

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

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

**December 08, 2010**

**7:00 P.M.**

**City Commission Chambers**

**777 Sharazad Boulevard**

**Opa-locka, Florida 33054**

**1. CALL TO ORDER:**

Mayor Myra L. Taylor called the meeting to order at 7:00 p.m. on Wednesday, December 8, 2010 in the City Commission Chambers, 777 Sharazad Boulevard, Opa-locka, Florida.

**2. ROLL CALL:**

The following members of the City Commission were present: Commissioner Rose Tydus, Vice Mayor Dorothy Johnson, Commissioner Timothy Holmes, Commissioner Gail E. Miller and Mayor Myra L. Taylor. Also in attendance were: City Manager Clarence Patterson, City Attorney Joseph S. Geller and City Clerk Deborah S. Irby.

**3. INVOCATION:**

The Invocation was delivered by Vice Mayor Dorothy Johnson.

**4. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

**5. APPROVAL OF AGENDA:**

**AMENDMENTS TO THE AGENDA UNDER ITEM # 13 (NEW ITEMS)**

13-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUESTING AUTHORIZATION TO APPROVE PAYMENT TO SOFTWARE HOUSE INTERNATIONAL (SHI) FOR ONE YEAR OF MICROSOFT ENTERPRISE LICENSING, APPLICABLE TO MICROSOFT OFFICE, DESKTOP AND SERVER OPERATING SYSTEM, EXCHANGE AND SQL SERVER AT A COST OF SEVENTEEN THOUSAND SIX HUNDRED AND SEVENTY-SEVEN DOLLARS AND EIGHTY TWO CENTS (\$17,677.82), PAYABLE FROM ACCOUNT NO. 14-512528; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

It was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to amend the agenda to include item 13-1.

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

Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Mayor Taylor	Yes

13-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH HORIZON CONTRACTORS INC., TO PERFORM ADDITIONAL WORK ON THE DESIGN / BUILD OF ALI-BABA AVENUE ROADWAY IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTEEN THOUSAND THREE HUNDRED FIFTY THREE DOLLARS (\$115,353.00), PAYABLE FROM ACCOUNT NO. 44-814817; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

It was moved by Commissioner Holmes, seconded by Commissioner Miller to amend the agenda to include item 13-2.

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

Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Mayor Taylor	Yes

13-3: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PAY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) INVOICE IN THE AMOUNT OF FIVE THOUSAND TWO HUNDRED FIFTY-EIGHT DOLLARS AND EIGHTY NINE CENTS (\$5,258.89) FOR REIMBURSEMENT OF OVERPAYMENTS MADE IN RELATION TO HURRICANE KATRINA, PAYABLE FROM ACCOUNT NO. 45-541493; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

It was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to amend the agenda to include item 13-3.

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

Commissioner Holmes	Yes
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Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Mayor Taylor	Yes

13-4: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO SUPPORT THE US FOOD AND DRUG ADMINISTRATION IN ITS EFFORTS TO BAN CAFFEINE IN ALCOHOLIC BEVERAGES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

It was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to amend the agenda to include item 13-4.

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

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

13-5: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO RECOGNIZE SUNDAY, JANUARY 16, 2011 AS NATIONAL SANCTITY OF LIFE DAY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by R.T.*

It was moved by Commissioner Tydus, seconded by Vice Mayor Johnson to amend the agenda to include item 13-5.

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

Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Mayor Taylor	Yes

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

Vice Mayor Johnson pulled items 16-4, 16-9, 16-13, and 16-14; Commissioner Tydus pulled items 16-2, 16-3, 16-6 and 16-10 from the consent agenda (these items would be discussed separately under Agenda Item 12 - Action Items).

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

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

Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Mayor Taylor	Yes

**7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:**

Vice Mayor Johnson along with members of the City Commission presented an award and gift cards to several City of Opa-locka employees and the Parks & Recreation COOL kids for a job well done in redecorating the city's Christmas tree.

**8. APPROVAL OF MINUTES:**

**Regular Commission Meeting – 11/10/2010**

It was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to approve the minutes of the Regular Commission Meeting of November 10, 2010.

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

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

**9. DISTRICT ONE - COUNTY COMMISSIONER REPORT:**

Larry Gardner, Community Liaison to District 1 County Commissioner Barbara Jordan came forward and congratulated the Mayor, Vice Mayor and commissioners recently elected. With regards to Mayor Taylor's request to get assistance for the senior citizens, he said he would follow up with Corey Jones of CAA for that assistance.

Vice Mayor Johnson requested that Mr. Gardner follow up with Miami-Dade County Transit on the city's previous request for several buses to be utilized for the senior citizens. Also, she requested that Commissioner Jordan is made aware of the Homeless Awareness on December 9, 2010 at the corner of NW 27<sup>th</sup> Avenue and Ali-baba Avenue (Veteran's Way).

**10. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:**

**11. PUBLIC PRESENTATION:**

**1. South Florida Transit Authority  
re: upcoming bus circular in the City of Opa-locka**

Eric Zong of the South Florida Regional Transportation Authority came forward and gave a brief presentation on the local transit circulator project in the city.

Vice Mayor Johnson asked, is the Magnolia North area included as a part of the route? She also inquired about the date because the correspondence reflected January 2011 but she heard the representative make mention of February 2011.

Fernand Thony, Engineer for the City of Opa-locka Public Works Department came forward and stated that the correct date is February 2011. In addition, the consultant will speak about the route which is inclusive of the Magnolia North area.

Representatives from Kimley Horn & Associates came forward and rendered an overview of the City of Opa-locka Transit Circulator System which included the circulator study, public outreach, proposed route and funding.

Vice Mayor Johnson suggested that the route include the local grocery stores and senior facilities in the city.

**2. Leroy Jones, Executive Director  
Neighbors and Neighbors Association (NANA)  
re: Economic Development**

Brian Dennis of 4055 NW 17<sup>th</sup> Avenue, Miami, Florida, came forward on behalf of Mr. Jones and stated that Mr. Jones would make a presentation for a proposal to the city relating to working together with Neighbors and Neighbors Association on economic development.

He commended the city for the beautiful Christmas tree and the progress of the multi-purpose building.

