

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING

September 11, 2013

7:00 P.M.

Opa-locka Municipal Complex
780 Fisherman Street, 2nd Floor
Opa-locka, FL33054

1. CALL TO ORDER:

Mayor Myra L. Taylor called the meeting to order at 7:00 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: Commissioner Dorothy Johnson, Commissioner Luis B. Santiago, Commissioner Timothy Holmes, Vice Mayor Joseph L. Kelley 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 Vice Mayor Kelley.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison. A moment of silence was observed in memoriam of September 11th.

5. APPROVAL OF AGENDA:

6. APPROVAL OF CONSENT AGENDA AND PULL LIST (add-ons, deferrals and deletions):

Note: This portion of the minutes is transcribed in verbatim form.

Commissioner Johnson: Since this legislation previously was mine, number 5, I want to defer it because on December the 12th of 2012 we mentioned then that we would have a Town Hall meeting for the citizens and that has not occurred so I would like to defer that, although this time it is sponsored by the Manager, but that is my legislation and I don't want nobody to take it, I got it. Also I would like to defer, no, I would just like to remove number 8 from the Consent Agenda, the reason why I want to remove number 8 is if you remember resolution 11-8202, this same resolution came in front of the city commission and it was approved 4-1 for the Manager to go out and to explore the savings of

outsourcing code enforcement. There is already legislation. So I didn't realize that until after I had already put it on the agenda. So I would like to remove that because it is already approved legislation and I will give my copy to the Manager so he can have it. As well as I would like to pull number 5 for discussion and there is one more, let someone else go Madam Mayor, there is one more thank you.

Note: *This concludes the verbatim portion of these minutes.*

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

Commissioner Johnson removed item 19-8 from the Consent Agenda.

Commissioner Johnson deferred item 18B1 from the agenda.

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

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

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

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 ENTER INTO AN AGREEMENT WITH FLORIDA LEAGUE OF CITIES FLORIDA MUNICIPAL INSURANCE TRUST (FMIT) FOR PROPERTY LIABILITY AND WORKERS COMPENSATION INSURANCE FOR FY 2013-2014 AT A COST OF NINE HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED FOUR DOLLARS (\$997,304.00) PAYABLE FROM ACCOUNT NUMBERS 18-513451, 61-513451, 43-538541 AND 34-534451; A BUDGETED ITEM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

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

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

Mayor Taylor Yes

16-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE MIAMI DADE COUNTY HOUSING AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AWARD IN THE AMOUNT OF TWO HUNDRED TWO THOUSAND DOLLARS (\$202,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M*

It was moved by Commissioner Johnson, seconded by Vice Mayor Kelley to approve adding Item 16-2 to the agenda.

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

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

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Commissioner Johnson along with the City Commission presented Sha'mecca Lawson with an award from the Florida Black Caucus of Local Elected Officials for her outstanding support in planning the annual meeting in Orlando in August 2013.

8. APPROVAL OF MINUTES:

Regular Commission Meeting – July 25, 2013
Special Commission Meeting – July 30, 2013

It was moved by Commissioner Johnson, seconded by Vice Mayor Kelley to approve the minutes of the Regular Commission Meeting of July 25, 2013.

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

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

It was moved by Commissioner Johnson, seconded by Vice Mayor Kelley to approve the minutes of the Special Commission Meeting of July 30, 2013.

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

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| Commissioner Johnson | Yes |
| Commissioner Santiago | Yes |
| Mayor Taylor | Yes |

Commissioner Holmes Yes
Vice Mayor Kelley Yes

9. **24th CONGRESSIONAL DISTRICT OF FLORIDA REPORT:**
10. **STATE SENATORS REPORT:**
11. **STATE REPRESENTATIVES REPORT:**
12. **DISTRICT ONE / DISTRICT TWO -COUNTY COMMISSIONER REPORT:**

Larry Gardner, of Miami-Dade County Commissioner Jordan's Office (District 1) came forward and said Commissioner Jordan is hosting the Seventh Annual Hispanic Heritage Festival on Saturday, September 21, 2013 from 1:00 p.m. to 5:00 p.m. at Country Village Park. That is located at 6550 NW 188th Terrace.

Commissioner Johnson said she is very appreciative for all Commissioner Jordan has done for the Opa-locka branch library.

Mayor Taylor also expressed thanks for Commissioner Jordan's support on the annexation issue.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

Mayor Taylor said the Fire Rescue Department appreciates being put on the agenda, but unless there is something on the agenda that pertains to them specifically, they will not be coming.

14. PUBLIC PRESENTATION:

14a. CITIZENS' FORUM:

Johnnie M. Greene of 2091 Wilmington Street, Opa-locka, FL came before the City Commission and said there is a nuisance in the community. The commission previously gave some young men an opportunity have an affair over by the canal on Wilmington Street know it is a nuisance. Every Saturday and Sunday she has to call the Police Department because of the loud music and traffic. The persons involved say they have permits from the city but anything that's nuisance must be removed. It was mentioned in a previous meeting if they go on the Jet Ski's from the ramp then the city get revenue. Now it is county-wide, everyone is coming to Opa-locka Beach and it is not fair to the citizens, and the citizens want it stopped.

Deborah Sheffield Irby of 14202 NW 17th Avenue, Opa-locka, FL came forward and echoed the same concerns as Ms. Greene. The crowd has migrated right behind NW 17th Avenue now there are two locations being used. The lake is being used behind the townhomes on 17th Avenue and also people are coming in through the businesses off NW 135th Street. Tents are everywhere and music is loud when people relax on Sunday.

Commissioner Santiago directed the City Manager to investigate the complaints and provide the City Commission with a copy of the report.

Commissioner Johnson said she has called the Chief of Police on Sundays regarding the citizen's complaints. She further voiced her concerns about the type of music being played.

