

CITY OF OPA-LOCKA

“The Great City”

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

January 9, 2013

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 7:04 p.m. on Wednesday, January 9, 2013 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: Commissioner Dorothy Johnson, Commissioner Luis B. Santiago, Commissioner Timothy Holmes, Vice Mayor Joseph L. Kelley, 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 Pastor James Murray, Soul Saving Station.

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, 19-2, and 19-9 (Vice Mayor Kelley); 19-5, 19-6, and 19-10 (Commissioner Santiago) and 19-7 (Commissioner Johnson).

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

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

Commissioner Holmes	Yes
Vice Mayor Kelley	Yes

Commissioner Johnson	Yes
Commissioner Santiago	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, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE WITH CORRADINO GROUP, INC., FOR PROFESSIONAL PLANNING SERVICES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

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

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

Vice Mayor Kelley	Yes
Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Mayor Taylor presented a Commendation to MasTec, Jason Sanon, Panel Desir, Randolph Aikens, King Leonard, Steven Campbell, Lee Bouie, DeWarrick Quinn, and Cynthia Williams for their support in making a difference in the City of Opa-locka's Beautification Initiative.

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 12/12/2012

It was moved by Vice Mayor Kelley, seconded by Commissioner Johnson to approve the minutes of the Regular Commission Meeting of December 12, 2012.

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	Yes
Vice Mayor Kelley	Yes
Mayor Taylor	Yes

9. 17th CONGRESSIONAL DISTRICT OF FLORIDA REPORT:

10. STATE SENATORS REPORT:

11. STATE REPRESENTATIVES REPORT:

State Representative Cynthia Stafford, came forward and stated that she is happy to be serving another term and due to redistricting she has the pleasure of representing the Great City of Opa-locka.

Vice Mayor Kelley thanked State Representative Stafford for her assistance with the signage on I-95 directing people into the City of Opa-locka.

12. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

Larry Gardner, of Miami-Dade County Commissioner Jordan's Office (District 1) came forward and stated that the Florida Department of Transportation and CSX will be working on the railroad tracks on NW 27th Avenue in January/February 2013 and the city's Police Officers will be compensated for overtime.

Nathan Palito, Florida Department of Transportation came forward to answer any questions the City Commission may have with regards to the project.

Commissioner Johnson expressed her concerns regarding the maintenance of the landscaping along State Road 9.

Mr. Palito said the project will entail replacing the tracks with new railings, panels, etc. There will not be any gate replacements, because it is strictly a railroad project.

Vice Mayor Kelley said when the tracks are repaired or replaced they tend to be uneven.

Mr. Palito said they will be using a special machine that will assist with the settlement of the tracks.

Vice Mayor Kelley asked, will the project include signalization of the hand rails?

Mr. Palito replied, no.

Vice Mayor Kelley thanked Commissioner Jordan for her efforts in assisting the city with the signage on Opa-locka Boulevard.

Mayor Taylor thanked Commissioner Jordan for sponsoring the Community Walk.

Jason Smith, of Miami-Dade County Commissioner Monestine's Office (District 2) came forward with greetings on behalf of the Commissioner. District 2 will have its first Super Center Wal-Mart built.

The 2013 Mom & Pop grant program is now open and they are accepting applications. Commissioner Monestine has an ongoing Farmer's Market at the Arcola Lakes Branch Library and they are open every Saturday at 12:00 noon – 3:00 p.m.

Commissioner Monestine will be hosting a You Can Go To College series on January 19, 2013 at 9:00 a.m. at New Birth Baptist Church Vision To Victory, 13230 NW 7th Avenue, North Miami, FL.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

14a. CITIZENS' FORUM:

1. Alvin Burke of 2928 NW 132 Street, Apt. 328, Opa-locka, Florida, appeared before the City Commission and voiced his concerns with regards to Waste Pro. The company previously appeared before the City Commission and stated that they were going to bring jobs and beautify the city, however the City Commission voted the company down. He is sad to say a company is in the same building Waste Pro wanted to open, providing the same services without appearing before the Planning Council and City Commission for approval.

