

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

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

**May 22, 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:**

Vice Mayor Joseph L. Kelley called the meeting to order at 7:00 p.m. on Wednesday, May 22, 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 Dorothy Johnson, Commissioner Luis B. Santiago, Commissioner Timothy Holmes and Vice Mayor Joseph L. Kelley. Also in attendance were: City Manager Kelvin L. Baker, Sr., City Attorney Joseph S. Geller, and City Clerk Joanna Flores. Mayor Myra L. Taylor 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. APPROVAL OF AGENDA:**

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

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, AUTHORIZING THE CITY MANAGER TO ACCEPT THE MIAMI-DADE COUNTY PUBLIC HOUSING AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AWARD, IN THE AMOUNT OF FIVE HUNDRED FOUR THOUSAND FIVE HUNDRED SEVENTY THREE DOLLARS AND FIFTY-EIGHT CENTS (\$504,573.58), FOR THE DESIGN OF ALI-BABA AVENUE ROADWAY IMPROVEMENT PROJECT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

Manager Baker deferred item 16-1.

16-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING RESOLUTION NO. 13-8577, TO EXTEND INTERIM MEMBERS' TIME TO SERVE ON THE COMMUNITY RELATIONS, RECREATION AND ACTIVITIES ADVISORY BOARD UNTIL JULY 31, 2013; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

It was moved by Commissioner Johnson, seconded by Commissioner Santiago to amend the agenda to include item 16-2.

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

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

16-3: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING RESOLUTION NO. 13-8578, TO EXTEND INTERIM MEMBERS' TIME TO SERVE ON THE PLANNING COUNCIL UNTIL JULY 31, 2013; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

It was moved by Commissioner Johnson, seconded by Commissioner Santiago to amend the agenda to include item 16-3.

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

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

The following items were pulled from the Consent Agenda to be discussed separately under Action Items: 19-3, 19-4, 19-5, and 19-7 (Commissioner Johnson).

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

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	Yes

Vice Mayor Kelley	Yes
Mayor Taylor	Not Present

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

Commissioner Holmes acknowledged Dr. Ezekiel Orji for his hard work and dedicated service to the city.

**8. APPROVAL OF MINUTES:**

**Regular Commission Meeting – 05/08/2013**

**Special Commission Meeting – 05/10/2013**

It was moved by Commissioner Johnson, seconded by Commissioner Holmes to approve the minutes of the Regular Commission Meeting of May 8, 2013 and Special Commission Meeting of May 10, 2013.

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

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

**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 said on behalf of Commissioner Jordan he is happy to be of assistance to the City of Opa-locka.

Commissioner Johnson thanked Commissioner Jordan for sponsoring the 5<sup>th</sup> Annual Brain Burst at Nathan B. Young Elementary School.

Vice Mayor Kelley thanked Mr. Gardner for his representation at the Haitian Heritage Reception.

Jason Smith, of Miami-Dade County Commissioner Monestine's Office (District 2) came forward with greetings on behalf of the Commissioner District 2.

He urged everyone to come to the Haitian Cultural Gospel Fest on May 25, 2013.

Vice Mayor Kelley thanked Mr. Smith for his representation at the Haitian Heritage Reception.

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

**14. PUBLIC PRESENTATION:**

**1. Phyllis T. Reid, MSW, CAPP  
re: the Transforming Program**

Phyllis T. Reid, 421 NE 70 Street, Miami, FL came forward and informed the City Commission that she is a clinical social worker serving the intercultural schools and she address issues that impact the youth.

Commissioner Johnson asked Mrs. Reid, what she is asking from the City Commission.

Mrs. Reid said she is available to serve the youth.

Commissioner Johnson asked does Mrs. Reid have funds to serve the children.

Mrs. Reid said, no.

She further thanked Commissioner Holmes for inviting her to appear before the City Commission.

**14a. CITIZENS' FORUM:**

1. Alvin Burke of 2928 NW 132 Street, Apt. 328, Opa-locka, Florida, appeared before the City Commission and advised the City Commission that the Miami-Dade County Fire Department is operating on rotation calls, which means in the event of an emergency our citizens may have to wait for Fire Rescue to come from another station.

He asked, what is the status of the city purchasing the Town Center building?

Mr. Burke further said as a citizen of the City of Opa-locka he does not mind serving on Boards & Committees, however serving as a volunteer he has to change his calendar to accommodate the meeting dates and he expect city employees to be in place for confirmed meetings.

