

CITY OF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES

REGULAR COMMISSION MEETING

March 26, 2014

7:00 P.M.

City Commission Chambers at Sherbondy Village

215 President Barack Obama (Perviz) Avenue

Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Myra L. Taylor called the meeting to order at 7:00 p.m. on Wednesday, March 26, 2014 in the City Commission Chambers at Sherbondy Village, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Vice Mayor Joseph L. Kelley, Commissioner Dorothy Johnson, Commissioner Luis B. Santiago, Commissioner Timothy Holmes, and Mayor Myra L. Taylor. Also in attendance were: City Manager Kelvin L. Baker, Sr., City Attorney Joseph S. Geller, and City Clerk Joanna Flores.

3. INVOCATION:

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

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

Commissioner Holmes said it has been alleged that he is tied to certain employees that works for the city and that is not true. He is tied to all the employees and citizens of the city and anytime they have a problem his door is always open to them.

5. APPROVAL OF AGENDA:

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

The following items were pulled from the Consent Agenda to be discussed separately under Action Items: 19-1, 19-2, 19-3, 19-7 and 19-8 (Commissioner Johnson).

Mayor Taylor withdrew agenda item 19-4.

Vice Mayor Kelley deferred agenda item 19-6.

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

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

Vice Mayor Kelley	Yes
Commissioner Johnson	Yes
Commissioner Santiago	Yes
Commissioner Holmes	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, TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH CIRCLE OF ONE MARKETING INC. TO DEVELOP AND PROMOTE AN ANNUAL SIGNATURE EVENT FESTIVAL THAT WILL ATTRACT RESIDETNS AND TOURIST TO THE GREAT CITY OF OPA-LOCKA IN AN AMOUNT NOT TO EXCEED FORTY THOUSAND DOLLARS (\$40,000), PAYABLE FROM ACCOUNT NUMBER 19-519312, A BUDGETED ITEM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

Attorney Geller said for the record, it has been presented to him by the City Manager and City Clerk that this item is verbatim, the same item that was before the City Commission previously and it was approved by the City Attorney for legal sufficiency.

Vice Mayor Kelley asked, is the City Manager the sponsor of the legislation?

Clerk Flores replied, yes.

Vice Mayor Kelley said if this is the same legislation as previously presented, it failed so it has to be brought back by someone on the prevailing side.

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

Attorney Geller: The sponsor of an item really is not of much legal relevance. If it's a motion for reconsideration, the motion should be brought by somebody who was on the prevailing side. Doesn't really matter....who sponsors an item is really not a legal part of the item.

Vice Mayor Kelley: If you're saying that, Madam Mayor let me just say on the record. It we are going that route, we going down a slippery slope because if you don't pass something up here however the vote may go, then you're telling me you can bring it right back at the next meeting, we are going down a slippery slope. I don't ever recall where someone can bring an item back if it already failed. I always thought it has to come back on the prevailing side so I am hearing the Attorney say tonight that now you can bring back an item regardless of who the sponsor is.

Attorney Geller: *No sir, a motion for re-consideration has to be brought back by someone on the prevailing side. That's the motion. The Mayor asked is there a motion, if it's a motion to reconsider, the motion must be made by somebody who was on the prevailing side previously. That's the motion... The sponsorship is frankly not very legally relevant. There has to be a motion on the dais, a motion for reconsideration must be brought by somebody who was on the prevailing side.*

Mayor Taylor: *Do we have the motion Mr. Geller?*

Attorney Geller: *Well you asked for the motion, was Commissioner Holmes on the prevailing side last time?*

Mayor Taylor: *Yes sir.*

Attorney Geller: *Then he's privileged to bring the motion for reconsideration.*

Vice Mayor Kelley: *If we going to do that Mr. Attorney then I guess I will say in will keep a watchful eye, because nowhere in my years of being up here have you been able to bring back a resolution sponsored by the same person without a prevailing side bringing it back. It did not come up saying a vote or motion for reconsideration. What came up was to add this back to the agenda sponsored by the City Manager. I really was considering looking at it but now since we are going this route I got reservations all together because we are not following the process that's set. The process is if it comes back it has to be brought back for reconsideration by someone on the prevailing side, that's not the way it was presented. It was presented as adding to the agenda a resolution with the information read by the Clerk sponsored by the City Manager. That is not a motion on the table for reconsideration.*