He further congratulated the Mayor and Commissioners for being elected.

Mayor Taylor suggested that Mr. Dennis ask Mr. Jones if he could present his proposal to the City Manager prior to the January 12, 2011 commission meeting so that the Commission could have the opportunity to review it prior to.

**3. Alvin Burke  
re: Welfare of the city**

Alvin Burke of 540 Sharar Avenue, Opa-locka, Florida appeared before the City Commission and voiced his concerns relating to the city spending money on parties and the leasing of new vehicles for the City Commission.

**11a. CITIZENS' FORUM:**

1. Lisa Vega of 541 Dunad Avenue, Opa-locka, Florida came forward to express her concerns relating to her landlord disconnecting her water service to her apartment.

Mayor Taylor directed the City Manager to have staff speak with Mrs. Vega.

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

16-2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO MAKE A DONATION OF TWO THOUSAND DOLLARS (\$2,000.00) TO THE 2010 SPECIAL NEEDS TOY RUN SPONSORED BY THE BLACK GLOBAL BIKERS ASSOCIATION, INC., PAYABLE FROM ACCOUNT NO. 19-519493. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

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

Being a former participant in the Black Global Bikers Association, Inc. special needs toy run, Commissioner Tydus said her concern was that she did not see any Opa-locka children benefiting from the event. Since she had not attended in the past two years, she asked, is there an improvement in participation of Opa-locka children?

Vice Mayor Johnson stated that many of the children participating in the toy run attend special needs schools; however, she did see residents from Opa-locka with kids at the toy giveaway. She suggested that the city request that Black Global Biker's Association provide a statistic report to the Commission.

Mark Brown of Black Global Biker's Association, Inc. came forward and stated that the special needs toy run is for kids with special needs. Although he didn't have the statistics available at that time, he said that they have gone to the Marion Center, Dr. Robert B. Ingram Elementary School and other schools in Opa-locka as well as Miami-Dade County. He said Mrs. Beverly Washington could present the statistics at the next meeting.

Since the city is investing in the special needs toy run, Mayor Taylor said they must know that the children being serviced actually live in the city of Opa-locka.

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

Commissioner Tydus	No
Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Mayor Taylor	Yes

16-3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE EXPENDITURE OF SEVEN THOUSAND DOLLARS (\$7,000.00) FOR A "HOLIDAY IN THE PARK TOY GIVE-AWAY" TO BE HELD ON DECEMBER 18, 2010, TO GO TOWARDS THE 8<sup>TH</sup> ANNUAL "HOLIDAY IN THE PARK TOY GIVE-AWAY" EVENT, AND PAYABLE FROM ACCOUNT NUMBER 79-579402. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

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

Due to the fact that each commissioner is designated \$5,000.00 each budget year for special events, Commissioner Tydus asked the sponsor whether this event was her signature event for the year which included the \$5,000.00 or was the resolution asking for an additional \$7,000.00 in addition to the \$5,000.00?

Vice Mayor Johnson explained that she sponsors one yearly project and for the past 8 years it has been the toy drive of which is asking \$7,000.00 for.

Commissioner Tydus asked, is this resolution for an additional \$2,000.00 on top of the \$5,000.00 already allocated for each commissioner?

Vice Mayor Johnson replied, yes.

Commissioner Tydus asked whether the resolution was worded correctly since the Vice Mayor Johnson just stated that this resolution is for \$2,000.00 in addition to the \$5,000.00 that's been budgeted.

Vice Mayor Johnson said she was caught off guard when asked if she is asking for \$2,000.00 since the \$5,000.00 is budgeted for; however, she is asking for \$7,000.00. She said that no one up on the dais has ever said "this is your \$5,000.00 now you want \$2,000.00 more."

Attorney Geller advised that the resolution is legally sufficient; however, it's really a budget question.

Commissioner Tydus said that her question is not whether or not the resolution is legally sufficient, but the question she needs clarification and understanding on is relating to the \$5,000.00 budgeted every year for each commissioner.

She made reference to the 70's Costume Ball of which she takes months of working to raise the additional funding because all she has that the city gives is \$5,000.00. She asked whether the \$7,000.00 includes the \$5,000.00 each commissioner receives for events for the year?

Vice Mayor Johnson said that her previous answer was yes; however, this is no different than anyone bringing forth projects by resolution prior to today which have been approved. The Holiday in the Park is her signature event for 2010 and it has been every year since she's been on the Commission.

Commissioner Tydus reiterated that if this is for \$2,000.00 above the \$5,000.00 then the resolution does not state that and the resolution as it reads leads her to believe that this is an additional \$7,000.00 to the \$5,000.00.

Vice Mayor Johnson asked, did the Commission pass a resolution for the 70's Costume Ball?

Commissioner Tydus stated that the 70's Costume Ball was a budgeted item approved in the budget for \$5,000.00 and the rest of the money she had to raise.

Commissioner Holmes stated that he was aware of the fact that the city spent more than \$5,000.00 for the 70's Costume Ball. He encouraged the Commission to be reasonable with each other and give some thought to what they are saying in order to work together on these projects.

Commissioner Tydus stated that this was a budgetary situation but the resolution does not reflect that.

Attorney Geller stated that he was provided with the account number which is provided by the budget department and the account number is not research that he does.

Commissioner Tydus asked, is the resolution for \$7,000.00 or for \$2,000.00?

Attorney Geller said that the resolution is for an expenditure of \$7,000.00. The question really is what line item is the money coming from in the budget and that is not a question he can answer.

Commissioner Tydus reiterated that Vice Mayor Johnson has answered the question that it is for \$2,000.00 but the resolution reads \$7,000.00.

Mayor Taylor asked, what is the city's policy for the commissioners in having one signature project per year, and how much of the line item are they allotted?

Manager Patterson stated that in the current FY 2010-2011 budget there is \$5,000.00 for each.

Mayor Taylor stated that what Commissioner Tydus is asking is whether the \$7,000.00 is on top of the \$5,000.00 that's budgeted for. and if it is not, then the \$7,000.00 in the resolution should be \$2,000.00.

Attorney Geller understood that anytime there are expenditures, the expenditure has to identify the line item and he doesn't know what that line item is.