Commissioner Holmes said when all this started last year, he tried his best to stop it. He has made a point to ride down there to make sure there are no problems.

Vice Mayor Kelley said the City Commission should address the issue and tell the City Manager what is allowed. The situation is beyond measure and there needs to be some control. He further said the City Manager needs to come back to the City Commission next month with some resolutions.

Mayor Taylor directed the City Manager to look into the issue. She also asked the commission to provide Manager Baker with their input as well.

Jannie Russell 1210 Perviz Street, Opa-locka, FL came before the City Commission and said her children enjoyed the pool at Sherbondy Village over the summer. The lifeguard was great. She is the Chair of the Parks and Recreation Advisory Board, the last couple of meetings they had did not have quorum. Some people have resigned and the list of members is outdated. She does not want to meet and not get anything accomplished. She would also like to know how the citizens are notified about Special Meetings. Citizens are concerned about spending money to move during such hard fiscal times.

Luvenia Spears of Opa-locka, FL appeared before the City Commission to inform them that the Seniors on the Move bus have not been working properly for the past two years. The bus breaks down frequently while the seniors are on the bus. Some of the seniors were afraid to voice their concerns but she would really like the bus to be fixed properly.

(Inaudible) of 2100 Wilmington Street, Opa-locka, FL appeared before the City Commission to address his concern with the traffic on Wilmington Street. On Sundays people ride dirt bikes and four-wheelers real fast down the street and this is dangerous for the children.

John Cook of 14580 NW 27th Avenue, Opa-locka, FL came forward and applauded the commission's diligence on the budget issue. He further said outsourcing Code Enforcement is common and the city should consider it as an option.

Commissioner Johnson informed Mr. Cook that Item 8 was pulled because the legislation was passed in 2011.

Alvin Burke of Opa-locka, FL appeared before the City Commission and said over a year ago when the Georgia Aires Apartments were being built; there were concerns about not wanting to build more in that area due to crime and congestion. There was a plan to install a police sub-station. He asked what the status is.

Mr. Burke further said with regards to Item 5 of the consent agenda, the Opa-locka CDC has money, why they are not paying the fines and fees owed to the city. In addition, they are supposed to rehabilitate property and sell it to make sure money goes on the tax roll. As long as the CDC holds onto the property and rents it, the city gets no tax money.

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

19-3 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE MATERIALS FOR PUMP STATION 11C FROM FERGUSON WATERWORKS, INC., IN AN AMOUNT NOT TO EXCEED \$11,265.51, AND TO RECEIVE INSTALLATION SERVICES FROM IMECO, INC., IN AN AMOUNT NOT TO EXCEED \$13,630.00, PAYABLE FROM ACCOUNT NUMBER 35-535630; 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 Commissioner Johnson to discuss the resolution.

Vice Mayor Kelley asked Manager Baker to confirm that neither of these companies was awarded the bid to do actual work on 11C.?

Manager Baker said that is correct.

Vice Mayor Kelley asked if this resolution was in the scope of the awarded bid.

Manager Baker said no. On a preliminary study that was done, after several lift stations were upgraded it became apparent that it would be more cost effective to create a bypass and go directly to the Miami-Dade force main as opposed to sending the flows to our own Master Lift Station. In doing so, the city would gain additional efficiencies and less run time that would have to be put on the Master Lift Station. That is a new discovery and he would like to put it in place to gain the efficiencies.

Vice Mayor Kelley asked if the company that received the bid for this particular work on 11C did not have this in their scope of work.

Manager Baker said that is correct. The 11C project probably dates back a couple of years. This resolution covers new found efficiencies.

Vice Mayor Kelley asked if the bypass will not have any direct connection to work being done on 11C.

Manager Baker said that is correct.

Commissioner Johnson said if the city continues to not see future utilization of what we can do in the city and we continue to connect with Miami-Dade County, she doesn't

know if it is cost effective if the city wanted to come back and connect with the city's main system.

Manager Baker said every day the system should be looked at to make it more efficient. This tradeoff here is that instead of putting it in our master and pumping it out, the city has an opportunity to pump it straight out into the Miami-Dade force main. That saves the city's system energy cost, pumping time and things of that nature.

Commissioner Johnson said she has seen so much money invested in all of the different pump stations throughout the years. Is this the best solution for the future?

Manager Baker said unfortunately having a waste water utility means a system comprising of pumps, motors and pipelines. Over time the flows change because lines crack underground and inflow comes in them. This changes the dynamics. The long-term goal is to make the system much more efficient and this is one way to do so.

Vice Mayor Kelley asked if the city is purchasing the material to install in order to achieve cost savings.

Manager Baker said yes. The city is trying to avoid paying mark-up.

Vice Mayor Kelley asked if that strategy will be looked at in the future.

Manager Baker said yes, when it is appropriate. Some projects warrant that. Other projects are too big and the liability factor would outweigh the markup factor, especially for designing and building a lift station.

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

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

19-5: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ACCEPT \$5000.00 FROM OPA-LOCKA COMMUNITY DEVELOPMENT CORP (OLCDC) IN SETTLEMENT FOR CODE ENFORCEMENT FINES FOR PROPERTIES LOCATED AT 15050 LINCOLN (ALSO KNOWN AS 15050 DUVAL), 2060 LINCOLN, AND 2070 LINCOLN; 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 Commissioner Santiago to discuss the resolution.

Commissioner Johnson said she had pulled this resolution because she feels as this point that \$5,000.00 is unacceptable. Over the years the city has given up a lot of property and she does not see it coming back on the roll to benefit the city. This is an awkward situation and she cannot see a settlement of \$5,000.00, it is too much of a burden on the citizens and she cannot support it at this time. She asked Manager Baker if this is the best the city can do.

