

CITY OF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES REGULAR COMMISSION MEETING

June 25, 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, June 25, 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 Timothy Holmes, and Mayor Myra L. Taylor. Also in attendance were: City Manager Kelvin L. Baker, Sr., City Attorney Joseph S. Geller, and City Clerk Joanna Flores. Commissioner Luis B. Santiago arrived at 7:02 p.m.

3. INVOCATION:

The Invocation was delivered by Mayor Myra L. Taylor.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. 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 (Commissioner Johnson).

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

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

Commissioner Santiago	Yes
Commissioner Holmes	Yes

Vice Mayor Kelley	Yes
Commissioner Johnson	Yes
Mayor Taylor	Yes

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Chief Jeffrey Key appeared before the City Commission and presented them with a replica of the City of Opa-locka Police Chevrolet Tahoes.

Vice Mayor Kelley said for the record he is sure the cost is under \$100.00.

The Mayor and City Commission recognized Florence West and Sgt. Lionel Coney as Employee of the Month.

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 06/11/2014

It was moved by Vice Mayor Kelley, seconded by Commissioner Johnson to approve the minutes of the Regular Commission Meeting of June 11, 2014.

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

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

Vice Mayor Kelley acknowledged one of his Interns, Ms. Erica Butler who is a graduate from Nova University and is currently attending the Commission Meeting this evening.

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 reported that Commissioner Johnson requested the Opa-locka CDC report on the rehabilitation program and that was forwarded to the City Clerk’s Office today.

Commissioner Johnson said she is in receipt of the report; however it is imprecise for her to know the bottom line money. She asked, what is the procedure of notifying citizens in the geographic area? From January to current there are only 2 applicants and she know

that Opa-locka CDC is in the city's website. The process needs to be available to the Elected Officials and citizens.

She further said Commissioner Jordan opted out of serving on the Opa-locka CRA Board and she said she would select someone to serve on the board. Commissioner Johnson said she does not know what the process is and she just learned that several people were selected for the board.

Commissioner Johnson asked what is the process to serve on the board and she would like Commissioner Jordan to revisit the process so the Elected Officials and citizens will be aware of the process. She is not cool with whoever was selected because the City Commission should know the process and be engaged.

Vice Mayor Kelley requested that the City of Opa-locka be invited to the next meeting with the Meek Foundation regarding the Opa-locka Airport Development because a lot of development is taking place on 57th Avenue but nothing is being done on the city's side.

He said the city submitted a list for unsafe structures, but he would like Commissioner Jordan to give a push to speed up the process.

Commissioner Santiago said he echoes the same concerns as Commissioner Johnson. He would like to know the rules and regulations to see if the process is being done the proper way.

Melanie Burke, of Miami-Dade County Commissioner Monestime's Office (District 2) came forward and said at the last Commission Meeting a request was made to spray for mosquitoes, since that time she sent a request to the mosquito control manager and he will be scheduling a spraying for the area. She said Commissioner Monestime will be sponsoring bleachers for the city's 4th of July event.

Ms. Burke announced several ground breaking ceremonies that is scheduled for the months of July and August and she will provide flyers.

Mayor Taylor said the area has been sprayed for mosquitos and they have agreed to check the area on a monthly basis.

Commissioner Santiago said the grass on 135th Street near the Flea-Market needs to be cut and maintained.

He requested a meeting with Commissioner Monestime to see if he would like to appoint a representative to serve on the CRA Board.

Commissioner Johnson echoed the same concerns as Commissioner Santiago. She said Commissioner Monestime's office needs to be involved and have a representative serve on the CRA Board.

She said it was mentioned that one area was sprayed for mosquitos but the entire city needs to be sprayed.

Mayor Taylor said she called about a specific area but according to Ms. Burke the whole city will be sprayed.

Commissioner Johnson said for the record, will the City of Opa-locka be sprayed for mosquitos?

Ms. Burke replied, yes.

Commissioner Johnson to the City Manager the city should take ownership to clean our city.

Vice Mayor Kelley said he's happy the area has been sprayed for mosquitos because he inquired about that two months ago and he received a correspondence from the City Manager that they have sprayed and it will be on-going throughout the city. He also thanked Commissioner Monestime for having Mr. Jordan and the meeting today regarding Ingram Terrace Apartments.

Commissioner Holmes wished Commissioner Monestime the best on his campaign.