Mayor Taylor said that the concern was not the line item but the amount and if she is understanding Commissioner Tydus correctly, also the City Manager is saying each commissioner is allotted \$5,000.00 then Commissioner Tydus would like to understand from the sponsor if the \$7,000.00 on top of the \$5,000.00 or is the \$5,000.00 included in the \$7,000.00.

Commissioner Tydus said if the account number does not reflect whatever the line item for the \$5,000.00 is then that's another issue.

Commissioner Holmes suggested that the Commission pass the resolution for the \$7,000.00 then the city could decide what they want to do because Vice Mayor Johnson already stated that her \$5,000.00 for special events is a part of the \$7,000.00.

Commissioner Tydus asked what line item is associated with the account number reflected in the resolution.

Faye Douglas, Budget Administrator for the City of Opa-locka came forward and stated that the account number in the resolution is for Holiday in the Park; however, there is \$15,000.00 budgeted for any Christmas activities in addition to the \$5,000.00 that each commissioner gets.

Commissioner Tydus stated that this brings up another issue which she would address under her report in terms of activities sponsored by the City Commission. Although she was in favor of the Holiday in the Park event her issue is a budgetary one because she is in favor of the additional \$2,000.00; however, she is not in favor of an additional \$7,000.00.

According to the city's charter, Vice Mayor Johnson stated that the City Manager has the authority to spend up to \$5,000.00; however, she didn't go to the City Manager. The budget for Holiday in the Park was approved by this Commission. She said she was of the understanding that any money spent must be put on record and she is going on record to say that the \$5,000.00 allocated for Vice Mayor Dorothy Johnson is where the \$5,000.00 comes from. The city has not spent \$15,000.00 on the Christmas tree and all of the other events going on.

She continued by asking Faye Douglas what amount is budgeted for Special Events / City Manager as approved and adopted in the FY 2010 – 2011 budget?

Ms. Douglas stated that the total special events budget is \$55,000.00 of which \$15,000.00 is for activities dealing with Christmas; \$15,000.00 for activities dealing with Black History Month and \$25,000.00 which is for the Commission (\$5,000.00 each).

Commissioner Tydus reiterated what was just stated by Ms. Douglas that \$15,000.00 is for citywide city sponsored Christmas event which is separate and apart from Holiday in the Park Toy Giveaway because it is a Commission sponsored event. The monies Ms. Douglas made reference to is for all Christmas events of the city.

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

Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	No
Mayor Taylor	Yes

16-4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE PURCHASE OF NEW VEHICLES FOR THE MAYOR AND CITY COMMISSION, PAYABLE FROM ACCOUNT # 19-519648; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

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

Based on the supporting documentation as provided in the booklet, Vice Mayor Johnson asked if it was feasible to consider those vehicles needed at this time and leave the rest for a later date.

Manager Patterson stated that the age of the vehicles currently being driven by the Commission differs and several have passed their life expectancy. The city has a good deal and will get the trade in value of the old vehicles towards the purchase of the new ones. The city will not be impacted with the cost at one time because it would be paid over a four year period; therefore, it would not be a big shock to the city's financial situation.

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

Commissioner Holmes	Yes
Vice Mayor Johnson	No
Commissioner Tydus	Yes
Commissioner Miller	Yes
Mayor Taylor	No

16-6. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO HOLD A MARTIN LUTHER KING PARADE AND THE 1<sup>ST</sup> ANNUAL SALUTE TO GREATNESS DINNER AND SCHOLARSHIP AWARDS ON JANUARY 15, 2011, ALL PROCEEDS TO HONOR FIVE OPA-LOCKA HIGH SCHOOL SENIORS WITH GPA OF 3.5 AND HIGHER WITH \$1,500.00 SCHOLARSHIPS; AT A COST OF \$7,500.00, PAYABLE FROM ACCOUNT NUMBER 20-579403; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by G.M.*

The above resolution was read by title by Attorney Geller.

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

Commissioner Tydus reiterated her initial concern of each commissioner being allocated \$5,000.00 in the budget. She asked, what is the total cost for the event?

Commissioner Miller said that she didn't have the exact numbers because they are still working on the event.

Although Commissioner Tydus was in support of scholarships and the observance of Martin Luther King, Jr. parade or any other means, she expressed her concern with the total cost for the event because the scholarships alone would cost \$7,500.00. The dinner and parade would have additional expenses as well and that is why she wanted to know the total budget amount for this event.

Commissioner Miller advised that the city is selling tables for this event and the proceeds would go towards the scholarships.

Commissioner Tydus' main concern was the budget status report for the fiscal year ended September 30, 2010 which indicates that the city's general fund expenditures exceeded \$805,753.00. Therefore, the city must be very cautious about spending. She said this was not a personal issue and she doesn't want it to be interpreted as that because this is a budgetary issue. This would also give her clarification as to how much additional work she would need to or need not to put in fundraising for whatever events she sponsors. She stated that those events she sponsors takes months of her personal time of which she doesn't mind doing because it is her part of giving back. The way the city is conducting business is not equitable and most certainly isn't fiscally responsible.

She continued by asking for the total cost of the event? Should the resolution pass at \$7,500.00 then it is not doing the commissioner any justice because the total cost will be more than \$7,500.00 to put on this event and if it does then the commissioner and everybody else on the dais needs to begin, especially in this economy, to do outside fundraising.

Commissioner Holmes said it didn't matter how much more the event would cost because the resolution itself is only for \$7,500.00 and that is how much the city will spend on it.

Vice Mayor Johnson made mention of her organization's annual Martin Luther King, Jr. Gala which falls on the same Saturday (January 15, 2011); therefore, she would not be able to participate. She suggested doing a joint venture with the city so that all of the commissioners attend the event. In addition, it would prohibit going to the same sponsors for donations.

Due to the unavailability of the facility on January 15, 2011, Commissioner Miller said that the new date is January 14, 2011.

It was moved by Commissioner Miller, seconded by Vice Mayor Johnson to amend the resolution to change the date from January 15, 2011 to January 14, 2011.

