

**CITY OF OPA-LOCKA**  
**"The Great City"**

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

**February 13, 2013**  
**7:00 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 7:05 p.m. on Wednesday, February 13, 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: Vice Mayor Joseph L. Kelley, Commissioner Dorothy Johnson, Commissioner Luis B. Santiago, 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, 19-5, 19-7, 19-8, 19-10, 19-12 and 19-15 (Commissioner Johnson); 19-16 (Mayor Taylor).

Mayor Taylor deferred item 19-7.

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

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

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

**7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:**

**8. APPROVAL OF MINUTES:**

**Regular Commission Meeting – 01/23/2013**

It was moved by Commissioner Holmes, seconded by Vice Mayor Kelley to approve the minutes of the Regular Commission Meeting of January 23, 2013.

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

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

**Special Commission Meeting – 01/29/2013**

It was moved by Commissioner Holmes, seconded by Vice Mayor Kelley to approve the minutes of the Special Commission Meeting of January 29, 2013.

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. 17<sup>th</sup> CONGRESSIONAL DISTRICT OF FLORIDA REPORT:**

**10. STATE SENATORS REPORT:**

**11. STATE REPRESENTATIVES REPORT:**

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

Larry Gardner, of Miami-Dade County Commissioner Jordan's Office (District 1) came forward and introduced Lou Green, Certified Housing Specialist/Loss Mitigation Specialist.

Lou Green of Experts Resource Community Center, 610 NW 183<sup>rd</sup> Street, Ste. 202, Miami Gardens, FL appeared before the City Commission and mentioned that they are a HUD approved counseling agency of NID. The Experts Resource Community Center provides an array of free housing counseling services, including foreclosure assistance.

Commissioner Johnson said she had an opportunity to work with Mrs. Green and her track record of success is excellent.

With regards to the condominiums being closed down, she received a telephone call and they were successfully extended with the help of Commissioner Jordan.

Vice Mayor Kelley thanked Commissioner Jordan for her assistance with the stripping and signage on Opa-locka Boulevard.

**13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:**

Phyllis Sloan, of Miami-Dade Fire Rescue came forward and mentioned that the Miami-Dade County Fire Department has a new Fire Chief and they will be more available at the City Commission Meetings.

Trenese Prater, of Miami Dade Fire Rescue came forward and said they received 2,500 Smoke Detectors from Home Depot and they would like to donate 500 to the City of Opa-locka, their only stipulation is that they install the smoke detectors for the residents.

Commissioner Holmes asked, will this initiative put Home Depot out of business?

Mrs. Prater said replied, No.

She further mentioned that Home Depot made that donation to the Miami-Dade County Fire Rescue Department and in turn they are distributing them to the community.

Commissioner Santiago said the City of Opa-locka welcome the 500 Smoke Detectors.

**14. PUBLIC PRESENTATION:**

1. Chiara Clayton of 8095 NW 12<sup>th</sup> Avenue, Doral, Florida, appeared before the City Commission on behalf of the American Cancer Society, Inc. She requested City Commission support on the Miami Gardens/Opa-locka Relay for Life event on April 19-20, 2013 at the Betty Ferguson Center.

**14a. CITIZENS' FORUM:**

1. Jacqueline Fogarty of 1151 Peri Street, Opa-locka, Florida, appeared before the City Commission and voiced his concerns with regards to agenda items 19-16 and 19-9. She said she is in favor of keeping the invocation and maybe posting the Community Creed.

She further said most of the city's residents are Senior Citizens and they cannot handle the trash and garbage containers. The legislation should require the residents to have a trash bag in their garbage can.

2. James McNeal of 2375 Ali-Baba Avenue, Opa-locka, Florida, appeared before the City Commission and stated that he was denied a business license. After being in business for six years, he decided to change his business name to honor his grandfather. He went through the process and after three weeks he made an attempt to pick up his license and was informed that his application was not approved.

He further said staff should have informed him that he cannot get an occupational license once he changes the name of his business; instead he went through the entire process.

Manager Baker directed staff to address the citizens concern.

