

CITY OF OPA-LOCKA

"The Great City"

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

February 09, 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, February 09, 2011 in the City Commission Chambers, 777 Sharazad Boulevard, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: 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. Commissioner Rose Tydus was not in attendance due to illness.

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:

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

Manager Patterson deferred agenda items 16-1 and 16-2 to the next commission meeting.

Commissioner Miller pulled agenda item 16-4 and Vice Mayor Johnson pulled agenda item 16-5 from the Consent Agenda (these items would be discussed separately under Action Items).

Vice Mayor Johnson requested that the City Attorney make the correction to agenda item 16-6.

Attorney Geller stated that the actual resolution reads "car wash" and he believes it was a typographical error on the agenda.

Vice Mayor Johnson deferred agenda item 16-6

Commissioner Holmes deferred the amendment to the agenda under 15A1 to the next regular meeting.

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

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

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

7. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 01/26/2011

It was moved by Vice Mayor Johnson, seconded by Commissioner Miller to approve the minutes of the Regular Commission Meeting of January 26, 2011.

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

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

9. DISTRICT ONE - COUNTY COMMISSIONER REPORT:

Larry Gardner of Miami-Dade County Commissioner Barbara Jordan's Office (District 1) came forward and stated that as a result of Vice Mayor Johnson's request at the last meeting for a listing of all the self help centers, the information was forwarded to Ms. Lawson.

He further reported that 86 residents in the City of Opa-locka have participated in the beautification project and their homes have been completed. Commissioner Jordan in conjunction with the Community Action Agency is working on marketing methods to promote this project in the City of Opa-locka. In addition, they are hoping to schedule a meeting with the City of Opa-locka to come up with ideas to collaborate on how they can make the beautification efforts happen in the city.

Vice Mayor Johnson thanked Commissioner Jordan for her assistance in the Opa-locka CDC's receiving an additional 2.5 million dollars for the Magnolia North area.

10. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

Battalion Chief Danny Cardeso of Miami-Dade County Fire Rescue came forward and reported that he had a copy of a letter sent to Mayor Taylor from the Fire Chief with an overview of the department and detailing their accomplishments over the past year.

Mayor Taylor thanked Miami-Dade County Fire Rescue for the letter.

11. PUBLIC PRESENTATION:

**1. Alvin Burke
re: welfare of the city**

Alvin Burke of 540 Sharar Avenue, Opa-locka, Florida, came forward and expressed his disappointment with the city in terms of the recent hiring of individuals. With regards to agenda item 16-2 which was deferred, he said that the property the city is going to pay for \$220,000.00 for is only assessed through Miami-Dade County at \$157,000.00. This property is a dump, a landfill and is the kind of property that is donated to the city because the property owner can't use the property. If the city can spend \$220,000.00 for a property they can't use then they can give Youth Co-op, Inc. \$100,000.00.

He further spoke about the citizens who watch the meetings at home who would like to hear everyone speak and not selected individuals who they want them to hear. It is unfair when someone on the dais is speaking and that individual is shut off and the citizens of Opa-locka don't get the benefit of hearing what that commissioner has to say.

For the record, Commissioner Holmes stated that the word on the street is that he dictates to Mr. Burke what he should say during the commission meeting; however, that is untrue because Mr. Burke has a mind of his own.

In terms of the property near Segal Park, Vice Mayor Johnson said it was brought to her attention that an independent survey was done, but she didn't see that information in the packet. She suggested that the City Manager include all the information in the packet because what she was told was different than what she just heard.

She continued by saying that she didn't know about the \$400,000.00 or whoever the City Manager brought in because the Charter addresses that. In the package provided to the Commission relating to the \$400,000.00 and the recent hires, she suggested that the City Manager bring it up during his report and put what she asked him on the record because until he does, this issue will constantly come up. She has never told any City Manager who they should hire.

Being in support of Youth Co-op, Inc., she said she'd sponsored resolutions in the past to support them. With that in mind, she recommended that a letter is sent to the owner of

Youth Co-Op, Inc. for support; however, that difficulty in their budget is not a city responsibility.

