City of Opa-locka

Commission Chambers
215 Perviz Avenue
Opa-locka, FL 33054

Virtual Regular Commission Meeting
Agenda

Wednesday, July 8, 2020

7:00 PM

City Commission

Mayor Matthew A. Pigatt
Vice Mayor Chris Davis
Commissioner Sherelean Bass
Commissioner Alvin Burke
Commissioner Joseph L. Kelley

Appointed Officials

City Manager John E. Pate
City Attorney Burnadette Norris-Weeks
City Clerk Joanna Flores, CMC

SPEAKING BEFORE THE CITY COMMISSION

NOTE: All persons speaking shall come forward and give your full name and address, and the name and address of the organization you are representing.

There is a three (3) minute time limit for speaker/citizens forum and participation at all city commission meetings and public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If your matter requires more than three (3) minutes, please arrange a meeting or an appointment with the City Clerk prior to the commission meeting. *City of Opa-locka Code of Ordinances Section 2-57*

DECORUM POLICY

Any person making impertinent or slanderous remarks or who become boisterous while addressing the commission, shall be declared to be out of order by the presiding officer, and shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission be granted by the majority vote of the commission members. *City of Opa-locka Code of Ordinances Section 2-58*

NOTICE TO ALL LOBBYISTS

Any person appearing in a paid or remunerated representative capacity before the city staff, boards, committees and the City Commission is required to register with the City Clerk before engaging in lobbying activities. *City of Opa-locka Code of Ordinances Section 2-18*

FLORIDA STATUTES, CHAPTER 285.0105:

"If a person decides to appeal any decision made by the Board, Agency or Commission with respect to the proceedings, and that, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

CITY OF OPA-LOCKA
VIRTUAL COMMISSION MEETING PROCEDURES

Pursuant to Governor Ron DeSantis Executive Order Number 20-69, the following rules will ensure that the City Commission Meetings and any other necessary city public meetings, governed by Florida's public meeting laws will provide for necessary public notice, allow for public participation and are conducted in the Sunshine. The following rules shall govern all City of Opa-locka public virtual meetings during the duration of Executive Order Number 20-69.

Virtual public meetings will be aired through Livestream, accessible at: https://www.youtube.com/user/CityofOpaLocka

All residents will be able to view the meeting by tuning in to the link mentioned above. If you have comments you must submit those using the email address provided under the Public Comment section below.

Platform

All City of Opa-locka public meetings shall be conducted via Zoom or other similar platform.

Please note that Governor DeSantis' Executive Order 20-69, suspended the requirement of a quorum to be present in person or requires a local government to meet at a specific public place.

Meeting Notice

The City of Opa-locka will send notice of virtual meetings in the same manner as all other commission meetings. Additionally, the notice will include an email address and telephone number with instructions on providing comments ahead of the meeting.

Public Comments

The public may comment by submitting their comment ahead of the meeting via email to PublicComments@opalockafl.gov. Please be sure to state your full name and address in your email for your comment.

Comments submitted by members of the public by email will be read into the record during the meeting as long as they provide the comments by the deadline, 2 hours prior to the scheduled meeting time. Comments received after the deadline will be kept for the record, but will not be read during the meeting.

The public may also submit a pre-recorded message for public comment by calling (786) 618-2636. Please be sure to clearly state your full name and address in your message for your comment. Messages submitted cannot exceed three (3) minutes.

All pre-recorded messages submitted by members of the public via telephone will be played during the meeting as long as the messages are received by the deadline, 2 hours prior to the scheduled meeting time.

For questions and/or additional information, please contact the Office of the City Clerk at (305) 953-2800 or (786) 877-4038.

CITY OF OPA-LOCKA

"The Great City"

AGENDA
VIRTUAL REGULAR COMMISSION MEETING
July 8, 2020
7:00 P.M.

1. CALL TO ORDER:

2. ROLL CALL:

3. INVOCATION:

4. PLEDGE OF ALLEGIANCE:

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

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

7. APPROVAL OF AGENDA:

8. APPROVAL OF MINUTES:

Virtual Special Commission Meeting Minutes – June 18, 2020

9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

10. PUBLIC PRESENTATIONS:

11. CITIZENS' FORUM:
(Opportunity for discussion of any concerns – please limit to 3 minutes)

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

13. ADMINISTRATION:

CONSENT AGENDA:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING AN AUDIT COMMITTEE; PROVIDING FOR COMPOSITION OF MEMBERSHIP; PROVIDING FOR DUTIES OF COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RESCINDING RESOLUTION NO. 20-9747 AUTHORIZING FINAL PAYMENT OF ANNUAL LEAVE, PERSONAL LEAVE AND SICK LEAVE,

TOTALING $6,362.73, CONNECTED WITH THE TENURE OF FORMER INTERIM CITY MANAGER NEWALL DAUGHTREY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

A. FIRST READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE II, DIVISION 2, SECTION 2-45 ENTITLED "AGENDA" TO ALLOW FOR A PORTION OF EACH REGULAR CITY COMMISSION AGENDA TO INCLUDE "FUTURE AGENDA ITEMS"; PROVIDING FOR SEVERABILITY, CONFLICT AND REPEALER, INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Bass*