Commissioner Holmes said if there is a problem, it needs to be resolved.

Commissioner Johnson said normally in the State of Florida once you change the name of an establishment, you are no longer registered with the State and it is considered as a different business.

Commissioner Holmes said the gentleman stated that the business was in his grandfather's name and his grandfather is deceased.

Commissioner Johnson clarified that the gentleman said he would like to change the name of his business to honor his deceased grandfather.

3. Johnnie M. Greene of 2091 Wilmington Street, Opa-locka, Florida, appeared before the City Commission and said on January 9, 2013 it was stated that the East Side is always coming before for the City Commission to stop progress.

She said as citizen she has the right to voice her opinion and she can disagree with a decision affecting the city.

She further said she does not agree with changing the zoning laws from commercial to industrial to allow a truck stop on the city's main corridors near churches, schools, day care centers, and residential homes. The truck stop will bring a lot of negative such as deterioration of the roadways, noise, pollution, health hazards, contamination from gas & smoke, and safety hazards to many of the pedestrians. The facility will generate very few jobs for the citizens.

She asked, what type of jobs will this bring to the city?

Mrs. Greene further said she oppose to second reading ordinances 1 and 2.

She said the East Side Crime Watch members would like to thank Mayor Taylor for attending their last meeting and Vice Mayor Kelley for his assistance with following up on citizens concerns and providing advice with reformatting their meetings in a more efficient manner.

She further thanked Commissioner Santiago for the Seniors on the Move Extravaganza.

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

(19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AFFILIATING AGREEMENT FOR EDUCATIONAL SERVICES WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY DISTRICT/SCHOOL OPERATION, FOR FUNDING THE YOUTH CRIME PREVENTION PROGRAM; 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.

Commissioner Johnson noticed that the backup information did not include a match for the city, but being affiliated with the Youth Crime Prevention, she's aware that it takes more money. She recalled that in the past funds were raised to operate this function of the program.

She asked, where will the additional funds come from?

Manager Baker said the current positions are being funded from the city's general fund budget.

He further asked staff to provide a response to Commissioner Johnson's question.

Leslie Osbourne, Crime Prevention Director for the city said the resolution is only for suspended students enrolled in the Miami-Dade County Public School System.

Commissioner Johnson said the previous director had to raise funds for the program. In addition, \$29,000 was left from the funds raised and she would like a status of those funds.

Manager Baker said as it stands now, the staff salary is funded from the general fund.

With regards to the Crime Prevention Department, Commissioner Johnson requested an outline of the current funds raised and funds in the budget as of today, along with the strategy as to how they will receive additional funds.

Commissioner Holmes asked, who will be responsible for overseeing the Crime Prevention Funds?

Manager Baker said Mrs. Osbourne will work in conjunction with the Finance Department.

Commissioner Holmes said \$3,000 was left in the Crime Prevention budget for him to sponsor a luncheon. He asked, are those funds still available?

Vice Mayor Kelley said it was indicated that the city is supplementing the funding for Crime Prevention staff.

He directed the City Manager to look at restructuring the Crime Prevention staff to accomplish additional staffing at Sherbondy Village.

He further asked, since the city is supplementing the funding and the total funding is not coming from Miami-Dade County School Board, can the city direct how the staffing is used.

Attorney Geller replied, yes.

Commissioner Holmes asked, when will Sherbondy Village be furnished?

Manager Baker said he will include a response in his written report.

Commissioner Johnson said when the city has functions, it must be very careful in that staff must be compensated. She was grocery shopping and a family member of one of the city's employees mentioned that the employees are not being paid when working over 8 hours.

She further said Parks & Recreation budget is too low and she will assist with in kind services.

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

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

(19-5) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH CORRADINO GROUP, INC. FOR PROFESSIONAL PLANNING SERVICE TO PROPERLY ADMINISTER THE FY 2011 COMMUNITY CHALLENGE GRANT, PAYABLE FROM ACCOUNT NUMBER 37-515531; 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 Commissioner Holmes to pass the resolution.

Commissioner Johnson said some of the dates on the contract are over a year old.

