

**CITY OF OPA-LOCKA**

**“The Great City”**

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**CLERK’S ACTION SUMMARY MINUTES**

**REGULAR COMMISSION MEETING**

**January 12, 2011**

**7:00 P.M.**

**City Commission Chambers**

**777 Sharazad Boulevard**

**Opa-locka, FL 33054**

**1. CALL TO ORDER:**

Mayor Myra L. Taylor called the meeting to order at 7:00 p.m. on Wednesday, January 12, 2011 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 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 Commissioner Rose Tydus.

**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):~~**

Vice Mayor Johnson pulled item 16-7 from the consent agenda; this item would be discussed separately under Agenda Item 12 – Action Items.

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

13-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO REINSTALL THE SECURITY GATE / METAL DETECTOR AT THE HISTORIC CITY HALL OUTSIDE OF THE COMMISSION CHAMBERS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

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, TO CONDEMN THE SHOOTING RAMPAGE IN ARIZONA WHICH LEFT SIX (6) PEOPLE DEAD AND FOURTEEN (14) WOUNDED, TO MOURN FOR THOSE WHO DIED, AND EXPRESS SYMPATHY AND SUPPORT FOR THE FAMILIES OF THOSE WHO LOST THEIR LIVES AND THOSE WHO WERE INJURED; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

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

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

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

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.

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

## 7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Mayor Myra L. Taylor along with the City Commission presented an award on behalf of the Government Finance Officers Association to the City of Opa-locka Finance Department for excellence in financial reporting for the fiscal year ending September 30, 2009.

Commissioner Miller presented an award to the City of Opa-locka on behalf of the Miami-Dade County League of Cities for perfect attendance at the board meetings.

Mayor Taylor acknowledged Councilwoman Barbara Watson of the City of Miami Gardens.

Councilwoman Barbara Watson, City of Miami Gardens came forward and briefly encouraged the residents of Opa-locka to support her endeavor in running for the House of Representatives, District 103 at the election scheduled for February 8, 2011.

**8. APPROVAL OF MINUTES:**

**Regular Commission Meeting – 12/08/2010**

It was moved by Commissioner Johnson, seconded by Commissioner Holmes to approve the minutes of the Regular Commission Meeting of December 08, 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 came forward on behalf of County Commissioner Barbara Jordan, District 1, and provided details for the Mom and Pop grants available to District 1 business owners.

Vice Mayor Johnson requested that Mr. Gardner relay information to Commissioner Jordan that as a board member of the Community Action Agency she asked to be provided with a list of projects sponsored by the Community Action Agency broken down by district. ~~Secondly, she thanked Commissioner Jordan for her assistance with getting the lights repaired in Opa-locka. She stressed that if the lights were out in other communities like Miami Beach then they would have not been off as long as they were in Opa-locka.~~

Additionally, while traveling to Liberty City, she said she noticed the lights on NW 22<sup>nd</sup> Avenue were off.

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

Chief Patrick Mardese of Miami-Dade County Fire Rescue Department came forward and advised of the budget challenges and the shutting down of certain units which may have indirect effect in the Opa-locka area.

Mayor Taylor suggested that the City Manager assign a staff person to keep up with Miami-Dade County Fire Rescue's budget challenges to see how it would affect the City of Opa-locka.

#### **11. PUBLIC PRESENTATION:**

1. Alvin Burke of 540 Sharar Avenue, Opa-locka, Florida, appeared before the City Commission and voiced his concerns relating to the recent hires following the Opa-locka election with a total payroll of approximately \$400,000.00. Of concern was the fact that the city was hiring individuals with high salaries when the Opa-locka police officers do not have a fair salary compared to other police departments in Miami-Dade County. This will affect the quality of life for the citizens because the city would have to lay off employees during this year.

He continued by saying the city has rehired several former employees; one who sued the city and was paid \$35,000.00.

Mayor Taylor said she too had the same concerns as Mr. Burke. She requested that Mr. Burke stay for the City Manager's report which would clear up the concern.

#### **11a. CITIZENS' FORUM:**

**(opportunity for discussion of any concerns – please limit to 3 minutes)**

1. Celeste Fitzpatrick of 2523 Opa-locka Boulevard, Apt. 241, Opa-locka, Florida, came forward and commended Vice Mayor Johnson for following up on the bus benches. In addition, she commended Chief Cason for getting the job done.

She further encouraged the city to look into having a gymnasium for the police officers.