11a. CITIZENS' FORUM:

1. Sylvia Daughtrey, Center Director of Opa-locka Youth Co-Op, Inc. of 780 Fisherman Street, Opa-locka, Florida, came forward to request the city's support due to the lack of funding. The Opa-locka Youth Co-Op, Inc. has provided employment assistance, training services and youth services in Opa-locka and surrounding areas.

2. J. Phillip Tavernier of 2750 NW 172 Terrace, Miami Gardens, Florida, came forward on behalf of Youth Co-Op, Inc. and added that in conjunction with the job services provided here in the City of Opa-locka, there is after school tutoring for high school students.

3. Eldred Redmon of 2766 NW 131st Street, Opa-locka, Florida, appeared before the City Commission to respond to a comment from the last commission meeting in which the City Attorney referred to him as "that Mr. Redmon" which he took offense to. He requested an apology.

On behalf of the city, Vice Mayor Johnson personally apologized.

Mr. Redmon accepted the apology from Vice Mayor Johnson.

Attorney Geller apologized to Mr. Redmon if he took any offense by the fact that he used that word which he didn't recall saying. He said he would never find it inappropriate for any citizen to take action that they believe they're entitled to under the law.

4. Charles Edwards of 941 Fisherman Street, Opa-locka, Florida, came forward and spoke on behalf of the Opa-locka Youth Co-Op, Inc. which assisted him in the past to obtain employment.

5. Yvette Cooper, 33 year resident of the City of Opa-locka appeared before the City Commission to speak on behalf of the Opa-locka Youth Co-Op, Inc.

6. John Riley of 2963 NW 135th Street, Opa-locka, Florida, came forward and encouraged the Commission to support the resolution to convene the board of inquiry, not only for the personnel reasons, but also to deal with the financial issue of the city.

7. Pastor Jonas Pierre residing on Burlington Street near the tracks appeared before the City Commission to voice his concerns relating to the poor condition of the street leading to flooding during rainy weather.

Mayor Taylor directed the City Manager to have staff brief Pastor Pierre on the plans for Burlington Street.

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

16-4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO NAME ATTORNEY CHRISTOPHER BENJAMIN AS AN ADDITIONAL CODE ENFORCEMENT SPECIAL MASTER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by C.A.

The above resolution was read by title by Attorney Geller.

It was moved by Commissioner Miller, seconded by Vice Mayor Johnson for discussion.

Vice Mayor Johnson stated that she serves on several boards with Mr. Benjamin; therefore, she recused herself.

Mayor Taylor asked, is this for an additional special master?

Attorney Geller replied yes. He explained that since the administration and the dais have indicated that they're both involved in seeking a higher level of code enforcement, the city is anticipating an increase in cases and they don't want to end up with a backlog. This resolution would provide for a second special master as needed.

Commissioner Miller asked, does the special master get compensated only as needed?

Attorney Geller said that the special master does get paid only as needed and typically that cost is paid for out of the fines imposed.

Commissioner Miller asked, does the city have that many cases that it would require an additional special master?

Attorney Geller stated that there are not a lot of cases right now, but there are more than there has been in the past and the city is expecting more.

Of concern to Commissioner Holmes was that this individual has represented a member of the Commission in court and based on that information he would be unable to support this resolution.

Attorney Geller stated that to his knowledge Mr. Benjamin is a member of the board and has had some involvement with the group TPOE, however, he is not aware of any representation of any individuals that are officers of the city.

There being no further discussion, the motion failed by a 2-1 vote.

