manager Baker reported that the Johnson Controls assessment was completed and there are numerous problems with the system as it relates to the initial set up. When the bids first went out, 800 meters were not included which means if all the meters are working there will still be 800 meters not part of the AMR system.

During the assessment they were able to get 50% automatic readings from the existing meters currently in place. The system works, however the project was never closed out. Staff has an action plan to get the system running and it will cost approximately \$250,000. He is seeking approval from the City Commission to move forward in an effort to have the system running appropriately before the New Year.

He further mentioned that he is moving forward and continuing to make slow progress with the negotiations of the Town Center Building. He has received a counter offer and is scheduled to meet with the owner of the property.

With regards to the Florida Retirement System, staff has met with the State of Florida and Florida League of Cities. There are several issues that caused the current situation. The elected body was historically classified incorrectly as a contract employee. During the IRS audit last year, one of the citations was that Elected Officials be classified as employees; once that change occurred it caused the problem.

Commissioner Holmes said it was his understanding when the pump station at Sherbondy Park was completed, the contractors was supposed to start working on another Pump Station.

Manager Baker said there are several Pump Stations under construction and there are several contracts being finalized, once that has been complete a notice to proceed will be issued.

Commissioner Holmes mentioned that the Urban Rangers is under paid and they need additional staff to be able to maintain the city’s alleyways.

Vice Mayor Johnson expressed her concerns as it relates to the meat being sold at the grocery stores, the city’s branding, and the advertisement signs.

She further said if the budget allows she would like the City Manager to bring back recommendations for first level employees to receive a pay by performance salary increase.

She has concerns about the services that will be provided at Sherbondy Village. A representative from the YMCA informed her that she will be working in the City of Opa-locka.

Manager Baker said he has no knowledge of the YMCA being located in the City of Opa-locka.

Vice Mayor Johnson said in the last few months she have been receiving a fluctuating water bill at her home and she would like staff to into it.

Commissioner Holmes has a great concern regarding fees because citizens and business owners have come before the Commission saying they have to pay a substantial amount of money to appear before the zoning board for a variance.

Commissioner Tydus said she expressed concerns with the former administration regarding public safety with the restaurants. She requested that the health department be contacted and inspections are done periodically.

Mayor Taylor asked, can the City Commission receive a copy of the health department regarding the restaurants located in the city?

She further asked are the city employees evaluated?

Manager Baker said there is an annual performance evaluation and he is scheduled to meet with the Human Resources Director to discuss how the program is set up.

Mayor Taylor said she have received several complaints from citizens near Rutland Street that there are rodents coming from a pit and going toward their homes.

She further made reference to a report that was provided to the commission in their booklets regarding the lot next to the trail rail station. It says the owner cuts the grass every three months, which is not expectable. She asked, has the city cut the grass and billed the owner?

Manager Baker said the city placed a lien on the property.

B. ACCOUNTS PAYABLE:

Dr. Orji, Finance Director came forward and stated that all documents required for his report in writing are 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?

Manager Baker said as they close out the 2011-2012 budget, based on the available dollars they will make a decision on placing some of those funds in the reserve account to begin the payoff.

Vice Mayor Johnson directed the City Manager to bring back an action plan as to how the money will be replaced.

20. OFFICIAL BOARD REPORTS:

21. CITY ATTORNEY'S REPORT:

Attorney Geller said the former City Clerk Deborah Irby had a three count complaint pending. A court hearing was held and the judge agreed with the city to dismiss the counts for declaratory release and violation of the fair labor standard act. They agreed the claim for breach of contract needed to be reworded and it was ordered to be dismissed.

He further mentioned that his report was provided in writing.

Commissioner Holmes said the City Commission passed legislation that there will be no more contracts for employees. He asked the City Attorney if he made the judge aware of that.

Attorney Geller said that legislation was passed subsequent to her contract being adopted.

Vice Mayor Johnson said as a friendly reminder the City Attorney has been asked several times to search for a company to collect the city's unpaid debt.

