CITY OF OPA-LOCKA

"The Great City"

CLERK'S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING
November 12, 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 7:10 p.m. on Wednesday, November 12, 2014 in the Auditorium at Sherbondy Village, 215 President Barack Obama (Perviz) Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Joseph L. Kelley, Commissioner Terence K. Pinder, Commissioner Luis B. Santiago, Vice Mayor 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 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: 19-3, 19-5, and 19-9 (Vice Mayor Holmes); 19-2 (Commissioner Kelley).

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

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

Vice Mayor Holmes	Yes
Commissioner Kelley	Yes

Commissioner Pinder	Yes
Commissioner Santiago	Yes
Mayor Taylor	Yes

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Commissioner Kelley along with the Mayor and City Commission recognized Alfio Ferrea, Pastor Bernice Mikell, Pastor Cristino Penelas and King Leonard for their assistance with the Farm Share Food Distributions.

Mayor Taylor said as the Chair she will no longer tolerate loud comments and she is requesting that her colleagues meet with the City Manager prior to the meeting to voice their concerns.

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 10/22/2014

It was moved by Commissioner Pinder, seconded by Commissioner Santiago to approve the minutes of the Regular Commission Meeting of October 22, 2014.

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

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

9. 24th CONGRESSIONAL DISTRICT OF FLORIDA REPORT:

10. STATE SENATORS REPORT:

11. STATE REPRESENTATIVES REPORT:

12. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

13. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

Larry Gardner, of Miami-Dade County Commissioner Jordan's Office (District 1) came forward and congratulated Mayor Taylor, Vice Mayor Holmes, and Commissioner Pinder on their election. He further said he did not have any reports or announcements at this time, but he will be glad to take back any concerns or issues to Commissioner Jordan.

Commissioner Kelley asked Mr. Gardner does he have an update on the contractor for the demolition project?

Mr. Gardner said he will provide a written update.

14. PUBLIC PRESENTATION:

1. Opa-locka Community Development Corporation (OLCDC) Re: Logan Executive Center (formerly Historical Hurt Building)

Dr. Willie Logan of 490 Opa-locka Boulevard, Opa-locka, FL appeared before the City Commission and said he waives his time.

14a. CITIZENS' FORUM:

1. Dante Starks appeared before the City Commission and said agenda item 18A3 is long overdue, but he thinks $35,000 is too much because of the city's budget. In his opinion, $20,000 will be more feasible.

He further stated that he disagrees with agenda item 18A1, because it should be based on seniority. He expressed his concerns regarding agenda item 18A2 because notification has to be given to the residents. Mr. Starks said he is in agreement of bringing Teen Upward Bound back to the City of Opa-locka to work with the youth.

2. Ricky James, Union President of Local 2068 appeared before the City Commission and said the union election was held and they are ready for negotiations.

3. Dorothy Johnson of 780 Fisherman Street, Opa-locka, FL appeared before the City Commission and congratulated all of the newly elected officials. She reminded the City Commission of several pending items. She further asked for the status of the event planner.

4. David Chiverton appeared before the City Commission and thanked everyone for their unwavering support during his time of bereavement.

5. Alvin Burke of 1240 Jann Avenue, Opa-locka, FL appeared before the City Commission and congratulated all of the newly elected officials. He voiced his concerns regarding agenda items 19-1 and 19-5.

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

1. (19-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO UTILIZE THE MIAMI-DADE COUNTY COMMUNICATIONS SYSTEM FOR DISPATCHING AND TELETYPE SERVICES FOR THE OPA-LOCKA POLICE DEPARTMENT; 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 Kelley, seconded by Vice Mayor Holmes to pass the resolution.

Commissioner Kelley asked, how many dispatchers does the city currently have?

Manager Baker said currently they have two full time and one part time.

Commissioner Kelley asked, will the current employees be absorbed by the county?

Manager Baker replied, no. He said they will be incorporated into the police department.