Commissioner Holmes	No
Vice Mayor Johnson	Abstain
Commissioner Miller	No
Commissioner Tydus	Not present
Mayor Taylor	Yes

16-5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA,, FLORIDA, CONSTITUTING ITSELF AS A BOARD OF INQUIRY TO INQUIRE INTO THE CURRENT PROSPECTIVE FISCAL STATUS OF THE CITY; TO INQUIRE INTO ACTIONS AND FINDINGS OF THE CITY'S CIVIL SERVICE BOARD AND ALLOWING THE CIVIL SERVICE BOARD TO PRESENT ITS CASE OF INQUIRY TO SAID BOARD OF INQUIRY PURSUANT TO SECTION 156 OF THE CHARTER OF THE CITY OF OPA-LOCKA; PROVIDING FOR THE APPOINTMENT OF A HEARING EXAMINER TO CONVENE THE BOARD OF INQUIRY ON _____ DAY OF _____, 2011; 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 Miller, seconded by Commissioner Holmes to pass the above resolution.

Vice Mayor Johnson asked, does the charter allow for the Commission to serve as the board of inquiry?

Attorney Geller replied, yes, the charter permits that.

Vice Mayor Johnson asked, what does it include?

Attorney Geller said that it is pretty much open ended; it allows for the Commission to conduct an inquiry into matters that it thinks are necessary or appropriate and to appoint a hearing examiner for that purpose.

Commissioner Holmes explained that he sponsored this resolution to deal with the personnel issues of this city in addition to finding out what the financial status of the city is. The City Commission must look into these issues and investigate what is going on in this city. He mentioned that the State of Florida is making drastic reductions in many areas which could possibly affect the city.

He continued by saying that the city is installing sidewalks, but he doesn't know of any RFP's going out for the sidewalks. In addition to that, he received telephone calls from citizens in the 143rd Street area indicating that they didn't know anything about the sidewalks being installed. If the city has a company installing sidewalks then he wants to know about it, but this particular company hasn't been discussed on the dais.

Vice Mayor Johnson asked for clarification on the resolution because her understanding was that this resolution was for the Civil Service Board which deals with personnel, but now she is hearing about the city's finances.

Attorney Geller explained that the Civil Service Board is supposed to deal with personnel matters and that's what the job assigned to them is. This resolution is not limited to personnel matters; it also speaks to the city's current and prospective fiscal condition, revenue and current obligations, foreseeable deficits, general fund, enterprise fund,

revenue sharing fund, the use and obligation of Federal Revenue Sharing Funds, the sinking fund for the Fiscal Year and any anticipated and/or projected revenues for the Fiscal Year.

Vice Mayor Johnson asked, is this resolution saying that the Civil Service Board will conduct an inquiry on all those items listed in the resolution?

Attorney Geller said that the Civil Service Board is already looking at some of the issues and they are going to present a report to the Commission, but that report has not yet been presented. This resolution states that the City Commission is voting to constitute itself as a Board of Inquiry.

Vice Mayor Johnson added, with the understanding that the Civil Service Board is going to convene itself and make recommendations to the inquiry board.

Attorney Geller explained that if the resolution calls for the Commission to constitute itself, whether the Civil Service Board does or does not present a report, this says the Commission is constituting itself as a Board of Inquiry and has to appoint a hearing examiner.

Mayor Taylor stated that the city is now opening up for people to come and help this city; people that have never reached out before are reaching out now. She said she didn't want a mock trial in this city. In response to the comments about the sidewalks, the sidewalks came up under a previous administration so that's not new; there's a big sidewalk project inside of Public Works that was there prior to the current Public Works Director.

She continued by saying that she didn't want the Civil Service Board to have a mock trial in the City of Opa-locka; therefore, she would not support this resolution. Every commissioner has an opportunity to find out and the city has an auditor that keeps them informed as far as the money is concerned. This resolution has an underlining agenda that is not clear. Now they want a trail to call on people, subpoena people and she doesn't want that in the city because it becomes open to scrutiny from people that are trying to help them. This Commission is already a Board of Inquiry as per the Charter; they can ask anything they want, whenever they want, but to have a Board of Inquiry is just a mock trial to try to derail the City Manager, staff and the way the train is going.