Manager Baker said the city has spent several days going through all of the liens and citations, some that go back a couple of years. There are numerous mistakes made by the city, and if that had not occurred, the city would not be in this situation. Mr. Chiverton has spent a great amount of time going through this and can speak on this issue.

David Chiverton, Assistant City Manager appeared before the City Commission and said the issue was looked at with the CDC and Attorney Geller to identify how the citations came about. It was found out that when the citations were issued the proper notification as the CDC took custody of some of the properties, the notices for hearings went to the previous owners. In essence, their argument was that they were not notified. In addition, after the commission had approved to forgive the citations from before, additional citations continued to be issued, and at some point there should have been a settlement. This is because their closing statement requested that it was a payoff for those respective addresses. It was like the city had not completed its process of including the all the citations in the legislation. It was then turned over to the attorneys to bring closure. The CDC has some pending funds for rehabilitation of these properties and that is why it is before the commission.

Commissioner Johnson said this needs to be outsourced. She is concerned and has heard about this scenario before. The outsiders have it over the city because the city is not thorough and consistent. If there are policies and procedures, they are not being followed. Who in this day uses manual inserts when there is technology available? She wants Manager Baker to handle this. If this continues to keep coming up then it needs to be taken out of the Manager's budget.

Commissioner Santiago said that this happened under another administration.

Manager Baker affirmed.

Commissioner Santiago asked why someone needs to pay for a mistake made by others. If that it is a mistake made by the city years ago in another administration, why does the current person pay for the mistake. That has happened to him in past where the city forgot to pull his past lien from the file. If the city made a mistake, the problem needs to be resolved.

Commissioner Holmes said about a year and a half ago there were serious problems with code enforcement. The code enforcement and administration in place now is being run and managed differently. It was brought to his attention that the code enforcement officers are getting ready to have computers and printers in their cars to be able to do things right in 2013. In the past there were problems. He would never consider privatizing code enforcement when the current staff is doing the best they can. Let code enforcement do their job and cite whoever they need to and do what needs to be done. He

has been on the Code Enforcement Board and passed fines on Board Members. Code enforcement needs to be able to issue fines to people no matter who they know or are friends with.

Mayor Taylor asked Attorney Geller if this is an act of good faith, she sees the documentation and there is a weakness on the city's part.

Attorney Geller said the Mayor is correct. There was a resolution passed that waived fines. Code enforcement fines were waived, the outstanding water and sewer liens were paid. That is his understanding. The original resolution made it clear the waiver was for code enforcement fines only. Some of these were ones that were supposed to have been waived and they are still on the books and showing. Some of them were put on the property literally two days before being sold and of course the old owner was notified. There is a question of being legally sufficient which it probably is, but in terms of what the fairness is; it was a bank that had the property before the CDC took it over. It appears that it was only the prior owner that was notified. The city could read the previous resolution to say whatever code enforcement was on the property at the time they took over. And there are some that occurred after the deed to them, where the city clearly notified the wrong party who was the previous owner. The city indicated to CDC counsel that although they may be right, that there had to be some payment because the city has spent considerable time and effort just going back trying to verify this. They were told to make some kind of offer at least to cover staff time that was put in. That is what this is. They proposed the \$5,000.00. Whether the city can collect anything is uncertain. The issue is that this has dragged on for a long time. The CDC has a closing and if they can't resolve the issue of the liens as indicated in the letter from Dr. Logan, it actually puts them in jeopardy for the entire project if they can't get this closed now. Their deadline to draw down the grant funds is September 23rd prior to the next meeting. Whatever the commission's pleasure is, it should be resolved tonight.

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

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

19-7: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE THIRTY-FIVE (35), 2013 CHEVROLET TAHOES, FOR THE OPA-LOCKA POLICE DEPARTMENT, PAYABLE FROM ACCOUNT NUMBERS 22-521648, A NON BUDGETED ITEM; 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 Holmes, seconded by Commissioner Santiago to discuss the resolution.

Commissioner Santiago said to Manager Baker that he does not believe the Police Department needs 35 Tahoes which could cost about \$900,000.00 to \$1,000,000.00. Where is the money going to come from? The Police Department needs to use what they have in inventory. The city already purchased 12 cars this year, including two brand new trucks. There are other costs to consider such as fuel, insurance, parts and repair. There are cars sitting at Public Works that need to be repaired. The city needs to create new rules and regulations for the Police Department and Public Works to maintain their fleet. He is not going to support this. He wants reports on the current fleet's condition provided to all the commissioners.

Commissioner Johnson said she has the same concern voiced by Commissioner Santiago. She asked Manager Baker what is the cause for requesting these vehicles. How is there an account number when the money is not there?

Manager Baker said the cost of each vehicle is approximately \$32,000.00 each.

Commissioner Johnson said she has the figure of \$1,000,120.00. That is 35 times \$32,000.00. She cannot support this.

Commissioner Holmes said there are Police Department cars that date back as far as 2003. The vehicles are used 24 hours a day. Each shift uses the same cars. These particular cars won't go into the budget until next year. Some of the police cars break down while being used. If the commissioners are against getting 35 vehicles, change the resolution to half for this budget and half for the next budget.

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

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

16. NEW ITEMS:

16-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH FLORIDA LEAGUE OF CITIES FLORIDA MUNICIPAL INSURANCE TRUST (FMIT) FOR PROPERTY LIABILITY AND WORKERS COMPENSATION INSURANCE FOR FY 2013-2014 AT A COST OF NINE HUNDRED NINETY SEVEN THOUSAND THREE HUNDRED FOUR DOLLARS (\$997,304.00) PAYABLE FROM ACCOUNT NUMBERS 18-513451, 61-513451, 43-538451 AND 34-534451; 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 Johnson, seconded by Commissioner Holmes to pass the above resolution.

