

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING

June 12, 2013

7:00 P.M.

Opa-locka Municipal Complex
780 Fisherman Street, 2nd Floor
Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Myra L. Taylor called the meeting to order at 7:00 p.m. on Wednesday, June 12, 2013 on the 2nd Floor of the Opa-locka Municipal Complex, 780 Fisherman Street, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: 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 Pastor Rogery Adams of Mount Zion AME Church.

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 ENVIRONMENTAL PROTECTION AGENCY (EPA) SPECIAL APPROPRIATIONS ACT PROJECT (SAAP) GRANT, IN THE AMOUNT OF \$970,000.00, FOR THE REHABILITATION OF LIFT STATION 11B, PAYABLE FROM ACCOUNT NUMBER 35-535630; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

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

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

The following items were pulled from the Consent Agenda to be discussed separately under Action Items: 19-3, 19-4, and 19-7 (Commissioner Johnson); 19-2 (Vice Mayor Kelley); 19-6 and 19-8 (Commissioner Santiago); 19-1, 19-5, and 19-9 (Commissioner Holmes).

Attorney Geller informed the City Commission that agenda item 19-9 has been revised at the request of the sponsor and he provided them with a copy of the revised resolution.

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 5-0 vote.

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

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Vice Mayor Kelley acknowledged Ecological Waste Systems, Designed Electrical Solutions, and Structure Cable Solutions for participating in the city's Jobs Initiative Program hiring city residents.

Commissioner Johnson thanked Willie Hernandez for providing snacks to 175 kids in the summer program.

Mayor Taylor announced that Tyrell Leggett graduated from Hialeah Miami Lakes Senior High School on May 31, 2013 and she congratulated him on his acceptance at Bethune Cookman University.

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 05/22/2013

Regular Commission Meeting Minutes – 06/12/2013

It was moved by Commissioner Johnson, seconded by Commissioner Holmes to approve the minutes of the Regular Commission Meeting of May 22, 2013.

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

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

9. 17th CONGRESSIONAL DISTRICT OF FLORIDA REPORT:

Ed Haynes came forward on behalf of Congresswoman Frederica Wilson and provided the City Commission with an update on Washington, DC. In addition, organizations in need of grant funding may visit Congresswoman Wilson's website for additional information.

He further said Congresswoman Wilson has implemented a Officer of the Month program and he will be contacting Chief Jeffrey Key with all the details.

10. STATE SENATORS REPORT:

11. STATE REPRESENTATIVES REPORT:

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

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

Commissioner Johnson thanked Commissioner Monestime for addressing Commissioner Santiago's concerns regarding the maintenance of NW 37th Avenue.

Vice Mayor Kelley said he would like Commissioner Monestime to include the City of Opa-locka in next year's Haitian American Culture Month activities.

Commissioner Johnson said she has confirmation from New York and they will be sponsoring the city's Haitian Heritage Month activities next year.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

- 1. Opa-locka Community Development Corporation (OLCDC)
re: Update on Magnolia North**

Stephanie Williams Baldwin came forward and mentioned that they are working on several projects in the Magnolia North area. This takes place through re-development, planning, housing, arts, entertainment and economic development. Some projects completed include 15050 Duval Street which consist of 14 units and 15037 Duval Street a duplex renovation which currently houses the Management office. There are several properties being renovating, demolished and rebuilt.

Commissioner Santiago said the project pictures are nice, but he wants to see results.

Vice Mayor Kelly thanked the Opa-locka Community Development Corporation and said he sees the transformation.

He asked if the Opa-locka CDC has an intern working with them.

Ms. Baldwin replied, yes.

Ms. Baldwin requested that the Opa-locka CDC be included on the city's agenda on a regular basis.

**2. Alvin Burke
re: welfare of the city**

Alvin Burke of 2928 NW 132 Street, Apt. 328, Opa-locka, Florida, appeared before the City Commission and thanked Vice Mayor Kelley for hosting the Re-Entry Fair to assist residents find employment.

