

**CITY OF OPA-LOCKA**  
**“The Great City”**

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

**January 29, 2013**

**2:00 P.M.**

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

**1. CALL TO ORDER:**

Mayor Myra L. Taylor called the meeting to order at 2:05 p.m. on Tuesday, January 29, 2013 on the 2<sup>nd</sup> Floor of the Opa-locka Municipal Complex, 780 Fisherman Street, Opa-locka, Florida.

**2. ROLL CALL:**

The following members of the City Commission were present: Commissioner 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. Commissioner Dorothy Johnson was not in attendance.

**3. INVOCATION:**

The Invocation was delivered by Vice Mayor Joseph L. Kelley.

**4. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**5. DISCUSSION/RESOLUTIONS:**

**a). DISCUSSION, POSSIBLE RECONSIDERATION AND COMMISSION ACTION OF THE OPA-LOCKA COMMUNITY DEVELOPMENT AGENCY INTERLOCAL COOPERATION AGREEMENT WITH MIAMI-DADE COUNTY.**

Attorney Geller said the resolution is to ratify the action that the CRA Board just took to make a small revision to the interlocal cooperation agreement as to who should serve on the government body.

It was moved by Vice Mayor Kelley, seconded by Commissioner Holmes for reconsideration.

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

Commissioner Holmes	Yes
Vice Mayor Kelley	Yes
Commissioner Johnson	Not Present
Commissioner Santiago	Yes
Mayor Taylor	Yes

It was moved by Commissioner Holmes, seconded by Vice Mayor Kelley to ratify the actions of the CRA Board.

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

Vice Mayor Kelley	Yes
Commissioner Santiago	Yes
Commissioner Johnson	Not Present
Commissioner Holmes	Yes
Mayor Taylor	Yes

(b). A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE AUTOMOBILE ALLOWANCES FOR THE FINANCE DIRECTOR, AND THE ASSISTANT CITY MANAGER, IN THE AMOUNT OF \$550 PER MONTH EACH, PAYABLE FROM FINANCE DEPARTMENT, ACCOUNT 17-513499, AND CITY MANAGER ACCOUNT 12-512499; 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 Commissioner Santiago to pass the resolution.

Vice Mayor Kelley said he does not have a problem with the Finance Director and Assistant City Manager receiving a car allowance, however it should not be the same as the City Manager. He suggested giving the two individuals a \$450 car allowance.

Mayor Taylor asked, does the city have a resolution pertaining to a set fee for car allowances?

Commissioner Santiago said he would like to see everyone treated equally.

Vice Mayor Kelley said the City Manager is the top official in the city and his staff should not be on the same level as him, unless there's a set amount for everyone.

Commissioner Santiago said the City Manager receives a monthly car allowance of \$300; however there are others that receive \$600 per month for car allowance.

Commissioner Santiago asked the City Clerk how much does she receive for car allowance.

Clerk Flores said \$500 per month.

Commissioner Santiago asked the City Attorney, if he have a record of everyone that receives a car allowance.

Attorney Geller replied, no.

Commissioner Santiago said he will support the legislation only if the City Manager, Assistant City Manager, and Finance Director receives a monthly car allowance of \$550.

Vice Mayor Kelley said he is not opposed to the Finance Director and Assistant City Manager receiving a car allowance, however it set a bad precedence when they are on the same level as their boss.

Mayor Taylor asked, was legislation adopted in 2002 creating a consistent package for car allowances?

Attorney Geller said a benefits package was prepared for the City Manager, City Clerk, and in house City Attorney, however he does not recall if it addressed car allowances.

Mayor Taylor said she does not want to get into people; it should be a set policy for the position.

She agreed with the Vice Mayor that the Finance Director and Assistant City Manager should not be on the same level as the City Manager.

Attorney Geller said a resolution was passed a few years ago to rescind all car allowances except those specifically approved by the City Commission.

Vice Mayor Kelley directed the City Attorney to look into a structure for car allowances in the future.

It was moved by Commissioner Holmes, seconded by Vice Mayor Kelley to amend the car allowance amount for the Finance Director and Assistant City Manager to \$475 per month.

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

Commissioner Santiago	Yes
Commissioner Holmes	Yes
Commissioner Johnson	Not Present
Vice Mayor Kelley	Yes
Mayor Taylor	Yes

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

Vice Mayor Kelley	Yes
Commissioner Santiago	Yes
Commissioner Johnson	Not Present
Commissioner Holmes	Yes
Mayor Taylor	Yes

(c). A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO INCREASE THE CITY MANAGER’S CAR ALLOWANCE TO \$550.00 PER MONTH, PAYABLE FROM CITY MANAGER ACCOUNT 12-512499; 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 Commissioner Santiago to amend the resolution to read as follows: TO AMEND RESOLUTION 12-8428, TO INCREASE THE CITY MANAGER’S CAR ALLOWANCE.

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

Commissioner Holmes	Yes
Commissioner Santiago	Yes
Commissioner Johnson	Not Present
Vice Mayor Kelley	Yes
Mayor Taylor	Yes

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

Commissioner Holmes	Yes
Vice Mayor Kelley	Yes
Commissioner Johnson	Not Present
Commissioner Santiago	Yes
Mayor Taylor	Yes

(d). DISCUSSION, POSSIBLE COMMISSION ACTION AND ANCILLARY ACTIONS REGARDING PURCHASE OF 780 FISHERMAN STREET, OPA-LOCKA, FLORIDA.