Vice Mayor Johnson asked if there was anything in the PBA agreement for the health & wellness of police officers.

Attorney Geller explained that the PBA agreement to be presented to the Commission once ratified only changed the salaries. As soon as this agreement is done, the city has agreed to start negotiating the new agreement where other terms will be made, and he'll make sure health & wellness is addressed.

Vice Mayor Johnson suggested that the City Manager look at health & wellness for employees and add it in as a part of the employee incentive.

2. Eldred Redmen of 2766 NW 131, Street, Opa-locka, Florida appeared before the City Commission and stated that although the demolition had begun at Villa Francine, only two buildings were torn down and no one took the time to notify the homeowners as to why the other unfinished structure was not demolish. Previously, the homeowners had a meeting with the City Manager and other city officials relating to the demolishing of the unfinished structure, and at the meeting appeared another developer who claimed they had property at Villa Francine; but come to find out they didn't have property over there.

This alleged developer suggested that the unfinished structure left standing should be rebuilt or remodified in some shape, form or fashion. He urged the Commission to not allow another developer to come in with any back door deals because the homeowners at Villa Francine have been through enough and will not allow it.

3. Carla Berkowitz of Aventura, Florida, appeared before the City Commission and expressed her disappointment and opposition with the city's Saggy Pants Law.

4. Luvenia Spears of Opa-locka, Florida, came forward and requested that the city address the overgrown grass at the vacant home located at 2011 Rutland Street in addition to cleaning up the alley between Service Road and Rutland Street.

Mayor Taylor directed the City Manager to have the appropriate staff speak to Mrs. Spears.

5. Alvin Burke of 540 Sharar Avenue, Opa-locka, Florida, appeared before the City Commission and applauded the city for its Saggy Pants ordinance.

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

16-7. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR VENDING MACHINE SERVICES FOR THE CITY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

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

With the supporting documentation provided, Vice Mayor Johnson expressed her concern because it appears some sort of negotiation may have happened. The city could have not come up with a percentage unless they had already talked to a vendor under the negotiations. She asked, how did the city arrive to some of the figures reflected in the RFP document?

Manager Patterson stated that the city isn't receiving any monies from the current vending machines.

Dr. Ezekiel Orji, Finance Director and Assistant City Manager for the City of Opa-locka came forward and stated that there are currently two providers at the Public Works Department and Police Department; but none of the vendors have a contract with the city or is giving the city any money on the proceeds.

Vice Mayor Johnson asked, how can a vendor come on city premises and facilities, install a vending machine and the city not have an agreement?

Manager Patterson stated that this was a situation he inherited.

Mayor Taylor stated that vending machines generate revenue. She asked, where does the revenue go?

Dr. Orji explained that the vending machines have been on city property prior to his time with the city and they are now trying to clean this up because that is not the way to do business for the city. There is no money coming to the city because there's no commitment from anybody to give the city any money.

There being no further 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. NEW ITEMS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO REINSTALL THE SECURITY GATE / METAL DETECTOR AT THE HISTORIC CITY HALL OUTSIDE OF THE COMMISSION CHAMBERS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

The above resolution was read by title by Attorney Geller.

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

Vice Mayor Johnson stated that all cost related items should reflect the account number; however, she didn't see it in this resolution. Being in support of the resolution, she asked for the line item?

~~She further spoke about the security gate / metal detector being reinstalled which lead her to believe the city already has a security gate / metal detector.~~

Faye Douglas, Budget Administrator for the City of Opa-locka came forward and stated that the account number is 19-519461 (general government – repair & maintenance building and Equipment). She said she knew that there was a metal detector but she doesn't know if the city would have to purchase another one.

Commissioner Holmes suggested that the city utilize the old security gate if it is still working, if not, then the city should purchase one.

In 2002, Vice Mayor Johnson said she was told back then that the metal detector outside of the commission chambers was not working.

Ms. Douglas stated that the city would probably have to purchase a new security gate and depending on the price would determine whether the city would have to go through the bidding process.

Mayor Taylor asked the sponsor if this resolution was saying that the Commission wants the security gate back in and another resolution would come back to say how much it would cost.

Commissioner Holmes agreed.