She further stated that she would not support this resolution. The city is at the point where it is going to be a five star city and people are ready to help. The City Commission does not want to let the people see that the city has an internal problem. She suggested that the City Manager and directors fix the problems in their departments because that could be done in-house and a Board of Inquiry is not needed for that. The Board of Inquiry is only trying to shed light on what somebody thinks that's not done. The city is on a road to get revenue that has never come before. She said a Board of Inquiry makes the city look different and they don't want to go back and won't go back. The city will move forward and whatever is internally wrong, if anything, they will fix it, but she is not in support of this resolution. She noted that she really doesn't want to go along with this resolution because this Board of Inquiry never got this much fire before, but it has it now.

Now is the time for the city to move and all of sudden they need a Board of Inquiry. Again, she said she would not support this resolution at all.

Commissioner Holmes explained that this inquiry is not only to look into what the city has done, but what they are doing now as well. He requested that the above resolution be deferred until the entire Commission was present.

The seconded and motion were withdrawn. Commissioner Holmes deferred the above resolution to the next regular commission meeting.

13. NEW ITEMS:

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, TO APPROVE THE SUBMITTAL OF THE CITY'S PROPOSED EAR-BASED COMPREHENSIVE PLAN AMENDMENTS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR THEIR REVIEW; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on January 26, 2011). *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

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

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

Commissioner Miller	Yes
Commissioner Holmes	No
Vice Mayor Johnson	Yes
Commissioner Tydus	Not present
Mayor Taylor	Yes

C. RESOLUTION/PUBLIC HEARING:

16. ADMINISTRATION:

CONSENT AGENDA:

3. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO WORK IN PARTNERSHIP WITH THE OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION (CDC) AND PLEDGE CITY SUPPORT FOR THE REDEVELOPMENT OF MAGNOLIA NORTH AND OTHER AREAS OF REDEVELOPMENT CITYWIDE; 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, TO AUTHORIZE THE CITY MANAGER TO EXTEND THE DEADLINE FOR THE AMNESTY PROGRAM TO ALLOW PROPERTY OWNERS WITH OUTSTANDING CODE ENFORCEMENT VIOLATIONS TO PAY A REDUCED AMOUNT AFTER MEETING CERTAIN ELIGIBILITY REQUIREMENTS, TO JUNE 30, 2011; 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 Vice Mayor Johnson, seconded by Commissioner Miller to pass the Consent Agenda resolutions.

The motion passed by a 4-0 vote.

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

A. CITY MANAGER'S REPORT:

In response to Vice Mayor Johnson's request at the January 26, 2011 commission meeting to look into the possibility of bringing the trash pick-up in-house, Manager Patterson reported that the city is currently looking into the cost and he would provide a report to the Commission at the next meeting. With regards to Commissioner Miller's concern relating to the Helen L. Miller Center, he said that the environmental testing is currently being done which should be completed in February and an RFP should be ready for the next commission meeting.

During the last commission meeting, he said he mentioned that the city was sending out information to the PBA relating to the city's finances. The tax situation is not going to be favorable in terms of the city wanting to increase the starting salary for police officers.

He further informed the Commission that he will be out of the office on Friday, February 11, 2011 and Dr. Orji would be in charge during his absence.

Vice Mayor Johnson requested that the City Manager put on the record what they discussed relating to the recent hires.

Manager Patterson said he would provide the written report to the Commission on the following day.

Vice Mayor Johnson expressed her concerns relating to the trash and unwanted creatures in front of the apartments located at the corner of NW 22nd Avenue and Veterans Way. In addition, she suggested that the City Manager revisit the schedule for Code Enforcement to make sure it is inclusive of weekends and evenings.

During the City Manager's first commission meeting, she said he mentioned that his turn around time for concerns was three days but the Commission is receiving the information the day of the commission meeting which is not feasible for her. She requested to have the information in advance.

In terms of parking, she said that there seems to be extra parking spaces on Barack Obama Street and she would recommend staff, including the police department, park there versus the handicap or 15 minutes parking spaces in the front of the building which should be for citizens.

She further stated that a couple of months ago she spoke to Mr. Abia about cleaning the easement behind Top Value, but now the grass is back. This area should be maintained on a regular basis and not just one time.

