

CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
FIRST BUDGET HEARING

September 11, 2013

5:00 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 5:14 p.m. on Wednesday, September 11, 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 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. Commissioner Dorothy Johnson arrived at 5:39 p.m. and Commissioner Luis B. Santiago arrived at 5:47 p.m.

3. INVOCATION:

The Invocation was delivered by Mayor Myra L. Taylor.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. FIRST READING ORDINANCES/PUBLIC HEARING:

a). AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING A FINAL MILLAGE RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES, FOR FISCAL YEAR 2013-2014, COMMENCING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; SETTING FORTH PUBLIC HEARING DATES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *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, the public hearing was closed.

Attorney Geller read Section 2 of the ordinance into the record as follows: *“The City Commission of the City of Opa-locka hereby adopts and establishes the millage rate of the City of Opa-locka for Fiscal Year 2013-2014, commencing October 1, 2013, through September 30, 2014, at 9.0890 mills, which is \$9.0890 per \$1,000.00 of assessed property value within the City of Opa-locka. This represents a 0.66% increase over the rolled-back rate of 9.0295 mills.*

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

Mayor Taylor asked Manager Baker if he was asking the commission to vote on a 9.0890 millage rate.

Manager Baker said yes.

Mayor Taylor shared her concerns regarding the annexation and the millage rate.

She further said she would like to see the millage rate go down because of the annexation.

Mayor Taylor asked, can the city lower the millage rate to 8.9 mills?

Manager Baker said he thinks that is a tall order considering the city’s challenges, especially in light of the next few weeks.

Mayor Taylor said residents and businesses are concerned about the annexation fee and she would not like to have an adversarial relationship due to this issue.

Manager Baker said this is the proposed budget and the current budget have an overall millage reduction, the proposed budget has a slight reduction over the current year’s rate. The hope is to continue to drop the rates, with a dip into the 8 zone next year. The requested drop at this time could impact service levels.

Mayor Taylor asked, what is the difference?

Faye Douglas, Budget Administrator, appeared before the City Commission and stated that the 8.9 millage rate requested by the Mayor would have a negative impact on the budget of approximately \$190,000.00.

Mayor Taylor asked, when the city will be able to reduce the millage rate.

Ms. Douglas said that could be done when property values increase through annexation or general property value. If the city does annex, the city would be able to incorporate those property values into what the city already has and lower the millage rate.

Commissioner Holmes said the difference of the proposed budget and what is being discussed is small. If the city is going to do something, make the decrease bigger for everybody. In the meantime, stay with what the city has and be prepared to take it down if the annexation is approved.

Vice Mayor Kelley said he understands the annexation is a concern for the businesses, however looking at the numbers being proposed, it would be hard to find \$190,000.00. He thinks the proposed rate is difficult enough at this time.

Mayor Taylor said the City Manager knows what the city would like to do with millage rate reductions.

There being no further discussion, the motion passed first reading by a 3-0 vote.

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

b). AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND ADOPTING THE CITY'S GENERAL FUND BUDGET FOR THE FISCAL YEAR 2013-2014, COMMENCING OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2014; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET, AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGET EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATION AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *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, the public hearing was closed.

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

Commissioner Holmes asked will this ordinance authorize the City Manager Baker to cut items?

Manager Baker replied, yes.

Commissioner Holmes asked will this legislation cut the employees 3% increase?

Manager Baker said that is one of his recommendations.

Commissioner Holmes said he wants to make it clear he is against taking the 3% from the employees because they have not had a raise in a long time.

Commissioner Holmes said he noticed the City Manager is recommending eliminating 19 of the 25 vacant positions and he wants to know if that includes the Assistant City Clerk position.

Manager Baker said it would include all the vacancies including the Assistant City Clerk position.

Commissioner Holmes asked if Manager Baker if he has jurisdiction to eliminate the Assistant City Clerk position without speaking to the City Clerk?

Manager Baker said he had spoken with the City Clerk concerning the budget. He eliminated all of his positions as well. It is a matter of priorities, which includes trying to prevent any lay-offs.

Commissioner Holmes said that position would not be a big part of the budget. The employees are being over-worked right now. The volume of work is very high and it is difficult for the City Clerk to accomplish in a timely manner. He is against taking the Assistant City Clerk position out of the budget.

Vice Mayor Kelley said he agrees with Commissioner Holmes. With reference to the memo distributed yesterday evening by Manager Baker with his recommendations for elimination he would like to address specific items. The health insurance has a 15% maximum increase built in, what is the status.

Manager Baker said it is still being worked on and has not been finalized.

Vice Mayor Kelley said it shows an impact of about \$175,000.00.

He asked, is Manager Baker trying to keep it in that price range?

Manager Baker said the hope is to reduce the number substantially.

Vice Mayor Kelley said the red light camera revenue is a concern. The \$500,000.00 listed is unrealistic. Have any meetings and/or negotiations been done to address this?

Attorney Geller said a meeting was held with the provider and it was a pretty good meeting. There appears to be internal discord which resulted in the provider getting back to the city late Friday afternoon. The city has been in touch with their counsel and the city will counter to make an effort to reach an amount.