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

14. PUBLIC PRESENTATION:

14a. CITIZENS' FORUM:

1. John Cook of 14580 NW 27th Avenue, Opa-locka, Florida, appeared before the City Commission and said he would hope the City Commission reconsider their position on the money for Cairo Lane. Commissioner Holmes is correct; it's a waste of money. Why would you spend that type of money and four months later tear it up. From his understanding the city has secured the funds and the project is expecting to start soon. \$50,000 is a lot of money for a city that's struggling; there are a lot of things that can be done with that money.

Commissioner Johnson said for the record, if she understand correctly in January and February, \$40 Million Dollars came in for infrastructure. She asked, is that correct?

Manager Baker replied, No.

Commissioner Johnson said so are you saying the city does not have any money for infrastructure.

Manager Baker said the contract for infrastructure came in April but there is a process before the money can be drawn down from Tallahassee.

Commissioner Johnson said according to the February minutes it was stated that the project will start early March and we are now in July. When they give the citizens a tentative date and it changes, they need to go back and inform the citizens. She said she think all of her colleagues agreed they did not want to see \$50,000 go that way because it

went from \$50,000 to \$83,000 and that when they all said they were dishearten to spend that type of money.

Commissioner Santiago said he agrees with the comments previously made by Commissioner Johnson. They promised the people for so many years, especially during election time. The businesses are losing money every day and they need some kind of relief.

Vice Mayor Kelley said Mr. Cook is correct, they did speak about allocating \$50,000 for temporary repairs to Cairo Lane, but it was also decided at that meeting to direct the City Manager to go out and do temporary improvements but not to spend \$50,000. He does not know the amount the City Manager will spend but the directives were very clear.

To the City Manager, Vice Mayor Kelley said the City Commission wanted him to make temporary improvements but not to spend \$50,000 because it is going to be temporary but it should provide a temporary relief and use limited resources. The City Manager will not spend \$50,000 even though that amount was initially allocated. He asked, is that correct?

Manager Baker said that is correct.

Vice Mayor Kelley said it was clear from the City Commission that they want to provide temporary relief, but not spend a lot of money.

2. Alvin Burke of 1240 Jann Avenue, Opa-locka, Florida, appeared before the City Commission and thanked the City Commission for approving the Tahoe trucks for the Police Department because they deserve it and they look very good on the streets. He said last Friday he read an article in the Miami Herald and it referred to this city as a dysfunctional city and he was upset. After looking at the last Commission Meeting at home, with all due respect the way the City Commission talk to each other on the dais it would make someone wonder about the city. As citizens they provide the Elected Officials with an office and if they have to talk to each other in that manner perhaps they should meet and not do it on the dais. There is still hope for annexation, but it starts with the Elected Officials and they are selling the City of Opa-locka. The Commission Meetings are airing live and he asked them to show each other respect.

Commissioner Johnson thanked the citizen for his comments and suggestions, but she think it takes the citizens and commission to rebuttal those remarks that may be in the media. She has seen over the 12 years some things individuals have said and done unintentionally. She just shared a comment that she heard someone make about the city. Students from Universities look at the Commission Meetings; even her student intern visited one of the Commission Meetings and changed her mind from wanting to be an Elected Official.

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, DIRECTING THE CITY MANAGER TO DEVELOP A NON-PROFIT POLICE ATHLETIC LEAGUE PROGRAM; PROVIDING FOR

INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by T.H.

The above resolution was read by title by Attorney Geller.

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

Commissioner Johnson said she is concerned because she received a telephone last week after the case was aired on television. She asked why the City Manager is not sponsoring legislation regarding the Police Department.

Manager Baker said he has sponsored legislation for the Police Department.

Commissioner Johnson said to her understanding the Police Department is under her jurisdiction and everything related to his department should be under his jurisdiction. She is being asked and probably called to court for something she has no business being in and she will tell the truth. She does not understand it and it's not a good principal. There is no other city in the State of Florida that she has googled that does this.

Mayor Taylor said the legislation is only to start a boys and girls club assisting kids with homework in their afterschool program. This is not the time to ram the City Manager about the actions of the police department; this resolution is to develop a non-profit police athletic league for boys and girls. She asked Commissioner Johnson to stay with the subject, not to get after the City Manager about what the Police Department is doing. She said if Commissioner Johnson wants to discuss the after school program then she can, but to get after the City Manager about what the Police Officers are doing is not this resolution.