She asked, why the dates are not current?

Attorney Geller said the dates will be updated when the final copy is executed.

There being no further 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

(19-7) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO TRADE-IN THE TWO VEHICLES, PREVIOUSLY USED BY FORMER CITY COMMISSIONERS, AND REPLACE THEM WITH A VAN FOR THE PUBLIC WORKS DEPARTMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

Mayor Taylor deferred item 19-7.

(19-8) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO INVESTIGATE WAYS AND MEANS OF PARTNERING WITH LENDING INSTITUTIONS TO ESTABLISH A LINE OF CREDIT (LOC) TO ASSIST OPA-LOCKA BUSINESSES; 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 Commissioner Johnson, seconded by Vice Mayor Kelley to pass the resolution.

Commissioner Johnson said she is in support of helping business owners; however, she is not comfortable with the city getting into investigating ways to loan businesses money. Perhaps, the Chamber of Commerce or the Opa-locka Community Development can provide assistance to the business owners.

Vice Mayor Kelley said as the resolution states, he is asking the City Manager to look into ways of assisting business owners. He is aware that the Opa-locka Community Development Corporation and Chamber of Commerce should be the conduit, but after speaking to business owners one of the challenges is getting assistance to keep businesses operating.

He further said he wants the City Manager to look into options of how business assistance can be done and the City Commission can direct the City Manager to take further action.

After meeting with several financial institutions, Commissioner Johnson said it is her understanding that those institutions are not giving a line of credit to some of the small businesses.

She further said she is in support of feasibility, but she does not want someone to give letters of support on behalf of the city.

Vice Mayor Kelley said he is open for amendments to the legislation.

Mayor Taylor expressed her concerns with the wording in the resolution “partnering with” because a line of credit is a loan, which means if the business fails to pay the loan then the city will be held responsible.

It was moved by Commissioner Johnson, seconded by Vice Mayor Kelley to amend the resolution to read: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO INVESTIGATE WAYS AND MEANS OF WORKING WITH LENDING INSTITUTIONS TO ASSIST OPA-LOCKA BUSINESSES, BUT NOT TO TAKE ANY FINAL ACTIONS.

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

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

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

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

(19-10) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO IMPLEMENT A PILOT JOBS INITIATIVE PROGRAM HIRING CITY RESIDENTS TO WASH CITY VEHICLES, TO BEGIN BY MID MARCH 2013; 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 Commissioner Johnson, seconded by Vice Mayor Kelley to pass the resolution.

Commissioner Johnson said she is in support of job creation, but there is no way of getting around DERM and all the necessary requirements.

She suggested a feasibility study because DERM already gave the city a ruling.

She asked the City Manager, does the city have to meet DERM requirements.

Manager Baker said the city has to meet all DERM requirements.

Vice Mayor Kelley said the City Manager did not make him aware of the DERM requirements prior to him sponsoring the legislation.

Vice Mayor Kelley deferred item 19-10.

(19-12) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO WORK WITH THE OPA-LOCKA COMMUNITY DEVELOPMENT CORP (CDC) TO CREATE A HOME OWNERSHIP PROGRAM FOR THE CITY OF OPA-LOCKA EMPLOYEES; 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 Commissioner Johnson, seconded by Vice Mayor Kelley to pass the resolution.

Commissioner Johnson said it is her understanding that the city had a home ownership program for employees. She asked, how would this differ from the previous history?

Vice Mayor Kelley said the previous program was done by the city. Since the Opa-locka Community Development Corporation is doing development rehab there may be employees with the desire to purchase a home. His intent with the legislation is to create a program with the Opa-locka Community Development Corporation that would allow the city employees an opportunity to become home owners.

Commissioner Johnson asked, what is the difference between the employees attending the First Time Home buyers at the Opa-locka Community Development Corporation versus coming to the city?

She further said she received a telephone call yesterday that read Washington, DC on the caller ID. The caller said they were a reporter from Washington, DC and wanted to know when the city's Opa-locka Community Development Corporation was established and she told them the city does not have a Community Development Corporation. The caller then informed her that the city's website listed an Opa-locka Community Development Corporation.