B. SECOND READING ORDINANCE(S)/PUBLIC HEARING(S):

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

C. RESOLUTIONS:

17. CITY MANAGER'S REPORT:

18. OFFICIAL BOARD REPORTS:

19. MAYOR/COMMISSION REPORTS:

20. OFFICIAL BOARD APPOINTMENTS:

Historic Environmental Preservation Board
5 At-Large Appointments

Fair Housing and Nuisance Abatement Board
1 Individual appointment (Mayor Pigatt)

Community Relations, Recreation and Activities Board
1 Individual appointment (Vice Mayor Davis)

Planning & Zoning Board
1 At-Large Appointment

21. ADJOURNMENT:

SCHEDULE OF FUTURE WORKSHOPS/OFFICIAL ACTIVITIES

A. Feeding South Florida Drive-Thru Food Distribution, Tuesday, July 7, 2020 at 9:00 a.m. – 11:00 a.m., Sherbondy Park Pavilion, 215 Perviz Avenue, Opa-locka, Florida.

B. Health in the Hood Filling Fridges Drive-Thru Pantry, every Tuesday and Thursday at 11:00 a.m., Opa-locka Community Development Corporation, 675 Ali-baba Avenue, Opa-locka, Florida. For more information, please text (305) 714-2264 – www.healthinthehood.org

C. City of Opa-locka Virtual Workshop, Thursday, July 9, 2020 at 5:30 p.m. This meeting will be streamed live at http://www.youtube.com/user/CityofOpalocka

APPROVAL OF MINUTES

CITY OF OPA-LOCKA

"The Great City"

CLERK'S ACTION SUMMARY MINUTES
VIRTUAL SPECIAL COMMISSION MEETING
Thursday, June 18, 2020
6:30 P.M.

1. **CALL TO ORDER:**

Mayor Matthew A. Pigatt called the virtual Special Commission Meeting to order at 6:30 p.m. on Thursday, June 18, 2020.

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

An opportunity was given to the public to email the City Clerk prior to the Commission Meeting with any questions/comments/concerns on items we will hear on this evening's Regular Commission Meeting agenda. This meeting is being streamed live at https://www.youtube.com/user/CityofOpaLocka.

Since this is a virtual meeting as authorized by the Governor of the State of Florida, again, members of the public wishing to address the Commission have been offered the opportunity to do so. Public comments will be included as part of the public record for this virtual meeting and will be considered by the City Commission prior to any action taken.

2. **ROLL CALL:**

The members of the City Commission appearing remotely were: Mayor Matthew Pigatt, Vice Mayor Chris Davis, Commissioner Joseph L. Kelley, Commissioner Sherelean Bass, and Commissioner Alvin Burke. Also appearing remotely were: City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, and City Clerk Joanna Flores.

3. **INVOCATION:**

The invocation was delivered by Commissioner Sherelean Bass.

4. **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited in unison.

5. **SECOND READING ORDINANCE/PUBLIC HEARING:**

a) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING CHAPTER 23 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "EMPLOYEE PROTECTION WHISTLE BLOWER ACT" TO

ALLOW FOR AN IMPARTIAL ADMINISTRATIVE REVIEW PROCESS WITHIN THE CITY FOR WHISTLEBLOWER COMPLAINTS; PROVIDING FOR SEVERABILITY, CONFLICT AND REPEALER, INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on June 4, 2020). *Sponsored by City Attorney*

The above ordinance was ready by City Attorney Norris-Weeks.

Mayor Pigatt 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 Davis, seconded by Commissioner Burke for discussion.

Commissioner Kelley said he is concerned about the process of the manager appointing a three person committee. He asked if this is the same as before because he does not see any additional changes.

City Attorney Norris-Weeks said it has changed. She spoke to the Commission on Ethics and once this is passed, it will be an amendment to the previous document. The reason it states that the document went to the Mayor is because it is a form from the county which has a strong Mayor form of government. It comes from the City Manager being the subject of the complaint and the document will go to the city's Risk Manager and then a three person committee. The City Clerk provided an updated document prior to the meeting.

City Clerk Flores acknowledged receiving the ordinance the day before and replied via email to the attorney regarding whether or not the document was amended, but she did not receive a response. The amended ordinance has not been provided to the Commission.

It was the consensus of the Commission to recess the meeting at 6:50 p.m. for 10 minutes to allow the Commission to receive and review the amendment ordinance.

The meeting reconvened at 7:00 p.m.

City Attorney Norris-Weeks said paragraph 1 is the same with the exception of the Risk Manager. The language in the second page was removed where it speaks to Miami-Dade County Ethics Commission because they could not be involved unless the city was going to specifically follow their ordinance. She asked that paragraph (c) on the second line be changed to reflect that the city's Risk Manager would become involved if the complaint was against the manager. Also, paragraph E was amended to reflect that the City will establish a whistleblower process including a form for receiving confidential whistleblower complaints through the Human Resources Department. She further stated that paragraph 5 was omitted because it is not applicable at this time.