He said a Million Dollar complex is being built in the city and the company was not at the Re-Entry Fair to hire city residents.

Mr. Burke further expressed his concerns with regards to several other businesses not being part of the Fair including Choice Environmental and Waste Management.

Commissioner Holmes said he is expecting checks from Atlas and Waste Management to assist with hiring youth for the Summer Job Initiative.

Commissioner Johnson asked who coordinated the Re-Entry Fair.

Vice Mayor Kelley said he does not know who was assigned from the City Manager's staff to coordinate the Re-Entry Fair.

He further said with regards to the summer jobs, he was under the impression that South Florida Workforce and other businesses were going to hire our youth, but as it stands today that is not the case. The City Manager found money in the budget and letters were sent out to ask organizations to hire young people or to make donations.

Commissioner Johnson asked Manager Baker if letters were sent out.

City Manager Baker responded, yes.

Commissioner Johnson said she did not receive a letter. She will network with businesses. Her contact at the Postal Service said almost 65% of the letters are being returned due to bad addresses and the city needs to do due diligence and be more accurate.

Vice Mayor Kelley said he will be hosting a second job fair and he will expand the contact network and be more accurate, letters will be hand delivered if necessary.

Mayor Taylor asked the City Manager to follow-up with the businesses to see if they will participate and help with the job fair.

**3. Millie Herrera
re: Department of Labor**

Millie Herrera, Southeast Regional Representative from the Department of Labor (DOL) in Washington DC appeared before the City Commission and discussed workforce funding and grants which included training and labor placement. There are competitive grants available to train domestic labor. The DOL will be teaming with the United Way on September 23rd to hold a grants workshop in Miami-Dade County. All the federal agencies will participate and will discuss grants that are available and to collaborate with public, private and non-profit sectors. She further stated there will be information on the new health laws.

Commissioner Johnson asked if Ms. Herrera was a member of the Executive Board.

Ms. Herrera responded, yes.

14a. CITIZENS' FORUM:

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

(19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DELL COMPUTERS TO PURCHASE TWENTY (20) COMPUTERS FOR THE PARKS AND RECREATION DEPARTMENT, IN AN AMOUNT NOT TO EXCEED \$14,458.20, PAYABLE FROM ACCOUNT NUMBER 75-572520, A BUDGETED ITEM; 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 Holmes, seconded by Vice Mayor Kelley to pass the above resolution.

There being no 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

(19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WRIGHT GUARD SECURITY SERVICES, INC., ON A MONTH-TO-MONTH BASIS, IN THE AMOUNT OF \$14,175.00, PAYABLE FROM ACCOUNT NUMBER 75-572340, THIS IS NOT A BUDGETED ITEM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

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

Vice Mayor Kelley asked is the amount for services already rendered and did a request go out to hire a company for security services?

He further said he read that the company's working hours were 6:00 p.m. – 6:00 a.m., however he have never seen an onsite security on premises at 6:00 p.m.

Commissioner Holmes expressed his concerns with regards to the company not being licensed.

Mayor Taylor asked for history on the security issue.

Manager Baker said this is an item that should have been dealt with earlier. It came about during the later part of construction of the pool when they were experiencing problems with vandalism problems.

He further said in the future he would like to bid this out, however at this time he would like to continue providing security for the pool while going through the bid process.

Charles Brown, Director of Parks & Recreation came forward and said he has seen security at Sherbondy Village in the evening but he cannot validate exact hours.

Mayor Taylor asked Manager Baker and Director Brown if the security was in place before the City Manager started his position at the city.

City Manager Baker responded, yes.

Mayor Taylor asked why the security services were needed.

Mr. Brown said when they came aboard the city was not occupying Sherbondy Village. The facility was unattended and they were there to watch over it. The staff at that time was located in the trailers in the Parks Department. He was not aware they were there at that time.