Vice Mayor Johnson said she would be working with the City Attorney on the signs; however, the city must address the exterior upkeep of buildings. But before the city can address other buildings, it must first address its own facilities. She requested that the City Manager provide a timeline on this issue.

She continued by requesting community policing during the midnight hours because some of the youth are drinking the "4 Loco" alcoholic beverage and using profane language (i.e. the community garden near Nathan B. Young Elementary School).

Lastly, she said that she is aware of the sidewalk project and she voted on that project. She said she met with Mr. Armand, Public Works Director and former Mayor Joseph Kelley because his facility was impacted and he just wanted communication. It is important, no matter what project, to communicate to the citizens to avoid the rumor mill. Although she is proud of what is taking place, she believes the city is lacking in strategic planning and if everyone comes together as a team and not solo then they would have a better product at the end of the day.

In terms of the sidewalks, Commissioner Holmes said he mentioned that Rainbow Paving was doing the work and he had citizens call him about not being notified that the work was going to be done. He said he didn't recall a bid coming across the dais awarding Rainbow Paving the sidewalk project especially when he was told there were so many problems with this company in the past. This item should have come before the City Commission with the cost. This information should have been provided to the entire commission and not individual members of the Commission who were at the site with staff taking pictures. In hearing the repeated comments about the city moving forward and aiming towards a five star city, he asked how can that happen if you don't have a united Commission and only have one member taking pictures at the project site. Togetherness is when the entire Commission is present at the project site upon completion to see what has been done and take part in it.

With regards to the land near Segal Park, he said that he was in possession of Miami-Dade County's assessment for that particular property which shows that the land was sold in 2004 for \$60,000.00. The resolution on the agenda which was deferred is for \$220,000.00, but the agreement has already been executed to purchase the land. He questioned the signed agreement because the Commission had not voted to purchase the land.

He further stated that he was made aware that the kids from Bunche Park want to come to the City of Opa-locka parks because the City of Miami Gardens Parks & Recreation had numerous problems with these teens and want to get rid of them. He said he was not in favor of these teens coming to the City of Opa-locka parks. He suggested that the City Manager speak to his personnel who want to bring these teens into the city's parks.

Commissioner Holmes spoke about an article in the Miami Herald regarding Governor's Scott's \$4.6 Billion Dollars cut from this year's budget which would result in 8,700 state positions being eliminated.

He mentioned a telephone call he received relating to the saggy pants ordinance not being enforced by the police officers. He directed the City Manager to make sure that the police department is enforcing the saggy pants ordinance. The city is not trying to incarcerate any of the youth, but to encourage them to pull their pants up, be respectful and stay in school.

He further stated that he received a telephone call relating to the lack of street signs on the Honorable Barack Obama Street.

Commissioner Holmes inquired about the \$170,000.00 grant for Segal Park because the money will be lost by April if the city does nothing.

Manager Patterson said he was not aware of a grant for Segal Park in the amount of \$170,000.00 and the city is not in jeopardy of losing any grant dollars.

Commissioner Holmes said he received this information from an individual that has knowledge about grants. He directed the City Manager to look into this matter immediately.

He continued by expressing his concerns relating to the illegal dumping taking place during the weekends and although the City Manager indicated that the contract for the employees provides that the employees can't work on the weekends or after a certain amount of hours, the city must look at what is best for this city.

He further stated that the owner of the apartments at 13350 Aswan Road asked if the Opa-locka Police Department can keep an eye on the apartments because there is only one tenant in the building.

Commissioner Miller expressed her frustration with the city's parks being closed on Saturdays. She said she wants to see the parks opened on Saturdays.

Commissioner Holmes informed the City Manager about a letter he received from Opa-locka residents relating to the loud noise at 1930 Opa-locka Boulevard on Sundays.

Vice Mayor Johnson informed the City Manager of the loud music at the 22nd Avenue Apartments during the weekends.

Deputy Chief Adam Burden came forward and stated that the Opa-locka Police Department has a standing policy to shut down the mobile DJ's whenever they see them.

