

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES

SPECIAL COMMISSION MEETING

Tuesday, August 13, 2013

11:00 A.M.

Opa-locka Municipal Complex

780 Fisherman Street, 2nd Floor

Opa-locka, FL 33054

1. ROLL CALL:

The City Commission of the City of Opa-locka, Miami-Dade County, Florida, met in special session on Tuesday, August 13, 2013 at 11:00 a.m. at the Opa-locka Municipal Complex, 780 Fisherman Street, 2nd Floor, Opa-locka, Florida. The following members of the City Commission were present: Vice Mayor Joseph L. Kelley, Commissioner Dorothy Johnson, Commissioner Luis Santiago, Commissioner Timothy Holmes and Mayor Myra L. Taylor. Also in attendance were: City Manager Kelvin L. Baker, Assistant City Attorney Steve Geller and Deputy Clerk Sha’mecca Lawson. City Clerk Joanna Flores and City Attorney Joseph Geller were not in attendance.

2. INVOCATION:

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

3. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

4. RESOLUTIONS:

Manager Baker stated that on yesterday evening he was approached by the property owner of property located on Alexandria Drive and NW 135th Street which is of 14,000 square footage of space that is readily available. He went by to look at it, but the information is so fresh he did not have time to evaluate it to determine one way or another in terms of getting final facts and figures. He provided the City Commission with a copy of the property information in light of the resolution before them and he is looking to get direction as to whether this is something the Commission desires for him to look further into or is this something they need to leave alone. He requested guidance since the information was presented to him and he didn’t want them to find out afterwards that he was made aware of this and did not bring it forward. The square footage is more than enough for what the city needs are and would be sufficient, the parking is sufficient and the location is a few blocks from the current municipal offices. Although there are other challenges there, but it certainly, in terms of a temporary location, this is almost ready to move into effective immediately just with minor modifications.

Commissioner Johnson asked, in terms of the map provided by the City Manager, is this where the private school is at now?

Manager Baker explained that the front of the property is where a Charter School, but the largest parcel is where the 14,000 square footage of space.

Commissioner Johnson asked, who is the owner of the property?

Manager Baker stated that he didn't have all of the specifics, but Mr. Navarro is the person who reached out to him. This information is hot of the press and he just wanted to update the Commission on it.

Commissioner Johnson said she understood what the City Manager stated but she would still like to know who the owners of the property are.

Manager Baker stated that based on Miami-Dade County records, it does not provide the actual property owner name, but he has the last name. However, he can certainly get all of the details and make it available.

Commissioner Holmes stated that he is aware of the property location for many years and after taking a ride to that area to look at the building, his main concern is that this is not a safe area to relocate the city offices. He mentioned that the Aswan Apartments and the Blues are located in the area and there have been many issues in the past. Additionally, there is a huge recycling company behind the property with dust and odor issues. This may be a cost saving for the city, however, he does not want to put the people in harm's way.

He further stated that the traffic would also be an issue. He reiterated that this area would not be a safe place to relocate the city offices.

Commissioner Santiago asked if the City Manager only has the last name for the property owner?

Manager Baker replied that they are retrieving the information now.

Commissioner Santiago stated that his concern is that the citizens of Opa-locka elected him and his priority is to create and make the entire city safe. He asked if the City Manager had the opportunity to tour the building?

Manager Baker replied, yes.

Commissioner Santiago asked, how safe if the building for the city offices?

Manager Baker stated that the building appears to be safe.

Commissioner Santiago stated that there are two schools in that area so how could he be hearing that the area is not safe. If the area is not safe then the city will make it safe.

Commissioner Holmes explained that he did not think the parking would be large enough to accommodate the relocation of city offices to that location. He stated that he mentioned it was not safe because he is aware of the activities at the Alexandria Apartments and at the Blues, but he is only one person and he could only speak his concerns and he doesn't want to put the people of this city in harm way. He mentioned that there was a lot of criminal activity over the past years.