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

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

2. (19-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO ESTABLISH AN ADMINISTRATIVE FEE IN THE AMOUNT OF $100.00 PER PETITIONERS' APPEAL REQUEST FOR THE CITY OF OPA-LOCKA RED LIGHT CAMERA HEARINGS AS PROVIDED BY THE FLORIDA STATUTES; 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 Vice Mayor Holmes, seconded by Commissioner Pinder to pass the resolution.

Vice Mayor Holmes asked, will this cost be in addition to the cost of the violation?

Manager Baker replied, yes.

Commissioner Pinder asked, does the city pay a fee for the red light cameras?

Manager Baker replied, yes.

Commissioner Pinder asked, where they are now with the budgeted cost and what the city has received for the Red Light Cameras.

Manager Baker said based on the new contract they were able to fix some of the problems they experienced in the past. The city was spending more than what was coming in, now they flipped the revenue structure to allow them to get a fixed amount per month. The hearings will be structured similar to the Code Enforcement hearings, the violation will be showed on a video and there will be no additional costs, with the exception of paying the Special Magistrate.

Commissioner Santiago asked, what is the amount the county charge for their hearings?

Chief Key appeared before the City Commission and said they charge $158.00 for the violation and the administration cost varies from $100-$250.

Commissioner Santiago said he would like a resolution to get rid of the Red Light Cameras in the City of Opa-locka.

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

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

3. (19-5) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO BRING BACK THE TEEN UP-WARD COUNTY, INC. AGREEMENT, TO GIVE OPA-LOCKA TEENS THE OPPORTUNITY TO ASSIST AND PROVIDE PROGRAMMING SKILLS AT SHERBONDY VILLAGE; 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 Vice Mayor Holmes, seconded by Commissioner Santiago to pass the resolution.

Vice Mayor Holmes asked, has the City Manager, Teen Up-Ward Bound, and the Parks & Recreation Director discussed the agreement?

Manager Baker replied, no.

Mayor Taylor deferred agenda item 19-5 until the December 10th Regular Commission Meeting.

4. (19-9) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE FORM AS ATTACHED, TO ALLOW AMUSEMENTS OF AMERICA, INC. TO STAGE A FIVE (5) DAY CARNIVAL AT INGRAM PARK; 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 Pinder, seconded by Vice Mayor Holmes to pass the resolution.

Vice Mayor Holmes said the City Commission agreed to limit events. In addition, Ingram Park is a nice park, but he has concerns because of the canal.

Commissioner Kelley said he is going to support the legislation and he would like to be a co-sponsor. He is grateful that they are having a carnival in the City of Opa-locka.

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

Commissioner Kelley	Yes
Commissioner Pinder	Yes
Commissioner Santiago	Yes
Vice Mayor Holmes	No
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, AMENDING THE PERSONNEL ADMINISTRATIVE REGULATIONS, PROCEDURES AND BENEFIT EMPLOYEE HANDBOOK, AT THOSE SECTIONS STYLED ANNUAL LEAVE AND SICK LEAVE, BY PROVIDING THAT ALL AFFECTED EMPLOYEES RECEIVE 100% PAYMENT OF THOSE ACCUMULATED BENEFITS IRRESPECTIVE OF YEARS OF EMPLOYMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

The above ordinance was read by title by Attorney Geller.

It was moved by Vice Mayor Holmes, seconded by Commissioner Pinder to approve the above ordinance.

Commissioner Kelley said he will support the legislation for first reading, but to the City Manager he would like a breakdown of cost prior to the second reading.

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

Commissioner Pinder	Yes
Commissioner Santiago	Yes
Vice Mayor Holmes	Yes
Commissioner Kelley	Yes

Mayor Taylor	Yes

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING SECTION 2-45, STYLED "AGENDA"; BY PLACING CURRENT ITEM 2-45 (7), "AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS" AS NEW ITEM 2-45 (4); BY DELETING ITEMS 2-45(9), STYLED "A REPORT FROM THE 24TH CONGRESSIONAL DISTRICT OF FLORIDA"; BY DELETING ITEM 2-45(10), STYLED A REPORT FROM ANY STATE SENATORS REPRESENTING THE CITY"; BY DELETING ITEM 2045(11), STYLED "A REPORT FROM ANY STATE REPRESENTATIVES REPRESENTING THE CITY; AND BY DELETING ITEM 2-45(13), STYLED "MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT; PROVIDING FOR RE-NUMBERING ITEMS IN SECTION 2045 OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

The above ordinance was read by title by Attorney Geller.

It was moved by Commissioner Pinder, seconded by Commissioner Santiago to approve the above ordinance.

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

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

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING SECTION 2-316 OF THE CITY CODE TO INCREASE THE AMOUN THE CITY MANAGER MAY SPEND FOR PURCHASING SUPPLIES, EQUIPMENT AND SERVICES FROM FIVE THOUSAND DOLLARS ($5,000) TO THIRTY-FIVE THOUSAND DOLLARS ($35,000) WITHOUT THE CITY COMMISSION'S APPROVAL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

The above ordinance was read by title by Attorney Geller.

It was moved by Commissioner Pinder, seconded by Commissioner Santiago to approve the above ordinance.

Commissioner Kelley said he can support increasing the amount to $10,000, but he has concerns about going higher.

Commissioner Santiago echoed the same concerns as Commissioner Kelley, the city is not prepared at this time.

Commissioner Pinder said the City Manager hands are tied and this ordinance is in an effort to progress what is coming down. Taking his colleagues' concerns into consideration he would like to amend the legislation to increase the City Manager's spending limit to $20,000.

It was moved by Commissioner Pinder, seconded by Vice Mayor Holmes to amend the legislation to increase the City Manager's spending limit to $20,000.

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

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

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

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

B. SECOND READING ORDINANCES/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 PAY NORTRAX, AN AUTHORIZED JOHN DEERE DEALER, FOR REPAIRS TO THE CITY'S BACKHOE EQUIPMENT, IN AN AMOUNT NOT TO EXCEED EIGHT THOUSAND ONE HUNDRED EIGHTY-TWO DOLLARS AND NINETY THREE CENTS ($8,182.93), PAYABLE AND EQUALLY SHARED FROM ACCOUNT NUMBERS 41-541467, 64-533467, AND 43-538467, A BUDGETED ITEM; 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, TO AUTHORIZE THE CITY MANAGER TO PAY HYDRAULIC SALES & SERVICES, INC., FOR REPAIRS TO THE CITY'S VAC TRUCK, VEHICLE #54466 (TAG #135459), IN AN AMOUNT NOT TO EXCEED

SEVEN THOUSAND THREE HUNDRED NINETY-THREE DOLLARS AND SIXTY EIGHT CENTS ($7,393.68), PAYABLE FROM ACCOUNT NUMBER 43-538467, A BUDGETED ITEM; 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, AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE A SUBORDINATION AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED, BETWEEN THE CITY OF OPA-LOCKA, THE OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION, INC. ("OLCDC"), AND BRANCH BANKING AND TRUST CO ("BB&T"); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

(19-7) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN ASSUMPTION AGREEMENT, IN SUBSTANTIALLY THE FORM ATTACHED, BETWEEN THE CITY OF OPA-LOCKA, THE OPA-LOCKA COMMUNITY DEVELOPMNET CORPORATION, INC. ("OLCDC"), AND THE HURT BUILDING, LLC, TO ALLOW BOTH THE TRANSFER OF TITLE OF 452 OPA-LOCKA BLVD., ("THE PROPERTY") AND THE ASSUMPTION OF THE CITY'S MORTGAGE ON THE PROPERTY TO THE HURT BUILDING, LLC; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by M.T.*

(19-8) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO EXPLORE THE FEASIBILITY OF INSTALLING STORM SIRENS IN CITY PARKS; 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 Vice Mayor Holmes, seconded by Commissioner Pinder to pass items 1, 4, 6, 7, and 8 of the consent agenda.

The motion passed by a 5-0 vote.

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

A. CITY MANAGER'S REPORT:

Manager Baker reported that the Historic City Hall project has gone through the permitting process at the county and the project is now at the State level. The grand opening for the gateway project was held and he encouraged everyone to drive by and

give their input. Lift Station 7 is a grant funded project and they are expecting to have the project complete by the end of December.

Family Dollar is under construction and the contractor is moving rapidly to complete the project by the end of the year.

He further reported that all of the documents are in place for the State Revolving Loan and they have approval for Cairo as one of the first projects.

Commissioner Santiago thanked the City Manager for doing the best for the community.

He asked for an update on the New City Hall.

Commissioner Santiago directed the City Manager to come up with a plan to beautify the entire city.

Vice Mayor Kelley asked the City Manager for an update on the infrastructure.

Manager Baker said the funds has been approved and everything is looking good.

He further said they did a preliminary design on Cairo Lane and it is scheduled to go out for advertisement.

Commissioner Kelley requested to meet with the City Manager or his designee tomorrow at 9:00 a.m. regarding the finance portion of the City Manager's book.

Commissioner Pinder said over the next three months he is looking to see the City Manager's progress on moving the city forward. He asked for an update on the City Hall Town Hall Meeting.

Manager Baker said once he is clear of what direction the City Commission wants to go in, then he plans to schedule meetings.

Mayor Taylor said she will be calling an administrative workshop so the City Manager can enlighten the City Commission on contracts, agreements, and grants.

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 reserve account balance remains at $250,698.29.
Commissioner Pinder asked, what is the amount of money in the Law Enforcement Trust line item?

20. OFFICIAL BOARD REPORTS:

21. CITY ATTORNEY'S REPORT:

Attorney Geller said his report was submitted in writing, but he will be happy to answer any questions.

Commissioner Pinder said he would like to have an Executive Session in December or after the holidays to get the status of lawsuits.

Vice Mayor Holmes directed the City Attorney to prepare legislation for the December 10th Regular Commission Meeting to give Mr. Baker an agreement for two years.

Commissioner Santiago requested to meet with the City Attorney next week.

22. CITY CLERK'S REPORT:

Clerk Flores said it is imperative for the City Commission to appoint members to the Planning Council and Zoning Board of Appeals because they have pending items.

23. MAYOR/COMMISSION REPORT:

Commissioner Kelley announced that he is hosting Meet Me Monday on December 8, 2014 at Mt. Pleasant Baptist Church. Everyone is invited to the monthly clergy meeting on December 3, 2014 at 12:00 noon. In addition, the Annual Thanksgiving Fellowship will be held on November 22, 2014 at 4:00 p.m.

He further said illegal dumping was one of the issues raised at the last Meet Me Monday, therefore he plans to beautify those areas to decrease illegal dumping.

Commissioner Santiago said Bingo will continue on the 4th Friday of each month.

Commissioner Pinder thanked the citizens for allowing him to serve again and to his colleagues he thanked them for accepting him back with open arms.

Moving forth, Commissioner Pinder asked the Mayor to reconsider rescinding the resolution for the use of Code Red.

Vice Mayor Holmes said the citizens allowed him to serve as Vice Mayor and he thanked them for their support.

He announced that the Annual Turkey Giveaway will be held on November 24, 2014 at 12:00 noon.

Mayor Taylor thanked the citizens for re-electing her. She invited everyone to the Meet & Greet on November 12, 2014 at 6:00 p.m.

It was moved by Commissioner Santiago, seconded by Commissioner Pinder to cancel the Regular Commission Meetings of November 26, 2014 and December 24, 2014.

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

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

24. OFFICIAL BOARD APPOINTMENTS:

It was moved by Commissioner Kelley, seconded by Commissioner Holmes to appoint Eugene Stanley to the Community Relations, Recreation & Activities Advisory Board.

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

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

Vice Mayor Holmes appointed Rose Tydus to the Planning Council and Community Relations, Recreation & Activities Board.

25. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Holmes, seconded by Commissioner Santiago to adjourn the meeting at 9:08 p.m.

MAYOR

ATTEST:

CITY CLERK