Of concern to Vice Mayor Johnson was the fact that the loud music was heard every Saturday and it is not fair to the residents in the area. She requested that the Opa-locka Police Department enhance their policy.

Commissioner Holmes displayed a Saggy Pants sign which the Saggy Pants Ordinance addressed for the businesses to display at their businesses. The proposed fee is \$20.00 for the sign and the businesses must purchase it during the license renewal period or during the initial application for a business license.

Mayor Taylor thanked the City Manager for the sidewalk project which started in a previous administration and said that the information is posted in the Public Works Department. She encouraged the Commission and staff to visit the Public Works Department to view the sidewalk project design.

She asked for an update on the sticky signs throughout the city.

Manager Patterson advised that the city has ordered the chemical for the removal of the signs and is currently awaiting delivery.

Prior to removing the signs, Mayor Taylor suggested that the city obtain the telephone number, if any, to provide a warning that the city will no longer allow those signs.

She requested that the City Manager provide a grant update in the packet.

She stated that she mentioned Opa-locka is going to be a 5 star city and in order to be a 5 star city, the city must start from the inside and work on the outside. The city is stable and she would like it to remain stable. She said she wants employees to remain in their rightful positions at all times. In addition, she directed the City Manager to make sure all employees are evaluated and the Personnel Action (PA) form signed by the employee. She directed the City Manager to have his staff go through their department and make sure every employee is doing what they are suppose to do.

She further stated that she is working on building relationships on the outside, but when the outside look at Opa-locka she only wants them to see a 5 star city and when they see that they will provide assistance.

Of concern to Mayor Taylor was the fact that her colleagues were reporting the trash, dirty streets and street lights being out. The City Commission is to legislate policy and if the employees are doing their jobs then the Commission won't have to report these concerns.

She continued suggesting that the City Manager get with the Code Enforcement Department to see about shifting employees so that the weekends and evenings are covered as well.

She further directed the City Manager go to every department based on the Charter and the Code and see that they do their jobs.

Mayor Taylor informed the City Manager of the debris along the fence on State Road 9 on both the city and state sides. She said she would like to see the City of Opa-locka making noise about things that are not their job. Also, she said she had not heard a report about CSX which she believes will have to be put out for bid. She directed the City Manager to get on that issue expeditiously.

She suggested that perhaps the inmates can clean on the State side and the city would clean the city side simultaneously. With regards to Service Road East, she expressed her concerns relating to the hole left behind after the trash is picked up which invites more dumping and suggested that the hole is filled in and a sign is erected. In addition, the cars are parking on the sidewalk and perhaps the city can request that the state donate 10 feet (Service Road East & West), and move the fence 10 feet so that the people can parked diagonally in front of their homes.

In terms of the report she received from staff regarding her concern about the stacking of vehicles above the fence, she said she did not share the report with the Commission because it is not complete.

Howard Brown, Director of Planning and Community Development came forward and stated that the report was complete.

Mayor Taylor recalled visiting the Garden Apartment with Mr. Abia regarding the mosquito problem and the vehicles being stacked above the fence. She suggested that Mr. Abia get with Mr. Brown to make sure his report includes that business.

She informed the City Manager that the city has work to do on Burlington Street in terms of the Community Trash Center.

B. ACCOUNTS PAYABLE:

Ezekiel Orji, Finance Director and Assistant City Manager for the City of Opa-locka came forward and reported that the financial reports are included in the packet. The city is maintaining the budgeted reserve in the amount of \$565,000.00.

Vice Mayor Johnson informed Dr. Orji that although the correction was made in terms of the per diem, checks should be separate from the monthly allocation for the Commission. She expressed the importance of keeping checks separate.

Dr. Orji stated that he will make sure everything is kept separately in moving forward.

He continued by saying that the next quarter would end in March and the quarterly report would be provided in the month of April.

Mayor Taylor asked, is the city stable?

Dr. Orji stated that the city is financially stable based on the financial rating.