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

Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Mayor Taylor	Yes

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

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

9. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK ON AN EXISTING CONTRACT BETWEEN THE CITY OF NORTH MIAMI AND LIMOUSINES OF SOUTH FLORIDA AND TO NEGOTIATE A PROFESSIONAL SERVICE AGREEMENT BETWEEN THE CITY OF OPA-LOCKA AND LIMOUSINES OF SOUTH FLORIDA, INC. FOR COMMUNITY TRANSIT SERVICES, TO OPERATE THE CITY CIRCULATOR, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND SEVEN HUNDRED FORTY-EIGHT DOLLARS (\$150,748.00), PAYABLE FROM ACCOUNT NUMBER 44-541810; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

Attorney Geller noted that the updated contract form is in the package with the add-on items.

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

In reviewing the supporting documentation provided with the resolution, Vice Mayor Johnson was of the opinion that items should go out for bid through the procurement process. She asked for an explanation as to why staff was recommending one company. She further asked, was this service sent out for bid and if so, then who are the other vendors?

Fernand Thony, Operations Manager for the City of Opa-locka came forward and informed the Commission that this item is a piggyback and did not go out for bid. While working on this project the city went out for partners because it could not afford to do it themselves. The SFRTA which runs the Tri-Rail came with an operator because of the existing contract with Limousines. In addition, the RFP process is time consuming and would have not matched the timing of having this system running by early next year. However, the city has looked at the North Miami system and the price the city is getting on the North route is substantially cheaper than what is actually being paid on the South route. The city is paying \$44.60 as oppose to \$55.00; therefore, the city is saving money by piggybacking on this contract.

He further stated that although he realizes there's a market, there are very strict criteria for firms who can provide this kind of services because transit is a county office. The Miami-Dade Transit will delegate authority to operate in addition to meeting certain strict criteria.

Vice Mayor Johnson suggested that all information relating to agenda items is put on record so that no assumptions could be made.

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

Commissioner Holmes	Yes
Commissioner Miller	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Mayor Taylor	Yes

16-10. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO NAME THE TOT-LOT PARK AND THE MULTI PURPOSE BUILDING AT SHERBONDY PARK AFTER THE HONORABLE FORMER MAYOR JOSEPH L. KELLEY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by G.M.*

The above resolution was read by title by Attorney Geller.

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

Being in support of the above resolution, Commissioner Tydus said she had a vague recollection that the Commission adopted legislation several years ago establishing guidelines for the designation of street naming, but she is not sure if that included public buildings and properties.

Attorney Geller stated that it was his understanding it was for street naming only.

Although he was in support of the resolution, Commissioner Holmes suggested that it be amended to name the Tot Lot in honor of former Commissioner Mary Allen and name the multi-purpose building at Sherbondy Park in honor of both former Mayor Joseph L. Kelley and former Commissioner Ollie B. Kelley.

Commissioner Miller agreed with the amendments as proposed by Commissioner Holmes.

Mayor Taylor said she had no problems with the Tot Lot; however, the Sherbondy Park building is not complete so she would like to see the naming revisited prior to the ribbon cutting because there are other parts to that building that could be named after other individuals.

Commissioner Miller disagreed with Mayor Taylor and said that she would like to move forward with the resolution in naming the building now.

Attorney Geller advised the Commission that parliamentary a motion was needed to split the two if there was no objection. The first thing to do is split it and move forth with Commissioner Holmes' motion to change the designation from the Tot Lot to name it in honor of the Honorable Mary E. Allen.

It was moved by Commissioner Holmes, seconded by Commissioner Miller to amend the resolution to change the designation of the Tot Lot in honor of the Honorable former commissioner Mary E. Allen.

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

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

It was moved by Commissioner Holmes, seconded by Commissioner Miller to pass the resolution naming the Tot Lot in honor of the Honorable Mary E. Allen.

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

Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Mayor Taylor	Yes

It was moved by Commissioner Holmes, seconded by Commissioner Miller to amend by adding the name the Honorable Ollie B. Kelley to the naming of the Multi-Purpose Building at Sherbondy Park after the Honorable Joseph L. Kelley.

Being in support of the resolution, Vice Mayor Johnson suggested that there be citizen input in the naming of the building. She suggested that the building keep the city's name and be named in honor of as oppose to naming the building.

Mayor Taylor agreed with Vice Mayor Johnson on this item in terms of having citizen input and naming the building "in honor of". She said there are different facets to the building which could be named after other individuals.

Vice Mayor Johnson suggested that the resolution is amended to name the building in honor of the Honorable Joseph L. Kelley and the Honorable Ollie B. Kelley.

Attorney Geller clarified that the vote to be taken is on the amendment to add Ollie B. Kelley and if the amendment passes then the Commission would still be in discussion on the item naming the Sherbondy Park Multi-purpose building.

Commissioner Tydus said that personally each individual should have their own because she wouldn't want to be included with someone else.

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

Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	No
Commissioner Tydus	No
Mayor Taylor	No

It was moved by Commissioner Holmes, seconded by Commissioner Miller to pass the original resolution naming the Sherbondy Park Multi-purpose Building after the Honorable former Mayor Joseph L. Kelley.

Vice Mayor Johnson suggested that the resolution is amended to read in honor of the Honorable Joseph L. Kelley and the Honorable Ollie B. Kelley. In addition, the city should have community input and the building should carry the city's name.

Commissioner Holmes stated that there is only one address to the building no matter how many sections the building may have.

Commissioner Tydus asked, would the sponsor consider changing the naming of the building to naming in honor of?

Commissioner Miller replied, no.

It was moved by Vice Mayor Johnson, seconded by Commissioner Tydus to amend the resolution to read as follows: A resolution of the City Commission of the City of Opa-locka, Florida, to name the multi-purpose building at Sherbondy Park in honor of the Honorable former mayor Joseph L. Kelley and the Honorable former commissioner Ollie B. Kelley.

Vice Mayor Johnson stated that the building would still carry the city's name but would be in honor of.