She directed the City Attorney to provide the City Commission with a plan by November 14, 2012 as to how the city will collect its unpaid debt.

Commissioner Tydus asked for clarification on Citizens Forum.

Attorney Geller said there is nothing that prohibits the presiding officer from allowing discussion to take place. Traditionally, Citizens Forum has been for the citizens to speak. There is a history where commissioners have been responding to comments made during citizens forum and the Mayor has the authority to permit those responses.

22. CITY CLERK'S REPORT:

City Clerk Flores said she provided the Commission with a written report. As a reminder Barry University and Neighbors & Neighbors Association Business seminar will be held on October 25, 2012 at 7:00 p.m. – 9:00 p.m. on the 4th Floor.

She encouraged everyone to go out and vote on November 6, 2012.

23. MAYOR/COMMISSION REPORT:

Commissioner Holmes said it has been brought to his attention that there are pot holes in the grass at Sherbondy Park.

Commissioner Tydus provided her colleagues with a copy of the Gospel Truth Newspaper which included an article about the Gospel Explosion and she thanked staff for their assistance with the planning of the event.

She encouraged everyone to come out to the Lunch and Learn Cinema on Saturday, October 27, 2012 @ 12:00 noon on the 2nd Floor.

Vice Mayor Johnson said she is working on raising additional funds for the Annual Christmas Toy Drive she host every year.

She directed the City Manager to promote the sign ordinance Town Hall Meeting.

Mayor Taylor said she would like her colleagues to consider letting the citizens voice their concerns during Citizens Forum.

She further said she had concerns regarding the sign ordinance flyer.

Mayor Taylor asked Manager Baker was the flyer designed in his office?

Manager Baker replied, yes. The flyer he reviewed was intended for the workshop, but he didn't know where it was going from that point.

Mayor Taylor asked Clerk Flores did she have anything to do with flyer.

Clerk Flores said she is aware of the flyer and Town Hall Meeting and someone in her office worked on it.

Mayor Taylor said the flyer is in color and that it is expensive and the Vice Mayor cannot call a Town Hall meeting, the only person that can call a Town Hall meeting is the Mayor, City Manager, and three Commissioners. The flyer is a disrespect because it says the meeting is being sponsored by Vice Mayor and at the bottom of the Flyer it says contact Shamecca Lawson, who is not the City Clerk. She asked the City Clerk did she approve the flyer.

Clerk Flores said she was copied on all the correspondence regarding the flyer.

Mayor Taylor asked the City Clerk does the advertising cost come from her budget.

Clerk Flores replied, yes.

Mayor Taylor told the City Clerk she needs to remind her staff they work for her and anyone that disrespects her should be reprimanded.

Vice Mayor Johnson said when the flyers were distributed to her colleagues during the sign ordinance workshop, she stated that anything she does after November 6, 2012 she should be listed as a Commissioner and no one had any objections to the flyer. The charter says a special meeting, Town Hall meeting is a community forum and that can be called by anyone.

She said prior to her calling Shamecca, she called Joanna and asked her to allow Shamecca to work on it and in the future she would do everything in writing.

She asked the City Clerk did she call her prior to calling Ms. Lawson.

Clerk Flores said she did not receive a call from Vice Mayor Johnson.

She further said she has concerns when she receive a call regarding a Opa-locka Chamber of Commerce being connected to the City of Opa-locka and one of her colleagues serves as the President and she was unaware of it.

She continued by saying the flyer she approved had the date of December 12, 2012 and she does not know who changed the date and as the sponsor she would have appreciated if they would have advised her.

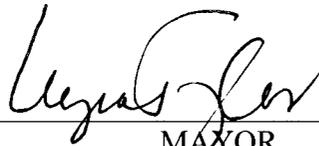
Mayor Taylor said the problem is that no one person can call a Town Hall meeting.

Vice Mayor Johnson said the point is well taken but that has not been historically.

24. OFFICIAL BOARD APPOINTMENTS:

25. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to adjourn the meeting at 9:50 p.m.



MAYOR

ATTEST:



CITY CLERK