Vice Mayor Johnson requested that Dr. Orji share the information in terms of the additional personnel because she didn't want the city to get mid year and face a shortage. She encouraged the city to come back and make the proper amendment to reflect those monies.

Dr. Orji advised that he is working on that and it would be provided to the Commission before the next meeting.

17. OFFICIAL BOARD REPORTS:

John Riley, Chairman of the Civil Service Board, came forward and read for the record Ordinance No. 07-03, Article XI, Section 8.

He continued by saying that the last mock court he attended was held by the legal defense team for the NAACP in 1958 by the late Thurgood Marshall and a mock court means that this is play acting. The city's charter says that a Board of Inquiry in the City of Opa-locka is official and the Civil Service Board is an official board. He said that he had never disrespected this Commission, holding them in honor because the bible tells him to honor those who are placed in authority, but honor should be given both ways.

He further stated that he doesn't bring something up that he knows is not a fact. The Civil Service Board has made numerous reports to the Commission and asked for a board of

inquiry. In September 2010, Commissioner Holmes sponsored a resolution that would resolve some of the issues. The Commission is the keeper of the Charter and they took the oath to defend and support the constitution. Equal protection of the law and due process of law is a constitutional guarantee to every citizen including civil service employees and city employees and when justice is not being done the board has a duty to come to this Commission. If the Commission doesn't want to do anything in which they were elected to do, to uphold the charter, that's their right, but to say that he has a hidden agenda that he wants to attack the City Manager or do something else with the Civil Service Board is totally incorrect and to accuse is just wrong.

Mr. Riley provided an overview of the Board of Inquiry he previously participated in over the years which were not a mock trial, it was about the truth and the truth will always set you free. The Commission is speaking about some of the same issues he is saying that what's been happening in this city is not happening. It's the law that requires employees get an annual evaluation. No matter how often the board puts these things out, the same things continue over and over again, year after year. And the board comes to the people who appointed them, but if they can't come to the Commission then who are they suppose to go to.

In terms of the Charter Review Board, he said that there was a charter amendment that didn't get out which clearly states there would be administrative support staff for the Mayor, Commission, City Manager and directors to get away from the ties in Section 185, but until Section 185 is changed, it is the current law. There were a couple of other proposed charter amendments, one is dealing with compensation for the Commission. The board will work to prepare the proposed charter amendments to hopefully get on the next ballot.

Commissioner Holmes thanked Mr. Riley for his presentation and stated that everyone knows where the hidden agendas are. When individuals up on the dais try to stop their colleague from speaking, that lets the citizens know what is going on in their city and when he knows his colleagues will not do very much about it then he has to pass it on downtown to look into which he really didn't want to do.

Vice Mayor Johnson asked, in Mr. Riley's professional opinion, what can be done to address those items brought to the Commission over the years?

Mr. Riley said that everything comes to the Commission and they recognize what those situations are. The Commission would prioritize and put those issues in a resolution form.

Vice Mayor Johnson said she would be directing the City Manager because the Charter Review Board did make recommendations to amend the Charter when Mrs. Weeks was the City Attorney and nothing has happened. She suggested that the city work on those sections of the charter that are antiquated because in reviewing the city's charter on MuniCode, she noticed that it has resolutions, but if the charter it going to be changed, it has to be an ordinance.

She requested the opportunity to sit down with Mr. Riley to have some dialogue prior to going to the City Attorney.

Mr. Riley said he provided the City Attorney with a copy of all the ordinances that were done illegally. In addition, he would get a copy of the court order indicating those ordinances are illegal.

18. CITY ATTORNEY'S REPORT:

Attorney Geller reported that the city is moving forward on the Bracy case to try to get a clarification from the court about what is an ambiguity in the charter.

Vice Mayor Johnson stated that she didn't know what the process is, but all contracts should have legal sufficiency from the City Attorney. After hearing one of her colleagues mention Rainbow Paving, she directed the City Attorney to look into it. In addition, whenever there is a contract, contracts are for one year, she has repeatedly asked for the start and end dates. She directed the City Manager to provide a list of all city contracts by the next commission meeting to include both the start and end dates.