He asked how the company opened without approval.

Commissioner Johnson said the same issue was brought to her attention and she requested a copy of the company's permit. The information was returned to her and the company does have an official permit from the City of Opa-locka.

Manager Baker said this is his first time hearing the specifics; however he will work on the issue in the morning.

2. Johnnie M. Greene of 2091 Wilmington Street, Opa-locka, Florida, appeared before the City Commission and thanked the Commission for the Clean Up Initiative and the Christmas displays throughout the city. She thanked Vice Mayor Kelley and Commissioner Santiago for attending the Eastside Crime Watch Organization Christmas Party and Meeting.

As a united group they stand before the City Commission opposing the ordinance to re-zone a certain area in the city for a truck stop on NW 135th Street, which is one of the city's main corridors. If the Commission passes the legislation, it will be another sore eye in the community.

Ms. Greene said the city is in need of road repairs, will a truck stop make the streets better or worse?

3. Jannie Russell of 1210 Peri Street, Opa-locka, Florida, appeared before the City Commission and said she would like the citizens included, instead of making decisions first.

She further said the city needs to enforce its legislation regarding signage. People are putting stickers to buy cars on the vehicles in her yard.

Commissioner Santiago said he shares the same concerns as Mrs. Russell, and he plans to support any legislation the city has to prohibit posting signs throughout the city.

Commissioner Johnson said the city has legislation and it needs to be enforced. As a former Postal Executive, if anyone put something in your mailbox without a stamp, please call the Postal Inspector.

Mayor Taylor said she shares the same concerns and it's been an issue with her. First people were posting stickers on 22nd and 27th Avenues, now there coming throughout the city.

Mayor Taylor said she needs the Code Enforcement Department to address those concerns right away.

4. Jacqueline Gasper of 2030 NW 124th Street, Opa-locka, Florida, appeared before the City Commission and voiced her concerns regarding her water bill. She said every month she receive a Water Bill in the amount of One Hundred Seventy Nine Dollars (\$179.00).

Commissioner Holmes asked the City Manager to address the citizens concerns with regards to the Trucking Company.

He further stated that he supported Waste Pro when they appeared before the City Commission, now the same citizens are opposing the Trucking Company.

Manager Baker said the Trucking Company project will impact the city late at night when the trucks will be traveling through the city. It is a good revenue source and will do great things from a financial standpoint.

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 USE OF THE CODE RED HIGH SPEED TELEPHONE COMMUNITY NOTIFICATION SERVICES ONLY WHEN THERE IS AN EMERGENCY ALERT SITUATION OR A NATURAL DISASTER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by M.T.

The above resolution was read by title by Attorney Geller.

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

Vice Mayor Kelley said he does not understand the need for the above legislation considering there is no fiscal impact. The Code Red service allows the Commission to reach out to the citizens.

He further said he is not supportive of the legislation in its form.

Commissioner Johnson said she shares some of the same concerns as Vice Mayor Kelley and can not support it in its form.

She further said the reason for bringing the system into the city was to have multiple ways to reach the citizens.

She thinks that everyone should have the opportunity to relay messages to the citizens through Code Red.

Commissioner Holmes suggested that the sponsor pull the resolution until a later date.

Mayor Taylor said she was serving on the Commission when the city first got the Code Red System. Red is for an emergency only, this is not the only avenue to get the message out.

Code Red should not be used as an advertising method for social events because after a while people will start requesting to have their telephone number removed.