She continued by saying she called Sha'mecca Lawson and asked her to review the city's website to verify if that information was correct. She also made the City Manager aware of the telephone conversation.

Commissioner Johnson further stated that employees should be referred to the Opa-locka Community Development Corporation if it is their desire to become a home owner.

Vice Mayor Kelley said his intent was for the city to work with the Opa-locka Community Development Corporation to come up with a program that allows employees to own a home.

Commissioner Holmes said the city had a program in the 90's in which they built homes for the employees.

He further said the sponsor can defer the item until further research as to the process that was followed in the 90's.

Mayor Taylor said the Opa-locka Community Development Corporation does have a first time homebuyers program and they are accepting applications.

Vice Mayor Kelley directed the City Clerk to research all the previous legislation and provide a copy to the City Commission.

Vice Mayor Kelley deferred item 19-12.

(19-15) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO PROHIBIT CONTINUED EMPLOYMENT OF EMPLOYEES WHO FILE A LAWSUIT AGAINST THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.  
*Sponsored by T.H.*

Attorney Geller said he is obligated to inform the City Commission that the legislation is against the advice of counsel and he believes it will cause a lawsuit for the city.

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson said she understands the intent, but she is concerned because there are laws that prohibit employers from doing this.

Commissioner Holmes said when the item was brought forth at the last Commission Meeting there was a lot of discussion, however, no one have met with the City Attorney to give their suggestions.

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

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

Mayor Taylor

No

(19-16) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND RESOLUTION NO. 06-6994 TO REPLACE THE INVOCATION, BY ADOPTING THE COMMUNITY CREED AS A PART OF THE FORMAL PROCEDURE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

Mayor Taylor relinquished the gavel to Vice Mayor Kelley.

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

Mayor Taylor said she is not in support of replacing Prayer or Invocation. The root word for invocation is to invoke. She feels the city must invoke a higher deity in whatever is done.

She further said the Community Creed does not have God in it and she has never known anything to replace Prayer.

She continued by saying she cannot support any legislation to replace Prayer.

Commissioner Johnson she would like to remove the above resolution and the resolution passed on October 25, 2006 needs to be adhered to.

She further said this resolution is off the record.

Vice Mayor Kelley asked the City Attorney for clarity?

Attorney Geller said the sponsor removed the legislation so it is removed.

He further said the sponsor said she removed the item from the agenda because Resolution 06-6994 was already adopted.

Commissioner Santiago said he is happy the sponsor removed the item, because he could not support replacing Prayer.

Commissioner Johnson directed the City Clerk to provide the City Commission with a copy of the minutes for the Regular Commission meeting of October 25, 2006.

Vice Mayor Kelley returned the gavel to Mayor Taylor.

**16. NEW ITEMS:**

**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 OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE NO. 09-16, SECTION 21-77 ENTITLED "SCHEDULE OF RATES GENERALLY" BY AMENDING PROVISIONS RELATED TO WATER AND SEWER RATE FOR FISCAL YEAR 2013-2014; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

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

Mayor Taylor explained that the city has systematically increased the water rates from 2008 and the citizens are hurting. She is asking that the city hold the rates as it stands now until 2015 and bring it back before the City Commission.

Commissioner Johnson said she is in support of saving, but the city has previous legislation that reflects a schedule and it was a projection until 2014.

She further stated that the previous legislation must be rescinded before adoption of the above ordinance.

Manager Baker said the rates increase must be rescinded and the rates will be frozen at the 2012 rate.

Commissioner Johnson said staff should have informed the sponsor that all previous legislation must be rescinded first.

Attorney Geller said legislation can be rescinded, but his opinion is that the City Commission may also amend legislation.

Commissioner Johnson asked, what is the percentage of the decrease from 2009-current and where it could be found in the legislation.

Attorney Geller said he would have to refer to the Finance Department.

Commissioner Holmes suggested the item be deferred until the next Commission meeting.