There being no further 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

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO CONDEMN THE SHOOTING RAMPAGE IN ARIZONA WHICH LEFT SIX (6) PEOPLE DEAD AND FOURTEEN (14) WOUNDED, TO MOURN FOR THOSE WHO DIED, AND EXPRESS SYMPATHY AND SUPPORT FOR THE FAMILIES OF THOSE WHO LOST THEIR LIVES AND THOSE WHO WERE INJURED; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

The above resolution was read by title by Attorney Geller.

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

Mayor Taylor thanked Commissioner Holmes for this resolution and said that the entire Commission is sponsoring this resolution.

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

**14. PLANNING & ZONING:**

**A. HEARINGS:**

**B. APPEALS:**

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

**A. FIRST READING:**

**B. SECOND READING/PUBLIC HEARING:**

**C. RESOLUTION/PUBLIC HEARING:**

**16. ADMINISTRATION:**

**CONSENT AGENDA:**

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUIRING COMPLETION AND APPROVAL OF A PERMIT APPLICATION FOR PARTIES OR GATHERINGS IN THE CITY OF OPA-LOCKA ON CITY PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by T.H.*

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF OPA-LOCKA POLICE DEPARTMENT AND THE MIAMI-DADE POLICE DEPARTMENT (MDPD) AND PARTICIPATING LAW ENFORCEMENT AGENCY (PLEA) FOR PHOTO IMAGING SYSTEMS (PI) ACCESS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF OPA-LOCKA POLICE DEPARTMENT AND THE MIAMI-DADE COUNTY CLERK OF COURT'S OFFICE TO OVERSEE THE COLLECTION, THE DISBURSEMENT OF TRAFFIC VIOLATION REVENUES AND THE PROCESSING OF ALL TRAFFIC COURT RELATED DOCUMENTS FOR THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) AND THE CITY OF OPA-LOCKA POLICE DEPARTMENT FOR THE IMPLEMENTATION OF THE REGIONAL LAW ENFORCEMENT EXCHANGE SYSTEM (R-LEX); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO EXECUTE A RELEASE OF EASEMENT TO THE PROPERTY LOCATED ON NW 137<sup>TH</sup> STREET

AND NW 22<sup>ND</sup> AVENUE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

6. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE METROPOLITAN PLANNING ORGANIZATION UNDER THE MUNICIPAL GRANT PROGRAM FOR A ROAD CLASSIFICATION AND IMPROVEMENT STUDY IN AN AMOUNT UP TO ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), PROVIDING FOR A LOCAL MATCH OF THIRTY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500.00) FROM EXISTING CITY PTP FUNDS, PAYABLE FROM ACCOUNT NUMBER 47-541340; 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 Vice Mayor Johnson to pass the consent agenda resolutions.

The motion passed by a 5-0 vote.

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

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

As it related to Villa Francine, Manager Patterson stated that he was in touch with the Core of Engineers and they will be demolishing the unfinished structure on January 21 – 23, 2011. In response to the comment made by the homeowner reference a new developer, he said he didn't know who that developer was.

Howard Brown, Director of the Department of Community Development came forward and said that the city held a workshop pursuant to the direction from the City Commission to discuss the demolition of those abandoned buildings. At that workshop, a gentleman showed up who alleged he was a property owner who recently purchased a unit in that Villa Francine development. Mr. Redmen later learned that the gentleman didn't own the building.

Vice Mayor Johnson stated that it was mentioned Villa Francine owners didn't want any under the table deal. Being aware that people sometimes come out and throw things out, she asked, did the city start to negotiate with this gentleman?

Mr. Brown stated that the workshop was for informational purpose and he believes Mr. Redmen was talking about the gentleman asking the city if there was anyway to delay the project so that he could try to obtain title to the properties in order to finish the unfinished

building and he told the gentlemen that the city would not wait because those buildings were going to be demolished.

Vice Mayor Johnson stated that when issues as such come up it is critical for the City Manager to make a report or some sort of notation to the Commission in order to be in a better position to address.

Mayor Taylor directed the City Manager to do what the city has to do in terms of Villa Francine and then get out.

Manager Patterson reported to the Commission that only one of the vehicles that were ordered for the City Commission was delivered; the SUV for Commissioner Holmes would be delivered in February and the other three vehicles are scheduled to arrive during the third week in January. In addition, the city is purchasing five police vehicles scheduled to arrive by February 1, 2011.

As it relates to the flooding on NW 141<sup>st</sup> Street and NW 143<sup>rd</sup> Street, he said he instructed staff to put that on the fast track to get it resolved as soon as possible.