She continued by saying that there are resolutions versus ordinances that have changed the charter. She directed the City Attorney to begin working on this matter because the Charter can only be changed by ordinance.

Attorney Geller stated that he and Mr. Riley met on that issue and went over the list. There were several questions he had for Mr. Riley, but he would have that information at the next meeting.

Vice Mayor Johnson suggested that Attorney Geller follow up with Mr. Riley because the Charter needs to be updated.

She continued by saying that it was brought to her attention that the monies from the county for Sherbondy Village will be held up and the city received a stop order on this project. She directed the City Manager and City Attorney to get with the contract manager to address this matter.

With regards to the AFSCME agreement, she asked for clarification because she heard comments relating to employees only being able to work certain hours.

Attorney Geller deferred that concern to the City Manager.

Vice Mayor Johnson asked Attorney Geller if he is involved in negotiating the AFSCME contract.

Attorney Geller advised that he is negotiating the PBA agreement, but for some reason because of the history on it, the AFSCME has been going directly to the City Manager.

Of concern to Vice Mayor Johnson was that the legal sufficiency of the city is the City Attorney's responsibility for all contracts. Although she didn't mind the City Manager responding to her question, she is ultimately holding the City Attorney responsible.

Attorney Geller advised that the final margin when they took into account Broward County votes was 14 votes and he believes it does fall within the recount numbers; however, he has not received confirmation, but it is less than 0.5% difference so he would suspect there is a mandatory recount.

Mayor Taylor directed the City Clerk to keep the Commission abreast of the State Representative potential recount and the Senate race.

Commissioner Miller expressed her concerns regarding Opa-locka being split up into several districts for state representative and she would like to see the entire city in one district.

In terms of the redistricting, Mayor Taylor said that she too would like the City of Opa-locka to be in one district. She suggested that the City Clerk and City Attorney follow this issue closely.

Attorney Geller stated that the amendments passed by the voters for fair redistricting called for respecting political as well as geographic and other boundaries, those would indicate that the city should be brought under one, but of course, the recent news is that the Governor withdraw the request to the Justice Department for preclearance. Secondly, whoever it is that represents Opa-locka in Tallahassee, certainly the city can ask them to try to make that happen in the redistricting process. The city also has the services of a lobbyist in Tallahassee and the Commission may want to direct Commissioner Miller's point to the lobbyist as well.

Mayor Taylor said the Commission will do all they can, however, she would like the City Clerk and City Attorney to stay on top of it.

20. MAYOR/COMMISSION REPORT:

Vice Mayor Johnson reported her attendance at the state local elected official forward session on Saturday, February 5, 2011.

She encouraged the Commission to review the Welcome Kit and provide their comments so the city can move forth with the final document.

She further asked Commissioner Miller if she had a specific date for the Scholarship Banquet.

Commissioner Miller replied, March 26, 2011.

Vice Mayor Johnson suggested that whatever event or projects the Commission may do, that they allow the opportunity for everyone to check their calendars.

During the workshop for the forward session, the Commission was to come up with a date and she would like to know what that date is.

Mayor Taylor suggested that Vice Mayor Johnson permit Ms. Lawson to poll the Commission for a date for the forward session.

Vice Mayor Johnson directed the City Manager to look into the building on NW 135th Street with a big hole on it because she noticed people working in the facility. Previously, she was told that the building was closed, but it is still open.

E. Daniel Abia, Director of Building & License came forward and stated that the owner was cited and the building was red tagged.

City Manager advised that a red tagged is a stop work order.

21. OFFICIAL BOARD APPOINTMENTS:

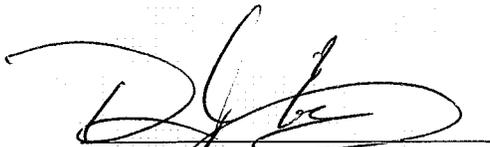
22. ADJOURNMENT:

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 9:29 p.m.



MAYOR

ATTEST:



CITY CLERK