2. Kevin Okileking of 1960 NW 139<sup>th</sup> Street, Opa-locka, Florida, appeared before the City Commission and voiced his concerns with regards to certain parts of the city looking abandoned, particularly south of 22<sup>nd</sup> Avenue and 139<sup>th</sup> Street.

3. Eldred Redmon of 2766 NW 131<sup>st</sup> Street, Opa-locka, Florida, appeared before the City Commission and said he is very upset and he does not like false impressions given to higher authority.

He said he sent an email to the Attorney General Office with regards to financial assistance for Villa Francine for contamination and he was informed that they made

contact with someone from the City of Opa-locka and that person gave false information as if the city was helping the residents.

Commissioner Johnson said Villa Francine is a homeowner's estate, but she thinks the issue needs to be addressed with the City Manager's Office.

She further directed the City Manager to have staff look into the issue because it makes the city look bad.

Vice Mayor Kelley requested that the City Attorney address Mr. Redmon's concerns under the City Attorney's Report.

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

1. (19-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PARTNERSHIP WITH OPA-LOCKA COMMUNITY DEVELOPMENT CORP. ("CDC") TO PROVIDE HOME OWNERSHIP TO CITY 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 Commissioner Holmes to pass the above resolution.

Commissioner Johnson said whatever may happen with this initiative, she would like it to come back to the City Commission before implementation.

Vice Mayor Kelley said his intent was to authorize the City Manager to come up with a plan for city employees to obtain home ownership and agreement between the city and the Opa-locka CDC must come back to the City Commission before execution.

Commissioner Johnson said she would like to make an amendment to the resolution that the City Commission will be on a code of silence and they will not interfere with the process.

It was moved by Commissioner Johnson, seconded by Commissioner Holmes to amend the resolution to read: "*SUBJECT TO FINAL APPROVAL OF THE CITY COMMISSION, AND WITH NO INTERFERENCE IN THE PROCESS BY THE CITY COMMISSION OR ANY DEPARTMENT DIRECTORS.*"

Commissioner Holmes said in the past the city built homes for employees and they were not in partnership with other entities. The employees were required to pay a \$500.00 down payment and meet the credit requirements.

Vice Mayor Kelley said he believe the city was in a better financial position at that time. This legislation only allows the City Manager to come up with a plan with the Opa-locka CDC because they have homes available.

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

Commissioner Holmes	No
Commissioner Johnson	Yes
Commissioner Santiago	Yes
Vice Mayor Kelley	Yes
Mayor Taylor	Not Present

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

Commissioner Santiago	Yes
Commissioner Holmes	No
Commissioner Johnson	Yes
Vice Mayor Kelley	Yes
Mayor Taylor	Not Present

2. (19-4) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER AND COMMUNITY DEVELOPMENT DEPARTMENT TO RECOMMEND, AND THE CITY ATTORNEY TO INITIATE, FORECLOSURE PROCEEDING ON CERTAIN PROPERTIES IN THE CITY; 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 Commissioner Holmes to pass the above resolution.

Commissioner Johnson asked, what is the intent of the legislation.

Vice Mayor Kelley informed Commissioner Johnson that his intent was to put some teeth in the previous legislation she sponsored.

It was moved by Commissioner Johnson, seconded by Commissioner Santiago to amend the resolution to strike COMMUNITY DEVELOPMENT from the title of the resolution.

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	No
Vice Mayor Kelley	Yes
Mayor Taylor	Not Present

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	Yes

Vice Mayor Kelley	Yes
Mayor Taylor	Not Present

3. (19-5) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ESTABLISH A RECOGNITION PROGRAM TO HONOR OPA-LOCKA POLICE OFFICERS ON A MONTHLY BASIS AS “OFFICER OF THE MONTH”; 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 Johnson, seconded by Commissioner Holmes to pass the above resolution.

Commissioner Johnson said she is always in support of moral boosters; however she would like to recognize all employees on a monthly basis.

Commissioner Holmes said there is no comparison between regular employees and Police Officers because they put their lives on the line at all times.

Commissioner Santiago said he shares the same concerns of Commissioner Holmes and he is in support of the legislation.

Commissioner Johnson said she does not want to give the perception that she is not in favor of the Police Officers being recognized because that is not true, she just want to see a unified body.

She directed the City Attorney to bring back legislation recognizing all city employees on a monthly basis.

Vice Mayor Kelley said is in support of recognizing all employees. He will support the above legislation and when the resolution requested by Commissioner Johnson comes back he will support that one.