He continued by reporting that the street lighting project has started and he would get with the FPL representative to get a copy of the grid by sections in order to inform the Commission as well as the community.

He further stated that former Mayor Kelley served on the MPO and now that seat is vacant and open to any member of the City Commission because it has to be an elected official.

Mayor Taylor asked the members of the Commission if they would be interested in serving on the MPO. Commissioner Tydus agreed to serve on the MPO.

Mayor Taylor stated that the city's goal is to be on every board because no longer will the city allow others to dictate what they would like to do with us.

Manager Patterson reported that the bus circulator, both north and south routes would take place on February 15, 2011.

He continued by introducing the city's new employees: Ed Brown, Assistant City Manager who would be working on the CRA, Fritz Armand, Public Works Director, Lorenzo Laidler, Parks & Recreation Director, David Chiverton, Assistant to the City Manager, and Larry Riley, Internal Affairs Captain.

Vice Mayor Johnson stated that at the last meeting she mentioned including the senior facilities in the city as a part of the route for the bus circulator; however, no one has come back with that information.

Because the City Manager had not got back with her, she said she was still concerned with the Parks & Recreation staff and how they were dealing with the children. In

addition, she is concerned about the opening of the parks and the profane language being used by park staff.

She further stated that she recently found out that the City of Miami Gardens has a contract with LuLu's Car Wash for their vehicles and at that time it was mentioned to her that the City of Opa-locka has some sort of Car Wash contract; however, she doesn't recall voting on anything like that. She directed the City Attorney to bring back correspondence on this matter because she is under the assumption that all agreements are to come to the city and she needs this cleared up.

Vice Mayor Johnson expressed the importance of having citizen input in terms of the activities scheduled as a part of the Seniors on the Move program.

She voiced her frustration as it relates to the buses the city lost from the county after she did the legwork because they do need to have more seniors involved in the program.

She further directed the City Manager to make sure Code Enforcement is addressing all the signage throughout the city on the right of ways, poles, etc. The city must do a better job when talking about branding and imaging and that should be a priority.

Vice Mayor Johnson reiterated that the schedule for the bus circulator must include the senior facilities and she wants to make sure the information gets out so that everyone is aware of it.

She expressed her disappointment in terms of hearing from individuals that someone from the city gave them \$20.00 to unplug the Christmas Tree. For the record, no one from the city worked in the rain because everyone who came out worked in the rain. She thanked everyone who helped out with the Holiday In The Park Toy Drive. In addition, she received telephone calls from residents who received calls from the city telling them to come out to the toy drive although they were not registered. However, they were able to serve everyone because the Black Global Bikers Association brought extra toys and those toys that were left over were given to Commissioner Holmes for his Holiday Giveaway. As it relates to the \$75.00 gift certificate donated as a part of the Holiday Giveaway, it was given out during the holiday celebration.

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Commissioner Tydus asked for an update on the Sherbondy Village project.

Both Mayor Taylor and Manager Patterson informed Commissioner Tydus that Henry Crespo of CBHC was on the agenda under public presentation, however, he deferred his presentation to the January 26, 2011 commission meeting. Manager Patterson stated that Mr. Crespo will be making a 3D presentation to see what the building will look like once complete.

Commissioner Tydus asked, are there any challenges and is the contractor meeting timelines with that project?

Manager Patterson said that the contractor is meeting everything that they are supposed to.

After hearing a citizen mentioned that over \$400,000.00 is being spent on new staff, Commissioner Tydus requested that the City Manager provide the Commission with a report on what the budget is in order to address that concern. She said she received several calls before the commission meeting about this hiring which she has no problem with; however, she didn't feel that she should hear that information from the streets and not being able to intelligently respond. In the future, she requested that the City Manager send the Commission a memorandum on what he is doing prior to because it's been at least 1 ½ weeks that she was asked about this matter and she couldn't respond.

Manager Patterson agreed to provide the Commission with a report containing all of the details.

Commissioner Tydus thanked the Public Works Department for the speed bumps on Perviz Avenue and hoped that they would keep up with the speed bumps.

She requested that the City Manager address the reoccurring derelict and homeless problem at the Criss Cross Motel which is an eyesore for the city.

Commissioner Holmes expressed his concerns relating to the new staff people hired. He asked, where is the money for the new hires? In adopting the budget last year, the City Manager indicated that the city didn't have any money to give the employees a raise and the city had to maintain what they had to prevent from laying off anybody. The city can't even bring up the police department salaries to \$40,000.00 because the City Manager stated that the city didn't have any money; but in the past 2 weeks, the City Manager hired four individuals making over \$400,000.00. He asked, where is that money in the budget coming from?