Attorney Geller: *Vice Mayor, you are correct, but let me just say. Had the matter been put on the agenda originally it would... as a motion for reconsideration it needs to be brought by somebody who was on the prevailing side, however it's not on the agenda. If you vote to add it to the agenda the only motion that could lye for the identical document is a motion for reconsideration which the Mayor would have to call for and which could only be brought by someone on the prevailing side, but that's if it's on the agenda. First the commission has to decide if it's willing to even add the item to the agenda, that's not a motion for reconsideration. If it get's put on the agenda then the Mayor can call for it there's a motion for reconsideration brought by someone on the prevailing side. I hope that's clear enough.*

Vice Mayor Kelley: *Okay it's clear and I still stand by statement, the way that process just took place is not the way it should have taken place.*

Commissioner Johnson: *To the Attorney as the parliamentarian, I've seen this slope before and this slope is an unpleasant that you are putting us in. I mentioned and I can recall when we was going over some of the law suits and I wasn't favorable. I saw a twist in a decision we made when we was at the 780 building and I am concerned. I notice when things are deferred you let conversation go on and on knowing that's going to go back so now everyone can tell what way is going to go. I think that's very bad policy to*

set and I will hope that you be neutral in your judgment given to us. As a certified parliamentarian I don't ever recall something like this happening, but if that's the policy you can't say this meeting is done one way and the next meeting the other way, it should be something we all agree upon. We said we weren't going to bring anything back as a add on unless it's urgent, we here now because I guess it's urgent and we doing something that we verbally agreed to. For future I don't want to verbally agree on anything, I prefer putting it in writing and let it come through legislation.

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

Commissioner Holmes said the City Manager approached him and they had discussion regarding the legislation, at that time he told the City Manager that he will be willing to put it on the agenda for reconsideration. He was under the impression that it was going to be on the agenda, not as an add on, but he doesn't have a problem with amending the agenda to add it.

Commissioner Santiago said he heard his colleague said he was briefed by the City Manager regarding the legislation in question. He asked, why the City Manager did not discuss the legislation with the entire City Commission?

Manager Baker said he discussed the legislation with Commissioner Santiago at the previous agenda briefing meeting.

It was moved by Commissioner Holmes; motion died for lack of second.

Mayor Taylor said this is not a good look for the city. They are going to lose a valuable project. Everyone knows the city needs money and this is one way to get it.

Vice Mayor Kelley said with all due respect, if you are going to go into discussion, the Mayor could have seconded the item for discussion.

Mayor Taylor asked, what is her position?

Attorney Geller said you should not have discussion without a second.

Commissioner Holmes said for the record, if the legislation is not approved to go on the agenda tonight, he will request for it to be on the next Commission meeting.

Commissioner Johnson said the City Attorney needs to stop misleading the City Attorney.

Mayor Taylor relinquished the gavel to Vice Mayor Kelley.

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

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

Commissioner Johnson No

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

Vice Mayor Kelley returned the gavel to Mayor Taylor.

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

The Mayor and City Commission recognized Beverly Barr and Officer Rudy Castro as Employee of the Month.

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 03/12/2014

It was moved by Commissioner Johnson, seconded by Commissioner Holmes to approve the minutes of the Regular Commission Meeting of March 12, 2014.

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

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

9. 17th 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 announced that Commissioner Jordan’s summer youth internship program is now open and applications are available.

Commissioner Johnson requested a meeting with Commissioner Jordan to discuss technical support from Miami-Dade County.

Commissioner Holmes said he received the email from Mr. Gardner regarding the buses. He asked that the county keep the city in mind, because they are in desperate need of a larger bus for the seniors.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

14a. CITIZENS' FORUM:

1. Terence Pinder of 250 Sabur Lane, Opa-locka, Florida, appeared before the City Commission and complained about Ingram Park not being open during Spring Break. The children in the area had nowhere to go, therefore the parks needs to be open.

He further spoke regarding the water bills; he hope the city does not have another rate increase. The city needs to find a way not to increase the water bills.

2. Joel Bolman of 2290 Service Road, Opa-locka, Florida, appeared before the City Commission and said he have owned his home for thirty five years and two weeks ago a Police Officer threatened to write parking tickets because of where the cars are being parked. Some vehicles are larger than others which cause the tires to touch the sidewalk.

3. Jeannette Arline of 2324 Service Road, Opa-locka, Florida, appeared before the City Commission and stated that she left her telephone number for the Public Works director to contact her regarding the parking issue on Service Road and no one have returned her called.