Mayor Pigatt said the changes are being made through an amendment received from the City Attorney at 6:53 p.m. during the meeting.

It was moved by Vice Mayor Davis, seconded by Commissioner Burke to pass the amendments as read into the record by Attorney Norris-Weeks.

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

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

The motion on the ordinance passed by a 5-0 vote.

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

6. ADJOURNMENT:

There being no further business to come before the Commission, it was moved by Commissioner Burke, seconded by Vice Mayor Davis to adjourn the virtual meeting at 7:08 p.m.

____
Matthew A. Pigatt
MAYOR

ATTEST:

____
Joanna Flores
CITY CLERK

CONSENT AGENDA

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ESTABLISHING AN AUDIT COMMITTEE; PROVIDING FOR COMPOSITION OF MEMBERSHIP; PROVIDING FOR DUTIES OF COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Pursuant to 218.391, Florida Statutes, the City Commission of the City of Opa-Locka ("City") is required to establish an audit committee to evaluate audit services to be provided by a certified public accounting firm duly licensed under Chapter 473, Florida Statutes; and

WHEREAS, the Audit Committee shall be responsible for all of the duties listed in Section 218.391, Florida Statutes; and

WHEREAS, the City Commission desires to establish an Audit Committee pursuant to Section 218.391, Florida Statutes.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Establishment of Audit Committee. The City Commission of the City of Opa-Locka hereby establishes an Audit Committee appointing the following members:

(1) ________________________ (a member of the City Commission as Chair)
(2)________________________
(3)________________________
(4) John Pate, City Manager in Advisory Capacity
Alternate Member:
(5)__________________________
Selection Process Coordinator & Reference Check: Joanna Flores, City Clerk

Section 3. Duties. The Audit Committee shall have the purpose and all duties provided in Section 218.391, Florida Statutes.

Section 4. Effective Date. This Resolution shall take effect immediately upon final passage.

PASSED and **ADOPTED** this ____ day of July 2020.

____
Matthew A. Pigatt, Mayor

ATTEST:

____
Joanna Flores, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____
Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: ________________________________

Seconded by: ______________________________

VOTE:

Commissioner Bass	______ (Yes)	______ (No)
Commissioner Burke	______ (Yes)	______ (No)
Commissioner Kelley	______ (Yes)	______ (No)
Vice-Mayor Davis	______ (Yes)	______ (No)
Mayor Pigatt	______ (Yes)	______ (No)

City of Opa-Locka
Agenda Cover Memo

<table>
<tr><td>City Manager:</td><td colspan="3">John E. Pate</td><td>CM Signature:</td><td colspan="4">John E. Pate</td></tr>
<tr><td rowspan="2">Commission Meeting Date:</td><td rowspan="2" colspan="2">07.08.2020</td><td rowspan="2">Item Type:
(Enter X in box)</td><td>Resolution</td><td colspan="2">Ordinance</td><td colspan="2">Other</td></tr>
<tr><td>X</td><td colspan="2"></td><td colspan="2"></td></tr>
<tr><td rowspan="2">Fiscal Impact:
(Enter X in box)</td><td rowspan="2">Yes</td><td rowspan="2">No</td><td rowspan="2">Ordinance Reading:
(Enter X in box)</td><td></td><td colspan="2">1st Reading</td><td colspan="2">2nd Reading</td></tr>
<tr><td></td><td colspan="2">x</td><td colspan="2"></td></tr>
<tr><td rowspan="2"></td><td rowspan="2"></td><td rowspan="2">X</td><td rowspan="2">Public Hearing:
(Enter X in box)</td><td></td><td>Yes</td><td>No</td><td>Yes</td><td>No</td></tr>
<tr><td></td><td></td><td>x</td><td></td><td>x</td></tr>
<tr><td rowspan="2">Funding Source:
Account# :</td><td rowspan="2" colspan="2">(Enter Fund & Dept)
Ex:</td><td rowspan="2">Advertising Requirement:
(Enter X in box)</td><td></td><td colspan="2">Yes</td><td colspan="2">No</td></tr>
<tr><td></td><td colspan="2"></td><td colspan="2">X</td></tr>
<tr><td>Contract/P.O. Required:
(Enter X in box)</td><td>Yes</td><td>No
X</td><td>RFP/RFQ/Bid#:</td><td colspan="5"></td></tr>
<tr><td>Strategic Plan Related
(Enter X in box)</td><td>Yes</td><td>No
X</td><td colspan="2">Strategic Plan Priority Area:
Enhance Organizational ☐
Bus. & Economic Dev ☐
Public Safety ☐
Quality of Education ☐
Qual. of Life & City Image ☐
Communication ☐</td><td colspan="4">Strategic Plan Obj./Strategy:
(list the specific objective/strategy this item will address)</td></tr>
<tr><td>Sponsor Name</td><td colspan="2">City Manager
John Pate</td><td colspan="2">Department:</td><td colspan="4">City Manager</td></tr>
</table>

Short Title:

A resolution of the City Commissions of the City of Opa-locka, Florida establishing an Audit Committee to evaluate audit services to be provided by a certified public accounting firm.