Commissioner Johnson said anytime money is involved it affects the budget and she will not support the legislation as is.

Vice Mayor Kelley said all of the Commissioners realize the citizens are hurting. One of the reasons the rates were increased is because they were not up to date.

He further said Miami-Dade County is getting ready to pass down a rate increase to the city and if the legislation passes, the city will have to offset the cost to balance the budget.

He continued by saying a rate study should have been done. He would like to wait until Miami-Dade County passes down the rate increase.

Commissioner Holmes said he is concerned that the citizens are paying high water bills, but he is always concerned about the affect this may have on the city's budget.

Mayor Taylor deferred item 18A1 until the next Regular Commission Meeting.

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE NO. 12-28 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A FIVE YEAR FINANCING AGREEMENT WITH FORD CREDIT MUNICIPAL FINANCE, FOR THE PURCHASE OF A STREET SWEEPER AT A COST OF \$48,015.48 ANNUALLY, AND A FIVE YEAR MAINTENANCE AGREEMENT WITH ENVIRONMENTAL PRODUCTS OF FLORIDA AT A COST OF \$12,000.00 ANNUALLY, PAYABLE FROM ACCOUNT 43-538640; 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 Holmes	Yes
Vice Mayor Kelley	Yes
Commissioner Johnson	Yes
Commissioner Santiago	Yes
Mayor Taylor	Yes

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND CHAPTER 2, OF THE OPA-LOCKA CODE OF ORDINANCES BY ESTABLISHING SECTION 2-192, FIRST SOURCE HIRING REFERREL PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

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

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

Vice Mayor Kelley	Yes
Commissioner Johnson	Yes
Commissioner Santiago	Yes

Commissioner Holmes      Yes  
Mayor Taylor                Yes

**B.      SECOND READING ORDINANCE/PUBLIC HEARING:**

1.      AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF 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 (first reading held on January 09, 2013). *Sponsored by T.H.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing.

John Riley of 2963 NW 135<sup>th</sup> Street, Opa-locka, Florida, appeared before the City Commission and said he is in favor of the ordinance. The company hauls containers from the Port of Miami to their customers. It is not a truck stop, it is a trucking company,

Johnnie M. Greene of 2091 Wilmington Street, Opa-locka, Florida appeared before the City Commission and said she was in opposition to the company coming to the city. A Town Hall meeting has not been scheduled to explain this to the citizens.

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

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

Commissioner Holmes said the citizens voted for him to make the best decisions for the Welfare of the community and that is what he is doing.

Commissioner Johnson expressed her concerns as it relates to the dates on the back up documents and the declaration have not been notarized.

She further made reference to the minutes of June 28, 2011 not being signed off by staff.

She said her main concern is this item dates back to 2010, although the declaration is dated 2004.

Mayor Taylor said when the item first came before the City Commission the zoning was not a problem, they were just a new business coming in the city. Today they are requesting a rezoning.

She further said her concern is the business being rezoned from commercial to industrial because that is spot zoning.

Howard Brown, Community Development Director appeared before the City Commission and said a lot of this happened three years ago. This is a duplicate of what was previously voted on.

Commissioner Johnson said this is considered as spot zoning and the City Commission previously agreed to stop the spot zoning.

Commissioner Santiago said he would like to schedule a meeting with the developer to get additional information.

Vice Mayor Kelley asked, who will pay the cost to have the item re advertised and when will it come back before the City Commission?

Clerk Flores said normally we would have to skip a meeting due to the advertising schedule, however, it is her understanding if the item is deferred and a time frame is stated on the record, it does not have to be re advertised.

Attorney Geller said the City Clerk is correct.

Commissioner Holmes deferred item 18B1 until the next Regular Commission Meeting.

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 135<sup>TH</sup> STREET, FROM COMMERCIAL TO INDUSTRIAL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading held on January 09, 2013). *Sponsored by T.H.*

Commissioner Holmes deferred item 18B2 until the next Regular Commission Meeting.