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

Commissioner Holmes	Yes
Commissioner Tydus	Yes
Vice Mayor Johnson	Yes
Commissioner Miller	Yes
Mayor Taylor	Yes

Attorney Geller advised that the final vote would be on the resolution as amended:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO NAME THE MULTI PURPOSE BUILDING AT SHERBONDY PARK IN HONOR OF THE HONORABLE FORMER MAYOR JOSEPH L. KELLEY AND THE HONORABLE FORMER COMMISSIONER OLLIE B. KELLEY.

It was moved by Commissioner Holmes, seconded by Vice Mayor Johnson to pass the resolution as read into the record by Attorney Geller.

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

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	No
Commissioner Holmes	Yes
Mayor Taylor	Yes

16-13. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUESTING APPROVAL TO ALLOW ADVANCED

PETROLEUM SYSTEMS INC. TO PERFORM EMERGENCY REPAIRS TO THE FUEL STATION IN THE AMOUNT OF ELEVEN THOUSAND THREE HUNDRED AND SIXTY ONE DOLLARS (\$11,361.00), PAYABLE FROM ACCOUNT NO. 25-252390; 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 Johnson, seconded by Commissioner Holmes to pass the above resolution.

Because this item was an emergency, Vice Mayor Johnson asked, does the city have three bidders used for emergency situations? She said she wanted everyone to have an opportunity for socio economics.

She further asked if this repair was completed last week because she was given a figure of \$6,500.00 and this resolution is for \$11,000.00.

Manager Patterson said that the work had not been completed as of yet.

Because she'd seen the word "emergency", Vice Mayor Johnson said that emergency to her means the work has to be completed right away. She suggested that the City Manager defer this item and go through the procurement process by obtaining three bids. In addition, she wants to see all bids received in this process.

Manager Patterson advised that this is an emergency item because someone ran into the tank and knocked it down. The city will get reimbursed for the cost of the emergency repairs through the insurance company.

Although the money is going to be recovered, Vice Mayor Johnson directed the City Manager to make sure the process is fair and transparent so that everyone has the opportunity to submit a bid.

Ezekiel Orji, Finance Director for the City of Opa-locka came forward and stated that the repairs have not been done and they are asking for authorization to go through the process of procurement to get the work done. However, the city must complete the repairs immediately because currently the city is getting gas from another vendor.

Vice Mayor Johnson understood what Dr. Orji stated; however, the resolution already includes a company name and dollar amount for the repairs.

She continued by saying that she wants to make sure all the information is included in the correspondence and that the process is followed.

She further asked, is this service going out for bid?

Manager Patterson stated that the city would go through the procurement process to secure it.

Attorney Geller advised that one of the exceptions to the procurement process is an actual emergency and his understanding was that this is an emergency. Therefore, the city is not required legally to go through the normal procurement steps. Sometimes emergencies come as ratifications but in this case the work has not been done. However, it doesn't prevent the city from getting other proposals.

Because the pumps at Public Works were out for over three weeks, Vice Mayor Johnson said that does not justify an emergency. In addition, she would like the city to utilize the vendor's list provided by the county.

Manager Patterson informed Vice Mayor Johnson that the city utilizes the county's list for many services and fuel is one of those services which is cheaper than the fuel currently purchased from Hialeah.

Commissioner Holmes stated that the City Manager has already indicated that someone ran into the pump, the insurance will reimburse the city for the repairs, and it costs more to purchase gas from another city making this an emergency. It is taking the Commission too much time on these items when all that is needed is a little understanding and being reasonable.

Vice Mayor Johnson stated to the City Manager that she didn't want him to be misled by what she stated because she is aware that the city should not have to go out to get inquiries; the city should have a listing. Secondly, the city must have a vending listing in place to utilize for situations as such. The City of Opa-locka has not utilized the vending listing provided by the county for this particular item.

There being no further discussion, the motion passed by a 3-1 vote.

Commissioner Miller	Yes
Vice Mayor Johnson	No
Commissioner Tydus	Yes
Commissioner Holmes	Out of Room
Mayor Taylor	Yes

16-14. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUESTING APPROVAL TO RATIFY ACTIONS TAKEN BY THE CITY MANAGER TO EXPEND FUNDS IN AN AMOUNT NOT TO EXCEED ELEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$11,700.00) TO GREENSOURCE LANDSCAPE & SPORTS TURF INC. FOR SOD AND IRRIGATION INSTALLATION AS A PART OF THE SAFE NEIGHBORHOOD BOND GRANT PROGRAM SHERBONDY PARK RENOVATIONS; 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 Johnson, seconded by Commissioner Tydus to pass the above resolution.

Vice Mayor Johnson asked, did the city go through the procurement bidding process for this item? She continued by saying that if this item did go out for bid then copies of all bids would be included in the package. The city must have all services go out for bid because it is a perception that only people affiliated with the City of Opa-locka are called to do the work.

Mayor Taylor stated that the resolution is for ratification so the work has already been done.

Commissioner Tydus asked, wasn't Greensource already doing work for the city?

Manager Patterson replied, yes.

Commissioner Tydus asked, so was this more or less a change order?

Manager Patterson replied, that is correct.

Mayor Taylor stated to the City Manager that part of the city's mission is to be transparent. From this point forward, she requested that all pertinent information is included as a part of the resolutions.

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

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Kelley	Yes

### 13. NEW ITEMS:

13-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUESTING AUTHORIZATION TO APPROVE PAYMENT TO SOFTWARE HOUSE INTERNATIONAL (SHI) FOR ONEYEAR OF MICROSOFT ENTERPRISE LICENSING, APPLICABLE TO MICROSOFT OFFICE, DESKTOP AND SERVER OPERATING SYSTEM, EXCHANGE AND SQL SERVER AT A COST OF SEVENTEEN THOUSAND SIX HUNDRED AND SEVENTY-SEVEN DOLLARS AND EIGHTY TWO CENTS (\$17,677.82), PAYABLE FROM ACCOUNT NO. 14-512528; 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 Johnson, seconded by Commissioner Holmes to pass the above resolution.

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

Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Out of room
Mayor Taylor	Yes

13-2: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH HORIZON CONTRACTORS INC., TO PERFORM ADDITIONAL WORK ON THE DESIGN / BUILD OF ALI-BABA AVENUE ROADWAY IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTEEN THOUSAND THREE HUNDRED FIFTY THREE DOLLARS (\$115,353.00), PAYABLE FROM ACCOUNT NO. 44-814817; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above resolution was read by title by Attorney Geller.