Manager Patterson explained that some of the monies are budgeted and some of the monies would be coming from positions not filled that would yield enough money to pay for the other positions. The city does have a tight budget but he was given instructions by this Commission not to lay off anybody and he mentioned if the city continues to go downward in terms of the revenue then they would have to revisit this next year. The city is at the end of the quarter and the Commission will be receiving a report as to where they think they would be. He also previously pointed out that he didn't want to wait until the end of the fiscal year when the next budget is presented to discuss laying off people. If he has to cut some people then he would prefer to do so having the information in advance.

Commissioner Holmes said he was well aware of what was indicated during the budget last year. The Commission even stopped employees' car allowances and took some cellular phones back and then the City Manager turns around and gives the new hires car allowances, some of which are making almost \$100,000.00 per year with 96 days sick and annual leave.

He continued by saying that he is concerned about rehiring individuals who previously worked for the city. The City Manager mentioned doing a background and he should have found out that one of the employees rehired previously sued the city during the time when the city was in financial recovery.

He further stated that his colleagues are in on the hiring because no one has said anything about the budget and this came after the election when promises were being made to individuals. They are going to break the city to fulfill promises made after the November 2, 2010 election. He said he would not go along with this, but there is not much he can do because he is only one person. However, he will voice his concern so that everyone knows how he feels. It is not right that these individuals can come into the city making the maximum amount of money and the city has employees who are struggling trying to make it on their little paychecks. Although he realized that the city needs people in other departments, he encouraged the City Manager to be fair.

Commissioner Holmes said that there is illegal dumping taking place in the city and Code Enforcement officers were pulled from working on weekends because the city doesn't have money to pay those code enforcement officers; but the city has money to hire all these new people. He requested that the City Manager provide the Code Enforcement officers with radios in case of emergencies. Perhaps Code Enforcement could utilize the old police radios.

He asked for an update on the information previously provided to the City Manager relating to an employee in a city vehicle running into the back of another vehicle.

Faye Douglas, Budget Administrator of the City of Opa-locka came forward and stated that the information was forwarded to the Florida League of Cities claims department and they are suppose to respond as to how long this process would take. As soon as that information is received, she would let the individual know how long the process would take.

Commissioner Holmes said he would like to know something before the end of the week to let the individual know what steps are being taken.

Ms. Douglas said she would get with Commissioner Holmes the following day.

Commissioner Holmes recalled reading in the packet provided to the Commission by the City Manager about an \$800,000.00 budget shortfall. He asked, if the city has a shortfall, how could it hire these individuals for over \$400,000.00? The city is not going to be able to operate in a good manner and the state will be back to take over this city; but he doesn't want that to happen.

Manager Patterson said that he would not let that happen.

With the action taken by the City Manager in the past week, Commissioner Holmes said the city is headed in that direction with the \$800,000.00 budget shortfall and the \$400,000.00 in new hires.

He continued by saying that he received complaints about the new Parks & Recreation Director which is within the City Manager's right to hire; however, they want to know why one of the individual's at the park now wasn't put back as the Parks & Recreation

Director especially if the city doesn't have the money. He said he is out for the right thing and the best thing for the betterment of this city.

He further thanked everyone who worked during Commissioner Holmes Holiday Giveaway which was successful.

Commissioner Holmes requested that the City Manager allow the Chief of Police to give a report on a recent shooting incident where one of the police officers was shot at and why so many officers were present at the meeting.

Deputy Chief Adam Burden of the Opa-locka Police Department came forward and stated that because this is the first commission meeting of the year and he wanted the senior staff to attend so that they can have the experience of attending a commission meeting. He continued by giving a brief overview of the incident in which the police officer was shot at while trying to make a stop. He gladly reported that with the assistance of other police departments, they were able to apprehend the subjects that committed this crime.

Mayor Taylor asked, are there any grants in the pipeline to address the flooding in Opa-locka, more specifically those areas on the list?

Manager Patterson stated that the city has money to address the flooding on NW 143<sup>rd</sup> Street; however, the city doesn't have enough money or enough grants to do all of the flooding areas. The city would be applying for additional grants this year.

He informed the Commission that State Representative John Patrick Julien wants to hold a Town Hall Meeting to go over the city's legislative agenda.

