

CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
SPECIAL COMMISSION MEETING

THURSDAY, December 3, 2015

12:00 P.M.

Opa-locka Municipal Complex
780 Fisherman Street, 2nd Floor
Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Myra L. Taylor called the meeting to order at 12:00p.m. on Thursday, December 3, 2015 at the Opa-locka Municipal Complex, 780 Fishermen Street, 2nd Floor, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Mayor Myra L. Taylor, Commissioner Terence K. Pinder, and Commissioner Luis B. Santiago. Also in attendance were: Interim City Manager David Chiverton, Assistant City Attorney Yvette Harrell, and City Clerk Joanna Flores. Commissioner Joseph L. Kelley was at the meeting on time but was not present for the roll call. Vice Mayor Timothy Holmes was not in attendance.

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

Mayor Taylor opened the floor for citizen's input. There was no one to speak on any issues so the floor was closed.

6. DISCUSSION ITEMS:

1) City Manager's Presentation on Current Status

Interim City Manager Chiverton started of his report by stating that he was grateful for the opportunity to serve in his current capacity as Interim City Manager. He reported that the City submitted a check to Miami Dade County DERM for five hundred and sixty six thousand dollars (\$566,000.00). The City is currently in good standards with DERM and old and new businesses

can obtain the proper permits. He said that the City is also preparing to repay all vendors and outstanding invoices. The bus circular has yet to be cleared with the County. His office is still in talks with them, but the bus circular is moving.

Mayor Taylor asked if it was cleared with the company to change the route to include the senior's citizen's facility.

Interim City Manager Chiverton said that while his office has spoken with the company, the route has not been changed. He also said that it can be achieved but there has been no confirmation on any changes. He let the Commission know that correspondence was sent to Tallahassee to inform the governor's office that he would be the contact person from now on regarding the City's current financial situation.

Commissioner Santiago said that the seniors were promised results regarding the bus circular and as Commissioners everyone should make good on what they say.

Commissioner Pinder said he recalled that last year an RFP was put out because they were displeased with the services of that company because there were many complaints.

Interim City Manager Chiverton said that he believes the current contract has another year on it before it is up for renewal.

Mayor Taylor told Assistant City Attorney Harrell that she has seen the bus stopped at the fish market on 27th Avenue. She wants the attorney to know that when they speak to the company this should be made known in case they say that they do not go through private property.

She said that there are not enough copies of the financial document to go around but any interested parties should see Interim City Manager Chiverton for information.

She further stated that while the threat of a takeover is real, she would like for the dais to take the opportunity to show that they can get a handle on the financial situation without going to extremes by needing an oversight committee to come in. She said that the projected numbers given by the previous manager have been exaggerated and will be dissected for accuracy.

Mayor Taylor repeated that the utility operating permit has been paid and the moratorium has been lifted so business can be resumed in the City with the potential for jobs. She said that there are three parts to getting the financial situation stable, they are as follows: 1) Payment of the obligation owed to Miami Dade County which is estimated at four point three million dollars to four point four million dollars (\$4,300,000.00 - \$4,400,000.00); 2) Payments owed to vendors which are also estimated at two point nine million dollars (\$2,900,000.00); 3) The removal of the moratorium and anything else that will be presented to Miami Dade County.

Commissioner Pinder thanked Mayor Taylor for taking the reigns in the process of the financial situation and says that he supports her one hundred percent (100%).

Commissioner Kelley said that he is not going to sit through the financial sessions without reality. He is concerned that the bus circulator has not been paid.

Interim City Manager Chiverton assured Commissioner Kelley that the fifteen thousand dollars (\$15,000.00) had been paid for the month and that is why the circular has not stopped.

Commissioner Kelley said that an MOU (Memorandum of Understanding) with the bus company and Arch Bishop has to be done so that the seniors can benefit from the service.

He said that he will not support any surcharge for any water and sewer accounts for City residents. He said that it is unfair to assess these charges since the residents and businesses did not create any of the issues. He asked Mayor Taylor when the dais will have actual numbers on the financial situation.

Commissioner Pinder says that while he agrees with Commissioner Kelley not supporting the surcharge on residents; he recommends that only outside city limits are imposed the surcharge.

Mayor Taylor informed him that they are working on getting actual numbers together and is only presenting the current information.

Commissioner Kelley said he does not want a number here and a number there, he would like to have all of the correct information. He asked Interim City Manager Chiverton how long it will take to obtain verified numbers from Miami Dade County.

Interim City Manager Chiverton says that he will gather the information on the City side and if the numbers they receive from the County is accurate then the dais will have a more realistic number on what is owed.

He said that he will have a report from the County detailing real numbers on how much is owed by the following Monday. The Finance Department is going through the vendor list now to determine the total outstanding balances.

Commissioner Kelley stated that he is concerned that the Finance Department is being overworked and may not be able to complete what is being asked of them and fulfill the regular duties of day to day operations.

Commissioner Santiago said that the previous manager was asked for information and he provided inflated reports. He said he asked the prior manager for information and he never received it. He said that Interim City Manager Chiverton was asked for information regarding the finances and he was able to provide it to him in one week. The staff may have a lot of work to do, but the dais needs to receive real numbers regarding the finances.