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

Commissioner Santiago	Yes
Commissioner Holmes	Yes
Vice Mayor Kelley	No
Commissioner Johnson	No
Mayor Taylor	Yes

(19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO LEASE/PURCHASE THREE (3) 2013 CHEVROLET TAHOES, AS POLICE VEHICLES FROM GARBER FLEET SALES AT A COST OF \$1,740 PER MONTH, OVER A 48 MONTH PERIOD, AND A ONE TIME PURCHASE AND INSTALLATION OF EQUIPMENT AT A COST OF \$5,100 FROM DANA SAFETY SUPPLY, PAYABLE FROM ACCOUNT NUMBERS 36-521641 AND 36-521648; 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 Vice Mayor Kelley, seconded by Commissioner Santiago to pass the resolution.

Vice Mayor Kelley said legislation was passed at the last Commission meeting to purchase ten vehicles for the Police Department and he oppose to purchasing additional vehicles at this time.

Commissioner Holmes said the resolution is before the City Commission for consideration because the Police Department is in need of the vehicles.

Commissioner Santiago said at the last Commission Meeting the Police Department was approved to purchase ten new vehicles and it was his understanding that those vehicles were going to be used for patrol cars, however after reviewing his agenda packet he noticed those cars would be utilized for Detectives.

He asked, how many undercover police officers does the city have?

He asked have the three Chevrolet Tahoes been purchased?

Manager Baker replied, no.

Lt. De Los Rios appeared before the City Commission and stated that the ten vehicles were purchased to replace the detectives and investigative units fleet.

They are requesting Chevrolet Tahoes because they cost the same as the New Interceptors, which are marked police vehicles. The city has a problem with flooding, when it rains there are certain parts of the city that the police vehicles can not travel with the regulars cars.

He further said the Chevrolet Tahoes will be utilized by uniform officers.

Commissioner Santiago asked, will the Chevrolet Tahoes be used by uniformed officers, will they be luxury vehicles, and will they have the same colors as the other police cars?

Lt. De Los Rios said the vehicles are police packaged Chevrolet Tahoes and they will be used by uniformed officers.

Chief Cason appeared before the City Commission and said the Chevrolet Tahoes will not be black and white like the uniform cars.

She further said the three SUV's will replace the Ford Expeditions. They will be used for multiple reasons such as rainy seasons, the city floods and they still need to provide assistance to the citizens. In addition, the vehicles will be used to transport families involved in domestic violence.

Commissioner Santiago asked, how many undercover Police Officers does the city have?

Chief Cason said approximately ten; she can not give the exact number, because she does not want to divulge the deployment.

Commissioner Johnson said she is under the opinion that the Chevrolet Tahoes will replace the Ford Expeditions.

Chief Cason said that is correct, however they currently have two Ford Expeditions.

Commissioner Johnson said it was previously stated that the Police Department have not received vehicles since 2006 and she does not agree with that. She's been serving as an Elected Official for the city since 2002 and they have purchased three fleets of cars.

Chief Cason said the Detectives have not received vehicles since 2006.

Commissioner Johnson asked, how many miles does the vehicles have?

Lt. De Los Rios said the vehicles are 2008 and 2009 one of the vehicles have approximately 60,000 miles and the other have approximately 50,000.

Vice Mayor Kelley said he is not convinced that there is a need for additional vehicles. He supported the purchase of ten vehicles under the impression that they were going to be used for patrol vehicles, now he's hearing something different. The resolution to purchase the vehicles was passed on December 12th and on December 14th the cars were in process.

He supports the Police Department, however he has concerns that the newly purchased vehicles will not be utilized by Patrol Officers, however the ten vehicles are small automobiles.

At the previous Commission Meeting it was mentioned that the purpose of the Chevrolet Tahoes was for the big officers.

Commissioner Holmes said he made it clear that the Police Department needed over twenty new cars, but he was sponsoring a resolution to purchase ten cars first.

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

Commissioner Holmes	Yes
Vice Mayor Kelley	No
Commissioner Johnson	No
Commissioner Santiago	No
Mayor Taylor	Yes

(19-5) 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 (RFP) FOR COMMERCIAL AND RESIDENTIAL CITYWIDE SOLID WASTE COLLECTION AND DISPOSAL SERVICE, PAYABLE FROM ACCOUNT NUMBER 35-534430; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by C.M.