3. AN ORDINANCE OF THE CITY COMMISSION 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 (first reading held on January 09, 2013). *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 Kelley, 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 Holmes	Yes
Vice Mayor Kelley	Yes
Commissioner Santiago	Yes
Mayor Taylor	Yes

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CORRECT A SCRIVERNER'S ERROR IN THE LEGAL DESCRIPTION OF THE ALLEY VACATED PURSUANT TO ORDINANCE NO. 12-23; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading held on January 23, 2013). *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 Kelley, seconded by Commissioner Johnson to pass the above ordinance.

Commissioner Johnson said errors were made August of last year and it was publicized.

She asked why staff did not notice the error and was the publication correct?

Manager Baker said a few things were done incorrectly and they are asking to clean up the legal description.

Commissioner Johnson asked the City Clerk was a new advertisement publicized?

Clerk Flores said yes, the advertisement is in the agenda packet behind the ordinance.

She further said she publicized the title of the ordinance which is currently before the City Commission.

Vice Mayor Kelley asked the City Manager, what has been done to assure this error does not occur again?

Manager Baker said he and the City Attorney will work closer together.

There being no further 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

**B. RESOLUTIONS/PUBLIC HEARING:**

**19. ADMINISTRATION:**

**CONSENT AGENDA:**

(19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE AWARD OF GRANT FUNDS FROM THE DEPARTMENT OF JUSTICE, THROUGH MIAMI-DADE COUNTY OFFICE OF GRANTS COORDINATION, AND TO EXPEND AND AMEND THE FY 2013 EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF TWO THOUSAND NINE HUNDRED THIRTY-NINE DOLLARS (\$2,939), AND EXECUTE AGREEMENT WITH THE PURPOSE OF CONTINUING THE OPA-LOCKA POLICE DEPARTMENT RECORD IMPROVEMENT PROGRAM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

*Sponsored by C.M.*

(19-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AMERICAN UTILITY BILL AUDITORS (AUBA), TO PIGGYBACK ON AN EXISTING CONTRACT BETWEEN THE CITY OF NORTH MIAMI BEACH AND AMERICAN UTILITY BILL AUDITORS, ON A CONTINGENCY FEE BASIS FOR AUDITOR'S SERVICES, PAYABLE FROM ACCOUNT NUMBER 19-519340; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

(19-4) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR THE PREPERATION OF A COMPREHENSIVE MASTER PLAN FOR THE CITY OF OPA-LOCKA, FROM QUALIFYING CONSULTING FIRMS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

(19-6) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE BUILDING BETTER COMMUNITIES INTERLOCAL AGREEMENT BETWEEN THE CITY OF OPA-LOCKA AND MIAMI-DADE COUNTY FOR THE RENOVATION OF HISTORIC CITY HALL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

(19-9) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO INVESTIGATE THE POSSIBILITY OF CREATING RULES AND PROCEDURES BANNING TRASH AND GARBAGE CONTAINERS FROM BEING MAINTAINED IN THE FRONT AREA OF THE RESIDENTIAL PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

(19-11) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUESTING THE STATE LEGISLATURE TO PLACE SIGNAGE ON I-95 NORTH AND SOUTH BOUND AT THE 135<sup>TH</sup> STREET EXIT INDICATING THE EXIT FOR THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

(19-13) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO SEEK FUNDING FOR THE ADDITION OF A GYM FOR INGRAM PARK THROUGH THE CITY'S LEGISLATIVE LOBBYISTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

(19-14) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO SEEK FEDERAL AND STATE FUNDING FOR JOB OPPORTUNITIES FOR CITY RESIDENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

The above resolutions were read by title by Attorney Geller.

It was moved by Vice Mayor Kelley, seconded by Commissioner Johnson to pass items 1, 3, 4, 6, 9, 11, 13 and 14 of the consent agenda.

The motion passed by a 5-0 vote.

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

#### **A. CITY MANAGER'S REPORT:**

Manager Baker thanked the City Commission for their support in approving the preparation of the bid documents to seek proposals for the Master Plan. The city is lacking a full Master Plan that provides design standards.