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

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

4. (19-7) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUESTING APPROVAL OF A CHANGE ORDER FOR JVA ENGINEERING CONTRACTOR, INC., TO PERFORM ADDITIONAL WORK FOR RUTLAND STREET ROADWAY AND DRAINAGE IMPROVEMENTS BETWEEN 23<sup>RD</sup> AVENUE AND 22<sup>ND</sup> AVENUE, INCLUDING DRIVEWAY APRONS FROM NW 24<sup>TH</sup> AVENUE TO 22<sup>ND</sup> AVENUE, IN AN AMOUNT NOT TO EXCEED \$149,490.00, PAYABLE FROM CAPITAL PROJECTS FUND, PAYABLE

FROM ACCOUNT NUMBER 47-541807, ITEM IS NOT BUDGETED; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.  
*Sponsored by L.S. and M.T.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson said she is not in support of change orders.

She said it is her understanding that the money was suppose to be given to the city October 1, 2013.

Manager Baker said that is correct.

Commissioner Johnson said the funds will not come from the current budget. She asked the City Manager is that correct?

Manager Baker said that is correct.

Commissioner Santiago said he sponsored the legislation because both sides of the sidewalks were not done.

Vice Mayor Kelley said when the item came up at the last Commission Meeting he asked that it be deferred because he had challenges with the cost.

He further said all members of the City Commission wants to see a uniform street, however he think the city can get a better price and change orders are for emergencies.

Vice Mayor Kelley asked the City Manager can he try to get a better price for the project?

Manager Baker said there is always a possibility of improving the price. The price quote includes adding driveway aprons to the west side that have already been done and does not have aprons because the funding was not available.

Vice Mayor Kelley said when he spoke to the City Manager regarding the issue, the City Manager indicated if he could go out to re-bid he could probably get a better price, now he is hearing the City Manager say it is his preference to get the project done.

Manager Baker said the sentiment is to get the project done, but if it's put out for re-bid they will be looking at 60 days or greater to possibly mobilize and get things done.

Commissioner Johnson said she does not think the project is time sensitive and she thinks it would be fair to put the project out for re-bid.

She further said during the town hall meeting citizens asked about the drainage and she asked about change orders. If the vendor wants to re-bid on the project and he's the best

qualified company then he will get the job. A lot of money has been invested in the project and it is important that quality decisions are made.

Commissioner Holmes said the item is not budgeted, where will the funding come from?

Manager Baker said the funding source will be PTP dollars.

Commissioner Holmes asked, is there enough PTP dollars to cover the cost of the project?

Manager Baker said the allocation will be available in October and it will cover the cost.

Commissioner Holmes asked will there be sufficient time for the project to go out for re-bid.

Commissioner Santiago said he does not have a problem with the project going out for re-bid, however if another company is selected then the roads will not look the same.

Manager Baker said it will look the same with the exception of one project looking brand new and the other looking a few months old.

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

Commissioner Holmes	No
Commissioner Johnson	No
Commissioner Santiago	No
Vice Mayor Kelley	No
Mayor Taylor	Not Present

## 16. NEW ITEMS:

(16-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING RESOLUTION NO. 13-8577, TO EXTEND INTERIM MEMBERS' TIME TO SERVE ON THE COMMUNITY RELATIONS, RECREATION AND ACTIVITIES ADVISORY BOARD UNTIL JULY 31, 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 Commissioner Holmes to pass the above resolution.

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

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

Mayor Taylor

Not Present

(16-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING RESOLUTION NO. 13-8578, TO EXTEND INTERIM MEMBERS' TIME TO SERVE ON THE PLANNING COUNCIL UNTIL JULY 31, 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 Commissioner Santiago to pass the above resolution.

Commissioner Johnson asked, are there any vacancies on the Planning Council?

Clerk Flores said yes, there is a vacancy because one of the members resigned. She said she asked the City Attorney if that member can be replaced since the City Commission appointed the members by resolution.

Attorney Geller said a member can be appointed but it will have to be done by resolution.

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

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

**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. 86-8, ARTICLE 6, SECTION 6.11, I-2, LIBERAL INDUSTRIAL DISTRICT OF THE CITY OF OPA-LOCKA LAND DEVELOPMENT REGULATION CODE TO ALLOW INDOOR RECYCLING CENTERS AS A CONDITIONAL USE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

Howard Brown, Community Development Director came forward and informed the City Commission that the ordinance allows for an indoor recycling center to operate within the I-2 zoning district and it also include performance standards that the business owner will have to meet county regulations for recycling centers. If the ordinance is approved the business will still have to come back to the City Commission for approval.

