

CITY OF OPA-LOCKA

"The Great City"

AGENDA REGULAR COMMISSION MEETING

January 26, 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 26, 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 arrived at 7:04 p.m.

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):

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 AUTHORIZE THE CITY MANAGER TO OFFER TO PURCHASE THE VACANT LOT NEAR SEGAL PARK FOLIO NO. 08-2122-000-0021, 22 52 41 1.597 OF SE, ¼ OF NW ¼ LYING SOUTH OF BLK 340, PB 50-5 LESS SOUTH 85 FEET AND LESS EAST 75 FEET, CONTAINING APPROXIMATELY 1.5 ACRES, FOR THE AMOUNT OF TWO HUNDRED TWENTY THOUSAND DOLLARS (\$220,000.00), PAYABLE FROM ACCOUNT NUMBER 19-519610; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

Due to the lack of a motion, the above resolution was not amended to the agenda.

Clerk Irby explained that the add-on packet contained the revised resolution which would replace resolution 16-5 on the agenda.

16-5: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) TO SOLICIT PROPOSALS FROM QUALIFIED BANKING INSTITUTIONS FOR A "TAX-EXEMPT FIXED RATE LOAN" TO FUND AN AMOUNT NOT TO EXCEED EIGHT MILLION DOLLARS (\$8,000,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by C.M.*

Commissioner Miller pulled item 16-4 and 16-5 and Vice Mayor Miller pulled item 16-1 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 Miller 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:

8. APPROVAL OF MINUTES:

Regular Commission Meeting – 01/12/2011

It was moved by Vice Mayor Johnson, seconded by Commissioner Holmes to approve the minutes of the Regular Commission Meeting of January 12, 2011.

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 for Commissioner Barbara Jordan's Office, Miami-Dade County Commissioner, District 1 appeared before the City Commission and

reported that per his conversation with Mayor Taylor, he compiled a listing of all county departments with a contact and forwarded it over to the Executive Secretary for the Mayor/Commission, Ms. Lawson.

Mayor Taylor asked for an update on the Mom & Pop grant program.

Mr. Gardner stated that a mandatory meeting is scheduled for Monday, January 31, 2011 and over 100 individuals have signed up.

Since the listing of contacts for Miami-Dade County was sent to Ms. Lawson, Vice Mayor Johnson made the assumption that it would be shared with the Commission.

Mayor Taylor said that the list would be shared with everyone.

10. MIAMI-DADE COUNTY FIRE RESCUE DEPARTMENT REPORT:

Miami-Dade County Fire Rescue Department came forward for any concerns the Commission may have had relating to Fire Rescue. There were no concerns from the Commission.

11. PUBLIC PRESENTATION:

- 1. Henry Crespo, Sr.
CBHC, LLC
re: update on Sherbondy Village**

Henry Crespo, Sr., CBHC, LLC of 4952 NW 7th Avenue, Miami, Florida, appeared before the City Commission along with Michael Taylor, Managing Partner, Jorge Costas, Project Manager / Vice President and Mr. Dee, Building Information Modeling Expert. Both Mr. Crespo and Mr. Taylor provided an update on the Sherbondy Village Project while displaying a 3D overview of the building upon completion.

Vice Mayor Johnson expressed her concerns relating to the gymnasium not having seating; the need for a cooking area; FAA clearance on the building; and the lack of parking spaces.

Manager Patterson advised that the city did received clearance on the building.

Mr. Crespo stated that there are 6 parking spaces. Mr. Taylor added that the number of parking spaces is a positive thing because part of receiving the silver certification is for people to commute and utilize existing parking around the city. With regards to the gymnasium, Mr. Taylor said that there is room to include several rows of pull out seating. Although that was not part of the proposal, it can be added.

Of concern to Commissioner Tydus was the fact that the theater did not include any theater lights. She asked, would that be an added cost?

Mr. Taylor stated that there's provisions to put in lighting; however, lighting is not included in the price.

Commissioner Tydus stated that a theater is not a theater without the proper lights and with any successful production, lighting is essential. If those requirements or specifications aren't identified upfront then it can get very costly at the end. She asked, what is the seating capacity of the theater and would that include stationary theater seats or folding chairs?

Mr. Crespo stated that the theater includes folding chairs which could be utilized for other things as well.

Commissioner Tydus asked, does the theater have dressing rooms?

Mr. Crespo replied, yes, there are dressing rooms.

In terms of the number of parking spaces, Commissioner Miller inquired about parking during events?

Mr. Taylor indicated that it was his understanding the existing parking would be utilized for the gymnasium.

During all the excitement with the groundbreaking, Commissioner Holmes said that nobody thought about including bleachers for the gymnasium or seating for the theater.

Mr. Crespo informed the Commission that they would probably be able to include pull out bleachers.

Commissioner Holmes said that the pull out bleachers were not included in the original planning stage of the project. The city should have taken the time to include all the specifics for the gymnasium, theater and swimming pool (i.e. seating).

Lawrence Wright of 3827 NW 125 Street, Miami, Florida, came forward and stated that it was not too late to include those items being mentioned because the project is a design build process. When building with the trouble they had with the previous architect, some things got lost in the shuffle. They are now coordinating those desires as mentioned as far as the lighting and sound are concerned, while staying within the budget without coming back with change orders. However, there would be additional costs to include those items mentioned.

Commissioner Holmes was of the opinion that if the room was already designed then it would be difficult to go back in and include seating. All of those items should have been addressed at the beginning of the project.

Mr. Wright stated that bleachers could still be included in the gymnasium, it would just be a limited amount.

Commissioner Holmes stated that the Commission didn't even discuss parking at the beginning of the project.

Vice Mayor Johnson said that she is not an engineer and she looks for staff to make those types of recommendations. Although she is pleased with the project so far, she believes revisions need to be made; however, all proposed revisions should come back before the Commission.

During the MLK walk, Vice Mayor Johnson said it was mentioned that there is a stop work order on the Sherbondy Village project.

Manager Patterson said that there is not a stop work order on the project.

Mayor Taylor asked, is the contractor adhering to the previous concern relating to hiring area residents to work on the project.

To the best of his knowledge, Manager Patterson said the contractor was hiring local residents.

Mayor Taylor requested that the City Manager provide a report to the Commission relating to the hiring of city residents and who is keeping up with the local individuals working on this project.

**2. James Carras
Carras Community Investment, Inc.
re: CRA Plan progress**

James Carras of Carras Community Investment, Inc. came forward and provided a brief update on the Community Redevelopment Area Plan and informed the Commission of the Community Forum scheduled for February 4 & 5, 2011.

Of concern to Vice Mayor Johnson was that she received several telephone calls relating to Mr. Carras soliciting citizen participation in the community for the forum scheduled on February 4 & 5; but she didn't receive any correspondence from the City Manager to inform the Commission in order to respond to the citizens. She suggested that whoever is working with this project should keep the Commission abreast of what is going on.

She continued by asking, what has the city done to get the information out to the citizens?

Vice Mayor Taylor asked, who is a part of the Redevelopment Team?

From the consultant side, Mr. Carras said he and his staff was out in the neighborhood just about every Saturday.