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

Vice Mayor Johnson asked, is this item for a change order?

Manager Patterson explained that this item went out for bid several times. In the city's reduction of the distance for this project, all the grant money was not utilized so the city has asked that the company perform additional work to use up the remaining grant money.

Vice Mayor Johnson requested that the information as stated by the City Manager be included in the package as well.

Commissioner Holmes suggested that the city utilize the new name of those streets that have been renamed because Ali-baba Avenue was designated as Veterans Way.

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

Commissioner Miller	Yes
Commissioner Holmes	Yes

Vice Mayor Johnson	Yes
Commissioner Tydus	Out of room
Mayor Taylor	Yes

13-3: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PAY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) INVOICE IN THE AMOUNT OF FIVE THOUSAND TWO HUNDRED FIFTY-EIGHT DOLLARS AND EIGHTY NINE CENTS (\$5,258.89) FOR REIMBURSEMENT OF OVERPAYMENTS MADE IN RELATION TO HURRICANE KATRINA, PAYABLE FROM ACCOUNT NO. 45-541493; 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 Johnson, seconded by Commissioner Holmes to pass the above resolution.

Mayor Taylor asked for an explanation on the above resolution.

Manager Patterson stated that FEMA overpaid the city and they have sent an invoice for reimbursement.

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

Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Mayor Taylor	Yes

13-4: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO SUPPORT THE US FOOD AND DRUG ADMINISTRATION IN ITS EFFORTS TO BAN CAFFEINE IN ALCOHOLIC BEVERAGES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

The above resolution was read by title by Attorney Geller.

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

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

Vice Mayor Johnson	Yes
Commissioner Tydus	Yes

Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes

13-5: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO RECOGNIZE SUNDAY, JANUARY 16, 2011 AS NATIONAL SANCTITY OF LIFE DAY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by R.T.*

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Tydus, (Mayor Taylor relinquished the gavel to Vice Mayor Johnson) seconded by Mayor Taylor to pass the above resolution.

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

Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Mayor Taylor	Yes
Vice Mayor Johnson	Yes

Vice Mayor Taylor returned the gavel to Mayor Taylor.

**14. PLANNING & ZONING:**

- A. HEARINGS:
- B. APPEALS:

**15. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:**

- A. FIRST READING:
- B. SECOND READING/PUBLIC HEARING:

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 10-21 TO CREATE SECTION III FOR A BAN ON WEARING SAGGY PANTS APPAREL IN PUBLIC PLACES WITHIN THE CITY OF OPA-LOCKA AND TO PROVIDE PENALTIES THEREFORE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (first reading held on October 27, 2010). *Sponsored by T.H.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing.

Brian Dennis, Executive Director – Brothers of the Same Mind of 4055 NW 17<sup>th</sup> Avenue, Miami, Florida, appeared before the City Commission and spoke in support of the above ordinance.

Mrs. Deborah Wing, 16001 Collins Avenue, Trump Tower One, Sunny Isles Beach, Florida came forward and stated that although it was wrong for kids to wear saggy pants, she didn't agree with criminalizing them and imposing a fine on the parents. She suggested that the city find a way to educate the youth and not criminalize them by giving the police officers another reason to through young black males against the wall.

David Singleton of 601 NW 7<sup>th</sup> Avenue, Miami, Florida, came forward and commended the City Commission for the ordinance by setting a standard for young men.

Prince William Wing appeared before the City Commission and expressed his concerns in opposition to the ordinance.

There being no further persons to speak on the public hearing, the public hearing was closed.

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

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

Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Commissioner Tydus	Yes
Commissioner Miller	Yes
Mayor Taylor	Yes

**C. RESOLUTION/PUBLIC HEARING:**

**16. ADMINISTRATION:**

**CONSENT AGENDA:**

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUIRING ALL INTERESTED APPLICANTS WHO SEEK TO SERVE ON CITY BOARDS AND/OR COMMITTEES TO COMPLETE AN APPLICATION FOR THE DESIRED POST SOUGHT; PROVIDING FOR RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO RENEW THE SECOND YEAR OF THE TWO-YEAR AGREEMENT WITH EMERGENCY COMMUNICATIONS NETWORK, INC. FOR CODERED HIGH SPEED TELEPHONE COMMUNITY NOTIFICATION SERVICES FOR THE AMOUNT OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS (\$13,500.00), PAYABLE FROM ACCOUNT # 14-512528; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

7. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AN AGREEMENT TO ENGAGE HARVEY, COVINGTON & THOMAS, OF SOUTH FLORIDA, LLC., AS AUDITORS FOR THE CITY OF OPA-LOCKA AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

8. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION SOUTH FLORIDA EAST COAST CORRIDOR STUDY FOR THE TRANSIT SERVICE BETWEEN MIAMI AND JUPITER, TO ENHANCE MOBILITY IN THE SOUTHEAST FLORIDA REGION, ENDORSING REGIONAL RAIL AS THE BASIS FOR A LOCALLY PREFERRED ALTERNATIVE AND ACKNOWLEDGING POTENTIAL STATION LOCATIONS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE AGENCIES AS STATED HEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by D.J.*

11. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT A MIAMI-DADE COUNTY GRANT IN THE AMOUNT OF TWENTY THOUSAND EIGHT HUNDRED AND TWENTY-FIVE DOLLARS (\$20,825.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

12. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT THREE (3) APPLICATIONS TO MIAMI-DADE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE FY2011 NON-HOUSING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IN THE AMOUNT OF FIVE MILLION DOLLARS (\$5,000,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above consent agenda resolutions were read by title by Attorney Geller.

It was moved by Commissioner Holmes, seconded by Commissioner Tydus to pass the consent agenda resolutions.

The motion passed by a 4-0 vote.

Commissioner Tydus	Yes
Commissioner Miller	Yes
Commissioner Holmes	Yes
Vice Mayor Johnson	Out of room
Mayor Taylor	Yes

Commissioner Tydus left the meeting.