Commissioner Holmes asked, how many recycling centers are located in the city?

Mr. Brown said there is one company at this time.

Commissioner Johnson said staff mentioned that the company will have to come back to the City Commission, but it is not included in the legislation.

Attorney Geller said section 3 says indoor recycling facilities shall be permitted as a conditional use in the I-2 zoning district, conditional use means that only the City Commission can grant it under the city's land development code.

It was moved by Commissioner Johnson, seconded by Commissioner Santiago to amend section 2 of the ordinance changing (g) to (h) and insert a new (g) to read: the conditional use must be renewed every two years by the City Commission.

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

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

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

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

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CITY ORDINANCE 86-8, THE LAND DEVELOPMENT CODE, ARTICLE 4, ADMINISTRATION AND PROCEDURES, TO CREATE NEW SECTION 4.17, TITLED "CERTIFICATE OF USE", IN ALL NON-RESIDENTIAL ZONING DISTRICTS IN THE CITY PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

Commissioner Johnson asked for clarification on certificate of use versus conditional use.

Howard Brown, Community Development Director came forward and said certificate of use is separate from conditional use.

Commissioner Johnson asked, why conditional use was not stated in the legislation.

Manager Baker said the certificate of use is a new program that does not exist at this time. The purpose of the certificate of use program is to inspect businesses and to insure they are operating based on their approved usage.

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

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

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CONSIDER DELTA TRUCKING INC.'S REQUEST TO REZONE THE PORTION IDENTIFIED AS WEST 151' OF TRAC 8, OF NILE GARDENS SECTIONS I AND II, (FOLIO 08-2128-004-0070) OF THE PROPERTY, LOCATED AT 12705 NW 30<sup>TH</sup> AVENUE, FOLIO 08-2128-004-0180, FROM R-3 TO I-2 ZONING DISTRICT, PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; 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 4-0 vote.

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

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

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE REQUEST OF ZUMA, LLC TO REZONE THE PROPERTY IDENTIFIED BY FOLIO NUMBER 08-2128-007-0260 FROM I-2 TO I-2A; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on March 27, 2013) *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Vice Mayor Kelley opened the floor for a public hearing.

1. Eric Singer of 1450 Brickell Avenue, Miami, Florida, appeared before the City Commission on behalf of the applicants for items 18B1, 18B2, 18B3, and 18B4.

Attorney Singer said the companies are located in an area of the city that have been historically and presently known as a industrial and auto salvage business area of the city. The four properties are currently zoned I-2 which is one of the city's liberal industrial districts which permits all liberal industrial uses except for auto salvage use that predominate that are of the city.

He continued by saying they are requesting to go from a I-2 to and I-2A zoning which allows a liberal industrial use with the same intensity of use, but permits auto salvage that predominates the area and to permit the owners to legally operate the auto salvage usage.

Attorney Geller asked the applicant to state on the record that the applicants are voluntarily accepting the conditions that are contained in the ordinance.

Attorney Singer said absolutely.

2. Graham Penn of 200 South Biscayne Boulevard, Miami, FL, appeared before the City Commission on behalf of Trademark Metal Recycling.

Attorney Penn said his client has no issues with the applications that are in front the City Commission.

He further thanked the City Attorney, staff, and applicants for working with his client.

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

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

Commissioner Santiago said this item has been before the City Commission for three months and he is in support of the item.

Commissioner Johnson said auto salvage yards cannot stack cars above 6 or 8 feet and she notice this application is for 15 feet. She asked, when did the number change?

Manager Baker said he does not think the number changed.

Howard Brown said as per the city's code the regulation is 15 feet at height in industrial areas.

Commissioner Holmes in the event of a hurricane the business owners will lower the cars.

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

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

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE REQUEST OF JAVIER PEDRE TO REZONE THE PROPERTY IDENTIFIED BY FOLIO NUMBER 08-2128-007-0040 FROM I-2 TO I-2A; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on March 27, 2013) *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Vice Mayor Kelley opened the floor for a public hearing.

Attorney Geller asked the applicant to state on the record that the applicants are voluntarily accepting the conditions that are contained in the ordinance.

Attorney Eric Singer said absolutely.