4. Gail Miller of 14235 NW 22 Place, Opa-locka, Florida, appeared before the City Commission and said the alleys are being cut but staff leaves the trash in the alley. She further said when she was an Elected Official she asked the City Manager why the parks were not open on the weekends. Her grandchildren visited her over the weekend and could not go to the park because it was closed.

She further said last month her water was off, after calling the city she was informed that someone was fixing pipes in the area, within five minutes her water was turned back on.

Ms. Miller said an injury occurred while on official city business which created a lot of medical expensed that have not been paid and are now delinquent.

She informed the City Commission that time is approaching for her annual Scholarship Banquet and she is requesting that the city make a donation.

5. Winston Bestnar of 13970 NW 22nd Avenue, Opa-locka, Florida, appeared before the City Commission and voiced his concerns regarding carbon monoxide poisoning coming from his neighbor.

6. Andre Bryant of 12840 NW 27th Avenue, Opa-locka, Florida, appeared before the City Commission and thanked them for their support over the years. Last weekend they were asked by the police to stop Jet Skiing in the lake.

Mayor Taylor asked, what they would like to see happen?

Mr. Bryant said they want the blessings of the city and utilize the lake for Jet Skiing.

Commissioner Holmes said it was said years ago, if Commissioner Holmes turn his head they will allow them to Jet Ski as long as the kids are safe.

Commissioner Santiago said he would like to see the agreement the city has with the citizens to use the lake.

Commissioner Johnson said once the issue was brought to her attention she asked the City Manager about the city's general liability insurance and was informed that the city's general liability insurance does not cover individuals using the lake for recreational activities.

7. Alvin Burke of 1240 Jann Avenue, Opa-locka, Florida, appeared before the City Commission and said now that its election time people are appearing before the City Commission saying what the Commission is not doing, but no one thanks them for what they are doing.

8. Johnnie M. Greene of 2091 Wilmington Street, Opa-locka, Florida, appeared before the City Commission and made reference to a letter she received from the Finance Department regarding payment for a landlord permit. She said she previously paid \$75.00 and she will not pay an additional \$45.00 because she is not getting the service.

She further said the city have parks that can be rented for activities, there is no need to have events in the middle of the street every weekend. She thinks the lake needs to be fenced in to eliminate the Jet Ski riding.

Ms. Greene said her tenant son was killed on 22nd Avenue and she asked everyone to keep the family in Prayer.

9. Deborah Sheffield Irby of 14202 NW 17th Avenue, Opa-locka, Florida, appeared before the City Commission and stated that it was brought to her attention that the former liquor store on 22nd Avenue and Wilmington Street will soon be opening as a liquor store. She said most of the time the City Commission is not aware of businesses until it's on the agenda for consideration and the procedure is not being followed. She asked the City Commission to speak to the City Manager and Community Development Department because it's her understanding that they have had several discussions with the business owner. She said if the City Commission allows the liquor store to re-open they will wipe out most of the zip code.

10. Brian Dennis of 4055 NW 17th Avenue, Opa-locka, Florida, appeared before the City Commission and congratulated them for appearing before the Board of County Commissioners regarding annexation. After doing some research he came up with \$21 Million Dollars worth of grants that will benefit the city because nonprofit entities can not apply for them.

Mayor Taylor asked Mr. Dennis to provide a copy of the grant information to the City Manager.

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

1. (19-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A CHANGE ORDER TO C & I CONSTRUCTION, INC., FOR CONSTRUCTION OF THE NEW BY-PASS SYSTEM AT MASTER PUMP STATION 11C, IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND FOUR HUNDRED DOLLARS (\$37,400.00), PAYABLE FROM ACCOUNT NUMBER 35-535630, A BUDGETED ITEM; RESCINDING RESOLUTION NO. 13-8677; 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 Santiago to pass the resolution.

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

Commissioner Johnson: Resolution number 13-8575 passed last year and I'm going to read verbatim and I need it to be verbatim in the minutes. On the second whereas for the RFA and some of these pump stations now you are now mentioning in the fourth whereas in our package now, which states that the reason why you doing these change orders is because it was not included in the previous design and construction scope, however resolution 13-8574 says the reason why you are including it is because it will eliminate a change order because it was included in the RFP. You can't have it both ways, secondly, you can answer my question and I can provide you with the documentation that I had to go back and pull the resolution to find because it kind of like...I've seen this before so in seeing it before I had to go back and do some discovery. I have several others so you can answer that one for the record.