It was moved by Commissioner Holmes, seconded by Vice Mayor Kelley for discussion.

Manager Baker stated that he was instructed by the City Commission to begin the negotiation process for the purchase of Town Center. He has had countless meetings with the current owner of the building. He obtained an appraisal of the building which was \$8.3 Million Dollars with the understanding that it did not include the rental roll of the building. The owner of the building obtained an appraisal as well which was \$11.7 Million Dollars.

His original offer to the owner was \$5 Million Dollars for the purchase of the building. At the December Commission meeting the City Commission gave him one month to

conclude the negotiation process. As of today a purchase amount of \$10,295,000 have been agreed upon.

The advantage of purchasing the building is that it's an enterprise that has already been established. The building makes approximately \$800,000 per year, excluding what the city pays.

Commissioner Holmes said the city have owned the building since we moved in, because the city have been paying the mortgage. He would like to re-negotiate the purchase price to \$10 Million Dollars.

Vice Mayor Kelley shared the same concerns, with regards to lowering the purchase price to \$10 Million Dollars.

He asked, are the month to month payments previously paid by the city included in the purchase price?

Manager Baker replied, no.

Attorney Geller said if the City Commission agrees on a price, an agreement has to be drafted and a firm needs to be retained. If it is the desire of the Commission to negotiate terms in the agreement, his firm will do so.

Vice Mayor Kelley said when he had prior conversations with the City Manager his understanding was clear that the rent the city has paid would be incorporated in the deal.

Manager Baker said it would be wrapped in the agreement.

Attorney Geller said a deal have not been made to include previous paid rent into the purchase price, because the terms have not been discussed.

Vice Mayor Kelley asked the City Manager, have he reviewed the rent rolls?

Manager Baker said no, however he have analyzed and reviewed a spreadsheet until a contract is signed to allow him to review the records.

He further mentioned that he obtained a copy of the most current rent rolls, there's a forensic part of the process that is only activated once a purchase agreement is entered into.

Commissioner Holmes said the city have been paying rent on the building for over for years, now its time for the current owner to take that in consideration and agree to sell the building for \$10 Million Dollars.

Commissioner Santiago said he would like to purchase the building and does not want to lose the opportunity to purchase it.

He asked, what is the difference between rent and mortgage?

Commissioner Santiago said the city agreed to pay rent, but an agreement was not made to deduct the previous paid rent from the purchase amount.

He further said he is pleased with the current negotiated purchase amount.

Commissioner Holmes said when you rent, you are not the owner.

Vice Mayor Kelley expressed his concerns with regards to re-negotiating the purchase price to \$10 Million Dollars.

Manager Baker said he get his directives from the City Commission, if he is instructed to go back to re-negotiate the purchase price, then he will do so.

Attorney Geller said if the city has an agreement, they will propose a written contract including the price with subject to Commission approval.

Vice Mayor Kelley said if the City Commission agrees to purchase the building with the current negotiating price, will the City Manager be able to include other terms into the agreement?

Manager Baker said yes, title costs, closing costs, and other fees are associated with purchasing the building.

Mayor Taylor made reference to a document that was provided by the City Manager. She mentioned that the City Manager initials are on the document, however Mr. Stackhouse initials are not.

Manager Baker said he received confirmation from Mr. Stackhouse attorney in writing.

Commissioner Santiago said he is pleased with the current purchase price.

Commissioner Holmes, Vice Mayor Kelley, and Mayor Taylor directed the City Manager to go back and re-negotiate the purchase price to \$10 Million Dollars.

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

Commissioner Holmes	Yes
Commissioner Santiago	Yes
Commissioner Johnson	Not Present
Vice Mayor Kelley	Yes
Mayor Taylor	Yes

Attorney Geller said the City Commission needs to authorize the City Manager to move forward with drafting a contract.

Mayor Taylor said she is concerned with negotiating a purchase price; the City Commission can authorize the City Manager to retain a firm to draft the contract at a later date.

Manager Baker said it would be beneficial to start putting together the terms and conditions because it is a lengthy process. After the purchase agreement is approved, they will go to the financial institution and there is a bidding process to get the most competitive rates.

Commissioner Holmes said at this time he would like the City Manager to work on re-negotiating the purchase price.

He further thanked Mayor Taylor for honoring him at the State of the City Address.

Commissioner Santiago asked, will a Professional Consultant be included in the purchase negotiation?

Manager Baker said a team of professionals will be involved in the purchase process.

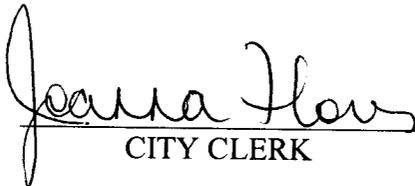
Mayor Taylor thanked everyone for their support at the State of the City Address.

**6. ADJOURNMENT:**

There being no further business to come before the Commission, it was moved by Commissioner Holmes, seconded by Vice Mayor Kelley to adjourn the meeting at 3:00 p.m.

  
MAYOR

ATTEST:

  
CITY CLERK