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

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

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

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

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE REQUEST OF JDL UNLIMITED INVESTMENT, INC. TO REZONE THE PROPERTY IDENTIFIED BY FOLIO NUMBER 08-2128-008-0010 FROM I-2 TO I-2A; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION;

PROVIDING FOR AN EFFECTIVE DATE (first reading held on March 27, 2013)  
*Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Vice Mayor Kelley opened the floor for a public hearing.

Attorney Geller asked the applicant to state on the record that the applicants are voluntarily accepting the conditions that are contained in the ordinance.

Attorney Eric Singer said absolutely. There being no additional persons to speak on the public hearing, the public hearing was closed.

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

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

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

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE REQUEST OF VELEZA TRUCK ENTERPRISES, INC. TO REZONE THE PROPERTY IDENTIFIED BY FOLIO NUMBER 08-2128-007-0020 FROM I-2 TO I-2A; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on March 27, 2013)  
*Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Vice Mayor Kelley opened the floor for a public hearing.

Attorney Geller asked the applicant to state on the record that the applicants are voluntarily accepting the conditions that are contained in the ordinance.

Attorney Eric Singer on behalf of the applicant they voluntarily accept the conditions included in the ordinance.

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

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

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

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

**C. RESOLUTIONS/PUBLIC HEARING:**

**19. ADMINISTRATION:**

**CONSENT AGENDA:**

1. (19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO SUPPORT THE JOINING ROUNDTABLE ON YOUTH SAFETY AND COLLABORATE WITH THE COUNTY COMMISSION COMPREHENSIVE COMMUNITY WIDE ACTION PLAN REPORT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

*Sponsored by M.T.*

2. (19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO DIRECT THE CITY MANAGER TO SEEK SPONSORS FOR ADVERTISING ON BUS SHELTERS IN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

*Sponsored by J.K.*

3. (19-6) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO OBTAIN NECESSARY PARK EQUIPMENT FOR UTILIZATION IN THE PARKS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

The above resolutions were read by title by Attorney Geller.

It was moved by Commissioner Holmes, seconded by Santiago to pass items 19-1, 19-2 and 19-6 of the consent agenda.

The motion passed by a 3-0 vote.

Commissioner Holmes	Yes
Commissioner Santiago	Yes
Commissioner Johnson	Out of Room
Vice Mayor Kelley	Yes
Mayor Taylor	Not Present

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

Manager Baker reported that a hurricane preparedness meeting was conducted and they have put the necessary measures in place.

He further reported that he have rolled out the city car wash initiative and it is improving as they move forward. The first week they washed about 25 cars and to date they are up to 30 cars.

Manager Baker said the AMR system is moving forward and he is looking forth to its sunset in less than a month.

He said the sidewalk program is achieving great success and the city is now engaging in the shuttle bus routes traveling through residential areas of the city.

He continued by saying the alleys are being cut every Saturday and they are still purchasing equipment to enhance its efficiency.

Manager Baker further said much has taken place with the purchase of Town Center and he received a counter proposal on Thursday, he is in the process of submitting the city's response and he trusting it will be favorable.

The Burlington Street project is coming to a close and he is looking to take a site visit of the location to celebrate its completion.

Commissioner Johnson asked, what is the status for bus shelters on 22<sup>nd</sup> Avenue?

Manager Baker said he has requested additional information as to why they were not included in the original plan and he is still waiting to receive the requested information.

Commissioner Johnson requested bus benched to be installed on 22<sup>nd</sup> Avenue.

She said community education is needed for trash pick-up.

Commissioner Johnson asked, what is the status for Saturday bus services?

Manager Baker said he requested the implementation schedule and have not received the information as of today.

Commissioner Johnson directed the City Manager to follow up on the Saturday bus schedule.

She further directed the City Manager to follow up with Miami-Dade County regarding the library opening on Fridays.

Commissioner Santiago thanked the City Manager for the great job he is doing.

He said he have received a lot of calls regarding the garbage being picked up. He asked why Choice Environmental is taking a long time to pick up the garbage.

Commissioner Holmes stated to the City Manager if the owner of the Town Center Building does not have the necessary documents ready by June 1<sup>st</sup>, then let them know the city will be moving out of the building.

He further said he received a list of items requested by Parks and Recreation that's waiting to be delivered; he asked what is the status on those items.

Manager Baker said this is the first time he have heard about the list of items.

Commissioner Holmes directed the City Manager to make sure the issue is addressed by the next Commission meeting.

Vice Mayor Kelley directed the City Manager to follow up on the citizen's concerns with regards to the response for Fire Rescue and the roads on 139<sup>th</sup> Street.