He said he is working closely with Vice Mayor Kelley to roll out the pilot jobs program and he is pleased to report that four city residents have been hired to work on the city's sidewalks.

He reported that he met with several legislators while in Tallahassee and he is scheduled to visit Washington, DC to meet on a federal level to look at appropriations for grant dollars.

He said that the AMR program was delayed due to a delay with the manufacture. He does anticipate the meters will arrive within the next week.

He further mentioned that he would be working closely with Commissioner Johnson on the Dade Heritage Trust for historical initiatives in terms of tapping into some of their expertise.

Manager Baker reported that he was able to reach a \$10 Million Dollar purchase agreement with the owners of Town Center Building and he is crafting the purchase contract that will come before the City Commission for approval.

He stated that Miami-Dade Transit is in the process of installing bus shelters for various areas of the city.

He reported that Shirley Freeman, Human Resources Director submitted her letter of resignation and he appointed Wanda Cooper as the new Human Resources Director. He publicly thanked Ms. Freeman for her many years of service to the city.

Commissioner Johnson thanked the City Manager for maintaining the areas around the bus benches.

She directed the City Manager to meet with Miami-Dade County Library System to restructure their hours of operation on the weekends.

She further directed the City Manager to restructure the weekend hours of operation for the Opa-locka Express to accommodate the citizens on the weekends.

She said she in support of car allowances, however, she would like to receive a tracker for staff receiving car allowances.

She thanked the City Manager for meeting with her prior to the Commission meetings, but she has concerns regarding the number of errors occurring.

Commissioner Santiago thanked the City Manager for a job well done.

Vice Mayor Kelley directed the City Manager to distribute the booklets in a timely manner.

He further said the National League of Cities will be held in March and he plans to attend the conference. He would like the City Manager to meet with legislators in Washington, DC prior to the conference because most of them will be unavailable the week of the conference.

He received a complaint from a resident that a bus shelter was placed in their drive way and he hope staff puts something in place to prevent something like that happening in the future.

He further said a company was chosen to do two projects in the city and the Commission was told that the company was mobilized, but he has not seen any work done yet.

Manager Baker said part of the mobilization process is permits, once the noticed to proceed is issued they have to get approved permits.

He further said he will get an answer from the Project Manager.

Vice Mayor Kelley said the funds for the project must be spent by May and he does not want to see a rush job.

With regards to the Proposed Fee Amendments and Charter, he said he sent the City Manager some correspondence suggesting a Town Hall Meeting.

Manager Baker said he had the opportunity to meet with the City Commission concerning the Proposed Fee schedule and he is currently working with the City Clerk's Office to schedule a Town Hall meeting.

Clerk Flores said she mentioned two dates of February 21 and February 22 to Vice Mayor Kelley and he informed her that those were Crime Watch meeting dates. She has additional dates of February 26, 28 or March 6 if the Commission is available to look at their calendars now.

Vice Mayor Kelley said he wants to use the same advertising method that was used to inform the citizens of the Proposed Charter Amendment meeting.

He further asked for a plan as to how the City Manager will deal with the budget imbalances.

Mayor Taylor directed the City Manager to start working on the Summer Job Initiative.

She said she asked for the Opa-locka Express to travel on the west side of 151<sup>st</sup> Street between the connector and 27<sup>th</sup> Avenue.

She further directed the City Manager to restripe the city streets and get a little firm on the city departments to get more professionalism from staff.

## **B. ACCOUNTS PAYABLE:**

Charmaine Parchment, Interim Assistant Finance Director came forward and stated that all documents required for the report are part of the package provided to the Commission.

She further mentioned that the city has \$200,000.00 in the revenue reserve bank account.

Commissioner Johnson asked for an explanation as to why the city only have \$200,000.00 in the reserve account.

Ms. Parchment explained that last year the City Commission approved \$300,000.00 to be used to address the city's deficit.

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 was able to resolve litigation in the RoadRunner matter, subject to the City Commission approval; and a notice of appeal was filed in the Burdon matter.

Commissioner Johnson suggested that a title search be done prior to bringing legislation to the City Commission.

She asked the City Attorney for the progress on the city's debt collection?