Manager Baker: Thank you madam what we are doing here this particular item was previously approved however the contractor that was recommended they could not move forward with the agreement so they requested pricing from the contractor that's currently working at the master lift station to do the by-pass.

Commissioner Johnson: Thank you. The third whereas, whereas a new installed will reproduced, running time to increase the capability of the pump station a1 as a station 10 discharged into the master station 11c. It says that you are doing this and this was for seven hundred sixty eight thousand six hundred and eighty thousand dollars and it states in this resolution it was done in order to avoid any change order, but this one says just a different so my question wasn't answered because in this legislation tonight it states whereas the proposed by-pass system does not include in the prior design and construction of the scope of contract to C& I construction, now it can't be both, we paid seven hundred and sixty eight thousand dollars and now we have thirty seven thousand four hundred, this is a lot of money. The previous legislation that passed doesn't supersede this because it sounds like we speaking out both sides of our mouth. I need

clarification for that and while you are thinking, the previous legislation has a different account number. Previously we had account number, well the resolution was 13-6877, that's what's stated here, but the legislation is 13-8574 so which one is it.

Manager Baker: It's the one that we are providing to you. Madam if I can just clear, this is a totally new project this is not something that had been awarded by a contractor or we awarded to a contractor some time ago. What this is, this is an item that we brought forth last year. It had been approved; however we are unable to move forward with that recommended contractor so we are just trying to get this particular project completed.

Commissioner Johnson: Thank you Mr. Baker for the clarification, but if I recall correctly. Who is the new contractor?

Manager Baker: The recommended contractor that's before you today is C & I.

Commissioner Johnson: That's good cause guess what? Resolution 13-8574, the resolution is of the City Commission of the City of Opa-locka to authorize the City Manager to enter into an agreement with C & I Construction and Design Inc., is that the same company?

Manager Baker: That's the same company but however this is a different scope of work. The only reason why we are recommending to go with C & I they are finalizing and wrapping up the completion of the master lift station. It would be easier for them to go ahead and do this oppose to us bidding out and doing something else.

Commissioner Johnson: Mr. Baker answer this, last year we had legislation in front of us. April 10 of the last year not a year ago for some of the same verbiage that's in this legislation now which I'm learning it's different. The only thing to me different is whoever prepared this one tonight it doesn't have and design inc in it, I've gone line by line, I pulled every legislation which is 1, 2, 3, 4, 5, 6, 7, 8 legislation on the same pump, fortunately it's the same company. I am not going to support it and I will ask my colleagues to go back and look at all the legislation, this is for a change order they stated previously in the RFP that they were paying this amount of money. When we were at 780 we looked at the financials for a couple of businesses and it came up in those particular minutes that we didn't want to go with the same one because there was some concern, however it's the same company. I'm not buying this, when you say you're not going to have in order to eliminate. I don't write, we don't write the RFP's we only approve them and then you come back after 7 and continue to have these change orders I have a problem with that. I think somewhere the financial integrity is being questioned, I'm not going to support I am going downtown to the inspector general office because I do have some concerns.

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

Vice Mayor Kelley said he heard the City Manager say the original design or scope was not included that's the reason he need a change order. Is that correct?

Manager Baker said that is correct. What happens in a waste water system is that the flow calculations change based on the upgrading of other lift stations down the stream. It was

discovered last year is that if they install by-pass valves to take the flows away from the master lift station and direct them to Miami-Dade force main, it will take a greater load off the master lift station.

Vice Mayor Kelley asked, why this was not asked in the original scope of services?

Manager Baker said over a period of time you look at the flow and waste water distribution system, if you see patterns that's an opportunity to make some mechanical adjustments in your piping and in essence they are looking to reconfigure some of the piping that goes directly into the master lift station and they are redirecting them to the county's force main.

Vice Mayor Kelley said dealing with the cities past issues, why that was not added in the initial scope of services?

He further said staff that actual does the work will add more value because they have firsthand knowledge. For the record, he piggybacking on what Commissioner Holmes said earlier regarding staff. He made that comment and he does not want hear the next day that someone on the lower level is getting racked over the coals.

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

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

2. (19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO LOAN AGREEMENT DW-13033, IN THE AMOUNT OF \$6,969,069.00, WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, RELATING TO THE STATE REVOLVING FUND (SRF) LOAN PROGRAM FOR DRINKING WATER FACILITIES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson asked, how many water facilities will be built with the funds?