He said the City Manager mentioned the construction and road projects including the roundabout. What is the next phase for Segal Park?

Manager Baker said the next step is to ensure the foundation to pour the slab.

Vice Mayor Kelley said work is being done on Sharar Avenue and 27<sup>th</sup> Avenue, were the citizens notified that the work was going to commence.

Manager Baker said he will address the issue.

Vice Mayor Kelley expressed his concerns with regards to Summer Jobs for the youth.

He further mentioned that there is a great concern from citizens regarding police response to loud music being played throughout the city. If the police is called, they don't respond or they will go to the callers home and the neighbors know who called.

Vice Mayor Kelley directed the City Manager to follow-up on the city's rules regarding loud music.

## **B. ACCOUNTS PAYABLE:**

Ezekiel Orji, Finance Director came forward and stated that all documents required for the report are part of the package provided to the Commission.

## **20. OFFICIAL BOARD REPORTS:**

## **21. CITY ATTORNEY'S REPORT:**

Attorney Geller stated that Mr. Redmon left a message for him; he proceeded to return the call and was informed by Mr. Redmon that he had been in contact with someone from the Attorney General Office regarding a program to provide financial assistance to people who are living on properties that were environmentally contaminated. Mr. Geller said he told Mr. Redmon that he will be happy to follow-up on it but he needed a contact person to get it touch with and he have not received that information to date.

He further said he is unclear what correspondence Mr. Redmon was referring to from the Attorney General because he have not seen the document, but for the record he have not spoken with anyone from the Attorney General Office.

Attorney Geller reported that he was successful in settling the matters related to former Deputy Chief Adam Burton and former Major Vincent Robinson subject to review by the City Commission.

Commissioner Holmes said it is unfair the City Clerk to be preparing the agenda packets late in the evening because the City Attorney did not provide her with the necessary information in a timely matter.

Commissioner Holmes directed the City Attorney to provide the City Clerk with the necessary documents for the agenda in a timely matter.

He further requested a report on the Special Magistrate hearing regarding Saggy Pants. The report should include when and where the person is doing their community service hours and who is overseeing them.

Commissioner Johnson said there has been some conversation about opening the pool and she want to make sure the city has a good liable liability clause and she is assuming the instructor will be someone that can swim.

She further directed the City Attorney to meet with her prior to the next Commission meeting because she wants to sponsor a resolution to recognize all employees quarterly.

She directed the City Attorney to meet with the City of Miami Gardens and City of Miami Beach regarding the Educational Compact and Foundation. She wants both to be resolved by the last meeting in June.

Vice Mayor Kelley echoed the same concerns as Commissioner Holmes with regards to the City Attorney providing the agenda items to the City Clerk in a timely manner.

He directed the City Attorney to speak to the City Clerk to schedule a meeting with the Committee members regarding the city boards.

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

Vice Mayor Kelley thanked Clerk Flores and Sha'mecca Lawson for organizing the Haitian Heritage Month Celebration.

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

Commissioner Johnson reported that she and Vice Mayor Kelley attended the Miami-Dade County Public School dialogue.

She attended the Brain Burst and Nathan B. Young and Dr. Robert B. Ingram Elementary Schools.

She thanked Parks & Recreation, City Manager's Office, and City Clerk's Office for their assistance with Family Night Out.

She invited her colleagues to join her on May 23, 2013 for the Historic Hampton House groundbreaking Ceremony.

Commissioner Santiago apologized for not attending the Haitian Heritage Month Celebration due to medical problems.

Commissioner Holmes said he is in the office everyday to address citizens' complaints.

Vice Mayor Kelley thanked everyone for participating in the Haitian Heritage Month Celebration.

He also reported that he attended the National Brownfields Conference in Atlanta, GA and he commended Howard Brown, Newall Daughtrey, and Charmaine Parchment for representing the city.

He continued by the saying the city has 96 Brownfield locations and there is a need for a workshop to determine what the City Commission wants to do with the sites.

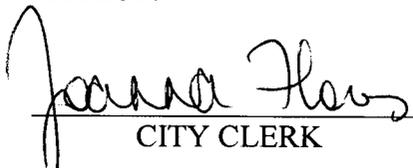
Vice Mayor Kelley invited everyone to attend the Re-Entry Fair on May 30, 2013 at 9:00 a.m. – 2:00 p.m.

**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 9:29 p.m.

  
\_\_\_\_\_  
MAYOR

ATTEST:  
  
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CITY CLERK