Staff Summary:

According to Florida Statutes 218.391 the City Commission is required to establish an audit committee to evaluate audit services. In addition, the audit committee shall be responsible for all duties listed in Section 218.391 of Florida Statutes.

Proposed Action:

Staff finds it in the City's best interst to approve this legislation to be in compliance with Florida Statutes.

Attachment:

Sponsored by: City Manager

RESOLUTION NO. ___________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RESCINDING RESOLUTION NO. 20-9747 AUTHORIZING FINAL PAYMENT OF ANNUAL LEAVE, PERSONAL LEAVE AND SICK LEAVE, TOTALING $6,362.73, CONNECTED WITH THE TENURE OF FORMER INTERIM CITY MANAGER NEWELL DAUGHTREY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Newell Daughtrey ("Daughtrey") previously served as Interim City Manager for the City of Opa-locka, Florida ("City") from December 12, 2018 until October 11, 2019; and

WHEREAS, according to the City's Human Resources Department records, the time and benefits tracking system reflected that Daughtrey had accrued leave time prior to his separation from the City in 2019, totaling $6,362.73; and

WHEREAS, Daughtrey requested a payout for leave time; and

WHEREAS, the City Attorney's Office was asked by the Human Resources Department to provide an opinion as to whether Mr. Daughtrey was entitled to receive a payout of his annual and sick leave as a former City Manager and employee who did not have an employment contract with the City. Pursuant to the information provided, the City Attorney's office answered in the affirmative based on past practices of paying similarly situated former City Managers and interim managers; and

WHEREAS, on April 22, 2020, pursuant to Resolution No. 20-9747, the City Commission authorized payout to Daughtrey for Annual Leave, Personal Leave and Sick Leave in the total amount of $6,362.73; and

WHEREAS, additional records were provided showing that Mr. Daughtrey was only employed by the City for nine (9) months, which did not allow for accrued leave under the City's policy during his tenure; and

WHEREAS, Both Sections 3-301 (annual leave) and 3-311 (sick leave) of the applicable City policy permits payouts of accrued leave time only after one (1) year of employment with the City and Mr. Daughtrey did not reach the requisite one (1) year threshold; and

WHEREAS, while in the past, similarly situated City Managers/Interim Managers who separated from the City received a payout for earned annual, personal and sick time, the City's relevant employment policies and procedures do not support a payout in the instant matter; and

WHEREAS, the City Manager is requesting that the City Commission rescind Resolution No. 20-9747, authorizing final payment of Annual Leave, Personal Leave and Sick Leave, totaling $6,362.73 in connection with the tenure of former Interim City Manager Newell Daughtrey.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

<u>**Section 1.**</u> The recitals to the preamble herein are incorporated by reference.

<u>**Section 2.**</u> The City Commission is hereby rescinds Resolution No. 20-9747 authorizing final payment of Annual Leave, Personal Leave and Sick Leave, totaling $6,362.73, connected with the tenure of former Interim City Manager Newell Daughtrey.

<u>**Section 3.**</u> This Resolution shall take effect immediately upon adoption, and is subject to the review of the State of Florida Financial Emergency Oversight Board approval.

PASSED AND ADOPTED this _____ day of July, 2020.

____

Matthew A. Pigatt, Mayor

ATTEST:

____

Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

____
Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: ________________________________

Seconded by: ______________________________

VOTE:

Commissioner Bass	______ (Yes)	______ (No)
Commissioner Burke	______ (Yes)	______ (No)
Commissioner Kelley	______ (Yes)	______ (No)
Vice-Mayor Davis	______ (Yes)	______ (No)
Mayor Pigatt	______ (Yes)	______ (No)

City of Opa-Locka
Agenda Cover Memo

City Manager:	John E. Pate		**CM Signature:**	John E. Pate		
Commission Meeting Date:	*07.08.2020*	**Item Type:** *(Enter X in box)*	**Resolution**	**Ordinance**	**Other**	
			X			
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*	**1st Reading**	**2nd Reading**	
				x		
		X	**Public Hearing:** *(Enter X in box)*	**Yes** / **No**	**Yes** / **No**	
				x (No)	x (No)	
Funding Source: *Account#* **:**	*(Enter Fund & Dept)* Ex:		**Advertising Requirement:** *(Enter X in box)*	**Yes**	**No**	
					X	
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No**	**RFP/RFQ/Bid#:**			
		X				
Strategic Plan Related *(Enter X in box)*	**Yes**	**No**	**Strategic Plan Priority Area:**	**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*		
		X	**Enhance Organizational** ■ **Bus. & Economic Dev** ☐ **Public Safety** ☐ **Quality of Education** ☐ **Qual. of Life & City Image** ☐ **Communication** ☐			
Sponsor Name	City Manager John Pate		**Department:**	City Manager's Office		

Short Title:

A resolution of the City Commissions of the City of Opa-locka, Florida rescinding Resolution 20-9747, authorizing final payment of annual leave, personal leave and sick leave totaling $6,362.73, connected with the tenure of former Interim City Manager Newall J. Daughtrey.