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

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

16-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE MIAMI DADE COUNTY HOUSING AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AWARD IN THE AMOUNT OF TWO HUNDRED TWO THOUSAND DOLLARS (\$202,000.00); 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 above resolution.

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

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| Commissioner Holmes | Yes |
| Commissioner Johnson | Yes |
| Commissioner Santiago | Yes |
| Vice Mayor Kelley | 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, TO AWARD FRANCHISE CONTRACT FOR COMMERCIAL AND RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL, PURSUANT TO RFP 13-2805200, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT IN SUBSTANTIALLY THE FORM ATTACHED HERETO AS EXHIBIT A, SUBJECT TO APPROVAL AS TO FORM BY THE CITY ATTORNEY, PAYABLE FROM ACCOUNT 34-534340; A BUDGETED ITEM; 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.

Attorney Geller said the commission is permitted to take public comment.

Mayor Taylor said whether to take public comment is up to the commission or there needs to be a motion. She does not want a lawyer bashing session.

Attorney Geller said he wanted to add for the record that a protest was filed today on the City Manager's recommendation. The commission will have to hear that protest at some point, but since it was received today there has been no opportunity to notify the other parties and the protest cannot be heard tonight.

Commissioner Johnson said she would like to hear any concerns. She has gone through package and she has a lot of questions on the committee's recommendation.

Attorney Geller said for the record that the protest will not be heard tonight, but it is the pleasure of the commission as to whether or not to accept comments on first reading. The commission is permitted but not required to do so.

Grant Smith 2860 State Road 84, Ft. Lauderdale FL. He is representing Progressive Waste Solutions of Florida, Inc. There are significant flaws in the process to get to this point. He did file a protest; he understands this is not the time to air out every item. He did provide letters to each commissioner. In accordance with the city's code he also provided letters to the City Clerk, City Manager and City Attorney as well. Before this moves down the road, the commission should know what is happening. There were flaws in the information provided, in the analysis, at the committee level and he is prepared to speak on those at the protest. At issue tonight is should this move forward at all. His opinion is no, this should be slowed down and hear the protest before first reading. There are a lot of things that can happen during a protest; his colleagues in the industry would say the same thing. What happened at the committee level and the recommendation by the City Manager is a travesty. It is the wrong thing to have happened. He is doing this out of principle. He urged the commission to slow the process down and defer the item until the commission can understand the flaws because they are significant.

Willie Hernandez of 2350 NW 149th Street Opa-locka. This is a great thing and what public-private partnerships are all about are dealing with companies in the community who will help the city move forward. Ecological Paper was the lowest bidder. There could be lots of meetings, but his competitors will not be satisfied unless they are awarded the contract.

In all fairness, Ecological Paper is not a public company. They provided all the assurances and all the pricing standards were met. They provided the customer service, quality, experience; everything was covered. They went through two rounds, it is almost a travesty to have Wall Street companies come in and beat up the small companies all the time. This has been going on for a year. This is a good thing. They are employing local citizens, they are in the community, they are trying to create new dollars for the city and

the city needs to move forward and award this contract to a company that is going to be a public-private partnership. Please move forward and award this contract and don't let the Wall Street companies ask for 10 more meetings.

Jose Flores 2540 NW 149th Street, CEO of Ecological Paper. The City Manager has done a great job. The commission should not allow companies to come in and insult city staff. His company was made to go through a second round and did not complain and went through the process. The company has big bonding capabilities that no one has. Any small company out there cannot do what they can do. The company is the largest employer in Opa-locka with over 40 employees from Opa-locka. The company is the largest facility in Miami-Dade County for what they do. The company is debt free. The company has millions of dollars in assets. The company has lots of garbage trucks which were an issue, there are nine garbage trucks parked in front of their facility. Employing citizens of Opa-locka is their preference. He asked the commission to believe in their City Manager and the committee that they have done the right job twice. They are requesting a vote and to do the right thing.

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

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

Commissioner Johnson said she took her five hours today to do discovery. She is concerned and she does not think with what she found, that the city would want it on the record today. The process needs to slow down. Every tab in these packages has concerns for her. The process is moving too fast and the city does not want this on the record. There are errors and they need to be addressed before a final decision. She went through committee minutes, signatures, financial statements, Amendment 3, finance support, alteration in prices, this should not be on the record. She is very concerned with what she sees in three of the packages, mainly two. She suggested city legal counsel review what was supported by the providers.

Commissioner Santiago said he has been asking Attorney Geller to be sure the city is doing the right thing. Attorney Geller told the commission that the right things were being done and everything is being done properly. What is the problem, why can't this go forward; the process has already been done twice. This needs to be addressed and the first reading should go forward.

Commissioner Holmes said when a person doesn't have the right thing to say, they shouldn't say anything and just listen and learn to what is going on.

Vice Mayor Kelley asked Manager Baker and Attorney Geller to confirm that regardless, the protest must be heard before anything can be passed as final.

Attorney Geller said the city has to consider a bid protest. The city code says that people have the right to protest and that is what has been done. It is not as clear to him that a protest would have to be taken up before second reading. That may be advisable, but he does not want to go on record as saying it is required to be done in that order. It may be the best choice. It does have to be heard at some point.

Vice Mayor Kelley said he does not know what information his colleague has, they cannot communicate due to Sunshine, but he would like any information that anyone has to get it to the City Attorney so he can look at it before he makes a final decision. This is the second time with this process and he is assuming the City Attorney and the City Manager did due diligence, notwithstanding the protest the city needs to move forward. If something comes up, he does not know the structure, but he would like to hear the protest before the second reading in case there is something that may make him reconsider. He is inclined to move this forward and ask to schedule a protest hearing before the second reading.

Commissioner Johnson said if the city commission is going to vote she is going to put all of her concerns on the record, all forty (40) of them. At that time, it would be documented verbatim all her concerns as she speculates them. Everybody has a package or can get a package and the City Attorney can provide legal sufficiency. Before the commission takes a vote she would like to put all her concerns on the record verbatim.