2) Mayor's Recovery Plan and Recommendations

Mayor Taylor made it clear that her financial report is not set in stone and the numbers will change as more information is gathered. She said that the City was approved for the six million dollar (\$6,000,000.00) line of credit with City National Bank. The purpose for the line of credit is to reimburse the cost with the forty million dollar (\$40,000,000.00) revolving loan for infrastructure projects. She said that the City is negotiating with City National Bank to reduce the line of credit from six million dollars (\$6,000,000.00) to four million dollars (\$4,000,000.00) and the remaining two million dollars (\$2,000,000.00) will be for a long term loan.

Commissioner Santiago said that on the first page there is a section detailing what is owed to the County; but there is also a section about Parks and Recreation and open space for \$1,400.00 that is owed to the County.

Interim City Manager Chiverton said that there was an event and the county provided bleachers for it so the City was charged and the money is owed.

Commissioner Santiago stated that the last three Fourth of July events had bleachers that were provided by District I Commissioner Barbara Jordan and no money was charged. He said that he believes it is a part of the inflated calculations.

Mayor Taylor let Assistant City Attorney Yvette Harrell know that it sounds like a legal matter for the City Attorney's Office to handle.

Commissioner Pinder and Mayor Taylor acknowledged Former Commissioner Rose Tydus who was in attendance.

Mayor Taylor said that after negotiations are done she would like to use the remaining two million dollars (\$2,000,000.00) for Public Works projects; new water and sewer billing, meters, computer equipment, and any extenuating circumstances that might arise in that department.

She said the one point nine million dollars (\$1,900,000.00) for the water and sewer obligation has to be reviewed and verified by Mr. Chiverton and his staff. This was for the dumping in Broward County opposed to Miami-Dade County.

Commissioner Pinder asked Interim City Manager Chiverton if the twenty year contract was negotiated with Miami-Dade County.

Interim City Manager Chiverton said that he is still having conversations with the County and has not reached the negotiation stage as of yet.

Mayor Taylor said that as it relates to the proposed surtax there are between three and five thousand water customers and she wants to exclude homestead exemptions and senior citizen accounts from the surcharge. The surcharge revenue will go help pay the County and City National Bank. There will be a fixed amount so that people can budget. She directed Assistant City Attorney Harrell to work on that since there was already legislation regarding the surtax.

Assistant City Attorney Harrell agreed with Mayor Taylor.

Commissioner Pinder said that he had The Brown Law Group visit North Miami Beach who has a surcharge to outside residents that they service and it goes up to twenty percent (20%). He said the surcharge should be for only outside residents and businesses.

Commissioner Kelley said there is already a surcharge on residents and businesses and it may be at twenty six percent (26%) and it is fixed into the calculated budget.

Commissioner Pinder said the dais should look forward to calculating the surcharge for next year.

Mayor Taylor said that the numbers for what is owed to the vendors should be verified so that the City does not over pay on what is owed.

Commissioner Santiago said he was told by vendors that they should run to the bank and cash their checks because the City has no money, but that is not true.

Mayor Taylor said she hopes that people stop saying that the City is broke. To repay the vendors, the City may have to negotiate and determine what can be done. She said that if one hundred percent of what is owed cannot be paid, then the City can see if the vendors will take fifty or seventy-five percent.

Commissioner Pinder said that he agrees with Mayor Taylor and supports her financial recovery plan.

Commissioner Kelley said that he is still concerned with overworking staff and would like for internal controls be put in place to keep track of invoices and payments.

Mayor Taylor told Commissioner Kelley that she included internal controls in her report, but it comes later on towards the end of the report.

Commissioner Santiago said that he noticed that there are unnecessary expenses, the SUV's, gas, insurance, etc... The City should try and reduce some of these costs. He said that the City should cut back on meeting several times a month. He recommended that the meetings be reduced to once per month.

Commissioner Kelley said he wanted the manager to respond about the forty million dollars (\$40,000,000.00) for infrastructure. He also said he agrees with Commissioner Santiago on reducing the expenses.

Mayor Taylor addressed conducting a forensic audit on the water and sewer accounts. She said that there has to be accountability for these accounts. She asked for a quarterly report from the manager regarding the current status of all of the accounts.

She said that with the support of the Commission, she would like to direct the manager to inform the state and county to direct all correspondences to Mr. Chiverton. She told him not to send anything out until he has showed it to the Commission.

Assistant City Attorney Harrell advised Mayor Taylor that if there is something being sent to the state, then it should be voted on so that the state will know that it has been vetted through the Commission.

Mayor Taylor asked the attorney if the dais can vote on it right now.

Assistant City Attorney Harrell said "yes".

Mayor Taylor made a motion on the item, it was seconded by Commissioner Pinder.

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

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

Commissioner Pinder thanked Mayor Taylor for spearheading the financial recovery of the City. He recommended that every department be held accountable for the spending in their respective departments.

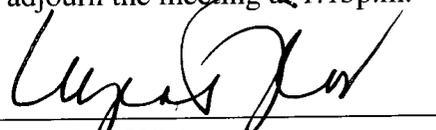
Commissioner Kelley agreed with Commissioner Pinder on each department pulling their weight and reducing costs and expenses.

Mayor Taylor repeated what she said earlier about the plan. She said it is a work in progress and not set in stone. She also said it is important to her that the confidence of the City is restored for the residents.

7. OTHER BUSINESS:

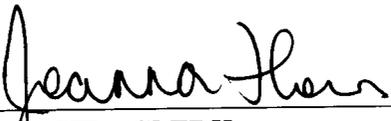
8. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Santiago, seconded by Commissioner Pinder to adjourn the meeting at 1:15p.m.



MAYOR

ATTEST:



CITY CLERK