**A. CITY MANAGER'S REPORT:**

As per the directive given, Manager Patterson reported that he had come up with several dates for a Commission retreat on building better working relations in addition to leadership and management. He said he would provide the Commission with a copy of the correspondence from the facilitator conducting the retreat. The available dates of January 27 & 28, 2011 and February 3 & 4, 2011.

He continued by reporting that the city was awarded \$2,000,000.00 from Miami-Dade County Commissioner Barbara Jordan to refurbish Historic City Hall.

He provided an update on Segal Park / Helen L. Miller Center and said that the city is working with the county to receive dollars. Hopefully by the end of December, he would have a design and what it would take to raise the building and secure it to prevent sinking. He would be coming back to the Commission with authorization to put out an RFP to get started on the building.

He further informed the Commission that he would utilize several days of annual leave starting December 9 – 13, 2010.

Commissioner Miller requested that the same city staff that worked on Segal Park also work on the Helen L. Miller Center. In addition, she directed the City Manager provide updates every two weeks.

She further expressed her concerns relating to the lack of communication on vital issues that affect the community at large. She made reference to a shooting recently occurred at Sherbondy Park and having to hear about the incident from a co-worker in Liberty City. Another concern was that she received a telephone call about the water being turned off for several hours but she received complaints from residents at 11:30 p.m. about their water still not being on. She requested that the communication to the Commission is improved.

Manager Patterson agreed with Commissioner Miller because he too had received telephone calls about the water being turned off. The city did utilize the CodeRed telephone notification system to notify residents and the workers were trying to cut the

water off in sections but because the pipes were old they had to cut the whole city off. Although that occurred, nobody came back to say that the problem was bigger than expected and that the water would be off for additional hours.

Commissioner Miller suggested that the City Manager improve the communication to the Commission because she wants to be able to have an answer for the residents. In addition, while he was away, she tried contacting Dr. Orji and Mr. Abia on their cellular phones but neither of those individuals answered their phone.

Commissioner Holmes asked for an update on the PBA contract.

Attorney Geller stated that a conference call is scheduled for December 9, 2010 which would hopefully resolve the final agreement.

Commissioner Holmes asked, has the attorney for the PBA reviewed the agreement?

Attorney Geller replied, yes. He said that there is a very slight difference they will settle one way or another during the scheduled conference call.

Commissioner Holmes stated that the police officers were asking about a pay increase for the first year of the contract. After speaking to the City Manager he is aware that there won't be a pay increase for the officers because they already received a 3%. However, the city is trying to bring up the starting salary for police officers in the city.

Attorney Geller stated that he would have the PBA agreement at the next commission meeting.

Commissioner Holmes directed the City Manager to inform him as to when the police department would receive the 2011 vehicles.

Also, he suggested that the City Manager look into the concern from the Code Enforcement Department as it relates to the allotment for clothing being held. He directed the City Manager to make sure those employees entitled to the clothing allotment are receiving it.

He further voiced his concerns about the recent shootings in the city, more specifically the one that occurred on NW 22<sup>nd</sup> Avenue when a Hip Hop recording was allegedly taking place. He directed the City Attorney to bring back a resolution requiring a permit application be completed and approved for parties and/or gatherings in the city. In addition, no hip hop parties should be taking place in the city.

With regards to the Saggy Pants Ordinance adopted, he directed the City Attorney to bring back a resolution or ordinance for direction to the department heads on implementing and enforcing it.

As it relates to changes in the schedule for bulk trash pick-up, Vice Mayor Johnson suggested that the city utilize CodeRed and the city's website to broadcast those changes.

She requested that the Human Resources Department provide her with a sample employee evaluation performance.

She continued by saying that several months back she asked that the city come up with a "How to Do Business with the city" but she hasn't seen any plan come back to the Commission for approval. She requested that the City Manager provide both the How to Do Business and Welcome Kit at the January 26, 2011 meeting. In addition, she requested that the City Manager meet with the Commission individually on these items for their suggestions and/or concerns.

She further directed the City Manager to provide the entire Commission with a copy of all correspondence provided to any commissioner.

Vice Mayor Johnson stated that she received the correspondence relating to Porter's Locksmith and it is sad that the business owner was told to secure their property so that the vehicles don't drive through. She suggested that the city make a left lane on E Superior Street so that the property is not damaged. She directed that the City Manager go to the county for correction of E Superior Street / NW 137<sup>th</sup> Street.

She commended staff for the holiday signage and hopefully next year they can extend it to the other side.

She informed the City Manager not to pay anyone for decorating the city's Christmas tree because she would have COOL Kids complete that task next year.

She further commended the Finance Director for the distinguished budget awards and for a job well done.

Vice Mayor Johnson directed the City Attorney to make sure the city is covered in its responsibility relating to Villa Francine because of some recent complaints to Miami-Dade County.

She directed the City Manager to address the lighting on NW 22<sup>nd</sup> Avenue and possibly consider portable lights due to the increased crime.

She further stated to the City Clerk, City Attorney and City Manager that they are on call 24/7 and their cellular phones should never be off. Should they be in a position that they can't answer the phone then they need to check their messages.

Commissioner Miller indicated that two weeks ago she informed the City Manager about the lighting on NW 22<sup>nd</sup> Avenue and he indicated that FPL should be having those lights on.

Manager Patterson said that FPL is replacing some of the lights.

Commissioner Miller said that FPL should have at least kept some of the lights on until they finished.

Manager Patterson agreed and said that he would talk to FPL.

Mayor Taylor informed the City Manager and Commission that she received a letter from Harvey Ruvin, Miami-Dade County Clerk of Courts with a check for \$12,000.00 due to the city for fines and forfeitures.

She expressed her contentment with the city being awarded \$2,000,000.00 out of the General Obligation Bond Historical Prevention through the efforts of Miami-Dade County Commissioner Barbara Jordan to rehabilitate Historic City Hall.

As per her directive at the last commission meeting, she asked, were all of the city department directors present at the meeting?

Manager Patterson replied, yes.

Mayor Taylor expressed the importance of having all city department directors present at the meeting.