Mayor Taylor expressed her concern regarding the flooding because some areas are worse than others and she got a report from Miami-Dade County Public Schools about the bus wanting to let a child out but the child had to walk through over knee deep of water in the area of NW 32<sup>nd</sup> Avenue and NW 133<sup>rd</sup> Street. She requested that the City Manager put this flooding area on the priority list for the city.

She went on to say that the city staff must take an aggressive approach when talking to other agencies in making sure things are repaired in the city expeditiously (i.e. lighting).

She further stated that she doesn't want anymore stuck on signs in this city (i.e. poles, empty buildings). She asked the City Manager to have public works steam off the signs and call the people. If the city doesn't have legislation to address the signs then she would sponsor legislation.

Mayor Taylor stated that she would like the City Manager to empower Code Enforcement because that is the key to making this city take on a different look.

In moving towards a 5 star city, she directed the City Manager to display all awards received by the city on a designated wall in the Commission Chambers.

Additionally, she encouraged all departments to join professional associations that give out awards in excellence in their respective area.

## **B. ACCOUNTS PAYABLE:**

Ezekiel Orji, Finance Director for the City of Opa-locka came forward and stated that the finance reports are included in the packet provided to the Commission by the City Manager. The reserve requirement of \$565,000.00 is maintained and the city is paying all bills as they become due.

Vice Mayor Johnson requested that the interest earned on city accounts is reported to the Commission on a quarterly basis. In hearing the comments relating to the budget shortfall, which is projected, she suggested that this information be included in the packet. The budget is not telling her that the city doesn't have any money. She is aware that the city must be fruitful with what it has; but the city must do a better job with the projections.

Dr. Orji explained that the information being requested is usually included in the packet for the 2<sup>nd</sup> meeting of the month which includes the revenue and expense report. Also, for the month of January he would incorporate the quarterly report in the packet for the meeting of January 26, 2011.

As it relates to the bond negotiations, Vice Mayor Johnson asked, is that something that will be brought back to the Commission?

Dr. Orji said that it would be brought before the Commission at the next regular commission meeting for approval to issue an RFP for the bond. The city is in communications with the financial advisor and the bond counsel on a weekly basis trying to work out the details.

In the beginning of last year, Vice Mayor Johnson said she asked that the city look into credit card usage, but she hasn't seen any response to that. The city must get to the point where the credit cards are used solely for essential purposes and not because something is wanted. In going over the information in the packet she was able to see who was spending what and just because the money is in the line item doesn't necessarily mean that it has to be spent.

Additionally, she said that she would like to see what the city is paying in bills, how much money is owed, and how much money has been collected of the outstanding debt owed to the city.

Commissioner Holmes asked, what interest rate is paid for the city's money in the bank?

Dr. Orji said that the interest rate is very poor; it's less than 1% which is universal.

Mayor Taylor requested that Dr. Orji meet with the Commission individually before the next meeting to clear up the perception about the city not having any money as well as the deficit by going line by line. She said that misunderstanding puts out false

information and the Commission doesn't know the information is accurate; but the Finance Department has the information and the Commission knows if they are not satisfied they can always bring in the auditor.

**17. OFFICIAL BOARD REPORTS:**

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

Attorney Geller reported that the city has reached an agreement with the PBA and both sides are in the process of going through the language to double check. At that point the PBA would submit the agreement for ratification and will be brought to the Commission. Immediately thereafter, the city would commence negotiations for the new three year agreement. In addition, in the course of the negotiations with PBA, they filed a grievance on a matter which the city was able to get resolved during the negotiations without having to have any proceedings on it.

Commissioner Holmes asked for an update on the lawsuit filed against the city by the employees whose salaries were cut?

Attorney Geller stated that a preliminary hearing is scheduled for the following week and the city may not have to go forward with that. He expects to have the matter wrapped up with the new judge within the next 30 days.

Commissioner Holmes directed the City Attorney to prepare a resolution to restore each employee whose car allowances and/or cellular phone was taken from them.

Commissioner Johnson stated that the legislation adopted on the car allowance should apply to all employees including newcomers unless that resolution is going to be rescinded.

She continued by asking for a report on the deferred compensation because the legislation passed to suspend deferred compensation the reports she is getting the city is still paying in. If the Commission passed legislation, what is the city doing to make sure that it is working. She directed the City Attorney to get with the City Manager on the deferred compensation.