Manager Baker said this is a series of pipe line rehabs that will be taking place as part of the master plan. This is one of three resolutions, he was hoping to have all three available for the City Commission approval, however the state had a delay in getting them to the city.

Commissioner Johnson asked for a friendly amendment to include three drinking water facilities.

Attorney Geller said that is possible if the administration can identify that it is for exactly three facilities and used for no other purpose.

He further said staff just informed him that it may be an issue with the State of Florida if the legislation is amended.

Manager Baker said he is unclear; therefore he would need to have dialogue with the state.

Commissioner Johnson said for the record once the City Manager get clarity she wants the legislation to come back to include the number.

Manager Baker said the term facilities is a series of pipes and valves and at this point they cannot quantify that because the study is taking place and based on the age of the pipe it will determine if it should be replaced.

Commissioner Holmes said if the state is giving the city money for infrastructure then he support the legislation.

Commissioner Johnson asked, is the money a loan?

Manager Baker replied, yes.

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

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

3. (19-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO INCLUDE THE OPA-LOCKA WOMEN'S INITIATIVE (OWI) AS AN OFFICIAL ENTITY OF THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson said she is hesitant to support the legislation because as a female she has not been engaged in the initiative. She asked, where are the women from the City of Opa-locka and how did they recruit to get the women involved.

Mayor Taylor said when the initiative was first introduced they gave Commissioner Johnson a public invitation to be part of the women's initiative. She further stated that the recruit is through word of mouth, mail, and knocking on doors at no expense to the city, they haven't asked the city for anything. They don't have a purpose of being any kind of responsibility, weight, or liability to the city. They are only asking for the support of the city.

Commissioner Johnson said she knows a lot of women in the city that would like to be part of the initiative and they have not been contacted.

Mayor Taylor said they have not got to them yet, but every woman in the city will be part of the initiative.

She further said a lot of people are not aware of the monthly bingo event but it is still held every month.

Commissioner Johnson said the bingo is posted publicly for everyone to see.

Mayor Taylor said she does not want to post the event until they get the support of the City Commission.

Commissioner Johnson asked, what type of recognition are they asking for?

Mayor Taylor said the same recognition the bingo and preachers get and there was no legislation for either of them.

Commissioner Johnson said if everything needs legislation then she will start doing that, but she does not feel comfortable as a female elected official and not be aware of the events. She was at the credit union and was informed about a fish fry.

Mayor Taylor said they have done as much recruitment with the time they had, this is a new initiative.

Vice Mayor Kelley said there are certain things in the city that are different, particularly when it comes to an event that benefits everyone as oppose to a certain segment. It's very challenging to discuss this issue without coming across as anti-woman, and that's not the case. He has concerns with the initiative because he was asked about it and he had no information.

He further said the clergy meetings were referenced and those meetings are opened to anyone that wants to attend.

Vice Mayor Kelley asked for clarity of how the initiative is funded?

Mayor Taylor said whatever cost they incur, they will raise the money, it will not be a cost to the city. There is a board and they receive the money then submit it to the city.

Vice Mayor Kelley said if the city accepts the money, then the city has to take some ownership.

He further said he support women initiatives to empower women, his only concern is how they will handle the money.

He said he will feel comfortable if the staff say it's okay to have a line item within the budget and explain how it will be managed.

Manager Baker said it will be handled like any other line item; it has a process in order to pull money out or put money in with the necessary checks and balances.

Commissioner Santiago asked, if the legislation is passed, will that make the organization part of the city?

Attorney Geller replied, yes.

Commissioner Santiago asked, is this a not-for-profit organization?

Mayor Taylor replied, yes.

Commissioner Santiago asked, how many women are in the organization.

Mayor Taylor said they have an estimate of 30 women.

Commissioner Santiago said he like the idea, he just wants to make sure it doesn't affect the city's budget.

He asked the sponsor to defer the item until the next Commission meeting to allow additional women to join the initiative.

Commissioner Holmes said passing the resolution will not stop anyone from joining the women's initiative. He said he have been raising money for his events for years, when he received the money he submit it to the city.

He further said it has been brought to his attention that the monthly bingo cost is coming from Parks & Recreation budget.

Vice Mayor Kelley asked, is there a need to have a written form as to how the money is submitted.

Attorney Geller said the structure is not mandatory, that's up to the City Commission to approve it. The city has existing procedures in place that governs how funds of the city are to be handled.