Commissioner Holmes said a citizen came forward and said the Elected Officials needs to respect each other. He said maybe the problem is because he sponsored the legislation. He was appointed as the Police Commissioner in the 90's and no one brought legislation to appoint someone else as the Police Commission. In the 90's he sponsored most of the legislation for the Police Department and he does not have a problem with sponsoring the legislation. If there's a problem then someone needs to address it.

Commissioner Santiago said the Commissioner was trying to explain something and he would like to listen to what she has to say. He asked can Commissioner Holmes sponsor the legislation or does the City Manager have to sponsor the legislation.

Attorney Geller said if he understands correctly, the question is who can sponsor a resolution. The city's precedence is there has never been a requirement that the majority of the Commission has to bring a resolution, the history has been that individual Commissioners can ask for resolutions to be placed on the agenda and so can the City Manager.

Commissioner Santiago asked can Commissioner Johnson finish her comments.

Mayor Taylor said not if she is going to vilify the City Manager, she has to stay with the item and the item is asking for an After School Program for children, it has nothing to do with who sponsors the resolution.

Commissioner Johnson said according to Florida Statutes 25.567 as an Elected Official, where is it that any presiding person can shut a Commissioner up. She asked for a reference because she will possibly be pursuing legal actions.

Attorney Geller said under Robert's Rules of Order the Chair is vested with certain authority to control the orderly flow of meetings but it's not unlimited authority.

Commissioner Johnson asked does the control stop her from asking questions?

Attorney Geller said as a blanket matter typically not, but the Chair does have certain authority if they feel someone is out of order and they can indicate that someone is out of order, except for that circumstance the right of Elected Officials to pursue answers to questions is given wide latitude but it does not override the authority of the Chair to control the orderly flow of meetings.

Commissioner Johnson said she will conclude her questions but she asked for the body of the Commission to be consistent. She noticed that the next speaker spoke about things that had nothing to do with the legislation and it was allowed. In addition, she will be requesting a copy of all DVD's for all meetings to build her business case. She has never seen this happen and she is sorry it happened, but it is not right. She asked the City Manager if this non-profit is established who will be the registered agent, board of directors, and what is the mission of the organization.

Manager Baker said the Chief will serve as the registered agent and it will be an organization comprised of law enforcement personnel in the Police Department.

She said the last time the city did something of this nature was with Weed n' Seed and that agency left and are now with another city doing very well. The city paid for their skills and knowledge and once the grant was lost they left. This item is not flushed out enough for her to document.

Vice Mayor Kelley said he is very disappointed in how this meeting is unfolding, notwithstanding the comments of the citizen. He thinks all of them on the dais ask questions that they believe are important to their deliberation in how they vote. Having been a Mayor he understands the need to control and keep meetings on track, but he is very disappointed in how this has turned. They need to be very careful when they are asking questions of that latitude so they will stay on the bigger picture. Having said that his concern with this legislation is that it's not structured. A few weeks ago he was told that the city had a PAL program already in existence so he was kind of surprise to see this legislation. He is very familiar with the PAL program from his days at the Park; they do great work if they are structured correctly, and however they can be very detrimental if they are not. The resolution says to develop a non-profit league, as part of that development the City Manager mentioned that the Chief of Police will be the registered agent but it does not discuss any other people who will be involved. Unless he get a clarity he will say to the sponsor to defer the item because he will not support having it

developed and not know who the principals will be because when you develop PAL programs under the City of Opa-locka still leaves the city with a liability and that's where his heartburn lies.

Mayor Taylor asked the sponsor if he wants to take the suggestions made by Vice Mayor Kelley.

Commissioner Holmes said to proceed with the vote.

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

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

Commissioner Holmes asked what is the problem, is it because he is the sponsor, if so he will withdraw his name as the sponsor.

Mayor Taylor said it doesn't have anything to do with the sponsor, additional information is needed. They are concerned about the board members, goals, purpose, and mission just to name a few. The Vice Mayor asked for the legislation to be withdrawn to put more teeth in it.

Commissioner Holmes said the resolution talked about the 501C3. If the resolution needed more information he asked why they couldn't amend it and make those changes on the dais.

Mayor Taylor said she gave that opportunity.

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, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY STORMWATER UTILITY FOR SHARED STORMWATER MANAGEMENT FOR A PERIOD OF FIVE YEARS, COMMENCING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2019, IN AN AMOUNT NOT TO EXCEED THREE HUNDRED

FORTY-SIX THOUSAND THREE HUNDRED TWENTY TWO DOLLARS AND NO CENTS (\$346,322.00) ANNUALLY, PAYABLE FROM ACCOUNT 43-538340, 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.