Vice Mayor Kelley said the ribbon was cut on November 15th. These invoices are dated for the months of March, April and May of 2013 for under \$5,000.00.

He asked who authorized the company to be there.

Vice Mayor Kelley said he hasn't seen security there during events such as basketball and bingo.

Mr. Brown said he has seen them on the property late in the evening and even instructed them one time to move to the front of the building.

Vice Mayor Kelley said he will not support security from 6:00 p.m. There are people and functions currently in the building and to his knowledge there are not problems that dictate on site security. He asked who authorized the security to be carried over.

Manager Baker said the Director is requiring this for the evenings. The city has to resolve the old items with the vendor. Timelines are flexible such as starting at 8:00-10:00 p.m. but he would recommend some type of after hour protection.

Vice Mayor Kelley said he would like to know who authorized the security detail as these people were getting paid.

City Manager Baker responded, yes they were getting paid.

Vice Mayor Kelley said there are three invoices. He recommends this going out to bid. In the interim security could cover from 11:00 p.m. to 7:00 a.m. and the police can assist in covering the gaps. In terms of the retroactive invoices nobody wants to assume responsibility.

Commissioner Santiago asked Mr. Brown and Manager Baker why security is needed at Sherbondy Village.

Mr. Brown said the main reason was for the pool.

Commissioner Santiago said he knows there have been incidents where kids jumped into the pool at night. He has seen security at the facility, but he has not seen security in the last three months and he never saw security before the facility opened.

He further said the only way to support security in the future is know where the three invoices are coming from where security is and be clear on what they do.

Commissioner Holmes said he rides through the park every evening and he has not seen security, especially from the company listed. He was told the security guards are not licensed, and there are two types of security guards licenses in the state of Florida. The D license allows a gun to be

carried on the outside; one allows the gun to be carried undercover. He asked the City Manager to verify they are licensed and this can be settled at the next commission meeting.

Commissioner Johnson asked the City Manager and City Attorney if the agreement dated January 12, 2012 was brought before the commission to be approved.

Attorney Geller said he did not recall such an agreement.

Commissioner Johnson said she did some research and there is no approval from the City Commission, no more than a letter from the previous City Manager, and she knows about the \$5,000 limit because she brought the resolution to up to allow the \$5,000.

She further stated any time a contract like this comes up it needs to be attested by staff. She will not support the resolution in this fashion until documentation is provided that substantiates the person was actually working at the city. Contracts and bids need to be checked and verified for licensing before entering into an agreement.

Mayor Taylor directed City Manager Baker to take this off and put it into another form. There is no documentation that they were actually hired by the city. Then put it out for bid.

City Manager responded that he agreed to that.

Commissioner Johnson said we often say we want to utilize our police department. \$14,000 to \$16,000 is good reserve money; the services can be kept in house.

Manager Baker said his first preference would be to close this out and do something different. This is an old item and the vendor wants to be paid.

Mayor Taylor said the commission cannot vote on the resolution as it stands because it is asking to authorize an agreement. The commission has made it clear it cannot vote on this item the way it is written. It can be brought back at a later meeting with the information the commission requested to pay these people what is owed.

Manager Baker deferred item 19-2.

(19-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO DESIGNATE A "WALL OF FAME" IN SHERBONDY VILLAGE TO HONR PAST AND PRESENT CONTRIBUTIONS AND ACHIEVEMENTS OF COMMUNITY MEMBERS; PROVIDING FOR INCORPORATIONS OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson said she would like the City Commission to have input on the location, timeline, and other details.

Mayor Taylor said the legislation is only saying it will be done. All the details will be discussed by the Commission as a whole.

Commissioner Holmes asked if it would be inside or outside.

Mayor Taylor said she thought it will be inside, but if the majority wants it outside it will be located there.

Vice Mayor Kelley asked how this will be implemented.

Mayor Taylor said once the resolution passes the process will be determined by the City commission. The City Commission will also determine location and procedures.