Attorney Geller said he spoke to the City Manager and he has to make a decision as to what to bring before the City Commission.

Commissioner Johnson directed the City Manager to provide her with a copy of the Outstanding Debt report by the following day.

She further asked for the status of the former City Clerk Deborah Irby's case.

Attorney Geller stated that depositions have been scheduled. They are taking depositions from the records custodian and Commissioner Holmes next week.

Commissioner Johnson asked for the status of the Educational Compact Foundation.

Attorney Geller reported that a meeting was held a few months ago and he spoke to the Assistant City Attorney Gilbert today with regards to the Educational Compact Foundation. The documents are ready if they are going with the documents previously requested by Commissioner Johnson.

Commissioner Johnson directed the City Attorney to obtain a copy of the format being used by the City of Miami Gardens.

Vice Mayor Kelley directed the City Attorney to prepare an ordinance amending the fee schedule to include a section that no money will be spent without Commission approval; a resolution authorizing the rate study to accurately measure the water cost; and a resolution dealing with the CPI.

**22. CITY CLERK'S REPORT:**

Clerk Flores reported that Lou McGann, former employee of the Opa-locka Community Development Corporation passed away and funeral services are scheduled for Saturday, February 16, 2013. The City Clerk's Office is preparing a Resolution of Sympathy.

Commissioner Johnson said the city needs to start working on a draft board/committee application and she will work with the City Clerk on it.

### **23. MAYOR/COMMISSION REPORT:**

Commissioner Johnson reported that she is scheduled to meet with the City Manager regarding the signage ordinance and welcome kit; she attended three strategy meetings with CAA for District 1; she is working with the local schools for a Black History Showcase; and she is trying to work with Parks & Recreation to offset some of their cost. She is not interested in running Parks & Recreation, but she would like to complement some of the things they are doing.

In addition, she would like the city to start having a Community Bingo at Sherbondy Village on the fourth Friday of each month.

She said the OpaSteppers normally meet every Friday at Town Center, but she think it will be beneficial for them to meet at Sherbondy Village for the parents to be more engaged.

She further requested a monthly report from the CRA Director as to the status of the CRA.

Commissioner Santiago said he is happy that he has been able to do a good job for the citizens.

He thanked the City Clerk's Office, Parks & Recreation, City Manager's Office, Police Department, and his colleagues for their assistance with making the Seniors on the Move Extravaganza a success.

Vice Mayor Kelley said he attended the Seniors on the Move Extravaganza and he commended Commissioner Santiago for hosting the event.

He reported that he is working with the Crime Watch organizations to enhance their meetings to be beneficial.

He met with Miami-Dade County Commissioners Monestine and Jordan's Office along with the City Manager's Office, Police Department and Public Works with regards to the challenges at Ingram Terrace Apartments.

He further reported that he met with a representative from South Florida Regional Planning Council regarding Brownsfield development.

He continued by saying if citizens are interested in the job initiative they are welcome to go to South Florida Workforce.

He commended Mr. Charles Brown because they have a lot of sports at Sherbondy Village, however, the staff needs to be increased.

He further requested that a door covering is put over the gymnasium entrance at Sherbondy Village.

Mayor Taylor reported that she had a very successful trip along with the City Manager to Tallahassee.

She further thanked Public Works and Urban Rangers for their aggression on the city wide clean up.

She commended Commissioner Santiago for hosting the Seniors on the Move Extravaganza.

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

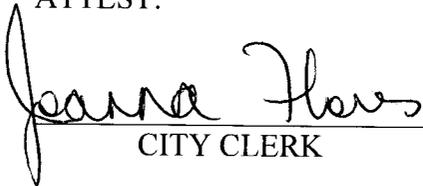
**24. OFFICIAL BOARD APPOINTMENTS:**

**25. ADJOURNMENT:**

There being no further business to come before the Commission, it was moved by Commissioner Holmes, seconded by Commissioner Johnson to adjourn the meeting at 10:00 p.m.

  
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MAYOR

ATTEST:

  
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CITY CLERK