Vice Mayor Taylor asked, has anyone from Opa-locka, from the City Manager's Office been out in the neighborhood? She said that Mr. Carras cannot be an independent because he is representing the city. She asked, who is Mr. Carras team?

Mr. Carras stated that he is working with Mr. Lee and Mr. Brown in Planning & Community Development.

Vice Mayor Johnson said that Mr. Carras was out in the community and she would like to know who, from city staff is on the team.

Manager Patterson said that Mr. Howard Brown of Planning is on the team and the city now has Ed Brown also involved.

Vice Mayor Johnson asked Howard Brown whether he'd been out in the community on Saturdays with Mr. Carras.

Howard Brown of Planning & Community Development came forward and said he was not out in the community on Saturdays with Mr. Carras.

Vice Mayor Johnson asked, what is the marketing plan to inform the citizens to be able to have participation on February 4 & 5?

Manager Patterson stated that the city is paying the consultant to do that.

Vice Mayor Johnson said that the city is paying the consultant to come back with the findings; however, there must be someone on city staff ultimately responsible in getting the information out. She asked, who did Mr. Carras send the information to in the community?

Mr. Carras said the information went out to people he met in the neighborhood on Saturdays. He added that the forum was rescheduled three different times. A team of six would be back out in the community this upcoming Saturday. Also, he would work with the city to have the information on the city's website.

Vice Mayor Johnson expressed the importance of staff working with Mr. Carras on Saturdays while out in the community. The city must have a marketing plan to reach the majority of people. She was of the opinion that the forum on February 4 & 5 would not be successful.

Mayor Taylor asked Mr. Carras whether he had a marketing plan and if that marketing plan included the city?

Mr. Carras said he does have a marketing plan and at this time, it has not included the city.

Mayor Taylor expressed her concern with not having city staff involved in the marketing plan as well as going out in the community. She directed the City Manager to make sure that everything from this point forward have Opa-locka input. The forum on February 4 & 5 will not be successful without the city. She requested that the City Manager provide the Commission with a copy of Mr. Carras' power point presentation.

Of concern to Mayor Taylor was that the forum would not be successful without having worked with city staff so that city staff could work with the Commission. She suggested that Mr. Carras discuss this matter with Mr. Howard Brown.

Mr. Carras said he is planning to meet with Mr. Brown to discuss the forum and the remaining schedule of the plan.

Because the CRA was a big project, Mayor Taylor said that the Commission is willing to have a workshop at three o'clock hour.

Commissioner Holmes directed the City Manager to designate city staff to work with Mr. Carras on the CRA.

Being in agreement with the Mayor and Vice Mayor, Commissioner Tydus said that it appears citizen participation is a vital part of the CRA process; however, as it is, February 4 & 5 will not be successful because it had not been properly marketed. She asked, what is the time frame for the CRA?

Mr. Carras said that he is committed to success and the last thing he wants to see is this opportunity be squandered. He said he runs a business, but also more importantly, he has a set of values and lived by these values for 30 years in terms of community development, especially in low income communities around the country and Florida. He is committed to Opa-locka for the past 11/2 years and he wants to see success. Being incredibly enthusiastic of what is taking place with the CDC, he has met numerous times as it relates to how this works together.

He went on to say that he is able to move the forum one more time because he is working on the plan; but he wants to have that input to make sure things he is coming up with are what they are hearing from the people. He's heard a lot through the Charette process, went on the bus tour, met with the consultants and read almost every study and report on Opa-locka for the past ten years, therefore, he has a good understanding, however, he wants to hear from individuals today. The forum was meant to have that opportunity. He is open to putting the forum off for a couple of weeks and it won't put them off on the timeline and he would provide the draft plan on schedule.

Vice Mayor Johnson directed the City Manager to place an advertisement in the newspaper with the information and make sure the city is engaged in the marketing.

**3. Dario Gonzalez
FIU Metropolitan Center
re: EAR Amendments**

Dario Gonzalez, FIU Metropolitan Center of 150 SE 2nd Avenue, Miami, Florida, appeared before the City Commission and provided an overview of the proposed comprehensive plan EAR amendments which addresses the population growth, density and preserves the character of the community. With the blessing of the Commission, the amendments would be transmitted to the Department of Community Affairs. Within 60 days DCA would respond with recommendations and objections, if any, and he will again come to the Commission with a new document addressing all of their concerns. Once again it would be transmitted to DCA, it would come back and the city would then again send it as an adopted plan.

Mayor Taylor asked Manager Patterson, who is working with Mr. Gonzalez?

Manager Patterson replied, Mr. Howard Brown.

Mayor Taylor asked Mr. Brown if he was working with Mr. Gonzalez and whether he'd seen the report.

Mr. Brown replied, yes.

Mayor Taylor stated that the Commission doesn't have any document indicating it is in compliance with what the city wants as far as land use. This report is in direct relationship with land use in Magnolia North and throughout the city; therefore, the city doesn't want a glitch in what is trying to be accomplished with the redevelopment.

She asked whether Mr. Brown informed the City Manager that this report meets with his approval as far as the law is concerned. She requested the City Manager transmit that information to the Commission.

Vice Mayor Johnson recalled FIU Metropolitan Center doing the comprehensive plan amendments in the past. She asked whether the statistics is updated.

Based on the information provided to the Commission, Manager Patterson replied, yes.

Mr. Brown explained that the document is an amendment to update the current comprehensive plan so that it is in compliance with state law. As it stands now, the city does not have the ability to do land use amendments or redevelopment of the Magnolia North area. Once the document is transmitted to DCA, it would probably be deemed sufficient. The statistics would be updated at a later time after the plan is deemed sufficient.

Vice Mayor Johnson recalled amendments being done in 2005 and since it is every 5 years, the amendments to the comprehensive plan should have been done in 2010. In 2005 the city hired FIU Metropolitan Center to do all the work, but it didn't come back for approval. She suggested that staff no longer allow this document to sit on a shelf and not bring it back because of the importance.

Mayor Taylor directed the City Manager to proceed and keep the City Commission updated on the Comprehensive Plan EAR amendments process.

11a. CITIZENS' FORUM:

1. John Riley of 2963 NW 135th Street, Opa-locka, Florida, appeared before the City Commission and stated that the law requires two public hearings on the Comprehensive Plan. The Comprehensive Plan is on the agenda for a public hearing and the Commission is now receiving a copy of the document, so how can the public intelligently participate in a public hearing of something they have never seen.

He continued by congratulating the city in celebrating the birthday of Martin Luther King, Jr. who was a drum major for justice for city employees, however, it is ironic that 43 years after the assassination of Martin Luther King there are employees here in the

City of Opa-locka who need justice. He explained that he'd been before the Commission and asked on a number occasions requesting that they convene as a Board of Inquiry so that they can get to the bottom of those situations taking place.

He further asked that the Commission convene as a Board of Inquiry. In addition to that, what has been told about the city's finances leaves this community in doubt because they're told the city can't hire, but then it does hire. The citizens need to know the truth and the Commission is responsible for the fiscal ability of this city. He doesn't want the city to come back in June or July and find out it is in a financial crisis.

Commissioner Holmes directed the City Attorney to prepare a resolution for the next commission meeting convening a Board of Inquiry for the finances and personnel issues of the city.

Vice Mayor Johnson asked for clarification relating to the purpose of the Board of Inquiry.