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

(19-4) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PERFORM A MARKET STUDY OF CUYAHOGA AND GOLF COURSE DRIVE PROPERTIES, IN AN AMOUNT NOT TO EXCEED \$10,000.00, PAYABLE FROM ACCOUNT NUMBER 37-515340, A NON-BUDGETED ITEM; 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 in 2006 and 2007 the city spent \$50,000 and sent Mr. Brown and did a study.

Vice Mayor Kelley responded that a study was done. His research it does not indicate what happened to the funding. To his knowledge there are no current documentation and studies in terms of development. This will give the City Manager the tools to get things done on those two properties.

Commissioner Johnson said she will support this but this the money being spent is being wasted. This is the same issue every year. The staff has to archive the data and materials and use it wisely. The city cannot continue to spend money in this fashion.

Commissioner Holmes knows studies have been done for Cuyahoga. He asked City Manager Baker if he knows of any records.

City Manager Baker responded there is nothing brought to attention. When marketing analysis is done, current data is used. So using current data would be useful.

Vice Mayor Kelley asked for support. The market studies in the past were for phase I and II. The Cuyahoga owners are willing to pay for half of the study. The city will have to pay for all of the Golf Course Drive study.

Commissioner Johnson asked what is the legal documents are in place to prevent lawsuits.

Vice Mayor Kelley responded there is a different owner and agreed to this with the City Manager and the City Attorney. He will amend the resolution to include the legal issues.

Mayor Taylor said the city has to be careful to pay out for non-budgeted items. It had been agreed not to do so until the end of the year. In addition there was a presentation with the Planning Department, a number of Brownsfield sites the city wanted the City Manager to do a market study on. Now an additional \$10,000.00. Why concentrate on these two sites.

Vice Mayor Kelley said Cuyahoga was one of three presented to developers. The city needs to know the best use and a market study is necessary.

Mayor Taylor said this will not be developed immediately. Spending non-budgeted money now and the developers are not going to pick up the tab is a concern.

Vice Mayor Kelley said the city has to know what it wants and the market study will provide information. It may not cost \$10,000 but the City Manager needs a figure. Some properties may not require studies and further funds.

Vice Mayor Kelley said the amendment was for the owners of Cuyahoga to pay half of the cost of the study, this would be written in an agreement with the City Attorney.

It was moved by Commissioner Holmes, seconded by Commissioner Johnson to amend section 2 of the resolution to add the following language: Pursuant to an agreement to be entered into in a form acceptable to the City Attorney not to exceed \$10,000.00.

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

Commissioner Johnson	Yes
Commissioner Santiago	Yes
Vice Mayor Kelley	Yes

Commissioner Holmes	Yes
Mayor Taylor	Yes

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

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

(19-5) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUPPORT THE OPA-LOCKA COMMUNITY DEVELOPMENT CORP (OLCDC) WITH KABOOM, IN PURSUIT OF FREE BUILT PLAYGROUND ON CITY OWNED PROPERTY IN MAGNOLIA PARK; AUTHORIZING THE CITY MANAGER TO EXPEND FUNDS FOR ANY NECESSARY SITE PREPARATION (SOIL TESTING) FOR THE PROJECT, PAYABLE FROM ACCOUNT NUMBER 32-541340, A BUDGETED ITEM; 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 Holmes, seconded by Vice Mayor Kelley to pass the above resolution.

Commissioner Johnson asked Attorney Geller what it means to expend for any necessary site preparation.

Attorney Geller said he understands it to be one site on a specific parcel and the City Manager may have other information.

Commissioner Johnson asked Manager Baker what the dollar amount is and is it an open line item.

Manager Baker said that has not been determined. The range of soil tests could be \$1,500.00 to \$3,000.00. He does not know the exact figure and this also depends on the soil sample results.

Commissioner Johnson objects to an open line item due to the current fiscal status of the city.