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Santiago, seconded by Commissioner Johnson to pass the resolution.

Commissioner Santiago said he notice the requirements are requesting the company to have three years experience.

Manager Baker said the concept is to get as much competition as possible, in many cases the greater the competition, the better the pricing will be.

Commissioner Santiago said he would like the company to have experience.

Commissioner Johnson said it is not good business to lower your standards to accommodate certain people.

Manager Baker said it is done often during a procurement process in order to gain greater competition. The proposer must submit evidence of at least three years of satisfactory experience.

Commissioner Johnson said she has experience with procurement. The correspondence says the experience states that the proposer must have at least three years of experience, why are the standards being lowered to one year of experience?

Manager Baker said he is not lowering the years of experience.

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

Vice Mayor Kelley	Yes
Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	No
Mayor Taylor	Yes

(19-6) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH F.R. ALEMAN AND ASSOCIATES, INC., FOR THE PREPARATION OF WATER AND SEWER SYSTEM ATLASES, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FORTY ONE THOUSAND TWO HUNDRED TEN DOLLARS (\$141,210.00), PAYABLE FROM ACCOUNT NUMBER 64-533630; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Santiago, seconded by Vice Mayor Kelley to pass the resolution.

Commissioner Santiago asked, have the city paid any other companies for the same services in the past?

Manager Baker replied, no.

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	Yes
Vice Mayor Kelley	Yes

Mayor Taylor

Yes

(19-7) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE TWO (2) FORD EXPEDITION VEHICLES FROM DUVAL FORD THROUGH THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT 12-20-1905, FINANCED BY THE FORD MOTOR CREDIT MUNICIPAL FINANCE PROGRAM, AT A TOTAL COST OF \$64,859, PAYABLE FROM ACCOUNT NUMBER 19-519648; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

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

Vice Mayor Kelley said he understand the two vehicles are for him and Commissioner Santiago. He would like to take his city vehicle and turn it to Chief Cason for her to use it at the Police Department to her discretion.

Commissioner Johnson said this is a New Year and there is a need for unity.

Whatever department needs vehicles, then they should be able to accommodate them, Vice Mayor Kelley should not need to give up his vehicle. The City of Miami Police Officer vehicles are older than the City of Opa-locka and she does understand the importance of Public Safety.

She further stated that she will be supporting the resolution as is, because she wants her colleagues to have the best.

Commissioner Holmes said his colleagues need the Ford Expeditions and he will support the resolution.

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

Commissioner Santiago	Yes
Commissioner Holmes	Yes
Vice Mayor Kelley	No
Commissioner Johnson	Yes
Mayor Taylor	Yes

(19-9) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH JVA ENGINEERING CONTRACTOR, INC. (JVA) FOR ROADWAY AND DRAINAGE IMPROVEMENTS TO BURLINGTON STREET, BETWEEN OPA-LOCKA BLVD AND NW 27TH AVENUE, IN AN AMOUNT NOT TO EXCEED \$463,529.45, PAYABLE FROM ACCOUNT NUMBER 41-541630; 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 Kelley, seconded by Commissioner Holmes to pass the resolution.

Vice Mayor Kelley said he reviewed the correspondence regarding the proposal. He asked has JVA done any other work for the city?

Manager Baker replied, yes.

Muhammad Nasir appeared before for the City Commission and stated that JVA did the 143rd Street project.

Vice Mayor Kelley said he have some challenges, because when the 143rd Drainage Street project was done, six months later there were still problems with flooding.

He has concerns because Burlington Street will have a lot of traffic, what will guarantee there will not be the same issues as 143rd Street?

A portion of the roadway on the north side does not have sidewalks. He asked why sidewalk installation was not included in the RFP?

Mr. Nasir said the sidewalk has to be ADA assessable which will include stop signs. The city cannot install stop signs without approval from Miami-Dade County.

He further said they did the RFP on an expedited basis; therefore they did not have time to include the sidewalks on the north side in the proposal.