Staff Summary:

The City Commission adopted legistion authorizing final payment of accrued time to former Interim City Manager Newall J. Daughtrey, however after further review and legal review it was discovered that Mr. Daughtrey was not entitled to receive a payout because he was only employed by the City for nine months. Mr. Daughtrey did not reach the requisite one year threshold, therefore prior legislation should be rescinded.

Proposed Action:

Repeal prior legislation.

Attachment:

CITY OF OPA-LOCKA
CITY ATTORNEY'S OFFICE MEMORANDUM

TO: **John E. Pate**
City Manager

FROM: Michelle Austin Pamies, Esq.

DATE: June 19, 2020

Re: Payout of Leave – Newall Daughtrey

The City Attorney's Office was initially asked whether Mr. Newall Daughtrey was entitled to receive a payout of his annual and sick leave as a former City Manager who did not have an employment contract with the City. We answered in the affirmative because he would be entitled to a payout of leave as a former employee. The City Commission subsequently passed a resolution authorizing the payout of leave to Mr. Daughtrey.

Since that time, we received another question from the Human Resources Department, specifically inquiring as to whether Mr. Daughtrey was entitled to receive a payout when he was only employed by the City for nine (9) months. After reviewing the applicable City policies in effect at the time of Mr. Daughtrey's employ, our opinion is that Mr. Daughtrey did not have any accrued leave time that could be paid out. Specifically, both Sections 3-301 (annual leave) and 3-311 (sick leave) of the applicable City policy permit payouts of accrued leave time only after one (1) year of employment with the City. Mr. Daughtrey did not reach the requisite one (1) year threshold.

Accordingly, we recommend that your office bring this item back to the Commission so that the resolution approving the payout to Mr. Daughtrey can be rescinded.

Sponsored by: City Manager

RESOLUTION NO. 20-9747

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING FINAL PAYMENT OF ALL ACCRUED ANNUAL LEAVE, PERSONAL LEAVE AND SICK LEAVE, TOTALING $6,362.73, CONNECTED WITH THE TENURE OF FORMER INTERIM CITY MANAGER NEWALL DAUGHTREY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Newall Daughtrey ("Daughtrey") previously served as Interim City Manager for the City of Opa-locka, Florida ("City") from December 12, 2018 until October 11, 2019; and

WHEREAS, Daughtrey accrued leave time prior to his separation from the City in 2019, totaling **$6,362.73**; and

WHEREAS, in the past, similarly situated City Managers who separated from the City received a payout for outstanding earned annual, personal and sick time that was accrued; and

WHEREAS, the City Manager is seeking approval to pay Daughtrey for any unused time accrued during his tenure as Acting City Manager.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. The City Manager is hereby authorized to issue final payment to former Interim City Manager, Newall Daughtrey, for outstanding earned annual, personal and sick time accrued during his tenure as Interim City Manager, totaling **$6,362.73**.

Section 3. This Resolution shall take effect immediately upon adoption, and is subject to the review of the State of Florida Financial Emergency Oversight Board approval.

Resolution No. 20-9747

PASSED AND ADOPTED this 22nd day of April, 2020.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: COMMISSIONER KELLEY

Seconded by: COMMISSIONER BASS

VOTE: 4-1

Commissioner Bass	YES
Commissioner Burke	YES
Commissioner Kelley	YES
Vice-Mayor Davis	YES
Mayor Pigatt	NO

City of Opa-Locka
Agenda Cover Memo

Department Director:			**Department Director Signature:**			
City Manager:	John E. Pate		**CM Signature:**	*John E. Pate*		
Commission Meeting Date: **04.22.2020**			**Item Type:** *(Enter X in box)*	**Resolution** X	**Ordinance**	**Other**
Fiscal Impact: *(Enter X in box)*	**Yes**	**No**	**Ordinance Reading:** *(Enter X in box)*		**1st Reading**	**2nd Reading**
$6,362.73	X		**Public Hearing:** *(Enter X in box)*		**Yes** / **No** x (No)	**Yes** / **No** x (No)
Funding Source: *Account#*: **12-512110** **City Manager** **Executive Salary**	*(Enter Fund & Dept)* Ex:		**Advertising Requirement:** *(Enter X in box)*		**Yes**	**No** x
Contract/P.O. Required: *(Enter X in box)*	**Yes**	**No** X	**RFP/RFQ/Bid#:**			
Strategic Plan Related *(Enter X in box)*	**Yes**	**No** X	**Strategic Plan Priority Area:** **Enhance Organizational** ☐ **Bus. & Economic Dev** ☐ **Public Safety** ☐ **Quality of Education** ☐ **Qual. of Life & City Image** ☐ **Communication** ☐	**Strategic Plan Obj./Strategy:** *(list the specific objective/strategy this item will address)*		
Sponsor Name	City Manager		**Department:**	City Manager		

Short Title:

A resolution authorizing the City Manger to pay Newall Daughtrey $6,362.73 (gross pay) for accrued Annual, Personal, and Sick time during his tenure with the City of Opa-locka.

Staff Summary:

Mr. Daughtrey served as Acting City Manager and during that time he accrued leave time. In the past City Manager's who separated from the City received a payout for any outstanding earned annual, personal, and sick time accrued.