He further expressed his concerns with the big recycling company located behind the building and there have been complaints from citizens who reside in the nearby apartments about the smell and the dust. He recommended that the City Commission move forth relocating city offices to the modular trailers and workout some way to build a new City Hall.

Commissioner Santiago questioned why the city would allow schools in the area if there is a safety/hazard issue with the recycling business and the nearby auto part businesses. His concern is why this issue is just now being brought up and it has not been brought up in the past.

He asked if the City Manager had any additional information on the building (i.e. cost to the city to move into that location).

Manager Baker stated that the cost analysis to relocate to the modular trailers has been conducted and that information is included in the package. However, this particular location, these are preliminary numbers because it's less than 24 hours old. The owners are Noel Gonzalez and Lori Gonzalez.

He continued by saying that the numbers provided are preliminary numbers and the cost would be approximately \$165,000.00 per year. This number was provided by the owner and that works out to roughly \$13,000.00 per month. He reiterated that these are preliminary numbers and they should only go south from here. The property is 14,000 square footage of space. The modular trailers are approximately 13,000 square footage so it fits within what the city needs are. The property is turn-key with the exception of adding some additional partitions and walls; for the most part it is ready to occupy and with some modification of the parking and security it could possibly work very well for the city for a temporary home.

After reading information provided relating to the trailers, Commissioner Santiago noticed that the monthly rent is \$8,995.00, but there is also an installation cost for \$87,370.00 and return cost of \$49,518.00. He asked, what is the return cost?

Manager Baker explained that if the city terminates the lease early, this is the cost for the company to come pick up the trailers.

Commissioner Santiago said that the cost for the trailers is going to be \$285,620.00.

Manager Baker said that would be the annual cost which includes the one-time cost along with the annual cost.

Commissioner Santiago stated that he would like the city to relocate into a safe place because they are in hurricane season and the trailers are not safe. Also, there is not enough parking at Sherbondy Park.

Vice Mayor Kelley stated that he did not like last minute things as a whole, but it is interesting that the city has been working for the last couple of months to either purchase this building or to move out of the building. He said he was not comfortable with the location just by the fact of getting in there and getting out on a regular 9 – 5 basis coming off NW 135th Street. He said he would not be in support of doing that at this point; however, if he had more information or more clarity he might have a better comfort level. Although he recognizes it's a little cheaper and might be a little more turn-key, but he is not willing at this point just on this information to support moving to NW 135th Street. Although he understands hurricane season and trailers, etc., the reality is that's just the environment we live in South Florida to deal with weather conditions.

He further said he would not support it now just on what he is hearing or seeing here now; he would have to have a little more to have a comfort level to support moving over there at this point and it has nothing to do with safety or what have you because there would be police over there so that's not his concern. He said he just think from a standpoint of accessing everything since most of where the city is now is kind of central and to take everything that way and getting in and out of that area with the one way is tough. Also, with all of the city traffic you have on a daily basis that congestion will be too much as well.

Commissioner Johnson stated that she didn't have the opportunity to participate in the previous dialogue for the relocation, but she has three points that she needs clarity. She is not a supporter of last minute and she doesn't think enough research or discovery has been done to give her the comfort level to say this is a good direction for the city to go (i.e. liens on property, taxes on property, traffic study). For those who are not comfortable with trailers, she said there are trailers all over Florida. For the temporary use at Sherbonby Park, this creates a home setting for the city to be near the Parks & Recreation and it is a common area. There are employees at Sherbondy Village currently working out of trailers; therefore, she would not want to say it is unsafe.

She continued by saying that she could not support the new location because she doesn't have enough information and she doesn't see a lot of savings.

Mayor Taylor stated that she particularly didn't care for the trailers, but the trailers were the only option at the time when the city was told to get out of the building. She said she'd been on Alexandria Drive since 1978 and there were no major problems in the last 15 to 20 years on that section of Alexandria Drive. The Garden Apartments is on the other side of a closure that's at the end of Alexandria Drive.