Vice Mayor Kelley expresses his concerns as it relates to the city choosing the lowest bidder, and then having to pay more in the future.

Commissioner Johnson asked, what role does the Community Development Director and city Planner play with this project?

Manager Baker said there is not a Master Plan for the entire city as it relates to setting standards. He is in the process of working on a citywide Master Plan to show underground piping, wiring, etc.

Commissioner Johnson requested a meeting with the City Manager be for Friday.

It was moved by Vice Mayor Kelley, seconded by Commissioner Johnson to amend the resolution in the last "Whereas" to include the following language: and to contract with JVS for the construction of a sidewalk on the north side of Burlington Street where there are residential homes.

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

Vice Mayor Kelley Yes

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

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

Commissioner Holmes	Yes
Vice Mayor Kelley	Yes
Commissioner Johnson	Yes
Commissioner Santiago	Yes
Mayor Taylor	Yes

(19-10) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING A CHANGE ORDER FOR ATLAS PACKAGING, INC., FOR ADDITIONAL WORK COMPLETED AT PUMP STATION 14 DUE TO UNFORSEEN CONDITIONS, IN AN AMOUNT NOT TO EXCEED \$30,000.00, TO BE ISSUED UPON FINAL RELEASE OF LIEN OF PUMP STATION 14, PAYABLE FROM ACCOUNT NUMBER 35-535630; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Santiago asked, how long have the project been going on?

Manager Baker said the project was approved in 2009.

He further said he must report that the lift station has received all its approvals and it's working well.

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	Yes
Vice Mayor Kelley	Yes
Mayor Taylor	Yes

16. NEW ITEMS:

(16-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE WITH CORRADINO GROUP, INC., FOR PROFESSIONAL PLANNING SERVICES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson said this item came before the City Commission and she still have the same concerns as to why the city's Planner was not part of the selection committee.

One of the individuals on the panel is a consultant to the City Manager, consultants are not employees.

Manager Baker said the individual is a part time employee for the city.

Commissioner Johnson said the city has legislation that puts a freeze on non essential hiring.

Manager Baker said the Community Development Director is a City Planner.

Commissioner Johnson said she is making reference to Gerald Lee, the city's Planner.

Manager Baker said he understands the concerns, should they go down this road again they will take those concerns into consideration.

Vice Mayor Kelley said he sponsored the resolution, because it is a major component for the Challenge Grant.

Commissioner Johnson said she will not support anything pertaining to the Challenge Grant.

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

Commissioner Santiago	Yes
Commissioner Holmes	Yes
Vice Mayor Kelley	Yes
Commissioner Johnson	No
Mayor Taylor	Yes

17. PLANNING & ZONING:

A. HEARINGS:

B. APPEALS:

18. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST READING/PUBLIC HEARING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OPA-LOCKA, FLORIDA, TO REZONE THE PROPERTY IDENTIFIED BY FOLIO 08-2121-007-2700 AND IDENTIFIED BY THE ADDRESS 3325 NW 135 STREET, FROM B-3 (COMMERCIAL INTENSIVE) ZONING DISTRICT TO THE I-3 (INDUSTRIAL PLANNED DEVELOPMENT) ZONING DISTRICT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

Mayor Taylor relinquished the gavel to Commissioner Johnson.

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

There being no discussion, the motion passed by a 3-1 vote.

Commissioner Holmes	Yes
Commissioner Santiago	Yes
Vice Mayor Kelley	Out of Room
Mayor Taylor Taylor	Yes
Commissioner Johnson	No

Commissioner Johnson returned the gavel to Mayor Taylor.

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OF THE CITY TO CHANGE THE LAND USE OF THE PROPERTY IDENTIFIED BY FOLIO 08-2121-007-2700 AND IDENTIFIED BY ADDRESS 3325 NW 135TH STREET, FROM COMMERCIAL TO INDUSTRIAL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

Mayor Taylor relinquished the gavel to Commissioner Johnson.