Proposed Action:

The City Manager is seeking approval to pay Mr. Daughtrey for any unused time accrued during his tenure as Acting City Manager from December 12, 2018 until October 11, 2019.

Attachment:

City of Opa-locka

Kierra Ward
Human Resources Director

Office: **305-953-2815**
Email: **kward@opalockafl.gov**

MEMORANDUM

To: City Manager's Office

From: Kierra Ward, Human Resources Director

Re: Final Payout – Newall Daughtrey

Date: January 27, 2020

Enclosed are the final calculations for Newall Daughtrey his termination was on October 11, 2019.

At the time of his termination, his accrual hours were as follows:

Description of Accrual	**Hours**	**Earnings**	**Net pay**
Annual/Vacation & Personal	101.64	$5,930.04	$5,003.66
Sick	3.70	$432.69	$399.59
Total		**$6,362.73**	**$5,430.25**

Mr. Daughtrey's tenure was from December 12, 2018 to October 11, 2019.

At your earliest convenience please approve the enclosed final payout.

Approved ☐ Denied ☒

John E. Pate
City Manager

QuickCalc Results

Check 1

Name:	Newall J. Daughtrey
Company:	ZLU - City Of Opa Locka
File #:	305
Period Begin Date:	12/21/2019
Period End Date:	01/03/2020
Request Description:	
Tax Frequency:	9 - Spread taxes over 9 weeks
Worked In Department:	660210 - Manager's Office
Disburse Lien Deductions:	No

Gross to Net Summary

Total Hours	109.64
Total Earnings (Gross Pay)	5,930.04
Total Taxes	748.48
Total Deductions	177.90
Net Pay	5,003.66
Total Memos	5,930.04

Gross to Net Detail

Hours/Earnings

	Rate	Hours	Earnings	Field #
Regular				
Overtime				
V - ANNUAL LVE	54.0865	101.64	5,497.35	3
P - PERSONAL	54.0865	8.00	432.69	4
Total		109.64	5,930.04	

Taxes

Federal	294.83
Social Security	367.66
Medicare	85.99
Total	748.48

Deductions

P - FRS 3% ded	177.90
Total	177.90

Memos

X - 401k Max Elig/c	5,930.04
Total	5,930.04

QuickCalc Results

Check 1

Name:	Newall J. Daughtrey
Company:	ZLU - City Of Opa Locka
File #:	305
Period Begin Date:	12/21/2019
Period End Date:	01/03/2020
Request Description:	
Tax Frequency:	9 - Spread taxes over 9 weeks
Worked In Department:	660210 - Manager's Office
Disburse Lien Deductions:	No

Gross to Net Summary

Total Hours	8.00
Total Earnings (Gross Pay)	432.69
Total Taxes	33.10
Total Deductions	
Net Pay	399.59
Total Memos	432.69

Gross to Net Detail

Hours/Earnings

	Rate	Hours	Earnings	Field #
Regular				
Overtime				
S - SICK	54.0865	8.00	432.69	3
Total		8.00	432.69	

Taxes

Social Security	26.83
Medicare	6.27
Total	33.10

Deductions

Total

Memos

X - 401k Max Elig/c	432.69
Total	432.69

FIRST READING ORDINANCE / PUBLIC HEARING

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE II, DIVISION 2, SECTION 2-45 ENTITLED "AGENDA" TO ALLOW FOR A PORTION OF EACH REGULAR CITY COMMISSION AGENDA TO INCLUDE "FUTURE AGENDA ITEMS"; PROVIDING FOR SEVERABILITY, CONFLICT AND REPEALER, INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka, Florida ("City Commission") desires to give the City Manager the best opportunity to utilize city staff resources by focusing on commission items that have a majority of City Commission's support before items are placed on a City Commission Agenda for a final vote; and

WHEREAS, the City Commission desires to amend Article II, Division 2, Section 2-45 of the City of Opa-Locka's Code of Ordinances to add "Future Agenda Item" to the Commission Agenda; and

WHEREAS, several cities have a portion of the regular City Commission agenda set aside for a discussion of "Future Agenda Items", which allows staff time to better prepare commission items following thoughtful discussion by the City Commission; and

WHEREAS, Future Agenda Items require a majority vote to discuss an item at the following commission meeting and provides city staff with more guidance in the preparation of commission items, thereby giving items a better opportunity for passage; and

WHEREAS, the City Commission finds that allowing a portion of each regular commission agenda to include "Future Agenda Items" is in the best interest of the City of Opa-Locka.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

Section 1. The recitals to the preamble herein are incorporated by reference.

Section 2. Amending Article II, Division 2, Section 2-45 of the City of Opa-Locka's City's Code of Ordinances entitled "Agenda" to allow for a portion of each regular commission agenda to include "Future Agenda Items" and shall specifically read:

Sec. 2-45. - Agenda.

(a) There shall be an official agenda for every meeting of the city commissioners, which shall determine the order of business conducted at the meeting. The city commission shall not take action upon any matter, proposal, or item of business which is not listed upon the official agenda, unless permitted by four-fifths vote of the commission.