She continued by saying that if that area is not safe then that's all the more reason to relocate there. There are citizens who vote for them who live in that area and if it is good enough for them, why is it not good enough for the city. If that area is not safe, then the city has a responsibility to make it safe. If the city relocates to that area, then they should have an influence on that area. Notwithstanding, there has been no major problems on

that portion of Alexandria Drive and if it was she would know about it. She indicated that there is a virtual high school there which is a public school so as far as safety is concerned, to her that is not an issue for a person who had a business there.

She further stated that if the recycling business is an issue and it is not proper then the city should have not allowed the Virtual High School to be at that location and that's a public school. If that area is dangerous then the city should be all means relocate there to clean up that area. There are citizens who live there that voted for them so why should the city run from it. As far as the traffic is concerned, the only traffic on Alexandria Drive is the one from the apartments on the right and the triplex on the left. Those are people who drive, but mostly it is walking traffic.

Mayor Taylor stated that there is certainly ample parking for the employees. Since the City Manager mentioned that this is temporary location, she asked, how long is the city going to be there?

Manager Baker replied, one year.

Mayor Taylor said that in one year the city should make a difference in that area. If it is what her colleagues think it is, then there should be a difference in that area with them being there. Also, the building is on NW 135th Street so it is not down in a cut, but on a major thoroughfare. Her reason for supporting this is because it is turn key, the water and the lights are already there and there is a bonified structure. With trailers, you have to hook on the water and lights.

She asked, how long will it take to move operations into this location?

Manager Baker replied, two weeks.

Mayor Taylor stated that she believes this is a good deal because it is a structure free standing building, it is already ready and it is cheaper than trailers. She was not concerned that Mr. Baker received this information at the last hour because that's how things happen. As a Commission and as a city, if that area is not what it should be then the city should be there to make it what it should be. After one year, the city should have made a difference in that area.

Commissioner Johnson stated to the Attorney that she did not know what the revisions in the Charter reads thusfar, but her understanding of how it read before, that the Commission can only vote on what has been publicized, but she is hearing a modification and she is concerned.

Attorney Geller explained that where the Commission decides to go it is completely the policy decision of the Commission, but how they do it is something that he would like to give advice on. The Commission is currently scheduled to vote and only advertised resolution authorizing the City Manager to relocate from the Town Center into modular trailers at Sherbondy Park. He went on to say that if the Commission votes at all on that day, the vote could only be on the resolution before them because that's all that is noticed and this is not something that actually authorizes, but it directs and authorizes the City

Manager to move into Sherbondy Park. If the Commission votes at all, it should only be on the resolution before them which would authorize and direct to the move into modular trailers at Sherbondy Park.

He continued to say that if the Commission chose to either get more information and reach a decision later or if they've already chosen or are about to choose to instead move into the new site which the City Manager just brought up, it would be his recommendation that the Commission call an additional Special Meeting and not vote today because in fairness to the public that was not advertised and the public would not know.

He further asked, in the event the city postpones the vote on the item before them until Friday or Monday and they should at that point choose to vote to go to Sherbondy Park, does that still give the City Manager the time prior to October 1 to end up at Sherbondy Park or if they postpone the decision or they actually make the decision?

Manager Baker said it would make his schedule tighter and four or five days does compress things.

Based on that information and to answer the question from the Commissioner Johnson, Attorney Geller said he believes she is correct and he would not recommend not voting on this resolution unless they intend to move to Sherbondy Park. If they either choose to move to the trailers or they have not yet decided where they wish to move, he recommended an additional special meeting for Friday or Monday to deal with that issue.

With that in mind, Commissioner Johnson said that sometimes the Commission allows dialogue to continue and it is truly unnecessary to do. Additionally, in order for the Commission to take that off the agenda, it was not deferred in the beginning of the meeting. She preferred voting on items in front of the City Commission and if the City Manager decides at that time, the item can be rescinded.

Mayor Taylor requested clarification because the City Manager did not defer or remove the item, does the City Commission has the option to defer the item.

Attorney Geller said yes, the City Commission has the option to vote to temporarily postpone an item until a time certain.

Commissioner Santiago said he see a savings by the city moving into the new facility.

Commissioner Holmes said the item that is being discussed has not been advertised and it is not on the agenda.