Commissioner Johnson said verbatim "Number one, in one of the package, verbatim, one of the companies specified that they do business with the City of Opa-locka currently already which no record indicated that. Secondly, I am concerned with some of the letters of support that may be included in this document. Some of the correspondence, that is three, that is in the correspondence of receipt is from the previous provider which I find should not have been included because it could be misleading. The Appendix A has been revised with no signature, amounts have been changed. On Attachment A for one of the vendors there is no amount for the proposed price. On the RFP number of questioning, there is no direct information as to why, of answering any of the questions there, so I am assuming when the selecting board or committee got together did they really look at the response questions and answers. On the next one, when I look at the financial it seem as though it was a company that was mentioned here became a joint company for their audit purposes that did not reflect in the financials. When I look at the financial I am concerned with the company for their income tax liability still pending as well as Stake Holder's loan that is still pending. When I look at their current balance on their cash flow I would like for the committee to look at that. When I look at the Stock Holders loan pending, I would for the committee to tell me how they addressed that. When I look at the Note of Financial Statements from the previous years I have concerns there. When I look at the employment opportunity that was afforded, looking at these licenses they aren't really a good percentage of residents from Opa-locka. When I look at the hiring process from the company that we hired to do recruitment, fortunately working 20 something years in a post office addresses is really not a problem for me I can look at an address and tell you the zip code, question on that. And then when I look at all the supported documentation from mostly, the majority I am little concerned with that. When I come over to the other vendor and look at their concerns or their references, some of the references here, I want to know when it was checked and what was the outcome of all the references and all the packages, because I didn't see, when I look at the number the rating there was only two companies that really stood out even when they went back to the second review only one person out of a whole committee's numbers reflected a change. When I look the response for one of the vendor's referrals they are within, from business, not from business, from cities that they provide services for which was kind of like okay, but I didn't know, I was a little concerned I guess when I read the correspondence, now, our previous providers

that will alert me why would they not have bid for this and then we got a notice today it may be one of the ones that's in the package, so I am not for sure on that. When I continue to look at the rating for one of them, they went from a "AA" to a "D" for a credit rating. So how can you be financially situated if you are an "AAA" to a "D"? When I look at your end of year balance and I think all of us know how to read balance sheets, you don't have a substantial amount of balance, but incurred, still have some outstanding debt. The others, I think the Attorney, just as I told you all before in the last contract that we had in front of us, that stated five years that we were going to vote on until I made a squeaky wheel to let you know that it was not five years, it was one year we were voting on. So I ask that all those items there be verbatim and I ask that before the protest hearing or whatever it is that the Attorney is alluding to, that all those questions be answered and thank you very much."

Mayor Taylor said to give the concerns to the Attorney.

Commissioner Johnson said no, she wants to straighten the record. That is her concern, he can refer to the tape or he can refer to the notes that is in the minutes. She asked that the minutes be verbatim. She has nothing to share because she still has other concerns.

Vice Mayor Kelley said he is supporting the item, and then asked if he needs an amendment because of the way he proposed, as he wants to hear the protest by the second reading and to get any information afforded to the commission prior to.

Mayor asked Attorney Geller if that was needed.

Attorney Geller said no.

Commissioner Holmes said he wants everyone to understand that by talking loud and talking fast, it doesn't scare him. He is the oldest person on the dais and it doesn't bother him.

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

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

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CREATE A COMMUNITY RELATIONS, RECREATION AND ACTIVITIES BOARD FOR THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

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 said the commission requested to do these ordinances as public hearings so although it is not otherwise required, this is a public hearing.

Mayor Taylor said the Manager Baker was being replaced by Assistant City Manager David Chiverton.

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

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

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

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CREATE A PLANNING COUNCIL FOR THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

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 Vice Mayor Kelley, seconded by Commissioner Johnson to pass the above ordinance.

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

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

4. AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, TO CREATE A ZONING BOARD OF APPEALS FOR THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

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 Vice Mayor Kelley, seconded by Commissioner Johnson to pass the above ordinance.

Commissioner Johnson asked the Sponsor if it was being made sure with this legislation that the commission will not serve.

Vice Mayor Kelley said verbatim "Yes Commissioner, this will allow for all of us to appoint someone to the Zoning Board of Appeals so we will not be serving in that capacity."

Commissioner Johnson asked the City Clerk to make sure Vice Mayor Kelley's response is verbatim in the minutes.

Clerk Flores affirmed.

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

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

5. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CREATE THE OPA-LOCKA EDUCATION COMMITTEE, WHICH WILL OPERATE WITH THE PARTICIPATION OF REPRESENTATIVES FROM PUBLIC, CHARTER AND PRIVATE SCHOOLS IN THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

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 Vice Mayor Kelley, seconded by Commissioner Johnson to pass the above ordinance.

Commissioner Johnson said she wants to make sure. She was selected as the champion for the education committee, should anyone else want to do that, this is the time. She will work with whomever, but this is where the PTA Presidents at the schools in the private and public sectors can be a part of this committee. She spoke to the representative that she works with at the school district and it is noted in the legislation that the school

district person will be a non-voting member in an advisory capacity only. She wants that clear for the record.

Vice Mayor Kelley told Attorney Geller that he wants to add in the legislation that Commissioner Johnson is to be added as the Commission Liaison since she has been working the Education Compact for a while now. He wants to make it clear for the record. He will put it in as an amendment if necessary.

Attorney Geller said Vice Mayor Kelley can make a motion as soon as the ordinance passes, even on first reading, but the ordinance can't name someone because the ordinance may still be in force forty years from now. He can bring a motion immediately to designate that this commission is naming someone. A motion can be made for this two year period that Commissioner Johnson is the liaison, immediately after ordinance consideration. A person can't be named as part of the ordinance because it can last indefinitely.