Manager Baker said he cannot give an exact figure. It should be soil tests and grading the soil for the playground.

Commissioner Holmes said there are two lots on Veterans Way and three lots on Magnolia North.

Commissioner Johnson said she understands this is for one park and the amount should not exceed \$2,500.00. She asked if there were more parks and wants clarification.

Mayor Taylor asked if it was one piece of property. Has the city chosen the property and is it in the legislation. The city owns a lot of property.

Manager Baker said yes, a playground next to the Culture Center.

Vice Mayor Kelley asked if the property was located behind the Culture Arts building.

Mayor Taylor said she will agree to a spending limit but it must be specified where Kaboom will be located.

It was moved by Commissioner Holmes, seconded by Commissioner Johnson to amend the resolution to include the amount should not exceed \$2,500.00.

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

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

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

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

(19-6) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO PURSUE OTHER ALTERNATIVES, IF AGREEMENT TO PURCHASE TOWN CENTER IS NOT NEGOTIATED BY JUNE 15, 2013; 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 Santiago, seconded by Commissioner Holmes to pass the above resolution.

Commissioner Johnson said she recuse herself from voting on anything based on ethics allegations and she will complete the necessary forms.

Attorney Geller said Commissioner Johnson has declared a conflict and she is recused. He asked the City Clerk to provide the commissioner with an appropriate form to complete within the prescribed period.

Commissioner Santiago asked what the status is regarding the purchase of the Town Center building. He is concerned with the timing of the purchase.

Manager Baker said he had a good meeting last Monday. He is hoping the contract will close later this week by Friday.

Commissioner Santiago wants more time to purchase the building if there is progress. The commission discussed dates of resolution and the purchase. There may be an amendment or special meeting to further discuss this. It was discussed to have legal representation in the meeting with the seller. The date to purchase the building has been going on for an extended period of time. There are other alternatives such as other vendors building the city a Town Hall.

Attorney Geller said a meeting is not scheduled for Friday. There was a meeting held on Monday. Legal counsel was present with real estate experience. His assessment is that the fact that this resolution was on the agenda tonight was an enormous help. The meeting was good. Issues were resolved and there is nothing left conceptually to prevent completing a contract, but there are details to be examined. Language needs to be drafted by the Seller's attorney and there has been nothing to look at yet, which means Friday is not probable. So a special meeting may not be able to be held on Tuesday, the City Manager may need a little more time.

It was moved by Commissioner Holmes, seconded by Vice Mayor Kelley to amend section 2 of the resolution to include the following language: If agreement is not reached by that date, the City Commission shall hold a special Commission meeting on Tuesday, June 18th or Wednesday, June 19th to consider the agreement.

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

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

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

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

(19-7) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PREPARE AND ISSUE A REQUEST FOR PROPOSALS (RFP) FOR A QUALIFIED PROFESSIONAL FIRM TO DESIGN/BUILD SERVICES FOR SHERBONDY VILLAGE PARKING; PAYABLE FROM ACCOUNT NUMBER 44-541802; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson asked make sure the record reflected her as present and made sure all the commissioners had a copy of the diagram of the parking which was included in the package.

There was discussion on preparing an RFP and expending funds on the process. It was stated that city staff have the capability to do this. The RFP is funded in the Sherbondy project. The diagram was discussed and how it affects the layout of the playground.

Manager Baker said the playground equipment will be enhanced at the same time.

Vice Mayor Kelley asked to have the playground enhancement factored into the RFP. It is close to a lift station that smells badly. The RFP could include a remedy for this.

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

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

(19-8) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO FREEZE ALL HIRING AND ALL SALARY INCREASES WITH THE EXCEPTION OF THE OPA-LOCKA POLICE DEPARTMENT SWORN PERSONNEL THROUGH SEPTEMBER 30, 2013, EXCEPT WITH THE APPROVAL OF THE CITY COMMISSION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson asked for an amendment as a result of a discussion with the City Manager to exclude the position of Director of Finance.