Commissioner Johnson said she sponsored legislation that the City Commission is the only people that can solicit funds on behalf of the city in a fundraising capacity. She would like to give her concerns to the City Attorney to clean up the legislation to bring it back for consideration.

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

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

4. (19-4) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CHANGE THE NAME OF KABOOM COMMUNITY PARK TO MAGNOLIA COMMUNITY PARK; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

The above resolution was read by title by Attorney Geller.

Mayor Taylor deferred item 19-4.

5. (19-6) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO IMPLEMENT A PILOT PROGRAM FOR THE PURPOSE OF SIDEWALK INSTALLATION, BY USING PEOPLE TRANSPORTATION PLAN (PTP) FUNDING AND EMPLOYING LABOR FROM THE CURRENT CITY JOB PROGRAM; IN AN AMOUNT NOT TO EXCEED \$50,000; PAYABLE FROM ACCOUNT NUMBER 47-541630, A NON-BUDGETED ITEM; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by J.K.*

Vice Mayor Kelley deferred item 19-6.

6. (19-7) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO CREATE A LOAN PROGRAM TO ASSIST CITY EMPLOYEES IN FINANCIAL NEED WITH OUT-OF-POCKET HEALTH INSURANCE DEDUCTIBLE COSTS; 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 Johnson to pass the resolution.

Commissioner Johnson said the city does not need to become a financial institute; however the city needs to be fair with the employees and adhere to the pay schedule. She had an opportunity to review a lawsuit a few years ago regarding friends and family.

She directed the City Manager to work with the insurance company to lower the city's health insurance.

Commissioner Johnson further asked if the employees are not making enough money, how they will pay the loan back.

Manager Baker said the issue concerning the health insurance; they are scheduled to go back out for bid.

Commissioner Johnson asked, what line item will the loan come from?

Manager Baker said he has not researched it yet, if it's approved he will start working on the options.

Vice Mayor Kelley said he understands the need of the program and he does have reservations regarding the structure of the program.

Commissioner Santiago said he knows the employees need help with the health insurance. He said he strongly believe if the city assist the employees with GAP coverage, the bills will be cheaper.

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

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

7. (19-8) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO SECURE THE PROPERTY AT THE NORTHEAST SIDE OF INGRAM PARK BY CONSTRUCTING A FENCE TO PREVENT ACCESS TO THE WATER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by L.S.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson said she understands the intent of the sponsor, however due diligence was not done.

Commissioner Santiago asked his colleagues to keep in mind there are two groups of people involved. One is working people in the community that wants to go home and enjoy their home with peace and quiet. The other group of people wants to have recreational activities at the lake.

He said the city should allow the group to pay a fee and utilize Ingram Park for recreational activities.

Vice Mayor Kelley said this issue came up at the last Commission meeting. He asked the City Manager to make his report regarding the city's liability.

Manager Baker said last year the city had challenges with its general liability policy and as a result they had several meetings with the Florida League of Cities in those meetings it was clear that the waterways is not included in the city's general liability policy. The City Manager and Assistant City Manager met with the leader of the Jet Ski group and informed them that the city did not have insurance to provide water sports and it was concluded that the activity would stop.

Vice Mayor Kelley said he ride by there and he see what the young people are doing, but he is looking at the liability.

Commissioner Johnson asked for a friendly amendment to include posting signs.

Commissioner Santiago said he was informed that signs were previously posted and people removed them, but he will amend the legislation to include signage.

Because the city's general liability does not coverage sportsmanship, Commissioner Johnson requested signs to be posted in addition to the fence.

Commissioner Johnson asked, will it still be a liability if someone cut the fence and remove the signs?

Attorney Geller said it could, the fence doesn't mean no one can sue the city; it's left up to the facts presented in court.

It was moved by Commissioner Santiago, seconded by Commissioner Johnson to amend the second whereas clause and section 2 to read as follows BY CONSTRUCTING A FENCE TO PREVENT ACCES TO THE WATER AND BY POSTING THE PROPERTY.

Commissioner Holmes said there is not a need for a fence, the signs is sufficient.

Vice Mayor Kelley said he support posting signs, he is not in favor of a fence because people like to fish and the fence will preclude citizens from fishing.

He said he would be in support of the citizens utilizing Ingram Park for their activities.

Commissioner Johnson said after hearing the concerns of her colleagues she will remove her second on the amendment.

Motion on the amendment died for lack of second.