Vice Mayor Kelley said if the item passes he would like to make a motion to name Commissioner Johnson as the liaison for the next two years in accordance with Attorney Geller's guidance.

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

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

Vice Mayor Kelley made a motion for the two year term that is listed in the Whereas Clause for Commissioner Johnson to serve as the Commission Liaison.

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

Commissioner Johnson said she has revised this since it she submitted it. She was going to insert "appointed" but she knows it needs to come from the commission so she intentionally left it out and made the notation to the Deputy Clerk at that time. She would like the commission to take it up on its own.

Attorney Geller said the language is a resolution.

Commissioner Holmes asked if this is being amended to put it on the agenda or including it into the resolution or doing both.

Mayor Taylor said it is both according to Attorney Geller. The commission finished with the ordinance after the ordinance a motion was made.

Attorney Geller said it is not part of the ordinance. It is a subsidiary matter to the ordinance. The agenda could be amended and if someone objects to it then it could be

required that the agenda be amended, it is a subsidiary motion to the ordinance. He thinks it is proper.

Commissioner Holmes moved to include it into the main agenda first. It was seconded by Commissioner Johnson.

Attorney Geller said that was proper.

Mayor Taylor said there is a motion and a second to include this on the agenda.

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

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

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

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

B. SECOND READING ORDINANCE/PUBLIC HEARING:

C. RESOLUTIONS/PUBLIC HEARING:

19. ADMINISTRATION:

CONSENT AGENDA:

(19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ACCEPT THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE JUSTICE ASSISTANCE GRANT, IN THE AMOUNT OF TWENTY SEVEN THOUSAND SEVEN HUNDRED FOUR DOLLARS (\$27,704) TO ENHANCE THE CHILD AND YOUTH DEVELOPMENT PREVENTION PROGRAMS AT SHERBONDY PARK; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

19-2 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ISSUE REQUEST FOR PROPOSALS ("RFP"), FOR A QUALIFIED FIRM TO PERFORM AN UPDATED STUDY FOR THE CITY'S DEVELOPMENT IMPACT FEES, PAYABLE FROM ACCOUNT NUMBER 16-512490; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

19-4 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING THE CITY MANAGER’S APPROVAL FOR CHANGE ORDER FOR SPECIAL INSPECTOR FROM KACO FOR THE HELEN MILLER CENTER AT SEGAL PARK REGARDING HIGH VELOCITY HURRICANE ZONE REQUIREMENTS, IN AN AMOUNT NOT EXCEEDING SIX THOUSAND NINE HUNDRED NINETY DOLLARS (\$6,990.00), PAYABLE FROM ACCOUNT 44-541814; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

19-6 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, IN SUPPORT OF THE FLORIDA LEAGUE OF CITIES, INC., URGING CONGRESS TO MAINTAIN FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (“CDBG”); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

The above resolutions were read by title by Attorney Geller.

It was moved by Commissioner Holmes, seconded by Commissioner Johnson to pass items 1, 2, 4, and 6 of the consent agenda.

The motion passed by a 5-0 vote.

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

A. CITY MANAGER’S REPORT:

Assistant City Manager Chiverton said the Community Development and Planning project, the mixed use development is estimated to be completed in January 2014. The developer has expressed the desire to have a temporary Certificate of Occupancy sometime in December of this year.

Presidente Supermarket date to begin has not been determined but they are moving through the process.

The Family Dollar developer plans to start construction later this month.

The city’s annexation application was accepted by the Miami-Dade County Board of Commissioners on September 4th. The next meeting to be held before the Planning Advisory Board has not yet been announced. Completion is anticipated in June 2014.

Regarding the Community Development Challenge Grant from US HUD, the city has not received the comprehensive plan and land development code for the consultant or per the

HUD approved work plan. These items are due in November 2013 and are scheduled to be completed in its entirety by February 2015.

The NAE grant for the Historic City Hall, Means & Associates has been retained. The project is moving forward, Ms. Means continues to work to secure additional NAE funds. The project should be completed with additional funding in February 2014.

Pump Station 8 is scheduled to be completed in the latter part of this year with the force main installation 100% complete. Pump Station 11 C is scheduled to be completed in its entirety in June 2014.

The Transportation Master Plan is 100% complete. The City Manager should provide the commission with a copy for review prior to bringing it forward to the community.

The City Atlas is approximately 75% complete and scheduled to be fully completed in October.

The sewer main replacement design build for Port Said Road is scheduled for construction to begin on September 14th and is due to be completed no more than 14 days afterwards.

The Rutland Street drainage and roadway is 100% complete. The NW 143rd Street roundabout is 100% complete. The Burlington Street drainage and improvement is 100% complete.

The rehabilitation of Historic City Hall is proceeding. Phase 1 condition assessment and base drawings and preparation is 100% complete.

NW 128th Street drainage and roadway is 100% complete.

The Helen Miller Center and Segal Park is in construction and is currently on target to be completed October 31st 2013.

Pump Station 10, the force main installation is about 50% complete. The structures, accessories and control panel are in production and being shipped from the factory. The bypass is 100% complete. That project is due to fully completed by December 2013.

Pump Station 5 is in pre-construction, the required permits have been obtained. It is expected to be completed by the end of October 2013.

The Infrastructure Master Plan Study Project agreements are awaiting the City Attorney's approval.

The design build project for the Gateway roundabout is in procurement.

The design build project for Sherbondy Village Community Center parking is still to be determined. It is scheduled for completion in March 2014.

Pump Station 11B is in procurement and scheduled to be completed end the end of this year.

Assistant Manager Chiverton said he would make sure the commission gets copy of the report.