Commissioner Holmes asked the City Manager if freezing all the positions is acceptable.

City Manager Baker said freezing all positions is difficult but he will agree to the wishes of the commission, but he does need a Finance Director.

Commissioner Johnson said she is concerned with the staffing at the city including excessive placement of temporary workers.

Vice Mayor Kelley said he has noticed a lot of temporary workers and the pay increases since 2012. He is amazed at the pay freezes after certain staff gets pay increases. After looking at documents he noticed 16 mid-level staff got pay increases, but the rank and file workers do not get pay increases.

It was moved by Commissioner Johnson, seconded by Commissioner Santiago to amend the body of the resolution to include with the exception of the Opa-locka Police Department's Sworn Personnel and Finance Director.

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

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

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

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

(19-9) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ESTABLISH A RECOGNITION PROGRAM HONORING CITY EMPLOYEES NON-POLICE ON A MONTHLY BASIS, PROVIDING FOR INCORPORATION OF RECITALS PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

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

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

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

16. NEW ITEMS:

16-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA AUTHORIZING THE CITY MANAGER TO ACCEPT THE ENVIRONMENTAL PROTECTION AGENCY (EPA) SPECIAL APPROPRIATIONS ACT PROJECT (SAAP) GRANT, IN THE AMOUNT OF \$970,000.00, FOR THE REHABILITATION OF LIFT STATION 11B, PAYABLE FROM ACCOUNT NUMBER 35-535630; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

Commissioner Johnson asked the City Manager about previous legislation 11A and 11C - did this complete the project? Is there additional work to be done. What was done last year. She had asked if it was a patch job and City Manager Baker had responded it was a complete job. She asked that his response be recorded verbatim in the minutes.

Manager Baker said this will be a complete overhaul. He said "What helped us out was the sequestering of the funding. With the help of Congresswoman Wilson, we finally got the funds released. So we had been held up for beginning construction because these funds have been on hold. What this does tonight is release the agreement to allow us to issue notice to proceed to rebuild the entire master lift station completely."

Vice Mayor Kelley asked who the contractor is.

Manager Baker responded it was CNI. It was signed, certified and approved the job with professional engineering staff.

Commissioner Holmes asked if the Engineer on staff was qualified for this job. He would like to see the qualifications tomorrow.

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

Commissioner Johnson	Out of room
Commissioner Santiago	Yes

Vice Mayor Kelley	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

17. PLANNING & ZONING:

A. HEARINGS:

B. APPEALS:

18. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST READING/PUBLIC HEARING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CITY ORDINANCE 86-8, LAND DEVELOPMENT CODE, ARTICLE 3.1 ESTABLISHMENT OF DISTRICTS TO CREATE A MIXED USE OVERLAY DISTRICT, FURTHER TO CREATE ARTICLE 6.15 MIXED USE OVERLAY ZONING DISTRICT, PROVIDING DISTRICT PURPOSE, DEVELOPMENT STANDARDS, PERMITTED USES, AND ELIGIBILITY FOR MAJOR TRANSPORTATION CORRIDORS OF THE CITY OF OPA-LOCKA TO INCLUDE NW 135TH STREET, FROM NW 47TH AVENUE TO NW 27TH AVENUE; ALI-BABA AVENUE FROM NW 37TH AVENUE TO NW 151ST STREET; OPA-LOCKA BOULEVARD FROM ALI-BABA AVENUE TO NW 27TH AVENUE; NW 27TH AVENUE FROM NW 127TH STREET TO NW 151ST STREET; PERMITTED USES SHALL INCLUDE, RETAIL, OFFICE, EDUCATIONAL FACILITIES, PUBLIC FACILITIES, PARKING STANDARDS AND HEIGHT LIMITATIONS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

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

Commissioner Johnson	Out of room
Commissioner Santiago	Yes
Vice Mayor Kelley	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