She further stated for the record that the easement the city just passed for a business which she has no personal or professional relationship that all the documentation follow it.

Attorney Geller explained that the resolution for the easement was just to authorize the relocation of the easement from one side of the property to the other side.

Vice Mayor Johnson stated that she read what Attorney Geller just stated in an old document but it wasn't in the new document so she just wants to make sure that everything is documented.

She went on to say that she was concerned because the Commission has asked the City Manager, City Clerk and City Manager to meet.

Attorney Geller said that he, the City Clerk and City Manager met specifically per the request of the Commission to make sure they were one the same page.

Vice Mayor Johnson stated that she is looking forward to receiving job appraisals and accomplishments for the City Clerk, City Attorney and City Manager to start looking at job performances.

She suggested that the City Attorney work closely with the City Manager to make sure the City Manager knows when the Commission passes legislation that doesn't mean whoever comes after is not impacted because they are impacted.

Mayor Taylor directed the City Manager to make sure the job evaluation is implemented for all employees.

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

Mayor Taylor asked for an update on the census.

Clerk Irby stated that the census numbers would be available in March 2011.

Vice Mayor Johnson asked, what is the city doing for the special election in February?

Clerk Irby explained that the election in February is a county wide election and she completed all the necessary paperwork for the precincts in Opa-locka.

#### **20. MAYOR/COMMISSION REPORT:**

Commissioner Miller announced that the scholarship awards banquet has been rescheduled to March 26, 2011 and additional information would be forthcoming.

She continued by requesting that the Commission work with her when scheduling meetings because due to her job she would be unable to attend meetings in the mornings. She mentioned the workshop scheduled on Friday, February 4, 2011 @ 10:00 a.m. which she would be unable to attend.

Mayor Taylor asked, what would be a good time?

Commissioner Miller said a good time would be in the late afternoon around 3:00 p.m.

She invited everyone to attend the MLK parade on Saturday, January 15, 2011 at 10:00 a.m.

Vice Mayor Johnson reported her attendance at all three holiday celebrations and worked through her organization with Miami-Dade County Schools on the Martin Luther King, Jr. essay of which three would be awarded at the Gala on Saturday, January 15, 2011.

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

Vice Mayor Johnson: The MLK parade, Humana is on my organization Board of Director's and they have offered us a float. I got with the Manager today because last year we did share the float but it was donated for our organization with the seniors. So Mr. Manager, this time if you ask, I know we have a King and Queen for the city, those two along with five other seniors, because our King and Queen for our organization is also going to be on the float. And for the record, and I want it verbatim, it is not being paid by the City of Opa-locka nor did anyone from the City of Opa-locka business contribute to it. I want to make sure that's on the record.

*Note: This concludes the verbatim portion of these minutes.*

Vice Mayor Johnson stated that she was selected by the State of Florida After school Alliances, through her organization, and she would bring any resources to help the Educational Compact.

She further reported that she was busy trying to address a subpoena that was really arbitrated out of City Hall and some of the staff that she doesn't pay rent for her organization at Town Center. She said her organization does pay rent and it is not free.

Mayor Taylor directed the City Manager to make sure all the information from Miami-Dade County, etc. is placed on Channel 77 so that the citizens are informed.

Commissioner Holmes suggested that the City Manager look at the illegal dumping photos he provided to see if he needs to reassign Code Enforcement to work the weekends.

Mayor Taylor announced the Charette Workshop and Ribbon Cutting Ceremony on January 20, 2011 and January 26, 2011, respectively.

She announced the State of the City Address on January 28, 2011 @ 7:00 p.m.

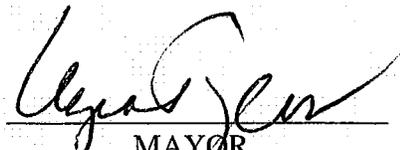
She directed the City Manager to get with the retreat facilitator to see about rescheduling the time for the workshop on February 4, 2011 from 10:00 a.m. to 3:00 p.m.

Vice Mayor Johnson invited the Commission to the MLK Gala on Saturday, January 15, 2011 @ 6:00 p.m. although it is not a free event.

**21. OFFICIAL BOARD APPOINTMENTS:**

**22. ADJOURNMENT:**

There being no further business to come before the City Commission, it was moved by Vice Mayor Johnson, seconded by Commissioner Miller to adjourn the meeting at 9:15 p.m.

  
MAYOR

ATTEST:

  
CITY CLERK