It was moved by Commissioner Santiago, seconded by Commissioner Johnson to pass the above ordinance on first reading.

Commissioner Johnson said the legislation speaks about a five year period, but according to article four it says two years. She asked how can you convert from two years to five years?

Attorney Geller said there's a letter from the County Mayor's Office that states the reason they are proposing to increase from two to five years saying that they have ten other municipalities that has five year agreements because they afford more time to evaluate the effectiveness of the maintenance program and treatments.

Commissioner Johnson asked what happened to the agreement from 2012-current?

Attorney Geller said he believes there is an agreement, ordinance number 12-10 is attached and it states that it runs from October 1, 2012-September 30, 2014.

Commissioner Johnson asked was there an agreement for 2010-2012.

She said when the Former City Managers Patterson and Finnie was with the city each year they had an increase and it stated they can have a written agreement, but it did not come back to the City Commission.

Attorney Geller said ordinance number 10-18 was adopted on July 14, 2010 for a two year agreement.

He said the fact that the County has suggested that they want a five year agreement does not obligate the city to go along with that.

Commissioner Johnson said she is requested that they stick to the two years instead of putting the city in a budgetary commitment for five years.

Manager Baker said he appreciates the Commissioner comments and he shared the same when he received the letter. He had lengthy discussions with the County on going back to two years, but they are no longer doing two year contracts. They have nine or ten cities that have approved five year contracts so they are converting everyone into the five year program. The annual cost does not change; they are locking the same annual cost without any type of consumer price increases.

Commissioner Johnson said she is assuming the City Attorney will include some verbiage on the city's behalf to lock in the price.

Attorney Geller said it's his understanding that the language is in the agreement.

Manager Baker said he is not certain on them stating it. Their document commits them to the same price for the next five years.

Commissioner Johnson asked, can the amendment be done on the second reading?

Attorney Geller said it can certainly be done on the second reading.

Vice Mayor Kelley said to the Mayor and City Manager when they meet with the County Mayor they might want to stress to him to keep in small cities in mind because it could be challenging.

Attorney Geller said the language is contained on page 5 of 11, article 5c as follows: commencing with fiscal year 2014-2015 and after approval of the agreement the costs applicable to the city and to the utility are based on contribution to each other's shared portion are included in this agreement and presented as described in exhibit b. It also includes estimated total expenditures but that is in addition to, not instead of and they can be adjusted with prior notice per paragraph d with prior notice from the city so the city does have the right to request, if it would to become necessary that the level of service we are paying for be adjusted downward in the event that circumstances arose.

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

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

Mayor Taylor asked the City Attorney to continue to do his research.

Vice Mayor Kelley said his concern was not what was mentioned by Commissioner Johnson, his concern was on the idea of going to five years.

2. AN ORDINANCE OF THE CITY OF OPA-LOCKA, FLORIDA, RELATING TO CHARTER AMENDMENTS PURSUANT TO SEC. 6.1 OF THE CITY CHARTER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor relinquished the gavel to Vice Mayor Kelley.

It was moved by Commissioner Johnson, seconded by Mayor Taylor to pass the above ordinance on first reading.

Mayor Taylor said she agrees with Commissioner Holmes that there should be a process, however when it comes down to charter amendments and code especially with an ordinance this important she think the citizens should have input because this does affect them.

Commissioner Johnson said the Mayor said it very well. For the record, she has a suggestion that has nothing to do with the sponsor. She suggested that the item be deferred and cleaned up, then be placed on the referendum in April or November for the voters, but before that there is a need for Town Hall Meetings.

Commissioner Santiago said he thinks the item needs to be deferred because the citizens have the right to make decisions along with the City Commission.

Commissioner Holmes said when this item came up at the last Commission Meeting his colleagues said the same thing they are saying tonight and he deferred it and asked them to give the City Clerk and City Attorney their input; however no one submitted their input. He sent Attorney Geller an email outlining some things that should have been included in the legislation and he did not include it. It was brought to his attention that some people were soliciting money to hire people to get signatures and one of the suggestions he sent the City Attorney was people raising money must report their intent to do so at the time of registration and the process should be similar what is outlined in section 5-2 of the city's charter for referendum process.

Commissioner Holmes deferred item 18A2 to allow his colleagues time to give their input.