Mr. Riley explained that the Civil Service Board would present its case to the Board of Inquiry.

Commissioner Holmes added that the Commission would serve as the Board of Inquiry.

Mr. Riley responded, that is correct.

2. Adam Hendry, property manager for 1360 Sharazad Boulevard, Opa-locka, Florida came forward and stated that in taking over the property, they've been making renovations to the interior and exterior because of the poor condition it was in. He mentioned that the previous owner and the bank had water liens, Code Enforcement violations and problems with the Fire Department. He respectfully asked for leniency since they've been working very hard for the past few months to get the property safe and cleaned for the residents of Opa-locka.

Mayor Taylor asked, had Mr. Hendry spoken to anyone from the city?

Mr. Hendry replied, Mr. Patterson.

Commissioner Holmes said he met with the property manager who is looking to see if the city would be able to reduce some of the liens. He asked, how much are the liens?

Mr. Hendry said that the water lien is \$59,000.00, Code Enforcement lien \$8,000.00 and Fire Department is \$67,000.00.

Mayor Taylor asked whether the property owner knew the liens were on the property when purchasing it.

Mr. Hendry explained that the bank didn't provide very good disclosure and as a property manager he is there on behalf of the property owner. However, they didn't have all the information and they are doing their best to clean up everything from the prior owner who really wasn't doing a very good job.

Mayor Taylor asked, has the property owner met with the City Manager?

Mr. Hendry replied, no.

Mayor Taylor directed the City Manager to meet with the property owner.

3. Prophetess Celeste Fitzpatrick of 2523 Opa-locka Boulevard, Opa-locka, Florida, appeared before the City Commission to voice her concerns relating to the city providing a response to the citizens concerns at commission meetings; being able to see more accountability, facts & priorities when attending the commission meetings; letter to Commissioner Holmes relating to the Saggy Pants Ordinance for donation of belts to the young men who don't have them due to the economic times; posting of the parade information and parade route throughout the city; having a suggestion box for citizens input; and the recent increase of vehicle break ins at Gardenia Gardens.

Mayor Taylor directed the City Manager to have OCS to get Prophetess Fitzpatrick's information. She directed the City Manager to provide an answer to the citizens as quickly, expeditiously, and as efficiently as possible.

4. Derrick Jones of 1020 Dunad Avenue, Opa-locka, Florida, appeared before the City Commission and explained that his has a contract with the city for lawn services which included the parks; however, the city has reduced his contract by decreasing the pay and excluding the parks.

James Greason, attorney for Mr. Jones, of 801 Brickell Avenue, Miami, Florida, came forward and stated that Mr. Jones was awarded a contract and the City Manager has recently proposed a rate reduction so that some of the city parks would be cut in-house. The City Commission should consider the reduction in the scope of services which is not a good idea for the city.

He further said that another issue is that Mr. Jones was having problems getting paid which he is suppose to receive on the 25th of the month.

Commissioner Holmes asked, does Mr. Jones have a contract with the city that was passed by the City Commission?

Mr. Greason replied, yes and that's why their position is that any changes to the contract should go to the Commission.

Commissioner Holmes explained that since the Commission awarded the contract for Mr. Jones then any changes to that contract should be brought back to the Commission; however, nothing has been brought back. He directed the City Manager to straighten this matter out by the following day.

Vice Mayor Johnson asked, did the contract include the parks and the specific date and amount for payment?

Mr. Jones stated that the parks was included in the contract.

Mr. Greason stated that the contract doesn't specify the date, but historically over the past year Mr. Jones would submit his invoice by the 20th of the month and he would receive payment on the 25th of the month.

Mayor Taylor asked Attorney Geller if he'd spoke to Mr. Greason.

Attorney Geller said he had spoken to Mr. Greason about this matter.

Mayor Taylor asked, was an agreement reached?

Attorney Geller said that they had come to some agreement, but not a complete agreement.

Mayor Taylor asked, can both attorneys try again to come to an agreement?

Attorney Geller explained that the City Manager informed him that the issue with the payment was because the invoice was not submitted in a timely fashion. This was the first time this had occurred; however, there was a separate issue last month which had to do with the reduction and scope which he spoke to Mr. Greason about and they did reach an agreement.

Mayor Taylor stated to Mr. Greason that the Commission did not have the contract before them to say that the city does not have the option to change the scope of work.

Attorney Geller interjected and said that the city most certainly does have that option.

Mayor Taylor said that the Commission would like to see both parties come to an amenable agreement. She suggested that Mr. Greason, the City Manager and City Attorney go back to the table.

Mr. Greason said that he did have a discussion with Mr. Geller in December 2010 and he agreed on behalf of his client to accept to reduce the amount until the issue was resolved. However, he is aware that Mr. Jones submitted his invoices on the 20th of the month.

Mayor Taylor said that in changing the scope of services, it is right to discuss the issue with the contractor and she doesn't know that was done with this individual.

Attorney Geller replied, that was done.

Mayor Taylor stated to Mr. Greason that she would like to see an agreement; therefore, she asked if both parties could go back to the table again.

Both Mr. Greason and Mr. Geller agreed to go back to the table to try to settle this matter.

Mr. Greason added that the principal issue and one that the Commission should consider is whether or not they want the cutting of the parks done in-house.

Mayor Taylor reiterated that both parties should go back to the table in an attempt to settle this matter.

Commissioner Holmes reminded the Commission of the fact that they awarded the contract to Roadrunner Professional Services; therefore, if there is a change to be made on the contract then the City Manager and/or City Attorney should bring it back to the Commission in order to make those changes. The City Manager or City Attorney should not take it upon themselves to reduce the scope of services when the Commission awarded the contract.

Attorney Geller advised that the Commission has the right to do whatever it deems appropriate and any action by the Commission is certainly within the power of the Commission. The City Manager is not authorized to spend money without Commission approval; however, the City Manager is authorized to save money where he deems it appropriate. The City Manager can save money, but of course that is subject to action by the Commission. If the City Manager sees a way to avoid spending city money, he has the right to do so which is different from spending money. But certainly that is within the power of the Commission to say no this is not what the city wishes to do.

Mayor Taylor said that the Commission must have some sort of documentation to say this is what they want to do or not do which they do not have.

Commissioner Holmes said that if the City Manager reduced the scope of services and it doesn't cost the city any money to cut the parks then that is fine, but the City Manager should have informed the Commission. However, he didn't understand how the City Manager is saving the city money when he reduced the contract then turned around and purchased equipment for someone else to cut the parks.

Mayor Taylor suggested that the city do what the law requires.

Commissioner Miller said she was of the opinion that if Mr. Jones was awarded a contract, the city shouldn't go back on the contract and pay the man his money.

Should the city decide to reduce the scope of services, Vice Mayor Johnson suggested that it be brought back in legislation form for the Commission to make that decision. She expressed her concern with Mr. Jones not being paid for the month of December.

Manager Patterson said that there is more to this issue and he would recommend that the Commission allow the attorneys to work it out.

Commissioner Holmes requested that the City Attorney provide a report to the Commission on this issue.

5. Sandra Collado of 301 Bahman Avenue, Opa-locka, Florida, came forward and expressed her concern relating to being issued code violations for a truck and the number of vehicles parked on her property. She made referenced to the employee who issued the citations saying that the individual was very rude.

Commissioner Holmes stated that Mrs. Collado like many other residents are complaining about the Code Enforcement Officers issuing citations instead of issuing the residents a warning first to allow them to come into compliance. He said someone in the Code Enforcement Department is telling the Code Enforcement Officers to go out and issue citations to make money for the city; but that is not the way it is suppose to be done.

Mayor Taylor directed the City Manager to have his Code Enforcement staff speak with Mrs. Collado.

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

16-1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO RESTORE ALL CELL PHONES AND CAR ALLOWANCES TO ALL EMPLOYEES THAT WERE AFFECTED BY THE SUSPENSIONS THAT WERE PREVIOUSLY ADOPTED; 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 Commissioner Miller to pass the above resolution.

Commissioner Holmes explained that during the last commission meeting he made a comment about individuals being hired with benefits such as car allowances and city issued cellular phones. However, a resolution was recently passed to suspend car allowances and cellular phones from unclassified employees who didn't need them. After doing some research, he found out that the employees are still getting their car allowances. Of concern was the fact that the Commission passed a resolution, but no action was taken by staff to move forth with the resolution. Therefore, somewhere down the line somebody is not doing what they are suppose to do. Since none of the employees were affected by the suspension of the car allowance and/or cellular phone then it would be pointless to pass this resolution.

He requested to pull the above resolution. Commissioner Miller withdrew her seconded and Commissioner Holmes withdrew his motion. (The above resolution was withdrawn at the request of the sponsor, Commissioner Holmes).

16-4. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PAUL T. SWEENEY FOR SPECIALIZED CONSULTING AND PROFESSIONAL SERVICES, BEGINNING JANUARY 1, 2011 THROUGH DECEMBER 31, 2011, IN AN AMOUNT NOT TO EXCEED SIXTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$62,500.00), PAYABLE FROM ACCOUNT NUMBER 36-521312; 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 Miller, seconded by Vice Mayor Johnson to pass the above resolution.

Commissioner Miller asked for an explanation on the above resolution. She asked, why does the city need a consultant?

Manager Patterson explained that he inherited this and when he came on board with the city the consultant was already doing this work for the police department. This resolution is for the writing of the grants and not the administering of the grant. He asked the Deputy Chief to come forward and provide an explanation as to why the police department should continue to utilize this consultant for writing their grants. He advised the Commission that their packet included information pertaining to the grants the consultant writes and how much money was awarded for each.

Deputy Chief Adam Burden of the City of Opa-locka Police Department came forward and stated that since 2007 Mr. Sweeney has secured 1.5 Million Dollars in grants with a little over \$200,000.00 in 2010 and approximately \$130,000.00 pending. The reason they like Mr. Sweeney is because he is police department specific and tied into the Law Enforcement grants available, he meets with the police department staff on a constant basis, keeping them up to date on the availability of grants and they have a very good working relationship.

Mayor Taylor stated that Commissioner Miller wants the Deputy Chief to justify Mr. Sweeney's existence for \$62,500.00.

Deputy Chief Burden added that this is a paid per work basis meaning that Mr. Sweeney could go through the entire time period and not receive any money if he does not produce any grants.

Commissioner Holmes asked whether Deputy Chief Burden was saying that Mr. Sweeney was an asset to the city in his ability to secure money for the Opa-locka Police Department. He asked, how long had Mr. Sweeney been the consultant for the Opa-locka Police Department?

Deputy Chief Burden stated that Mr. Sweeney has been the consultant since 2007.

Commissioner Holmes said that what the Deputy Chief Burden is saying is that Mr. Sweeney is knowledgeable and knows how to get money for the police department.

Vice Mayor Johnson recalled that the last time this item was before the Commission, staff indicated that Mr. Sweeney would be written into the administrative cost of the grants so that his salary is a portion of that grant. Although Mr. Sweeney does an excellent job, she said that the city didn't need three grant writers. When Mr. Sweeney was brought on in 2007, it was for a short period of time and it is just continuing. The city must work itself out of the non-essential positions.

Although Deputy Chief Burden understood what Vice Mayor Johnson was saying, he said that many of the law enforcement grants don't have an area for administrative costs.

As the city works with Mr. Sweeney and look for future grants, they would look to make sure they have that type of ability; but as of yet, it has not been available.

As it relates to the COPS grant, Vice Mayor Johnson asked if Deputy Chief Burden was saying that there isn't an option to incorporate the administrative costs into the grant?

Deputy Chief Burden said that he is not saying that for the COPS grant because there may have been; however, since Vice Mayor Johnson made that statement in the commission meeting, moving forward they have not seen it.

Vice Mayor Johnson advised that this was the same dialogue the Commission had last year and she just wants to see when this will come to an end. Somehow the city must work that individual out of a non-essential position and it has to be where some of city's current grant writers take over it. In her research, many of the grants are repetitious and it's just a matter of moving the numbers. She said she was concerned with the \$62,000.00 being paid to this consultant.

Commissioner Holmes asked, how much money has Mr. Sweeney secured in grants for the city since 2007?

Deputy Chief Burden replied, 1.5 Million Dollars.

Commissioner Holmes said that the city is still coming out ahead because Mr. Sweeney secured 1.5 Million Dollars in grant money for the city and he received \$190,000.00 since 2007. Until the city can find a way to incorporate Mr. Sweeney's cost into the grant, he suggested that the city continue his services.

In looking at the supporting documentation, Commissioner Tydus reiterated that the total dollar value of the contract shall not exceed \$62,500.00 and it is for billable hours that Mr. Sweeney is actually working. The resolution does not indicate that Mr. Sweeney is going to be paid the \$62,500.00, although he may, but the dollar value is not to exceed \$62,500.00. She took into consideration the fact that Mr. Sweeney has a track record that his payment does not exceed the grant dollars brought into the city. It is very important that grants writers are grant specific and Mr. Sweeney is police department specific. Although the city may have other grant writers, but they might not necessarily be police department specific.

She went on to say that she was in support of the resolution for the renewal given Mr. Sweeney's track record for the city and the fact that the dollar amount is not to exceed \$62,500.00.

Of concern to Mayor Taylor was the billable hours for meeting with the chief which was similar to an attorney's invoice. The grants listed are repeated grants and the Deputy Chief indicated that the police department likes Mr. Sweeney, but never said that they need him. Some of the items listed is part of Mr. Sweeney's job as a consultant because he has to go to meetings.

She continued by asking, is the \$62,000.00 once or twice a year?

Deputy Chief Burden said that it was every six (6) months.

Mayor Taylor said that would equal to \$125,000.00 for repeated grants which is a cut and paste situation; therefore, she does not see where this could not be brought in-house. She asked, is there something magnanimous about police grants that another grant writer cannot do that's already on staff?

Deputy Chief Burden replied, no, somebody else can do it. He added that Mr. Sweeney has never capped out of the \$62,000.00 in a six month period.

Attorney Geller corrected the Deputy Chief and said that the contract is \$62,500.00 for the year which is \$31,250.00 every six(6) months.

Deputy Chief Burden advised that in the very near future the Opa-locka Police Department would train one of their own to have the ability; however, right now they feel more comfortable holding on to him for his expertise and the connections he has. To answer Mayor Taylor's question, he said someone else can do it and someone else will be able to do that in the near future.

In reviewing the billable hours, Mayor Taylor asked, is Mr. Sweeney getting paid for those hours or is that included in the \$31,000.00?

Attorney Geller stated that his understanding is that the contract permits Mr. Sweeney up to \$31,250 per six months based on the number of hours he works and those hours are what he submits in order to receive his payment. If he does not have hours expended, billed and submitted then he is not paid. On that basis, at any point if the police department stops giving him assignments then the existence of a contract won't change the fact that if he's not given an assignment, then he cannot bill hours and therefore, he would not be paid for any additional work which he was directed to do.

Mayor Taylor again asked, are the hours billed within the \$31,000.00?

Both Attorney Geller and Deputy Chief Burden replied, yes.

Mayor Taylor asked, who is monitoring Mr. Sweeney?

Deputy Chief Burden said that he's been monitoring Mr. Sweeney since coming to the city.

Vice Mayor Johnson stated that the Deputy Chief was not familiar with what was stated before but he was stating some of the same dialogue proposed last year. In her experience working with grant writers, she said she never knew the city needed a grant writer just for the police department. She said she wants to see the city work itself out of this and bring it in-house.

Mayor Taylor stated that she was not impressed with grants that were repeated grants; however, she is impressed with new grants that come in, but some of the grants are repeated grants.

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

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

5. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) TO SOLICIT PROPOSALS FROM QUALIFIED BANKING INSTITUTIONS FOR A "TAX EXEMPT FIXED RATE LOAN" TO FUND AN AMOUNT NOT TO EXCEED EIGHT MILLION DOLLARS (\$8,000,000.00); 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 revised resolution was attached to the add-on package.

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

Commissioner Miller asked for clarification on the above resolution.

Manager Patterson explained that this item was discussed several times in the past relating to refinancing old bonds which are at 7% and the interest rate in today's market is substantially less. This is to refinance the old bonds of which the money would go towards several capital projects the city has been unable to complete. The life of those bonds were up in approximately two years and if the city would expand for an additional two years then it would have sufficient money to pay back the debt service and put money into the capital projects.

Commissioner Miller suggested that the resolution is deferred until she could have the opportunity to sit down with the City Manager for further explanation.

Vice Mayor Johnson referenced page 2 of 7 of the document provided where it listed the projects because the rumor was that this item is presented to offset the salaries for the recent hires. She requested that the City Manager explain page 2 of 7 of the document because she didn't want to offset anything to do with salaries and if this item is project specific, then she would like the City Manager to elaborate for the record.

Manager Patterson said that the projects listed are projects that would be eligible for this money to be spent on.

Ezekiel Orji, Finance Director/Assistant City Manager for the City of Opa-locka came forward and explained that page 2 lists capital projects approved in the existing bond document. The money received from this can only be used for those projects listed.

Mayor Taylor asked, can this money be used for salaries?

Dr. Orji replied, no. The city cannot use the proceeds of refinancing money for salaries.

Mayor Taylor added, the money can be used for the capital projects.

Vice Mayor Johnson asked, did the city add any projects to the list from the time the first presentation was done?

Dr. Orji replied, no.

Vice Mayor Johnson suggested that Dr. Orji go back and take a look at the previous presentation because it did not include fleet replacement program in addition to two other items. In addition, the Canal Maintenance is outsourced to Miami-Dade County.

She went on to say that the Commission previously talked about the roads & sidewalks because during the Town Hall Meeting there was discussion about certain areas throughout the city which have no sidewalks for many years. She made the assumption that the sidewalks was a part of this listing, but she would like to see it documented to eliminate the guessing.

She further stated that if the Commission is refinancing the bond for the projects then she would support it, but she would not support to offset any residual funds. Previously she spoke about the interest, but she would like to know from the financial advisor how the city could spend the money if there is any interest.

Commissioner Holmes was of the opinion that this was a set up because Dr. Orji had already met with individuals from the Commission prior to the meeting.

Mayor Taylor explained that a commissioner just indicated that they are not sure about this bond. If one commissioner says this is not clear then the commission meeting is not the setting to provide an explanation to that commissioner. If there's a doubt on the left then there's a doubt on the right. If not, then the Vice Mayor would have not called up the financial advisor.

She requested that the Commission hold a workshop on this matter. The resolution is for the City Manager to issue an RFP to solicit proposals from banks so the city at this point doesn't have a comparison from the bank to the bond market to give the Commission a complete picture to make a decent decision to refinance the bond.

She further requested that the City Manager withdraw the resolution in view of one commissioner not being clear on this issue and perhaps someone else is not quite clear either in terms of the difference between the bank and the bond market. In an effort to be fair to the Commission, she said she must make sure everyone understands in order to make a decision for the people who live in this city.

Commissioner Holmes said that everybody is well aware of what this resolution is all about; the City Manager hired people over the last month for a total of approximately half million dollars. The city didn't have the money in the budget last year to hire anyone;

they couldn't even give employees the proper increase and money was taken from employees who the city claimed were getting more money than they should to balance the budget. All of sudden there's a \$800,000.00 shortfall in the budget, the City Manager hires 4 or 5 individuals this month for a total of over a half million dollars and now this item is on the agenda for \$8,000,000.00 bond refinancing to receive \$2,200,000.00 and saying they are not going to be using the money for salaries. This, in his opinion, was hogwash. It was stated in the past that anytime the city wanted to make changes to the bond then it would have to go back to the bond counsel and make the recommendation to them. Once this item is passed, the city can go back and use the money for salaries.

He continued by saying that it was wrong for staff or anyone else to come the day of the commission meeting and try to sell them these ideas. He refused to put the burden on the taxpayers in the financing of the \$8,000,000.00 bond to pay for salaries of individuals that shouldn't even be on the payroll who are getting high salaries and car allowances when the Commission adopted a resolution to suspend the car allowances.

He further stated that he is in agreement with taking this item off of the agenda and it is up to the Commission to have a workshop.

Manager Patterson informed the Commission that he was the person who asked the Finance Director and Financial Advisor to meet with each of the Commission members as early as possible in order to go over the pros and the cons. However, he didn't have a problem with getting back with Commissioner Miller if she was not completely satisfied with the answer, but nobody is trying to pull anything over anyone.

Mayor Taylor asked that the City Manager pull the resolution in order to schedule a workshop.

Commissioner Tydus didn't have an objection to delaying this resolution in order for Commissioner Miller to meet with the administration; however, her concern is whether this is a time sensitive matter.

Manager Patterson explained that this issue is time sensitive in that the longer you wait the higher the interest rates may be. For this amount of money, the city doesn't need to delay it indefinitely.

Commissioner Tydus informed the Commission that the resolution itself is simply allowing the administration to request these proposals. The main objective is to determine whether or not the refinancing should be through the bank or should it be bonded. There's no way to make that comparison if they do not receive proposals from the banks. While in the RFP process is taking place, staff can still meet with each commissioner or have a workshop, but the city would be ahead of the game. The administration can't provide any type of comparison if they don't have the information.

Mayor Taylor said that she doesn't want the Financial Advisor to make a presentation in this setting.

Commissioner Holmes suggested that the resolution be withdrawn from the agenda.

Commissioner Tydus reiterated that this was a time sensitive matter.

Mayor Taylor asked, how much time does the city have?

Edward Marquez of First Southwest Company appeared before the Commission as the city's financial advisor and stated that the interest rates tend to go upwards depending on how fast they move; however, realistically no one has that information. The resolution before the Commission is requesting permission to send out an RFP to banks to see what they offer; however, by going through an RFP process, the city is setting up a competitive process where they would get terms and interest rates. At that point and time, the Commission can evaluate that, but the city must give banks at least three (3) to four (4) weeks to submit their RFP's.

In terms of the bond side, Mr. Marquez said that a bond issue generally takes two to three months to do; however, the bank RFP is much faster. Also, generally speaking, the cost for bond issues are much higher than the cost to go through a bank.

Mayor Taylor asked, what happens in the long run?

Mr. Marquez said it would depend on the interest rates and the terms.

Commissioner Holmes informed the people that they all see who is in favor of this issue and the bond man is going to come up and say whatever certain individuals want him to say because he knows he will walk out with a big check if this item passes. This would cost the taxpayers a whole lot of money. The city doesn't need to refinance the bonds to pay for the \$800,000.00 budget shortfall and the half million dollars in salaries. If the Commission doesn't pass this item, then they may not have a city come October 2011. If that is the case after the city has hired all these people then let the state come back in and take it over with some of the same people who are sitting out there who were here before. That's where the city is leading to.

Mayor Taylor clarified that the state did not come in and take over the city.

Commissioner Holmes said that the people requested the state to come in to take over because the city didn't know what it was doing. The city had messed up so bad with the taxpayer's money the people requested the state to come in to control the spending.

He continued by saying that the people are looking at what is going on and they see what's wrong. All the promises made after the November 2, 2010 election and individuals trying to fulfill those promises of hiring people. The city is throwing away the taxpayers money and although certain people will say what they want to say to please certain individuals in order to hold on to their jobs. He suggested that the Commission get rid of this item.

Mayor Taylor clarified that the state did not come into the City of Opa-locka. The city was under watch and was permitted to correct itself; however, the City of Opa-locka was not, like the City of Miami, taken over by the state. The city was under watch by the state Attorney General, the city cleaned up itself and the state accepted it. The city had a recovery plan and the state never came in the City of Opa-locka.

She went on to say that Mr. Marquez works for the Commission and he is providing his best scenario. She asked whether the Commission wanted the City Manager to pull this resolution or move forward with it pending a workshop in a few days.

Mr. Marquez stated that as the city's financial advisor, he is paid to provide the best possible advice to the Commission. By going out for the RFP now, the city is not committing to anything; it is only asking banks to respond to the proposal in approximately five weeks. During the interim, he would assist with whatever education the Commission request and staff asks in order for them to make relevant decision when the responses come back from the banks.

Commissioner Miller said she was not comfortable in voting on this item until she had a better understanding.

Commissioner Tydus reiterated that the city is not under any obligation one way or another because the resolution simply allows the administration to receive RFP's from banking institutions in order to make a comparison between the banks and the bond. In the interim while that is being done, the Commission can hold a workshop, have individual conversations with the administration, but at least the process is continuing and not at a stand still. In reviewing page 2 of 7 under purpose, it reads: the City of Opa-locka, Florida, shall accept and review proposals from qualified banking institutions for a tax exempt fixed rate loan. That tax exempt puts the city under very strict monitoring by the IRS and that money cannot be spent for any purposes other than those listed under the capital improvements.

Mayor Taylor asked Attorney Geller if the Commission could hold a Workshop/Special Meeting.

Attorney Geller advised that instead of having just the workshop, the Commission can have a workshop that's also a Special Commission Meeting and at that point they can actually schedule consideration of this resolution for the special meeting to eliminate the two week delay. He said he didn't believe that a delay of a week or less would dramatically impact the city's cost. He suggested that a special meeting is held to discuss the item which would also accommodate the commissioners, but also not be a two week delay.

Mayor Taylor asked if the Commission would go along with the Special Commission Meeting.

There were no objections to the special commission meeting from the Commission except from Commissioner Holmes. Commissioner Holmes reminded the Commission of what happened with the bond in the 90's when people were handcuffed. He said he would not be in attendance at the special meeting.

Following brief discussion amongst the Commission, the Mayor called for a Special Meeting on Thursday, February 3, 2011 @ 3:00 p.m.

Attorney Geller encouraged the mayor and commissioners to begin the process of speaking prior to the special commission meeting. With the City Manager pulling the above resolution, it would be reset to the special meeting on Thursday, February 3, 2011 @ 3:00 p.m. and the City Clerk would give notice.

13. NEW ITEMS:

14. PLANNING & ZONING:

A. HEARINGS:

B. APPEALS:

15. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST 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. *Sponsored by C.M.*

The above ordinance was read by title by Attorney Geller.

Mayor Taylor opened the floor for a public hearing.

John Riley of 2963 NW 135th Street, Opa-locka, Florida, came forward and stated that the public had no knowledge of the amendments to the comprehensive plan and therefore cannot speak intelligently. In addition, state statutes requires that there be two public hearings for input and there hasn't been any public input or public hearing.

Attorney Geller explained that when this item was scheduled he had no idea Mr. Gonzalez from FIU would be present. What is before the Commission is not what Mr. Gonzalez talked about because what Mr. Gonzalez talked about is not completed yet. Upon completion, then it would be put in final form and made available to the public well in advance of the first of the two required public hearings. The item before the Commission for transmittal, is something they considered several months ago related to the Georgia Ayers Apartments. These are limited amendments just to enable that and any other similar project to go forward and the city received an exception from DCA to allow for this to be considered while FIU was going forward. He informed the Commission that the information has been available to the public, has been the subject to public hearings, a notice was published by the City Clerk and it is not what Mr. Gonzalez was here about.

Mr. Riley said that the reason the city is required to have a comprehensive plan is because the state has outlawed spot zoning and in doing this for a specific property then that is spot zoning. To amend the comprehensive master plan for the whole plan then the

City Attorney is correct, but to amend it just for a specific piece of property that is spot zoning which is against the law.

Attorney Geller explained that this item was not for spot zoning, but for an overlay which would apply for any similarly situated project that chose to apply under this overlay although there are no other applications at this time. However, this is not an amendment directed just to the Georgia Ayers Apartments; they're just the only project that presently has an application pending. This would apply to any properties that fit within the overlay.

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

It was moved by Vice Mayor Johnson, seconded by Commissioner Tydus to pass the above ordinance on first reading.

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

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

B. SECOND READING/PUBLIC HEARING:

C. RESOLUTION/PUBLIC HEARING:

16. ADMINISTRATION:

CONSENT AGENDA:

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TO AUTHORIZE THE CITY MANAGER TO MAKE PAYMENT OF TWENTY SEVEN THOUSAND FIVE HUNDRED AND SIXTY EIGHT DOLLARS (\$27,568.00) TO SUNGARD PUBLIC SECTOR (OSSI POLICE SOFTWARE) FOR YEARLY SOFTWARE MAINTENANCE, PAYABLE FROM ACCOUNT NUMBER 36-521646; 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 AUTHORIZE THE CITY MANAGER TO MAKE PAYMENT OF THIRTY EIGHT THOUSAND NINE HUNDRED AND EIGHTY-SEVEN DOLLARS AND SIXTY-FOUR CENTS (\$38,987.64) TO SUNGARD PUBLIC SECTOR (PLUS SERIES SOFTWARE) FOR YEARLY SOFTWARE MAINTENANCE, PAYABLE FROM ACCOUNT NUMBER 14-512528 AND ACCOUNT NUMBER 61-513528; 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 Miller, seconded by Commissioner Tydus to pass the consent agenda resolutions.

The motion passed by a 3-1 vote.

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

Mayor Taylor informed Attorney Geller that item 16-3 didn't reflect in the title of the resolution that this item was specifically for the Finance Department.

A. CITY MANAGER'S REPORT:

Manager Patterson provided a report to the Commission relating to Villa Francine, the commencement of the Ali-baba Project on May 4, 2011, and the arrival of the new vehicles for the City Commission and the Opa-locka Police Department. In the Commission packet, he provided responses to the concerns from the January 12, 2011 commission meeting.

He continued by providing a report on the agreement with the PBA, the ending of the first quarter of the FY 2011 budget, and those items of concern as discussed by the Commission relating to Sherbondy Village.

Commissioner Miller asked for an update on the Helen L. Miller/Segal Park project.

Manager Patterson said that the city has received approximately \$600,000.00 from the county for the Helen L. Miller Center project and his thoughts are to rehabilitate the building to be utilized for various functions in that area.

Fritz Armand, Public Works Director for the City of Opa-locka came forward and said that he was in the process of reviewing the scope of services. The intent is to issue an RFP to get a contractor to complete the work.

Commissioner Miller said she was under the impression that this project would be done in-house.

Due to the lack of manpower in the Public Works Department, Mr. Armand said the city would not be able to handle this type of work in-house in addition to handling the day to day operations.

Commissioner Miller recalled several meetings ago when Mr. Thony spoke about the work being completed in-house and now a contractor is needed to complete the project. Because of the amount of money available for that project, she said a contractor would reap most of that money and the building would not be completed.

Manager Patterson advised that if the city waited to do the project in-house it would take too long because of all the outstanding projects. The city must seek an outside contractor to do this quicker.

Commissioner Miller expressed her frustration about the project not being completed by now because the money had been available for a while. She asked if the project would take another year?

Mr. Armand replied, no, it would not take another year.

Commissioner Miller requested that the City Manager pay Roadrunner for his outstanding invoices for the previous month.

Manager Patterson didn't recall receiving any invoices from Roadrunner for that particular month.

Ezekiel Orji, Finance Director for the City of Opa-locka came forward and indicated that he had not received an approved invoice in Finance for the month of January; however, Mr. Jones was paid for the month of December.

Attorney Geller informed the Commission that Mr. Jones did receive payment for the month of December; it is the check for January that is in question.

In terms of the Sherbondy Village project, Vice Mayor Johnson said that it would not be cost effective to complete the second floor of the building at a later time. Therefore, she requested that the City Manager revisit this matter because a resolution was brought forth for payment of \$200,000.00 from Account No. 19-519610. She asked, what account number is that?

Faye Douglas, Budget Administrator for the City of Opa-locka came forward and stated that the line item in question is for the purchase of land. Although that amount was not budgeted in the adopted budget, there are plans to amend the budget and it is an allowable expense for the bond proceeds.

Vice Mayor Johnson asked, wouldn't that be advancing what staff doesn't know how the Commission is going to vote? When issues as such occur, she said it puts the Commission in an awkward position.

She suggested that the City Manager find monies to complete the second floor of Sherbondy Village now versus later which would be more cost effective. She said that Commissioner Jordan is working diligently to bring resources into Opa-locka, but the city must do due diligence with it.

She spoke about the illegal dumping areas throughout the city which Code Enforcement and cameras are vital in addressing these issues. She recalled the contract with Johnson Controls that included cameras in certain areas which the city never received. Also, in 2006, the Commission mentioned the importance of having Code Enforcement working during the evening and night hours; however, that is not happening.

She further requested that the City Manager look into bringing the trash & garbage pick up in-house.

She thanked the City Manager for the repairs completed near Porter's Locksmith which was long overdue.

Vice Mayor Johnson asked for the actual date of the completion of the trash recycling unit in Opa-locka which looks much better but is not complete.

Manager Patterson said that the city completed that project.

Vice Mayor Johnson disagreed with the City Manager and said that although it did look much better, it is not finished product from an imaging and branding standpoint. She encouraged the City Manager to revisit this issue and provide a timeline for completion.

She went on to say that she'd spoke with Howard Brown relating to the poster signs on the poles and suggested that the city purchase adhesive remover spray from Home Depot for the removal of those signs. In addition, Code Enforcement must start removing the signs and calling the number on the sign to let the individual know that it is illegal to place those signs in the City of Opa-locka.

She further mentioned an incident that took place with a Opa-locka police officer and the workers who worked all night to rehab the home on Rutland Street in preparation for the groundbreaking the following day. The behavior and attitude of the police officer towards the workers was unacceptable. She said she would contact the Opa-locka CDC so that there is a workable relationship and communication so that the city is aware when the contractors would be working late.

Commissioner Tydus questioned the City Manager about the funds allocated in the budget for traffic roundabouts and asked for an update.

Although the traffic roundabout was in this year's budget and would be completed this year, Manager Patterson could not provide a more precise date. He said he would provide a report to Commissioner Tydus on the traffic roundabout before the next meeting.

During the Charette facilitated by the Opa-locka CDC, Commissioner Tydus said it appeared there was an urgency for the city to adopt a resolution that would adopt the 20/20 Vision project in concept. She said she had planned to sponsor a resolution at this commission meeting, but the ball was dropped at some point. She asked for input on this matter.

Howard Brown, Director of Planning & Community Development for the City of Opa-locka, Florida, came forward and said that a meeting is scheduled with Mr. Logan on Thursday, January 27, 2011 to discuss the details of the plan and what needs be included in the resolution, then at that point it would be brought to the Commission.

Commissioner Tydus reported that the lights are out along the Gratigny and requested that the appropriate agency is contacted to report this matter.

Commissioner Holmes asked, did the Opa-locka CDC and/or Habitat for Humanity obtain all the necessary permits to construct the homes throughout the city? Specifically, he made mention to permits for drilling holes in the ground for wells.

Manager Patterson said he wasn't aware of permits for wells; however, he is aware that other permits for construction were complied with. He said he would look into Commissioner Holmes' concern.

Commissioner Holmes stated that what is taking place in the city is excellent, but he wants to make sure the contractors are getting the necessary permits.

He continued by asking, how many city credit cards are there?

Dr. Orji, Finance Director came forward and said that there are approximately 8 city issued credit cards.

Of concern to Commissioner Holmes was the \$29.00 late payment fee on a credit card invoice of \$50.00. He requested to be provided with the information as to the number of late payment fees the city is paying for credit card invoices not processed in a timely manner.

He went on to say that the trailers at Sherbondy Park are filthy and asked if those trailers are cleaned on a daily basis.

Manager Patterson said that staff from the Public Works Department is supposed to be cleaning the trailers.

Commissioner Holmes requested that the City Manager find out whether the trailers are being cleaned because he was told that it was not being done.

He further expressed his concerns relating to a water leak on York Street, the number of police vehicles, Code Enforcement Officers being harassed by the department head and the cost and set up for the State of the City Address.

Mayor Taylor directed the City Manager to have Code Enforcement address the stacking of the cars above the wall and particularly over in the schools area of Alexandria Drive, the mesh is torn and when the cars are blown up the particles come through the open mesh to the children in that area, the junk yards behind the Gardens Apartments, and the pallets and the train cars are above the wall on NW 32nd Avenue.

She continued by responding to the last statement made relating to the State of the City Address by saying that each Mayor has an opportunity to make their State of the City unique to them. She asked, is there a line item for the State of the City Address?

Manager Patterson replied, yes.

Faye Douglas, Budget Administrator came forward and said that the State of the City budget is for \$17,000.00.

Mayor Taylor asked, has the city spent \$17,000.00?

Manager Patterson replied, not as of yet.

Commissioner Miller left the meeting at 10:32 p.m.

B. ACCOUNTS PAYABLE:

Ezekiel Orji, Finance Director for the City of Opa-locka came forward and said that the bills are being paid as they are approved. The city maintains its \$565,000.00 in the reserve account and all of the reports are include in the packet provided to the Commission.

Vice Mayor Johnson said that it would be a good idea to have a format for the processing of invoices and all of the vendors must be aware of the process. In addition, she would like this process to be included in the Welcome Kit. Also, she requested that Dr. Orji provide the Commission with a flow chart with complete details.

17. OFFICIAL BOARD REPORTS:

18. CITY ATTORNEY'S REPORT:

Attorney Geller informed the Commission that the city was sued by that Mr. Redmon from Villa Francine who has filed a suit against various parties including the developer. Mr. Redmon has named the city in the lawsuit and he is currently reviewing it.

Commissioner Tydus asked for a status report on the lawsuit with the Opa-locka/Hialeah Flea Market.

Attorney Geller reported that both parties are schedule to go back to mediation and he is in the process of coordinating dates.

At the request of Commissioner Holmes, Attorney Geller provided an update on the PBA agreement.

Commissioner Holmes said that the City Attorney has been saying the same thing about having a tentative agreement since last year.

Attorney Geller said that the city should have had an agreement by now, but it's the union that has come back.

Vice Mayor Johnson asked, what is the process for a vacancy on the Commission? She further asked, can a person get appointed by the Governor or the Commission can appoint someone?

Attorney Geller requested that Vice Mayor Johnson allow him to double check because he wants to be positive it is not one of those items where the Charter says one thing but it was not adopted in the proper fashion.

Vice Mayor Johnson clarified the question by asking, if she resigned from the Commission, does the city have to hold a special election?

Attorney Geller said that it would depend on how much time is left.

Vice Mayor Johnson requested that the City Attorney provide an answer to her question.

Mayor Taylor directed the City Attorney to place two items on the agenda for the special meeting: the bond issue and the financial status of the city.

Attorney Geller said he would get with Mayor Taylor to discuss the specifics and make sure that the clerk includes that in the call of the meeting.

Mayor Taylor said that would be fine.

19. CITY CLERK'S REPORT:

Clerk Irby stated that she did not have a report.

NOTE: This portion of the minutes is transcribed in verbatim.

Vice Mayor Johnson: Don't you have a special election or something coming up, Mrs. Irby?

Clerk Irby: No, this is Miami-Dade County Election, but I've done what I needed to do here in the city to notify the citizens and of course everyone would receive a sample ballot in the mail. But this is the county's election so I don't really go all out like I would with one of our elections. I think that I pretty much let the citizens know that there is an election, our precincts will be open on February 8.

Mayor Taylor: So all precincts will be opened on February 8?

Clerk Irby: All precincts will be open from 7:00 a.m. through 7:00 p.m.

Mayor Taylor: So we're asking everyone to come out and vote. This is for the state senate and the house for Florida and both will be a part of the City of Opa-locka.

Clerk Irby: Yes. The state senate district 33 and the house district 103. And I'm also planning on doing the CodeRed, one phone blast.

Mayor Taylor: Okay, that's good to get everybody and then we'll put it on the channel network.

NOTE: This concludes the verbatim portion of these minutes.

Mayor Taylor requested that the City Attorney research to see if the city has an active ordinance addressing the sticky advertisements and signs throughout the city.

Attorney Geller informed Mayor Taylor that the city does have an ordinance and he has spoke to Code Enforcement and passed on that she wanted it enforced.

Mayor Taylor suggested that Code Enforcement give the owner of the signs notice to pick up the signs if they don't then they will be fined. Also, she directed the City Manager to have Public Works pick up the signs as they see them.

In speaking to the City Manager and the Director of Planning, Attorney Geller advised that he would be bringing legislation to the Commission in the near future to add an additional Special Master in order to be better equipped to handle the increased code enforcement.

20. MAYOR/COMMISSION REPORT:

Commissioner Tydus announced that in recognition of Sanctity of Human Life Month in January she would be hosting a rally on Saturday, January 29, 2011 @ 12:00 p.m. at Historic City Hall pavilion.

Vice Mayor Johnson informed Commissioner Tydus that she would be in Orlando and therefore could not attend the Sanctity of Human Life Rally. She reported that she would be working with a group on a HIV cycling marathon from Opa-locka to Key West. She thanked Commissioner Miller and Mayor Taylor for attending the Portrait of Empowerment MLK Gala which was successful. For the record, she said that the city owes \$500.00 for a table at the Gala.

She continued by reporting that she would be in attendance at the State of the City Address on Friday, January 28, 2011.

Commissioner Holmes directed the City Attorney to bring back a resolution to place the Code Enforcement Department under the Police Department.

Due to previous engagement, he said he would not be in attendance at the State of the City Address.

Mayor Taylor thanked staff who was in attendance at the meeting and stated to the City Manager that she did not see Building & License present and she previously asked that the City Manager have his staff or a representative from each department in attendance of all commission meetings. She said that the City of Opa-locka will be a five star city and the first thing they are going to do is have a new attitude.

She directed the City Manager to have his department heads look at people differently, talk to them and pull everyone on board to making this city even greater and better.

Mayor Taylor announced that Virginia Tresvant was having a Birthday Celebration on February 12, 2011 @ 11:30 a.m.

She further invited everyone to attend the State of the City Address on Friday, January 28, 2011 @ 7:00 p.m.

21. OFFICIAL BOARD APPOINTMENTS:

Application for re-appointment of Elio Guerrero to the Planning Council.

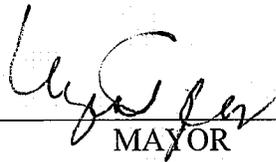
It was moved by Vice Mayor Johnson, seconded by Commissioner Tydus to appoint Elio Guerrero to the Planning Council.

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

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

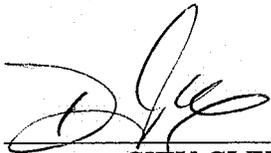
22. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Vice Mayor Johnson, seconded by Commissioner Tydus to adjourn the meeting at 10:48 p.m.



MAYOR

ATTEST:



CITY CLERK