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

There being no discussion, the motion passed by a 3-1 vote.

Commissioner Santiago	Yes
Commissioner Holmes	Yes
Vice Mayor Kelley	Out of Room
Mayor Taylor Taylor	Yes
Commissioner Johnson	No

Commissioner Johnson returned the gavel to Mayor Taylor.

3. AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND IMPLEMENTING FLORIDA CONSTITUTIONAL AMENDMENT 11 WHICH PROVIDES AN ADDITIONAL TAX EXEMPTION FROM COUNTY AND MUNICIPAL TAXES FOR CERTAIN QUALIFIED SENIOR CITIZENS, PURSUANT TO ARTICLE VII, SECTION 6(d) OF THE FLORIDA CONSTITUTION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Vice Mayor Kelley	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

B. SECOND READING ORDINANCE/PUBLIC HEARING:

C. RESOLUTIONS/PUBLIC HEARING:

19. ADMINISTRATION:

CONSENT AGENDA:

(19-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DESIGNATING VICE MAYOR KELLEY AS CHAIR AND COMMISSIONER SANTIAGO AS VICE CHAIR TO PRESIDE OVER THE OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY (CRA); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

(19-4) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PREPARE AND ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR A DESIGN BUILD CONTRACTOR TO PROVIDE DESIGN AND CONSTRUCTION SERVICES FOR THE HELEN MILLER CENTER AT SEGAL PARK, PAYABLE FROM ACCOUNT NUMBER 44-541802; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

(19-8) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE AN AGREEMENT WITH THE OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA FOR PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE CITY OF OPA-LOCKA CODE OF ORDINANCES, AND PROVIDING FOR REIMBURSEMENT TO THE STATE OF

FLORIDA, AT A COST OF \$16.67 PER CASE, PAYABLE FROM ACCOUNT NUMBER 19-519493; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolutions were read by title by Attorney Geller.

It was moved by Commissioner Johnson, seconded by Commissioner Holmes to pass items 3, 4, and 8 of the consent agenda.

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

Commissioner Holmes	Yes
Vice Mayor Kelley	Yes
Commissioner Santiago	Yes
Commissioner Johnson	Yes
Mayor Taylor	Yes

A. CITY MANAGER'S REPORT:

Manager Baker reported that he received the final numbers from the Florida Retirement System regarding the Elected Officials Pension. He will bring legislation at the next Commission Meeting for consideration.

The order has been placed for the meters and they are scheduled to arrive in about three weeks, once the meters arrive the AMR Automatic Meter Reading Project will start.

Plans are being made to designate a new Police Sub Station in the Magnolia North area.

The Special Master Hearings are working well and they concluded over two hearings. There are a tremendous number of back log cases; however they are aggressively having meetings to get up to speed.

Starting this month on the first and third Wednesday of each month he has scheduled a Manager Work day in the field to work with the employees to try and resolve a lot of issues.

He further said he is pleased to report that an agreement has been reach with the owners of Town Center and the city to purchase the building. At the next Regular Commission Meeting he will have a recommendation for approval.

Vice Mayor Kelley directed the City Manager to provide the City Commission with an update on the Carrie Meek Foundation lease agreement and whatever progress have been made on the development.

He directed the City Manager and City Attorney to prepare legislation for company's dealing with Brownfield Development in the city.

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.

Commissioner Johnson directed the City Manager to provide in writing the plan to replace the \$300,000.00 back to the reserve that was borrowed to fill the budget last year?

20. OFFICIAL BOARD REPORTS:

21. CITY ATTORNEY'S REPORT:

Attorney Geller reported that the city's trial in the Burton vs City of Opa-locka case is on going in Federal Court, the city is being represented by the Florida League of Cities.

Mr. Hockman provide him with a daily report and the trial is going well at this point.

Commissioner Johnson asked, where any former employees of the city subpoenaed on the cases?