Vice Mayor Kelley returned the gavel to Mayor Taylor.

B. SECOND READING ORDINANCES/PUBLIC HEARING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE RATES FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading held on May 28, 2014). *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

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

Commissioner Johnson asked, does this legislation have anything to do with the \$100 government fee?

Manager Baker replied, no.

Commissioner Johnson asked is this a decrease or increase to the citizens?

Manager Baker said this is a decrease. A solid waste study was conducted in 2008 and it outlined all of the solid waste rates up to 2016 and he thinks they are too high based on the current rates therefore he is recommending that it be rolled back and it is roughly a \$100 reduction.

Commissioner Johnson said when the study was done in 2008 she recalled that everything will remain the same until October 1, 2014 then they will start seeing a decrease.

Manager Baker said if the legislation does not go forth they will be increasing the rates.

Commissioner Johnson said if the legislation passes what will be done between now and October.

Manager Baker said they have a process they go through with the tax collector's office in terms of providing the legislation to have them put it on the tax bill and make sure all the pieces are in place by October 1st.

Vice Mayor Kelley said he understands why they are doing this but he also wants to caution them. One of the reasons you do studies and have analysis done is so you have a vision and blue print for the future and this is done for a reason. He would hope at some point that they are realistic that when they set these projections they are done for a reason. At some point they are going to look at when the city pay professionals to give an analysis and their projections of costs and what it means going down the road that they will take it seriously or not have them do it because otherwise you are defeating the purpose.

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

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

C. RESOLUTIONS/PUBLIC HEARING:

19. ADMINISTRATION:

CONSENT AGENDA:

A. CITY MANAGER'S REPORT:

Manager Baker reported that staff met with the EPA of Tallahassee and they toured the city, fortunately it was a rainy day so they were able to see the city's infrastructure problems. They are asking that he take the entire infrastructure project and break it up in

roughly 30 pieces and the deadline is Friday in order to get the RFP's to them for review. The RFP is out on the street for the New City Hall and they will be bringing a recommendation to the City Commission. Staff had several implementation meetings with City National Bank for the purpose of transferring over the city's financial assets. They have been conducting Customer Service Training and it will last for most of the summer to get all employees skilled to better serve the public. The Gateway sign is up and the stucco will take place when weather permits.

He further said they are in the final stages of completing the Community Newspaper and they will be impressed with what they have come up with. A Town Hall Meeting is scheduled for July 2nd to discuss Historic City Hall and get community input.

Commissioner Santiago said the 4th of July event is coming soon and 22nd Avenue needs to be cleaned and maintained. He went to Ingram Park today and nothing was done as he requested a month ago. He wants that park to look beautiful when people visit our city.

He asked the City Manager to see what he can do to give the business owners on Cairo Lane a relief.

Commissioner Santiago said he requested a report for all the overtime spent for the last six months, he received the information late so he will speak to the City Manager about the information he received. The city spent \$265,000 in overtime for six months and they need to be careful with the spending. He was pleased to announce that the city saved \$200,000 for rent the last year but it's no savings because of the money spent for overtime.

Commissioner Johnson said she received the report that was requested for overtime and she is concerned to see exempt get overtime. She asked how can exempt employees get paid overtime?

Manager Baker said he will look into it because occasionally some employees are given special assignments.

Commissioner Johnson said unless the Fair Labor Standard Act has changed and the City of Opa-locka has created its own policies and procedures it is her understanding that exempt employees does not get compensated for overtime. She requested a copy of the policy for exempt employees and a list of all exempt employees currently employed by the city.

She said it was brought to her attention that the Code Enforcement Officers has police radios. She asked is it true that the Code Enforcement Officers has Police Radios?

Manager Baker said he does not believe they are on the police channel but they are on a channel for them to communicate with each other.

Commissioner Johnson said she was informed by a resident that a Code Enforcement Office went to their house and they heard everything the Police Department was saying. She said she does not think any non Law Enforcement Personnel should have a Police Radio.

She asked can non Law Enforcement Personnel have a Police Radio?

Chief of Police Jeffrey Key said they are not supposed to be in possession of them but they were in need of communication and they are not on the encrypted system at this time. They are in the process of retrieving the Code Enforcement Radios?

Commissioner Santiago asked who has the right to have a radio; can a Commissioner have a Police Radio?

Chief Key said they should not be in possession of them.

Commissioner Holmes asked the Chief of Police is he saying the Code Enforcement Radios are not on the same channel as the Police Officers but they can call for help.