Vice Mayor Kelley asked if the city was applying for any grants this year. Manager Baker had indicated the city was doing so but he did not say what the city was applying for and the deadline is right around the corner. Regarding the citizens concerns on Wilmington Street, the bus for seniors and the police substation, he would like Manager Baker to give the commission a follow-up report as soon as possible. He would like an update on the Jobs Program which going well but they still don't have their T-shirts. All participants need them and there should be enough money left to provide them. He asked if there is an update on the Fish Market parking across the street where there is an increase in vehicles. He sent a request to Manager Baker on that as well as the bus shelter advertising. The commission passed legislation and gave the company the contract for the Helen Miller Center with the hope that they would hire city residents. Have they hired city residents.

Assistant Manager Chiverton said it is his understanding that documentation was received today of has recently been hired, that information has not been verified, but a report will be provided to the commission tomorrow.

Commissioner Holmes said on State Road 9, the DOT has been trimming hedges. They do a beautiful job until they get to 17th Avenue. They stop there and he would like to know why they don't come down to Opa-locka like they used to by the Metro Rail area. He said to his colleagues that he is being told that when someone gets killed in the city that we are demanding the Police Department to go out and visit families. That is the wrong policy to set. When the accident happened last year and the four people were killed in the car, a lot of comments were being made. Comments need to be kept private until it is over with. The Police should not be visiting anyone's family that got killed in the city for whatever reason.

He said he hasn't heard anything lately on the infrastructure. He would to see some of the roads and sidewalks that are in bad shape repaired. He said Veterans Way is like a rollercoaster crossing over from 27th Avenue to 22nd Avenue. There are a lot of potholes that need to be fixed. The drainage behind the Police Department on 143rd is bad; when it rains it floods back there.

He said wanted to give the Chief of Police a shout out for his Crime Suppression Team. He hears the team is doing a great job, including a bust at the Gardens Apartment today and a lot of drugs were confiscated.

Commissioner Santiago asked Assistant City Manager Chiverton to tell Manager Baker thank you for the good job he is doing in the city to balance the budget and move the city forward. He also thanked the commission for the hard work and doing the right thing for the whole community. It is the right thing to do to care for the citizens.

Commissioner Johnson said that on the Jobs Program correspondence for the 24 individuals that were hired through the Vice Mayor's program, she would like to go on record that according to the addresses saying they were from the city of Opa-locka that

were provided to the commission, and using her knowledge, skills and competency from the United States Postal Service, seven of the addresses are not Opa-locka addresses. 2 others have moved and they are not current addresses. She is also concerned about the amount of anonymous letters that are being received for the hostile environment that staff is working under; this needs to be brought to the City Manager's attention. Unlike Commissioner Santiago she does not give him an "AA", his rating is not there yet due to this issue. She asked that a workshop being conducted to assess how directives are being given out. She is concerned about the new building the city is moving into, she asked for the air quality control check and is more concerned now that employees are saying they are confronted with this. She is asking for bank statement copies from 2007 to the present at 9:00 a.m. tomorrow. Double sided copies will be fine. She is knows they should be reconciled every month and this is problem going up to 2013 and it is not reported in the accountable papers.

Mayor Taylor thanked Assistant Manager Chiverton, Manager Baker and all the staff for the wonderful job they are doing. There are policies that need to be tightened up and policies that need to be made. Some of problems were inherited and that makes it even worse, but she recognizes the staff is trying and making an effort.

She has not heard about the event planner. One way to enhance revenue is to have a city festival of some sort. She brought forth legislation but has not heard anything something about that, there should be something in 2014. She would like know if Public Works can paint the building that has backhoes. It is rusted and does not look good, and she would like to know if utility dollars can be used.

B. ACCOUNTS PAYABLE:

Sophie Miller, Assistant Director Finance came forward and stated that included in the commission's package are the Finance Department Reports which are the Cash Requirement Report for Payments Due August 29th, the Check Register Report for July and the Check Register Report for August. This concludes her report.

Commissioner Johnson asked Ms. Miller if she being unreasonable with the time she is asking for the bank statements.

Ms. Miller said she can provide them by around noon tomorrow.
Commissioner Johnson asked if they were in the files and had been reconciled.

Ms. Miller said the bank statements are in the files, but not the reconciliation.

Commissioner Johnson said she can pull the bank statements. Bank statements are mostly done monthly.

Ms. Miller said that is how it is supposed to be, but that was not been done.

Vice Mayor Kelley he will make meet with Ms. Miller as he usually does. He asked how the audit has started.

Ms. Miller said the audit started and was put on hold for fiscal year 2012. The audit is being worked on to get it re-started.

Vice Mayor Kelley asked when it will resume.

Assistant Manager Chiverton said Manager Baker intends to go over certain documents and make sure the audit gets re-started almost immediately. There were some things Finance needed to get in order to move the audit forward. He will make sure Manager Baker provides him with an answer first thing in the morning.

Vice Mayor Kelley said he would like to have seen even some unaudited numbers as part of the discussion for the budget. The audit should have commenced by now.

Commissioner Holmes said it time for his Turkey Drive. He needs to know how much money is in the account.

Ms. Miller said the report is not ready, but she knows he needs the information.

Commissioner Santiago said to make sure there is money for the Turkey Drive.

Commissioner Johnson said she has nothing further for Ms. Miller. Her comments are now directed to the Manager. She said any successful business that deals with the amount of money the city has is required or should be required to have monthly statements. She felt a little uncomfortable when Ms. Miller was replying to her how Assistant Manager Chiverton inserted his response. Since the Auditor works for the commission she is going to contact him; HCT CPA in Hollywood, tomorrow or tonight. She picked up something and she does not like it. The Auditor works for the commission and whatever the reason is, he or she should be reporting to the commission. She wanted to let him know on the record.

20. BOARD REPORTS:

Mayor Taylor said there are no Board Reports yet.