Vice Mayor Kelley offered an amendment to post signs and direct the City Manager to work with the citizens for the utilization of Ingram Park for their events as oppose to using Wilmington Street Lake.

Commissioner Santiago did not accept the amendment.

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

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

Motion by Vice Mayor Kelley, seconded by Commissioner Johnson to post signs and direct the City Manager to work with the citizens for the utilization of Ingram Park for their events as oppose to using Wilmington Street Lake.

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

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

16. NEW ITEMS:

17. PLANNING & ZONING:

A. HEARINGS:

B. APPEALS:

18. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST READING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND ORDINANCE NO. 13-30 THE OPA-LOCKA EDUCATION COMMITTEE; 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.

It was moved by Vice Mayor Kelley, motion died for lack of second.

B. SECOND READING/PUBLIC HEARING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AMEND THE LAND DEVELOPMENT CODE, ORDINANCE NO. 86-8, SECTION 4.16, TO INCLUDE LANGUAGE THAT WOULD REQUIRE ALL DEVELOPER'S AGREEMENTS APPROVED BY THE CITY TO PROVIDE FOR ANNUAL PAYMENTS IN LIEU OF TAXES IF THE DEVELOPER SEEKS AND RECEIVES AN AD VALOREM TAX EXEMPTION UNDER FEDERAL, STATE OR COUNTY LAWS, WITH THE CRA TO RECEIVE 80% AND THE CITY TO RECEIVE 20% OF THESE FUNDS FROM PROJECTS WITHIN THE CRA AREAS; AND THE CITY TO RECEIVE 100% OF THESE FUNDS FROM PROJECTS OUTSIDE THE CRA AREAS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on February 12, 2014). *Sponsored by J.K.*

The above ordinance was read by title by Attorney Geller.

Vice Mayor Kelley said his colleagues received a copy of the substitute wording for this particular ordinance.

Attorney Geller said the substitute ordinance did not change the substance. He worked with Vice Mayor Kelley, Mr. Daughtrey, and Mr. Gay to enhance the language.

He said the title now specifies that the city will receive 100% if it's outside the CRA areas, it also have a reference to some additional kind of language that's included for the mechanisms that can be used for the purpose of utilizing these funds.

For the record, Attorney Geller said it is not anything that's a substitute difference.

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 Holmes to pass the above substitute ordinance.

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

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

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

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

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

C. RESOLUTIONS/PUBLIC HEARING:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO GRANT THE REQUEST OF JOSE POLO, FOR FINAL SITE PLAN APPROVAL FOR AN INDUSTRIAL STORAGE LOT LOCATED AT 13180 NW 31ST AVENUE, DESCRIBED AS FOLIO NO. 08-2128-004-0461; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by C.M.

The above resolution 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 pass the resolution.

Vice Mayor Kelley said the Community Development Department made specific conditions that must be met. He asked, will those conditions need to be complete before the approval is granted.

Attorney Geller said the motion to approve should specify that it's a motion to approve with the conditions that were recommended by staff.

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

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

19. ADMINISTRATION:

CONSENT AGENDA:

(19-5) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE CITY MANAGER TO CEASE EMPLOYEE FURLOUGH DAYS, EFFECTIVE AS OF APRIL 1, 2014; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by J.K.

The above resolutions were read by title by Attorney Geller.

It was moved by Vice Mayor Kelley, seconded by Commissioner Holmes to pass item 1 of the consent agenda.

The motion passed by a 4-0 vote.

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

A. CITY MANAGER'S REPORT:

B. ACCOUNTS PAYABLE:

20. OFFICIAL BOARD REPORTS:

21. CITY ATTORNEY'S REPORT:

22. CITY CLERK'S REPORT:

23. MAYOR/COMMISSION REPORT:

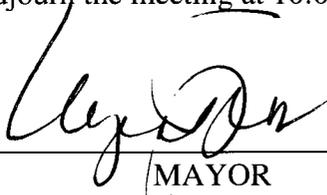
24. OFFICIAL BOARD APPOINTMENTS:

25. ADJOURNMENT:

Mayor Taylor relinquished the gavel to Vice Mayor Kelley.

There being no further business to come before the Commission, it was moved by Commissioner Holmes, seconded by Mayor Taylor to adjourn the meeting at 10:04 p.m.

Vice Mayor Kelley returned the gavel to Mayor Taylor.



MAYOR

ATTEST:



CITY CLERK