(b) The commission shall not take action upon any matter when it is first presented to the commissioners in a report or reports made by the city commissioners.

(c) The agenda shall be prepared by the city clerk in the following order or form:

(1) Call to order;

(2) Roll call;

(3) Invocation;

(4) Pledge of allegiance;

(5) Awards/proclamations/acknowledgements;

(6) Approval of consent agenda and pull list (deferrals and deletions);

If any city commissioner is desirous of discussion on any item appearing on the consent agenda, said item shall be pulled for discussion and placed under "action items" and an ensuing vote taken thereafter. After the official agenda has been closed, by the city clerk, no items shall be added to the consent agenda.

(7) Approval of agenda;

(8) Approval of minutes;

(9) District one/district two—County commissioner report;

(10) Public presentations of matters;

(Persons desiring to address the commission enter their name and subject matter on an agenda located at the lectern, prior to the start of the meeting;)

(11) Citizens' forum;

(12) Action items;

(13) The consent agenda;

(14) New items;

(15) Planning and zoning:

A. Hearings;

B. Appeals;

(16) Ordinances/resolutions/public hearing;

A. First reading;

B. Second reading/public hearing;

C. Resolutions;

(17) City manager's report;

(18) Official board reports;

(19) Mayor/commission reports;

(20) Future Agenda Items

(21~~0~~) Official board appointments;

(22~~1~~) Adjournment.

(d) Future Agenda Item. Unless otherwise set forth herein, city commissioners shall agree by majority vote on items to be placed on a commission agenda. Decisions regarding the placement of an agenda item shall be made by the commission no later than the meeting immediately preceding the placement of the item to be discussed and voted upon. A portion of each regular commission agenda shall be set aside for discussion of future agenda items to be considered by the city commission. The city administrator or designee and the city attorney may agenda an item for discussion and vote, without commission consideration, if the item involves the regular business and administration for smooth operations of the city.

(~~d~~e) The number of consent agenda items to be sponsored by each member of the city commission. Each member of the city commission shall be permitted to sponsor four (4) consent agenda items per commission meeting.

(~~e~~f) Preparation of agendas.

(1) All requests for placement of items on a city commission agenda by the mayor, commissioners, department heads and any other party must be submitted to the city manager for fiscal impact analyses, by no later than 12:00 p.m. on the Monday, twelve (12) business days prior to the regularly scheduled commission meeting;

(2) The city manager shall serve as a central repository of the items, prepare any financial impact statements and forward all requests for legislation to the city attorney no later than 5:00 p.m. on the Monday, nine (9) business days before the agenda is printed and disseminated:

(3) The city attorney shall prepare all legislative items; approve all items for legal sufficiency and submit the completed items to the clerk' s office no later than 12:00 p.m. on the Monday, four (4) business days before the agenda is disseminated;

(4) All agenda requests shall be submitted in writing, explaining specifically the requested legislation and include all back-up materials;

(5) The clerk is required to time stamp any items not submitted electronically and shall not accept any items passed the deadline for inclusion on the upcoming agenda, but shall place untimely item on the next agenda;

(6) Emergency items must be submitted by noon on the Tuesday before the Commission meeting, but only if the requesting party certifies the item to be an emergency affecting life, health, property, or the financial stability of the city; and if the commission concurs at the meeting;

(7) These procedures shall supersede any prior legislation on this topic.

Section 3. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. Conflict & Repealer.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Inclusion in Code.

It is the intention of the City Commission of the City of Opa-Locka that the amendments contained of this Ordinance shall, at some time in the future, become and be made a part of City of Opa-Locka's Code of Ordinances and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its adoption on second reading.

PASSED AND ADOPTED this ______ day of ____________, 2020.

____
Matthew A. Pigatt, Mayor

ATTEST:

____
Joanna Flores, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____
Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: ______________________________

Seconded by: ______________________________

VOTE:

Commissioner Bass	(Yes) _________	(No) ___________
Commissioner Burke	(Yes) _________	(No) ___________
Commissioner Kelley	(Yes) _________	(No) ___________
Vice-Mayor Davis	(Yes) _________	(No) ___________
Mayor Pigatt	(Yes) _________	(No) ___________

SECOND READING ORDINANCES / PUBLIC HEARINGS

Sponsored by: City Manager

ORDINANCE NO. 20-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, ADJUSTING REVENUES AND EXPENDITURES AS REFLECTED IN EXHIBIT "A"; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGETS AND EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATIONS AND AMENDEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Opa-Locka, FL adopted its 2019-2020 fiscal year General, Proprietary and Special Revenue Funds budgets by passage of Ordinance no.'s 19-12 and 19-13; and

WHEREAS, pursuant to Florida Statute 166.241(5), the governing body of each municipality at any time within a fiscal year or within 60 days following the end of fiscal year may amend a budget for that year as follows:

a) Appropriations for expenditures within a fund may be decreased or increased by motion recorded in the minutes if the total appropriations of the fund is not changed;
b) The governing body may establish procedures by which the designated budget officer may authorize budget amendments if the total appropriations of the fund is not changed;
c) If a budget amendment is required for a purpose not specifically authorized in paragraph (a) or paragraph (b), the budget amendment must be adopted in the same manner as the original budget unless otherwise specified in the municipality's charter; and

WHEREAS, pursuant to 4.7(c) of the City of Opa-Locka Charter, entitled "Appropriation Amendments During the Fiscal Year", the City Commission may otherwise amend the annual budget from time to time during the year, by ordinance, as it deems necessary to do so; and

WHEREAS, the City Commission desires to amend its 2019-2020 Fiscal Year General, Proprietary and Special Revenue Funds budgets as set forth in Exhibit "A".