Chief Key said they can communicate with each other.

Commissioner Holmes said if one of them get in trouble can they call for assistance?

Chief Key said yes, those radios were not tied into the reband system.

Commissioner Holmes said maybe Chief Key does not know but he has a Police Radio that he had since 1994 and he listens to all of the Police Calls. He was given the radio when he was appointed Police Commissioner.

Attorney Geller recommended that Commissioner Holmes hold his comments.

Mayor Taylor said the Chief already made a statement that no non Police Personnel should be in possession of a Police Radio.

Commissioner Holmes said he has a Police Radio and he will keep it until the Chief of Police instructs him to return it.

Chief Key said if Commissioner Holmes was issued a radio in 1994 it should be obsolete.

Commissioner Johnson said the truck stop across the street from City Hall came before the City Commission and failed. They went from receiving citations to now having a full fledge truck parking. She asked how did this happen if the city disapproved it?

She asked was a permit pulled for the Gateway Project and is it hurricane proof?

Manager Baker said all the necessary permits were pulled and the structure is engineered with rebar to allow it to be able to sustain a certain amount of wind gust and it does meet all the necessary wind low factors.

Commissioner Johnson asked where can the documentation be found?

Manager Baker said because of how of the facility is structured, the permit card and necessary approvals it's not easy to make it visible without it disappearing but the general contractor must be in possession of it when it's time for inspections.

Commissioner Johnson asked where are these documents kept in the city.

Manager Baker said the Building Department and Engineer will be the custodian of those plans.

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

Commissioner Johnson: Someone called to the Building Department about that particular vendor and was told and I told them to just give it to me in writing but I also told them I will bring it up at this meeting that the city didn't need any permits and that something similar to what you said, that they trust that the engineer or the general contractor will have all the permits necessary and that they don't have to have a hurricane proof, so if a hurricane come it's no guarantee whether or not it's going to stand or not and I understand just the opposite. We spent \$350,000 for that I would think it will be able to take a level 2 or level 3 storm or whatever weather check it has gone through, but since you've stated that it's gone through all those tests I would like to get a copy of all the permits Mr. Baker, if you could have it for me tomorrow. All the permits for that particular project as well as the testing for that particular project because some businesses in that area was stopped on some of their business and they are a little concerned why they were stopped and they need permission to tear down buildings and we put them up and we don't need but I'm glad to hear now that we do have the permits, if you can provide that to me tomorrow morning I will come by around 10:00 a.m. and get a copy of it.

Note: This concludes the verbatim portion of these minutes.

Commissioner Johnson said she noticed that a few of the Public Works employees are driving old vehicles. One of the vehicles back door does not open. She thinks they need to downsize and get rid of some of the vehicles that are in poor condition.

She further said she is in support of what the Commission has asked the City Manager to do regarding Cairo Lane. They have made a commitment to the people and she hopes they can live by it.

She said a RFP is currently out for City Hall and she thinks a Town Hall Meeting should be held before the RFP is put to incorporate the citizens input into the RFP document.

Commissioner Johnson said Commissioner Santiago always supports his colleagues with the events, but the City Commission should not have to promote their events.

Commissioner Holmes said he received a call from business owners on Cairo Lane requesting to have the pot holes filled with rocks. He asked were those pot holes filled today?

Manager Baker said he is not sure if it was done today, but they are scheduled to fill the pot holes.

Commissioner Holmes said as he has stated before, the Code Enforcement was not given to the city by the state to be a revenue maker for the city. Code Enforcement was put in the city to get people to come in compliance and if fail to come in compliance they will receive a citation.

He said he got two nails in his tire on 135th Street and Alexandria Drive. He requested that the street sweeper sweep 135th Street.

Commissioner Holmes said he went to a business yesterday on 38th Avenue and the business owners told him their main problem is getting the road fixed because every time it rains the area is flooded.

He requested that the City Manager fast forward on City Hall to relocate the staff to safer place. The park is still struggling with getting equipment but it's no problem for them to purchase gifts for Bingo from the Parks & Recreation budget. He suggested that the \$50,000 that has been approved for temporary repairs to Cairo Lane be used to assist the citizens pay their water bills.

Commissioner Holmes said he has not missed a Commission Meeting in a long time and he does not recall any legislation being passed for the city to have a 4th of July event. He said he was told that the City Manager put together a budget for the 4th of July event and the city will not spend any money towards the event. He requested a written report no later than 12:00 noon tomorrow on how much it will cost for the event and how much money has been turned in.