21. CITY ATTORNEY'S REPORT:

Attorney Geller said there may be a tentative settlement worked out with Tamika Miller. He will be briefing the commission and will bring that to the next commission meeting.

The settlement reached with Adam Burden is in the final stages which is very favorable to the city.

There is a written reported submitted and he will be happy to answer any questions.

Commissioner Johnson asked Attorney Geller what days of the week is he in the office.

Attorney Geller said the holidays and summer break are just coming to a close. He will have to get with Mr. Gilbert and what can be done to re-establish specific dates.

Commissioner Johnson said today is a historic day. She has been asking and has held up her legislation, and each time he is telling her the same thing. She wants to know, as Commissioner Holmes said in a prior meeting, that there is a schedule. That includes dates and times per week, 2-3 days a week at the city offices either at 3400 NW 135th Street or 780 Fisherman Street, 4th Floor. This is where she has drawn the line. The city needs legislation and things reviewed, if not, next meeting, bring back the resolution for an in-house attorney. There has to be somebody here to work along with the Manager and staff. He needs to provide her with an answer before the next meeting, so a course of direction can be decided.

22. CITY CLERK'S REPORT:

The Office of the City Clerk is accepting applications to serve on boards. Several advertisements have been put out and they were included in the utility bills. They have been favorable responses, including calls from Miami Gardens.

There is a written reported submitted and she will be happy to answer any questions.

Commissioner Johnson said in 2007 there was legislation passed for citizens that have lived in the city for 25 years. The presentation calls for a floral piece and not a plant and this needs to be recognized going forward. The resolution calls for a standing floral piece.

Clerk Flores said she understands the Commissioner's concern.

Commissioner Johnson said all presentations should be uniform from all of the commission. She will bring the revision back on that to the next meeting.

Mayor Taylor said she had a concern as to how the city was represented at the funerals as to who and how. Requests are made to use the second floor, for food and police escorts. There are resolutions and she asked the City Clerk to pull them to determine who gets what. She is reviewing them to ensure consistency. A floral arrangement as stated in the resolution does not necessarily have to be a standing plant it can be a floor plant. Floral arrangements are taken to the cemetery and they die, plants are taken home. Commissioner Johnson said on that one it spells things out precisely. It spells the police escort, the food, the second floor – any city facility. She thinks it is not a choice of the Mayor or the commission; it is a choice of the legislation that is spelled out. She will bring an amendment if the commission wants to add to it at the next meeting. She would not want during her tenure to say this one get this and this one gets that. Some people don't want plants. She made an amendment in 2007 but she thought it was it spelled out because it was taken from 50 years to 25 years and they had to be a resident.

Mayor Taylor said the city has had different requests and the City Clerk can verify this.

Clerk Flores affirmed.

Mayor Taylor said it is more than just food; there have been other things that have been asked for. The requests are pointed to the Manager's office and either he makes a decision or the City Clerk makes a decision. It happened recently which was what made her pull the resolutions. She would like uniformity.

Commissioner Johnson said she will work with the Mayor on that for the next meeting.

Commissioner Holmes said on that note, it needs to be identified what it desired to do to help the citizens. He is not satisfied with what is going on, he will bring a resolution if necessary.

Vice Mayor Kelley said he will wait for Commissioner Johnson to make an amendment. He would like a clear policy, as all the commissioners get requests and the reason is different things are provided and some people feel slighted or left out.

23. MAYOR/COMMISSION REPORT:

Commissioner Johnson said she called and visited a lot of businesses. She sees an improvement on the painting of some of the facilities and less signage out. She is concerned with the comments the businesses mad about water being turned off. There needs to be a level of professionalism. She thinks Human Resources could conduct annual customer service training.

Commissioner Holmes said he wants everyone to go home and have blessed night.

Commissioner Santiago said thank you to his all his colleagues for teaching him to say and do the right thing. He will keep doing the best he can for his city.

Vice Mayor Kelley said he is appreciative that the Jobs Program is still going on. He thanked the City Manager and staff for working on it. He will get with staff on the Opa-locka non-resident issue, he believes some of the people were AMR but he will get with the City Manager. The alley-way cutting is ongoing on the weekends as well as the car wash. He attended the League of Cities Conference in August. The President of the Florida League of Cities appointed him to the Finance and Taxation Committee, and he looks forward to that. The Farm Share food distribution is ongoing. The Library will stay open with its current staff but changes will be coming in the future and it will need to be looked at. The County made it clear they will be convening a committee to overhaul the library system. He attended several "homegoings" of long-time residents with the Mayor and Commissioner Johnson. He is excited about what is occurring with the CRA. The clergy meeting will be held tomorrow at 11:30 a.m. at City Hall on the second floor. The Crime Watch meetings are taking place and flyers are being distributed. As part of Hispanic Heritage, he will hosting with the Recreation Activities Board a Domino Tournament at Sherbondy Village, more information is forthcoming and he looks forward to everyone participating and suggestions are welcome.

Mayor Taylor said this coming Saturday the Opa-locka Women's Initiative will be having a family community bazaar over at our park. Everyone is welcome. It is from 10:00 a.m. to 2:00 p.m. and there will be activities for children. On Thursday, September 19th the Opa-locka Chamber will be meeting at City Hall on the second floor, businesses are welcome.

24. OFFICIAL BOARD APPOINTMENTS:

There are no board appointments as of yet but the City Clerk is working on them.

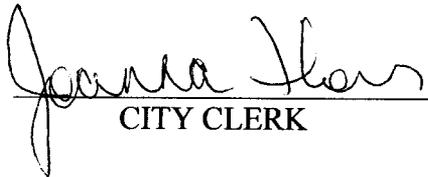
25. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Holmes, seconded by Commissioner Johnson to adjourn the meeting at 9:45 p.m.



MAYOR

ATTEST:



CITY CLERK