Vice Mayor Kelley is concerned about the amount, because if that amount does not pan out, that will be an impact on the city's budget.

Attorney Geller said he will be glad to meet with the City Commission individually to address their concerns.

Vice Mayor Kelley asked about the positions being eliminated. Are they open or vacant and what 6 position are remaining open.

Manager Baker said the six open positions are within the Police Department.

Vice Mayor Kelley wanted to confirm that Manager Baker is proposing 1 furlough day per month for all employees except the police.

Manager Baker said that is correct.

Vice Mayor Kelley asked, why the Police Officers are not included in the furlough days?

Vice Mayor Kelley said he does not support the furlough days in its present form.

He further asked if the Risk Manager position budgeted in a sufficient amount?

Manager Baker said what is included is comparable based on the city's size and should be adequate.

Commissioner Johnson said she cannot support the furlough days.

She asked, what the funding projection is for Temporary Workers.

Manager Baker said he will have to get back to her with that information.

Commissioner Johnson asked will that amount affect the budget?

Manager Baker replied, yes.

Commissioner Johnson asked, has the impact of temporary positions been considered.

Manager Baker replied, yes.

He further said that approach is substantially less than funding a full-time position. In a full-time capacity the line item would increase due to fringe benefits.

Commissioner Johnson said with that in mind, there is one particular department that needs every effort, which is the Police Department. She is concerned about the raises that have been given out and would like the City Manager Baker to address it.

Commissioner Santiago arrived back on the dais at 5:47 p.m.

Manager Baker said he is not aware of any raises that have been issued, after being told not to. There have been some, but they have not been significant.

Commissioner Johnson said the City Commission directed that no raises were to be given in this budget. The same thing happened in the last budget and it seems the employees at the initial level do not get raises. She recommends that top management get a decrease of 5% and would like Manager Baker to explore this.

She further said she would like the City Manager to explore the option of top management getting a 5% decrease.

She is also expressed her concerns regarding the rental cost increase in city office space.

Manager Baker said he provided an analysis at the previous meeting. The rental cost to the new location was slightly higher. The big issue was the one time cost portion of the move process.

Commissioner Johnson asked is there any savings with the city moving out of the current office space to the new facility.

Manager Baker said yes, however he does not have the analysis available today, he will make that information available to the City Commission.

Commissioner Johnson asked what is the savings amount?

Manager Baker said currently the city is paying roughly \$500,000.00 annually. Moving to the new location it will be approximately \$150,000.00.

Commissioner Johnson asked how that large savings is cushioned in.

Manager Baker said due to the city considering to purchase the building, the lease amount was not included in the budget. The focus was to factor into the purchase price; however that deal did not work out. When the bond issue is done for the new location and construction, the city will roll into all of those additional costs that the city incurred in preparation to move into the new facility and get reimbursed.

Commissioner Johnson asked, did the city receive \$250,000.00 from the developers of the new Senior Housing Project?

Manager Baker said there has been money received for the Senior Housing project but he is not sure what that amount, but it is substantially more than \$250,000.00.

Commissioner Johnson said legislation was passed that all money given to the city must be approved by the City Commission.

Attorney Geller said there may be some impact and permit fees on new buildings. There may have been some payments under a Development Agreement.

Commissioner Johnson asked the City Attorney do those documents need to be accepted by the City Commission and how will they be reported financially?

Attorney Geller said on the legal side the documents does need City Commission approval.

Commissioner Johnson asked Manager Baker how that would be reported. That kind of money could really help the budget.

Manager Baker said during the budget development process, if it is known that there are developments occurring, the city incorporates those revenues into the proposed budget.

Commissioner Johnson said those transactions should be itemized instead of being grouped together.

She requested that the City Manager show her where that specific cost could be found in the budget.

Manager Baker said that project was a blessing for last year's budget.

Commissioner Johnson said she would like to make sure monthly bank statement requisitions are incorporated and the City Attorney can prepare legislation if necessary.

Commissioner Santiago said he is interested in savings and there are a lot of ways for the city to save money. He would like Manager Baker to present the items they have discussed to the other Commissioners regarding the Police Department and Public Works. There are expenditures that should be reviewed including fuel, repairs and parts.

Commissioner Holmes said he sees a savings of \$330,000.00 because the Florida League of Cities is going to reinstate the city's insurance. He thought in past discussion there was going to be a cost of \$1,500,000.00 to \$2,000,000.00.

Manager Baker said it could have been much more than that after meeting with other companies, up to potentially \$2,800,000.00.

Commissioner Holmes asked if that number was put into the budget.

Manager replied, no.

He said the smaller number of \$330,000.00 was put in.

Commissioner Holmes asked how much the city paid last year.

Manager Baker said the city paid about \$1,000,000.00. The policy this year will be \$22,000.00 less.

Commissioner Holmes said the monthly cost of rental for the trailers versus the building does not seem to be savings.

He further said he has an opportunity to visit the new office building located on NW 135th Street and he smelled mold, mildew, and a strong odor from the trash dumpster.

He further expressed his opposition on the employees taking furlough days.