He said he he's been an Elected Official since 1994 and he have never told a lie and he's man enough to do and say what he say he will do.

Vice Mayor Kelley said there has been a concern from businesses regarding certificate of use and he did receive the correspondence from the City Manager that he will look into it. He asked the City Manager when will he have the information complete.

Manager Baker said it should be complete by the end of the week. There are two processes to the project. One is Community Development has a process for new businesses and the second is when a business is sold and the new owner is requesting clearance there is a tremendous amount of research that has to take place on the city's end.

Vice Mayor Kelley requested an update on the Crime Organizations.

He suggested that the City Manager look into the possibility of selling some of the foreclosed property that the city has acquired in an effort to help the city's budget.

Vice Mayor Kelley asked the City Manager for the status of the grant applied for the tennis court and football equipment?

Manager Baker said he has not received a response.

Vice Mayor Kelley said this is his last time mentioning that he has concerns regarding the Town Center Phase One and he have received several complaints from the tenants and he has greater concerns about Phase Two.

Mayor Taylor asked the City Manager does he have any information on the GED program at the CET building.

Manager Baker replied, no.

Mayor Taylor said she does not want that to close.

She said a junk yard is behind the Gardens Apartments and they have cars turned upside down collecting water which is creating a mosquito infestation in the area. She directed the City Manager to have the Code Enforcement Department look into the issue.

Mayor Taylor said when it rains there is a trench on Sultan Avenue and when it rains you cannot see it and its tearing up people vehicles.

She asked the City Manager to look into getting the employees an increase, especially those that's making \$30,000 and under.

She said 22nd Avenue is the entrance to Opa-locka and properties have to be cleaned and the grass has to be cut. The owners have to be held responsible for their properties. To the Clerk, Mayor Taylor said she wants to work closely with the Nuisance Abatement/Housing Authority Board because she needs help with 22nd Avenue.

Mayor Taylor directed the City Manager to schedule an appointment with the apartment owners, grocery store owners, and owners of vacant lots on 22nd Avenue to address her concerns.

She asked the City Attorney why they can't get the cars lowered at Coats Junkyard on 22nd Avenue.

Attorney Geller said he had a meeting regarding that last week and they should be lowered soon.

Mayor Taylor said she will be sponsoring legislation to get proposals for Public Relations and Marketing Firm to help with the city's branding.

B. ACCOUNTS PAYABLE:

Susan Gooding-Liburd, Finance Director came forward and stated that all documents required for her report are part of the package provided to the Commission. The next update to the reserve account will be at the end of July 2014.

Mayor Taylor asked is the city still in the black?

Mrs. Liburd said she will be able to give the 3rd quarter report by July 15th. The 2nd quarter report shows they are in the black.

Commissioner Johnson directed staff to strategize as to how they will repay the reserve account.

She said she is concerned about exempt employees receiving overtime and the amount of overtime that's being paid. She said she reviewed the city's insurance bill and noticed the city is paying insurance for employees that are deceased or no longer employed with the city.

20. OFFICIAL BOARD REPORTS:

Clerk Flores said the Civil Board was scheduled to meet on June 19th but they didn't meet due to a lack of quorum, the Zoning Board of Appeals is scheduled to meet on June 26th at 7:00 p.m., and the Planning Council is scheduled to meet on July 1st at 7:00 p.m.

21. CITY ATTORNEY'S REPORT:

Attorney Geller said he submitted his report in writing; however he will answer any concerns the City Commission has.

Commissioner Johnson requested legislation to remove the Police Commissioner and she also wants the City Attorney and City Manager to work together for all violations throughout the city, especially the apartment windows on 22nd Avenue because according to Miami-Dade County they have been outdated since the 80's.

Attorney Geller said it is his understanding that there are certain safety upgrades that are required to be made if there are any renovations, but typically most of them don't automatically require a structure to be changed. It might be an exception with windows, but he will consult with the Building Official and check with Miami-Dade County.

Commissioner Holmes said after last Commission Meeting an article was published in the newspaper regarding the City Attorney and he received a lot of telephone calls from people asking him how he listened to the comments and took a different stand, his response was that he cannot speak for his colleagues.

He further said when he was speaking this evening one of his colleagues spoke to the City Attorney and all of a sudden he was told that he should stop his comments regarding the Police Radios. His point is that he knows what's going on. He tried to get the City Attorney to complete his ordinance for the agenda and he failed to do so.