2. AN ORDINANCE OF THE CITY COMIISION OF THE CITY OF OPA-LOCKA, FLORIDA, DELETING OBSOLETE PROVISIONS AND AMENDING THE CITY CODE BY AMEDNING CHAPTER 15, OFFENSES MISCELLANEOUS, ARTICLE X, SIGNALIZED INTERSECTION SAFETY, TO IMPLEMENT CS/CS/HOUSE BILL 7125 (2013), CHAPTER 2013-_, LAWS OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

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

Commissioner Johnson	Out of room
Commissioner Santiago	Yes
Vice Mayor Kelley	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, 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 RECYCLNG CENTERS AS A CONDITIONAL USE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading held on May 22, 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, public hearing was closed.

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

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

Commissioner Johnson	Out of room
Commissioner Santiago	Yes
Vice Mayor Kelley	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

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 (first reading held on May 22, 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, public hearing was closed.

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

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

Commissioner Johnson	Out of room
Commissioner Santiago	Yes
Vice Mayor Kelley	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

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 TRACT 8, OF NILE GARDENS SECTIONS 1 AND II, (FOLIO 08-2128-004-0070) OF THE PROPERTY, LOCATED AT 12705 NW 30TH 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 (first reading held on May 22, 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, public hearing was closed.

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

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

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

B. RESOLUTIONS/PUBLIC HEARING:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CONSIDER THE REQUEST OF DELTA TRUCKING, INC. FOR FINAL

SITE PLAN APPROVAL TO CONSTRUCT A PERMANENT OFFICE FACILITY AT 12705 NW 30TH AVENUE, FOLIO NO. 08-2128-004-0180 AND FOLIO 08-2128-004-0070; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

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

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

19. ADMINISTRATION:

CONSENT AGENDA:

A. CITY MANAGER'S REPORT:

The summer jobs program will begin interviewing on June 16th, 2013. There will funding for 20+ positions. It is from 3:00 to 6:00 PM.

The city is the recipient of a grant from the Department of Juvenile Justice for \$37,000 which will fund counselors and they will be incorporated into the summer program at the Sherbondy Community Center.

The application has been completed and submitted for the COPS Grant. The requirements only authorize for two officers and are waiting for a favorable response. It is for three years.

The budget process is ongoing. There is summit this Saturday with the department heads. There will be a schedule produced for the adoption of the 2013-2014 budget. Miami-Dade Water and Sewer is anticipating a hefty increase. There is a pending bond issue for water and waste water and the city will be impacted by the bond issue.

On Monday, his office was informed that the health insurance had not been paid. The situation has been rectified and procedures are in place to make sure that does not happen again. The employees have been informed and HR will assist them with any issues that may have occurred.

The sidewalk program is making strides. The rain events have had some impact, but the work continues.

The AMR project is reaching conclusion. All the meters in the city have been changed out. During the next month the city will run parallel systems to compare electronic and manual systems. The problems of inaccurate water bills should be dramatically decreased.

It is the last week of the city car wash and ending the pilot program. He will recommend an annual program with the same company. The times may change and he welcomes any suggestions.

The Presidente supermarket is still on the calendar. There was a meeting with the developer last month and they are supposed to be coming in to meet.

The Town Center Residential Development project is moving forward, they are 30% complete. There are 8 city residents as of today.

The Family Dollar project is moving forward and on schedule to make an appearance.

The Community Plan Challenge Grant is moving forward. Reports are being turned in. The annexation initiative and will be giving a report shortly.

Capital Improvements: The Robin Street drainage project is 95% complete. A punch list of items is working. The Rutland roundabout project is 50%. The Street drainage and improvement project is complete for the most part, but he would like to add trees. The Historical City Hall project is moving forward, a complete assessment of the site will be done at the beginning of next month. The Helen Miller contract is moving forward, there have been numerous meetings with the contractor mostly on environmental issues. It should be complete in October. Pump station 10, 5, 8 and 11C will be under construction, so by the end of the year the lift stations should have major improvements.