Vice Mayor Kelley said he cannot support the budget as it is.

He asked are the AMR personnel included in the proposed budget.

Manager Baker said AMR employees have been notified of their last date of employment.

Vice Mayor Kelley asked the City Manager if he will be providing the number of Temporary workers that will be in the budget.

Manager Baker said yes.

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

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

Vice Mayor Kelley said since the motion failed, a new meeting will have to be scheduled.

Commissioner Holmes said in order to save money, the city should move back into the Old City Hall. The roof could be fixed and walls painted, and it would be just as safe.

Attorney Geller said the budget has to be passed on two separate readings, so the city will have to have another First Reading to pass Item 5b.

c). AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND ADOPTING THE CITY'S PROPRIETARY AND SPECIAL REVENUE FUND BUDGET FOR THE FISCAL YEAR 2013-2014, COMMENCING OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2014; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET, AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGET EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATION AND AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing.

Grant Smith of 2860 State Road 84, Fort Lauderdale, FL appeared before the City Commission and asked does the above ordinance have anything to do with the Solid Waste Enterprise Fund?

Mayor Taylor said no.

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

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

Commissioner Holmes asked Manager Baker to explain the ordinance.

Manager Baker said this ordinance highlights the city enterprise such as a storm water utility, waste water utility and other fees that come from the County.

Commissioner Johnson said the ordinance needs to be broken down.

Mayor Taylor asked Manager Baker if 12 and 13 were broken down in the packet.

Manager Baker said yes. He wanted to point out that Solid Waste Fees are Enterprise Fees. In the back-up exhibits, the fees are broken down.

Vice Mayor Kelley said he does not want any problems with the public hearing concerning the Solid Waste Enterprise Fund.

Mayor Taylor invited Mr. Smith to speak.

Grant Smith of 2860 State Road 84, Fort Lauderdale, FL appeared before the City Commission said he reviewed page 38 of the budget and there is an explanation of an increase in the fee, increasing the amount from \$530.00 to \$562.00 per home owner. That is the exact language that was in the budget last year. Which is the correct rate, as the exact rate increase can't happen two years in a row. There is a RFP on the street for solid waste collection. The Evaluation Committee, who did a lot of work, essentially is recommending to the commission through the City Manager to accept an offer from a company whose commercial franchise fees are going to come in at his calculation of almost \$200,000.00 a year less.

Commissioner Holmes said he wants to get rid of the consent agenda because the people don't know what the commission is passing.

Vice Mayor Kelley asked Manager Baker about the July 10th document where the update of list stations was provided. He is trying to find out the status of the Pump Stations for Rutland Street is complete in terms of the first phase.

Manager Baker said that is correct.

Vice Mayor Kelley asked, is Pump Station 5 rehabilitation complete.

Esin Daniel Abia, Director of Public Works came forward and said Pump Station 5 has not commenced, it is in by-pass.

Vice Mayor Kelley asked if that was the public-private partnership.

Manager Baker said he does not know if Mr. Abia was in the meetings with Mr. Chiverton but the developer for the pump station was assigned to pulled all of the necessary permits and they are in the process of constructing and completing the facility.

Vice Mayor Kelley said the project is behind as it was to be completed in October.

He asked, what is the status of the pump stations?

Manager Baker said the ones that are on the list presented at the workshop were provided with a funding source recommendation and his desire is to have them completed within the upcoming budget year.

Vice Mayor Kelley said the timeline doesn't match the current status. He is looking for savings if the completion status can be updated. He would like to get an updated list.

Manager Baker said some projects have multiple funding sources such as 11-C. That was tied up for six months until the federal funds were released.

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

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

Attorney Geller said since the General Fund Budget did not pass, the instructions from the State of Florida is the Budget Hearing cannot be adjourned, it has to be recessed to be able to come back and there are notice requirements. There is also a requirement to publish a notice of that in a newspaper of general circulation. The recessed hearing must be within 2-5 days after the notice is published in the newspaper. Unless the vote is reconsidered, the time and date must be set.

Mayor Taylor said there will not be an adjournment based upon what the Attorney Geller has said.

Clerk Flores said the deadline for this Sunday was today at 5:00 p.m., unless the notice is published in the Local Section of the Miami Herald which would be published on a Thursday, that deadline can be met, however there is a substantial cost difference.

For clarification, Vice Mayor Kelley asked if the City Clerk submits the advertisement on Friday, then it will be in the newspaper on Thursday.

Vice Mayor Kelley suggested scheduling the meeting on Monday, September 23, 2013 at 5:01 p.m.

It was moved by Vice Mayor Kelley, seconded by Commissioner Johnson to hold a continuation meeting for the general budget on Item 5b on Monday, September 23, 2013 at 5:01 p.m.

Attorney Geller said to make it clear that the commission is voting to recess this meeting until Monday, September 23, 2013 at 5:01 p.m.

Clerk Flores affirmed the details.

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

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

6. RECESSED:

There being no further business to come before the Commission, it was moved by Commissioner Johnson, seconded by Vice Mayor Kelley to recess the meeting at 6:15 p.m.



MAYOR

ATTEST:



CITY CLERK