22. CITY CLERK'S REPORT:

Commissioner Johnson said she knows there is legislation regarding Public Records Request and she does not think the process is being adhered to. She directed the City Clerk to review the legislation.

She said one of her family members observed a former City Commissioner opening a campaign account at the bank. She requested that the City Clerk publicize the campaign information so everyone will be aware of the process.

Clerk Flores said all the Elections information is included on the city's website and it speaks about becoming a candidate and all the necessary forms required, but she will be willing to do additional publication.

Commissioner Johnson said she doesn't go on the city's website, but it's okay now that she knows it's being publicized.

She further encouraged all three Appointed Officials to not solicit businesses for campaign donations. She has been asked by several people if she wants a campaign donation, staff needs to stay out of the process. She is aware that city vendors cannot be used for campaign purposes.

23. MAYOR/COMMISSION REPORT:

Commissioner Johnson said she is speaking to some postal officials and in her opinion it appears that the Opa-locka Post Office will continue to provide service, however the carriers may be moved to the Opa-locka P&D Center. The Opa-locka branch may have a small retail unit, but it will not be a full service branch.

She said she met with representatives from Clark University that is doing some work with her organization and she want to share resources and it's no cost to the City of Opa-locka.

She attended the retirement of an employee for the Department of Children and Families and she enjoyed representing the Mayor at the city's Father's Day Fish Fry.

She is in the process of working with Ray's Florida Network regarding Payday Lending.

Commissioner Johnson officially resigned as the Chair of the Educational Compact. She does not think she will bring due diligence and she is tired of being beat up so she is not ready for the task. She asked the Mayor to appoint someone else from the Commission to represent the city.

Commissioner Santiago thanked his colleagues for allowing him to express his concerns and he thanked the citizens for allowing him to serve this city.

The crime has reduced in the great City of Opa-locka and they are doing a very good job to make this city the best.

Commissioner Santiago said if he is doing anything wrong he asked the City Attorney to tell him so he can do everything clear and transparent. From the day he was born his father taught him how to be a man and work and that led him to the great salesperson he is today.

Commissioner Holmes said he was served a law suit this week and he asked the City Clerk to forward it to the City Manager and City Attorney. It was served to the City of Opa-locka in care of Commissioner Timothy Holmes.

Vice Mayor Kelley said he hosted the Father's Day Fishing Tournament and it was unique to see two young adults that never fished and one of the members from the Seniors on the Move program showed the young men how to use a fishing pole. The Senior Citizens Computer class started with 16 students and they are being taught by interns. The monthly Clergy meeting was held with the Faithbased Community and one of the concerns that came up was churches located in the warehouse district. He asked the City Manager to formulate a recommendation on that and give it to the City Commissioner because that issue needs to be addressed. He met with representatives from Miami-Dade County and Commissioner Monestime's Office with regards to the issues at Ingram Terrace Apartments and believes they made some progress.

He said he will continue to work on funding for the Cultural/Gym at Segal Park and funding to make improvements to Ingram Park.

Vice Mayor Kelley said he will be hosting a Town Hall Meeting for the residents of the Gardens Apartments and surrounding areas on what they would like to see as it relates to the proposed park and Greenspace that was previously passed.

Mayor Taylor recognized Former Commissioner Mother Ollie B. Kelley. She wished Commissioner Johnson a Happy Birthday.

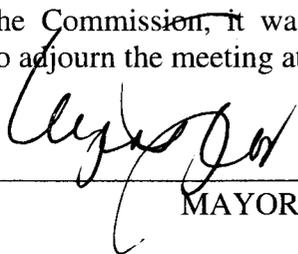
Mayor Taylor thanked the Department Directors for their hard work and service to the city.

She said she called the owner of Joe's Liquor Store and asked him to paint the building which he did, however she does not want to see another liquor store. She asked her colleagues to meet with the City Manager to get their ideas of what should be at that location.

24. OFFICIAL BOARD APPOINTMENTS:

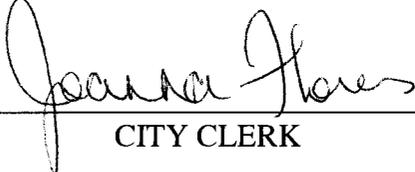
25. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Santiago, seconded by Mayor Taylor to adjourn the meeting at 9:40 p.m.



MAYOR

ATTEST:



CITY CLERK