He further said the city did a great job trying to clean up Alexandria Drive, however, he does not feel the area is where it needs to be as far as safety and it is not a good idea for the city's City Hall to be at that location.

Vice Mayor Kelley said his concerns was never safety, his concerns is the traffic in terms of traveling in and out of the facility and the way it was presented to the City Commission.

He further said if the City Manager thought this option was better, then he should have deferred item 4a until he received additional information and met with the City Commission.

Mayor Taylor asked, does item 4a lock the City Manager into an agreement with the modular company?

Attorney Geller said if item 4a is passed it directs the City Manager to move from the 2nd and 3rd Floor of Town Center into modulars at Sherbondy Park.

He further said if the City Commission wants to relocate to Sherbondy Park they should pass item 4a, if they want to move to the new location they should vote to postpone the item and call a Special Commission Meeting.

Manager Baker said at the beginning he referenced by seeking some direction if this is something the City Commission would like him to look into since he just received the information.

He further said the modular units are dismantled from Turkey Point and they are sitting at Mod Space property. The city does not have a contract with them which means someone else can take the modulars.

a) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO RELOCATE THE CITY SECOND AND FOURTH FLOOR ADMINISTRATIVE OFFICES FROM THE TOWN CENTER, INTO MODULAR TRAILERS AT SHERBONDY PARK; THE RELOCATION SHALL OCCUR PRIOR TO OCTOBER 1, 2013, AND SHALL NOT EXCEED A TOTAL COST OF \$300,000, PAYABLE FROM ACCOUNT NUMBER 19-519390, A NON 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.

Vice Mayor Kelley said he would like to move the item as is and when it gets to discussion he would like to speak.

Mayor Taylor stated that the discussion they were on to make it clear was on his new development that Mr. Baker brought before the Commission.

Vice Mayor Kelley stated his purpose for wanting to discuss it is because he thinks he can help the process of perhaps getting to some understanding once they get to the motion because what he would suggest is moving it hopefully passing it, and then that gives the City Manager, he can go back down to whoever Mr. Gonzalez or whoever it is,

if he thinks right quick that it is a better deal, he can come back to the Commission in a special meeting and say here's some new information, here's the package. But, if it doesn't and he sees it going south, he has the authorization to go ahead and hold those trailers. Because his concern is if the Commission takes too much time negotiating and turns out not to be as good and somebody comes and gets those modular trailers the city has been waiting on, the city will be stuck.

Mayor Taylor said that's what the City Manager stated.

Vice Mayor Kelley said his motion would allow the City Commission to pass the resolution and the City Manager can go back and as the Attorney stated if he thinks he has a better deal, the City Manager can call them and indicate that although they passed the resolution for the trailers he was able to negotiate and the new option appears to be better. The City Manager should also be prepared to address all of the concerns from the City Commission and provide a cost estimate. But on the other hand, if the new location is not favorable, the City Manager will already have the authorization to move forth with the trailers.

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

Commissioner Johnson said she is concerned that the City Commission constantly has dialogue without a motion and seconded on the floor. She stated to the parliamentarian that this shouldn't continue to be condoned.

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

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

b) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH OPA-LOCKA UNITED METHODIST CHURCH INC., FOR TEMPORARY PARKING, PAYABLE FROM ACCOUNT NUMBER 19-519440; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

Attorney Geller said a correction needs to be made to the MOU and he will inform the City Clerk of the changes.

He further said under fees and conditions #2, line 3 the words "\$1,000.00 deposit" should be stricken and replaced with the words "plus a one time payment of \$1,000.00".

It was moved by Commissioner Johnson, seconded by Vice Mayor Kelley to amend the Memorandum of Understanding.

There being no discussion, the motion to amend the resolution passed by a 3-2 vote.

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

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

Mayor Taylor said the city will be paying \$500.00 per month for rental of the church property.

She asked is the property near Opa-locka Hotel owned by the city?

Manager Baker replied, yes.

Mayor Taylor said that property is larger than the church property. She asked was that property not taken into consideration?