Commissioner Holmes asked about the pump station on Purvis, the pump station #5 on Opa-locka Boulevard and is the pump station at Sherbondy Park being worked. He said he has contacts that will contribute additional funding to the jobs program.

City Manager Baker responded the equipment has been ordered. The transmission line has been installed in the direction of Pervis. The project is on schedule; hopefully it will be complete in October. Pump station #5 is moving forward. The permits have been issued. His office is assisting him with the permits and the schedule shows completion in October. The generator for the pump station at Sherbondy Park has been fixed.

Commission Johnson wants to know the status for the employee 25 and 30 year service recognition. She said there is no excuse for the health insurance payments to drop. She would like to get a plan of action of how to recover funds regarding the Miami-Dade Sewer. She also wants to have the hurricane plan out for the citizens. There was legislation in 2008 for an Employee Recognition Park, she would like to know the status. She would also like to see Sexual Harassment Training on an annual basis for the employees.

City Manager Baker said it looks like nothing has been done for the last two years. He would like to review that and get suggestions.

Vice Mayor Kelley discussed bus shelters and getting a revenue plan. Bus benches and shelters need to be assessed and a solution found. He asked about the status of the audits. He asked who the contact is for the Sherbondy auditorium. He asked what was the health insurance issue correction action.

City Manager Baker would like to put some benches on 27th Avenue and will be submitting a report for consideration on funding. There are two audits – the forensic audit and the comprehensive annual audit. Mr. Brown is the contact for the auditorium. He said he has handled the situation and it will not happen again but no one has been fired.

Mayor Taylor asked about the shuttle bus on 151, she would like a schedule. For public works there is a major canal that needs cleaning along Nathan Young Elementary School on the east side.

B. ACCOUNTS PAYABLE:

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

Commissioner Johnson asked how much is in reserve.

Ms. Parchment is not sure, approximately \$200,000.00.

20. OFFICIAL BOARD REPORTS:

21. CITY ATTORNEY'S REPORT:

Attorney Geller reported the city went to trial on the case of Octavian Spanner. He was informed a tentative settlement has been reached subject to approval. The settlement calls for a total of \$37,500.00 to Mr. Spanner. If approved, 2/3 will come from the city and 1/3 from the League of Cities.

Commissioner Holmes asked Attorney Geller to draft a letter to the Post Office regarding possible closure and get it to him tomorrow.

Vice Mayor Kelley requested that Attorney Geller pull his files on Villa Francine. He wants to review the correspondence and have a town hall on the subject.

Commissioner Johnson wants to start an education compact. The city needs some draft legislation. She requested a draft for dress code and sexual harassment.

Mayor Taylor requested some research be done on deferred compensation and have the City Attorney give an opinion.

22. CITY CLERK'S REPORT:

23. MAYOR/COMMISSION REPORT:

Commissioner Johnson said she attended the health fair and bingo and it was well done.

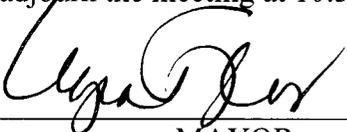
Vice Mayor Kelley attended a CDC event. The Opa-locka chapter of AARP won an award. He will be getting in touch with the Beacon Council to assist local business.

Mayor Taylor attended the FIU workshop, it was interesting. The rehab on 22nd Avenue is going on and is proud of that. She attended the swearing in for the new North Miami Mayor. There is a Father's Day Dinner on Friday at 6:00 PM.

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 10:35 p.m.



MAYOR

ATTEST:



CITY CLERK

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Dorothy Johnson, hereby disclose that on June 12, 20 13

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Due to allegations concerning Town Center I do not feel comfortable after receiving legal advise from the City Attorney.

June 25, 2013
Date Filed

Dorothy Smith-Johnson
Signature
Dorothy Smith-Johnson

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.