Attorney Geller said the three plaintiffs remaining are Adam Burton, Vincent Robinson, and Tamika Miller Wiggins. Clarence Patterson, Brian Finnie, Michael Steel, Kierra Ward, Guithele Ruiz-Nicolas, David Chiverton and Evelyn Barrett were scheduled to testify.

Commissioner Johnson asked for the status on Deborah Sheffield Irby case?

Attorney Geller said the third amended complaint has been successfully dismissed, however a fourth amended complaint have been filed. Two of the three causes of action, Request for Declaratory Relief, and a claim for violation of Federal Labor Standards Act were all dismissed. The contract claim is still pending, he filed an answer and Mrs. Irby's attorney and she is requesting depositions.

He feels that the city case have merit and Mrs. Irby is not entitled to what she's claiming, she is asking for an excessive amount of money.

Commissioner Johnson asked, are there any more cases in litigation?

Attorney Geller said the city has a case pending with Road Runner regarding termination of contract and the case will be going to mediation.

On going litigation is continued with the Flea Market, although there have been substantial settlement discussions and they have paid some of the money that was owed.

Commissioner Johnson said all litigation must come before the City Commission and she would like the City Attorney to keep them abreast of the costs on a monthly basis.

She further said the quality of the documents in the agenda packets is poor, the City Manager and City Attorney needs to make sure the documents are legible.

22. CITY CLERK'S REPORT:

Clerk Flores said she have no report.

23. MAYOR/COMMISSION REPORT:

Commissioner Santiago thanked the citizens for coming to the Commission Meetings and he wished everyone a prosperous year.

Commissioner Johnson said she is working with War on Poverty as it relates to the safety bike route with Miami-Dade County School Board.

The Spanish Coalition is hosting a Health Fair on January 12, 2013 @ 10:00 a.m. at Nathan B. Young Elementary School.

Vice Mayor Kelley said his colleagues' needs to set some dates regarding the implementation of the city's new charter.

In his opinion there is a need for a One Stop Center and he will wait for the City Manager's report for further information.

He further said correspondence was mailed to all members of the Crime Watch Organizations for a Crime Watch Reception Meeting on January 14, 2013 @ 6:30 p.m. and he invited his colleagues to join him.

Vice Mayor Kelley continued by inviting the citizens to participate in the City of Opa-locka MLK Walk on January 19, 2013 @ 9:00 a.m. followed by a program and Art in the Park.

He thanked Charles Brown and Christina Gordon for assisting him with the Vice Mayor's Basketball Challenge.

Chief Cason informed the City Commission that two of the city's Police Officers are being nominated for the LEO Awards and she invited them to come out and help them celebrate the occasion on January 26, 2013 @ 5:30 p.m.

Commissioner Holmes thanked the business owners for their contributions towards his Annual Bicycle Giveaway. He gave out 150 bicycles and over 125 gift cards to the citizens of the Great City of Opa-locka.

He further thanked the Office of the City Clerk for planning the bicycle giveaway and purchasing the bicycles. In addition, he thanked Christina Gordon and Kathy Phillips for their assistance.

Mayor Taylor thanked the Office of the City Clerk for providing refreshments at the first Commission Meeting of the New Year.

She further mentioned that there is an epidemic in South Florida called Human Trafficking and it affects children and adults. She urged everyone to be careful where their children are and the people they are with.

She thanked Charles Brown for the walking tour of Sherbondy Village.

Mayor Taylor continued her report by announcing that it is her intension to begin the process of adopting a new procurement ordinance.

The Commission on Ethics has been contacted and they have agreed to participate in a workshop with the city on Ethics issues relating to procurement.

She further urged everyone to join her on January 25, 2013 @ 7:00 p.m. for the State of the City Address.

24. OFFICIAL BOARD APPOINTMENTS:

25. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Johnson, seconded by Vice Mayor Kelley to adjourn the meeting at 9:45 p.m.


MAYOR

ATTEST:


CITY CLERK