Manager Baker said the city is developing that property for parking and construction is expected to begin soon.

He further said the city has been utilizing the church property and negotiations have been going on for years. The church has been made promises and unfortunately the city have not done its part.

Manager Baker said the agreement is slated for one year and if either party feels the agreement is not good they will provide notice to end the MOU. The city has usage year round and they will provide the church with a monthly schedule of events.

Attorney Geller said after reading the section of the MOU titled parking; it is vehicular parking in order to accommodate special events held by the city. It does not include daily parking for employees.

Mayor Taylor asked where will the city employees park?

Manager Baker said the building has parking space for the employees to utilize on a daily basis.

Commissioner Santiago said he does not want conflicts with the scheduling.

Vice Mayor Kelley said he is happy to see that there is an MOU because in attending some of the Crime Watch meetings it has been brought to his attention that people use the facility for parking and leave trash on the church premises.

He further said the city needs to incorporate a parking fee in the rental agreement for Sherbondy Village.

Mayor Taylor asked, is it correct that the city is paying \$500.00 to the church for city use?

Attorney Geller replied, yes.

Mayor Taylor said if someone else rents Sherbondy Village, will the city pay the cost for their parking.

Vice Mayor Kelley said whatever event the city allows is considered a special event.

Manager Baker said the city pays the church \$500.00 at the beginning of the month and it will cover parking for all activities held at Sherbondy Village.

Mayor Taylor said she assumes the \$500.00 is filtered in to the rental cost of the Sherbondy Village facility.

Commissioner Johnson said it is her understanding that any city function, whether it is rental or an event held by the city, is considered as a city function.

She further said after speaking to Pastor Joanne she was informed that she does not have a problem with the city utilizing the facility for parking in the day time as long as it is included on the schedule.

Commissioner Holmes asked, what is the status of the parking at Sherbondy Park?

He further said it is a bad idea for people to park at the church at walk across the street.

Attorney Geller said when he drafted the MOU he was under the impression that the parking will only be used for official city functions. Pursuant to the resolution, they are going to adopt the MOU substantially similar and he can make changes to the MOU.

He further said at this time the MOU only grants use for special events held by the city.

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

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

Attorney Geller said the MOU currently does not have a termination clause but he can include it, also include parking is available for any group utilizing Sherbondy Village with approval.

c) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY (CRA) BOARD AMENDING THE OPA-LOCKA CRA REDEVELOPMENT PLAN TO INCLUDE A REVISED LEGAL DESCRIPTION, ATTACHED AS ATTACHMENT "C" OF THE APPROVED INTERLOCAL AGREEMENT; 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.

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

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

d) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING OPA-LOCKA COMMUNITY REDEVELOPMENT AGENCY (CRA) BOARD AMENDING OPA-LOCKA APPROVED INTERLOCAL AGREEMENT TO INCLUDE NECESSARY CHANGES PER THE AGREEMENT; 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.

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

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

e) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE COMMUNITY REDEVELOPMENT AGENCY (CRA) BOARD AMENDING OPA-LOCKA CRA REDEVELOPMENT

**PLAN TO COMPLETE THE WORK PROGRAM IN A 20 YEAR PERIOD;
PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN
EFFECTIVE DATE. *Sponsored by C.M.***

The above resolution was read by title by Attorney Geller.

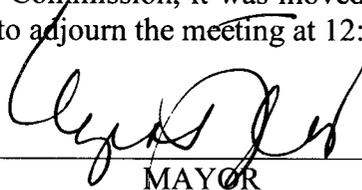
It was moved by Commissioner Johnson, seconded by Commissioner Holmes to pass the resolution.

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

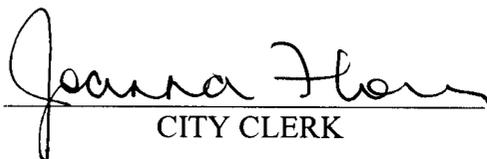
5. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Vice Mayor Kelley, seconded by Commissioner Johnson to adjourn the meeting at 12:21 p.m.



MAYOR

ATTEST:



CITY CLERK