As it relates to the breakdown in communication, she directed the City Manager to tighten up on the communication in 2011 by designating who needs to call who, when and for what. She said that there are three words she doesn't like to say in the public and that's "I don't know". She too received a telephone call from someone else about the shooting in the City of Opa-locka. As far as the water main break is concerned, the city found out about and if the time was extended then in addition to CodeRed the information should be on Channel 77. Perhaps in emergency situations certain staff should not go home because it is important to get information to the citizens.

She further thanked all those responsible for the Villa Francine project in the completion of that phase. Of concern to her was a metal gate at Villa Francine that must remain closed and there should be "no trespassing" sign on it because of the danger to the general public.

Mayor Taylor asked, who is in charge of the circular system?

Manager Patterson replied, the Public Works Department.

Mayor Taylor thanked staff for the holiday signs; however, she noticed that Santa's Enchanted Forest signs are only in the City of Miami Gardens. If Santa's Enchanted Forest is responsible for putting those signs up and not the city then she would like to have those signs in Opa-locka as well.

She thanked all departments for their work in 2010 and said that the city will tighten up on everything the Commission requested. The goal and projection is to be timely, transparent and targeted. The City of Opa-locka will be a 5 star city and Dr. Orji will not be the only one in the city receiving awards. All departments have an opportunity to receive certificates and she wants those to start coming in.

She continued by saying that she wants the rumor mill in Opa-locka to come down to a minimal because there is more rumors running around then there is care for economic development. The rumors started with the turkeys but someone else bought those turkeys. She said her interest was not turkeys but Stop the Violence; however, she will support her commissioners in their projects. It was also mentioned that the Mayor wanted a car but the Mayor doesn't want or need a car.

She further stated that she doesn't ever want the people of Opa-locka to think the Commission is up there for the goodies but that's not why they are there. As policy makers, the Commission is there to make sure the city runs well. In 2011 the city will be a five star city and everybody will know Opa-locka.

Commissioner Miller left the meeting at 9:58 p.m.

#### **B. ACCOUNTS PAYABLE:**

Ezekiel Orji of the City of Opa-locka Finance Department came forward and stated that all the finance reports have been included in the package. The City of Opa-locka reserve is \$565,000.00.

He continued by saying that he had a meeting with the city financial advisor First Southwest to begin the refunding of the 1994 bond and the numbers are looking good for the city. The City Manager will be coming back to the Commission for an RFP for bond refinancing.

Of concern to Vice Mayor Johnson was the shortfall listed in the booklet under the Budget Status Report and although Dr. Orji would need more time to come up with the figures she would like to have the findings by the second meeting in January. She suggested a workshop to discuss the findings, if necessary.

Mayor Taylor stated that she didn't like the highlights in the Budget Status Report and although this information is before taxes she suggested that Dr. Orji inform the Commission should a workshop be needed to go over the information. She suggested that this be addressed in advance.

#### **17. OFFICIAL BOARD REPORTS:**

#### **18. CITY ATTORNEY'S REPORT:**

Attorney Geller reported that the city is doing fine and he would be happy to take any questions either on the dais or off the dais.

**19. CITY CLERK'S REPORT:**

Clerk Irby reported that she would hopefully have the Census Report back by the second meeting in January 2011.

**20. MAYOR/COMMISSION REPORT:**

Commissioner Holmes announced that his holiday giveaway would be held on December 23, 2010.

With regards to the Mayor's comment about her name being mentioned for the turkeys, he said that he received an email indicating that the Mayor would be distributing turkeys to the NW 22<sup>nd</sup> Avenue Apartments at Ingram Park.

He mentioned that all members of the Commission have the same power and not one person has more power than another.

Vice Mayor Johnson reported her participation in the Charette for the planning of the Vision 20/20. The Opa-locka CDC was awarded \$20,000,000.00 of which \$10,000,000.00 would be utilized for the revitalization of the City of Opa-locka and North Dade areas.

In the booklet she noticed that the city would consult with Terry Parker of Miami-Dade County for the Historic Preservation for the state which is very crucial to receiving grant dollars for Historic City Hall. She stated to the City Manager that she had requested that the former offices of the City Clerk and City Commission at Historic City Hall is maintained and secured but she heard that nothing had been done.

She further announced the Holiday in the Park event on December 18, 2010 at 2:00 p.m. at Ingram Park. In addition, on December 9, 2010, the city is participating with the Homeless Awareness Trust stationed on Veterans Way and NW 27 Avenue from 4:30 p.m. – 6:00 p.m.

Mayor Taylor stated to Commissioner Holmes that the email was misinterpreted because the email was only sent out to invite the Commission to the Stop the Violence event. The turkey part was not a part of the Mayor but a part of someone else wanting to help a particular group of people because of the shooting on NW 22<sup>nd</sup> Avenue. The email was misinterpreted because the Mayor had no turkey involvement whatsoever. This was another rumor mill that came through which will stop because the city will start operating on truth and integrity.

Secondly she said that she was aware that the Commission members had one vote but the responsibility is not the same. The responsibility for the Mayor as the official face of this

city is not the same as the Commission. As a matter of fact, as truth be told the Mayor has the ability, has the authority to call martial law in this city. She asked Attorney Geller, is that correct?

Attorney Geller replied, in an emergency, yes.

Mayor Taylor stated that only the Mayor can call martial law in this city. So yes, the Commission members all have one vote but her responsibility is greater. She thanked the Commission for their cooperation and what they have done in the past and the City of Opa-locka will even be greater in the future.

**21. OFFICIAL BOARD APPOINTMENTS:**

It was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to re-appoint Deborah Hankerson and Ollie B. Kelley to the Community Relation, Recreation and Activities Advisory Board.

There being no discussion, the motion passed by a 3-0 vote.

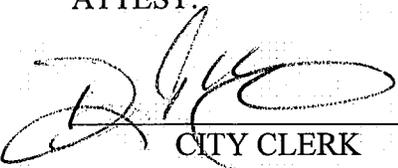
Commissioner Tydus	Not present
Commissioner Miller	Not present
Commissioner Holmes	Yes
Vice Mayor Johnson	Yes
Mayor Kelley	Yes

**22. ADJOURNMENT:**

There being no further business to come before the City Commissioner, it was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to adjourn the meeting at 10:08 p.m.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK