

**CITY OF OPA-LOCKA**  
"The Great City"

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**CLERK'S ACTION SUMMARY MINUTES**  
**SPECIAL COMMISSION MEETING**

**FRIDAY, November 6, 2015**

**1:00 P.M.**

**Opa-locka Municipal Complex**  
**780 Fisherman Street, 2<sup>nd</sup> Floor**  
**Opa-locka, FL 33054**

**1. CALL TO ORDER:**

Mayor Myra L. Taylor called the meeting to order at 1:00p.m. on Friday, November 6, 2015 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: Mayor Myra L. Taylor, Vice Mayor Timothy Holmes, Commissioner Terence K. Pinder, and Commissioner Luis B. Santiago. Also in attendance were: City Manager Roy Stephen Shiver, Jr., City Attorney Vincent T. Brown, and City Clerk Joanna Flores. Commissioner Joseph L. Kelley arrived at 1:35pm.

**3. INVOCATION:**

The Invocation was delivered by Mayor Myra L. Taylor.

**4. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**5. CITIZENS' INPUT:**  
**Agenda Items Only**

Brian Dennis, Miami Times reporter whose home address is 3135 NW 135 Street appeared before the City Commission and thanked the City commission for inviting him to the meeting on yesterday. Mr. Dennis said that he was in complete support of restoring the city and that the City Manager be allowed to do what is necessary to take control of the city's finances with the City Commission's backing.

**6. RESOLUTION:**

**a). A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, NOTIFYING THE GOVERNOR OF THE STATE OF FLORIDA, PURSUANT TO FLORIDA STATUTE 218.503, OF THE CITY OF OPA-LOCKA'S FINANCIAL CONDITION; PROVIDING FOR**

## **INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.**

*Sponsored by Mayor & City Commission*

The above resolution was read by title by Attorney Brown.

It was moved by Vice Mayor Holmes, second by Commissioner Santiago.

Commissioner Pinder said the following: I support the resolution and am sorry that a thank you letter needs to be sent to the governor to think about helping us with the current financial state. We are in a mode of recovery but the buck stops here with the Commission. We can no longer point the finger or play the blame game. Barbara Jordan stated at the meeting the other day that there are some things that you cannot divorce yourself from. As elected officials we are responsible to the tax payers. There are comments that the auditor did not provide the information. It's there, all three years in our CAFR Report (Comprehensive Annual Financial Report). The report said to stop operating in this manner or we will trigger a financial emergency. As experienced officials, we should have read the document that we paid eighty thousand dollars (\$80,000.00) for. I, along with my colleagues have to take responsibility. We should have had checklist for the last four years. Mr. Manager I see the rep from the county commissioners office and I want to make sure no charges or surcharges are given to our residents and businesses. Only charges or surcharges for water usage to non-residents and non-businesses that we service. I want a report on monies that is owed to the city. We have about seven million dollars (\$7,000,000.00) that is owed to us from businesses, outstanding accounts, I don't know if Gordy is still here, but you should have a package for that. We have to now be responsible on recovery. We have documents given to us that we do not act on. They said we did not know, we knew. I support this resolution. Mr. Manager you have an uphill struggle. Attorney Brown there is bonding issues, responsibilities that they should have registered with. I want a report from you where people have registered properly and how to recoup some of these monies. I will get with the Clerk to insure that the contracts are registered in her office. It starts from the top, thank you Madame Mayor.

Commissioner Santiago said that he wants The Great City to prosper. He requested from the Manager all of the financial reports from 2004 to the present. He needs this information before he agrees to send anything to the governor's office. He asked why the financial records were not presented to the Commission before the letter was sent out.

Vice Mayor Holmes said he wanted the opportunity to see the original letter that was sent to the governor's office. Any documents from here on out must be sent to the Commission for review before being sent out. He said that the Commission should be given the opportunity to correct some of the issues before getting others involved.

Mayor Taylor said that it was the attorney that drafted the letter that was sent to Tallahassee and some of the verbiage was questionable. She made a motion to amend the item by replacing the word "trigger" with "certain".

Commissioner Pinder made the motion to amend the item, it was seconded by Vice Mayor Holmes.

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

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

Mayor Taylor asked for any input from the dais regarding the letter that is being attached to the resolution.

Commissioner Santiago said that he needs more time to review the letter before sending so the city does not look bad.

Commissioner Pinder said there is no time for reviews. No one is reading any of the financial statements that are sent every month. The county wants the bills paid, there will be no forgiveness. The city was not responsible on the four million dollars (\$4,000,000.00) that was owed to the county. "Now everyone wants to read", he said.

Vice Mayor Holmes said that no one will put a gun to his head and tell him that we owe four million dollars (\$4,000,000.00). He is accepting his part in the breakdown with the finances, but was told by the manager that the budget was balanced and now there all of these issues. He does not have a problem paying who we owe, but will not be rushed to make such serious decisions when there is no money in the bank.

Commissioner Santiago said he is confused about the debts since he was told that the budget was balanced. He wants to know what is going on. He requested additional time to review the finances.

Mayor Taylor acknowledged Commissioner Kelley's arrival on the dais.

Commissioner Pinder said during the workshops to discuss the budget, decisions were made to layoff fifty people and that would save the city two million one hundred thousand dollars (\$2,100,000.00). With the one million dollars (\$1,000,000.00) from the ad valorem taxes and all of the others intricacies, the budget should have been balanced. Two weeks later we owe all of this money. This means the financial documents that were sent to Tallahassee is false information.

Vice Mayor Holmes said they were told that the financial issues were resolved when they were not. They took the word of the Finance Director that the bills are being paid.

Commissioner Kelley said he has legislation coming, but he would like for the Commission to meet on a bi-weekly basis similar to commission meetings to reign in the financial debts that have piled up.

Mayor Taylor said that she was told that everything was fine, but did not get a layout of all of the financial records. She asked the city attorney if a draft of the letter was given to the City Commission before today's meeting.

Attorney Brown said “As per the Clerk, yes it did”.

Mayor Taylor turned her attention to the Clerk.

City Clerk Flores acknowledged that those that were at the office received it there and the others received theirs at the meeting.

Mayor Taylor and Commissioner Santiago acknowledged that they received their letter at the commission meeting.

Commissioner Santiago wants to know how much time he has to review the letter before signing it. He needs more time.

Mayor Taylor requested an answer from Attorney Brown.

Attorney Brown provided an answer. A motion on the floor has been seconded, if you choose not to vote on the item, you can vote no. Likewise, you don't have to sign the letter. There are changes on the letter that have been amended by the Mayor and Commissioner Kelley. It will take a day or two to make those changes. After the changes are made those who voted on the item will be presented with it by the Clerk, at that point you can chose to sign it.

Mayor Taylor said she wants to separate the resolution from the letter. The Mayor does not have a problem with the resolution, but with the wording in the letter. She wants all of her colleagues to have a chance to review the letter.

The Mayor made a motion to separate the letter from the resolution with the advisement of Attorney Brown and gave the gavel to Vice Mayor Holmes. It was seconded by Commissioner Kelley, and seconded for discussion by Commissioner Pinder.

Commissioner Pinder said that he differs from the Mayor with his belief that the City Manager, Attorney, and Clerk are extensions from this governing body. The majority of the three positions are extensions to their staff giving them the authority to hire and fire within their departments.

He further said the CAFR Report stated that continuing to operate under those same conditions was going to trigger the letter in question. The board is responsible to hold everyone accountable.

Mayor Taylor clarified that she meant that the City Commission is not an extension of the City Manager's staff. While we can adhere to the auditors warning, there was nothing layed out verbatim in front of us. None of us here are not anti-responsibility. It is one thing to meet with the county, but to send word to the governor's office without our input, is not on us. None of the three offices (Manager, Attorney, and Clerk) is above the other. They are on the same level. A financial breakdown was not provided to us prior to the letter being sent.

Commissioner Kelley said the City Manager told everyone that he was going to send a letter to Tallahassee during the budget workshops and no one questioned it. The City Manager sending the letter is not a surprise. At this point, we need to formally notify the governor of what is going on. This Commission needs to send this information as a united front. If we cannot do that with this one document then it is sad. From now on the manager needs to communicate anything he sends out. We need to leave here with a 5-0 vote or defer the whole thing. Where there is unity there is strength.

Commissioner Pinder said since Commissioner Santiago is not going to vote for this today if it's not deferred, he wants to make a suggestion to the chair, if there is no more discussion, we can vote or defer.

Vice Mayor Holmes said that Commissioner Santiago had the opportunity to amend the item but declined to do so. He will leave it to the majority to vote.

Commissioner Santiago said he does not want to vote on the item.

Vice Mayor Holmes explained that the dais was only voting to separate the resolution from the letter.

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

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

Attorney Brown advised City Clerk Flores that there needs to be a motion on the original resolution now.

Commissioner Kelley needed clarity on what was being voted on now.

Attorney Brown explained that the resolution was never voted on. The only vote was to separate the items. Commissioner Kelley is concerned about not having a vote of 5-0 on exhibit A (the letter).

Mayor Taylor again elaborated on her concern with the wording of the letter since she did not view the first one before it was sent out.

Commissioner Kelley was clear about having a unified front.

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

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

**7. ADJOURNMENT:**

There being no further business to come before the Commission, it was moved by Commissioner Kelley, seconded by Commissioner Santiago to adjourn the meeting at 2:18p.m.

  
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MAYOR

ATTEST:

  
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CITY CLERK