NOW, THEREFORE, BE IT DULY ORDAINED BY THE CITY COMMISSION OF THE CITY OF OPA- LOCKA, FLORIDA:

SECTION 1. RECITALS ADOPTED

The recitals to the preamble herein are incorporated by reference.

SECTION 2. AUTHORIZATION

Pursuant to Article IV, Section 4.5 of the City Charter, the City Manager has recommended proposed Amended General, Proprietary and Special Revenue Funds Budgets to the City Commission for the Fiscal Year retroactive to October 1, 2019, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein.

The City Commission of the City of Opa-locka hereby approves, adopts and ratifies the proposed Amended General, Proprietary and Special Revenue Funds Budgets for the Fiscal Year 2019-2020, and hereby appropriates the budgeted expenditures and revenues as set forth in the attached Exhibit "A".

The City Manager is authorized to expend or contract for expenditures, pursuant to the City of Opa-locka Charter and the adopted Code of Ordinances in accordance with the adopted Amended General, Proprietary and Special Revenue Funds Budgets for Fiscal Year 2019-2020.

The department/division expenditure allocations established by the City Manager, as revised and summarized in the budget attached as Exhibit "A", are hereby adopted and ratified. Funds of the City for General, Proprietary and Special Revenue Funds Budgets shall be expended in accordance with the appropriations provided by the budget, which shall constitute an appropriation of amounts specified therein. Expenditure control shall be at the fund level. Funds may be expended by, and with the approval of, the City Manager and the City Commission, in accordance with the provisions of the City Charter, adopted Code of Ordinances and applicable laws. Supplemental appropriations and reduction of appropriations, if any, shall be made in accordance with the City Charter.

Any and all outstanding encumbrances as of September 30, 2019, shall not lapse at that time and appropriations have been hereby provided for those outstanding encumbrances that have been incurred prior to September 30, 2019, but are not expected to be paid until after then. Receipts from sources not anticipated in the attached budget may be appropriated and expensed by Ordinance duly enacted by the City Commission in accordance with the applicable law. Adjustments within the same fund to departmental appropriations made in the attached Budget may be approved, from time to time, in the appropriate lawful manner. The City Manager is authorized to approve adjustments to the expenditure code allocations, within the limit of department appropriations made in the attached Budget and as otherwise consistent with the City of Opa-Locka's Code of Ordinances.

All Ordinances setting fees and charges, and all other fees and charges consistent with appropriations adopted herein, as may be amended during the fiscal year, are hereby ratified, confirmed and approved.

SECTION 3. SCRIVENER'S ERRORS.

Sections of this Ordinance may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Manager, or the City Manager's designee, without need of public hearing, by filing a corrected copy of same with the City Clerk.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-locka and upon a filing of a certified copy hereof with the Florida Department of State and is subject to the approval of the Governor or Governor's Designee.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect upon the adoption of this Ordinance by the Commission of the City of Opa-locka and upon a filing of a certified copy hereof with the Florida Department of State and is subject to the approval of the Governor or Governor's Designee.

PASSED and **ADOPTED** this ______ day of June, 2020.

____
Matthew A. Pigatt, Mayor

ATTEST:

____
Joanna Flores, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

____
Burnadette Norris-Weeks, P.A.

Moved by: ________________________________

Seconded by: ________________________________

VOTE:

Commissioner Bass	______ (Yes)	______ (No)
Commissioner Burke	______ (Yes)	______ (No)
Commissioner Kelley	______ (Yes)	______ (No)
Vice-Mayor Davis	______ (Yes)	______ (No)
Mayor Pigatt	______ (Yes)	______ (No)

FY 20 Budget Amendment #3

Governmental Funds	General Fund	CRA Fund	Safe Neighborhood Capital Fund	People's Transportation Plan Fund	Town Center Fund	Debt Service Fund	Special Law Enforcement Fund	Insurance Service Fund	Information Technology Service Fund	Total Gov Funds
Budget Thru Amend #2										
Funding										
Revenue/Loans/Trans In	19,332,329	734,292	1,231,469	1,643,987	668,518	3,495,364	-	2,404,911	695,356	30,206,226
Fund Balance	-	78,055	536,631	-	-	-	10,000	-	-	624,686
Total Funding	19,332,329	812,347	1,768,100	1,643,987	668,518	3,495,364	10,000	2,404,911	695,356	30,830,912
Expenditure	19,332,329	812,347	1,768,100	1,643,987	668,518	3,495,364	10,000	2,404,911	695,356	30,830,912
Amendment (3)										
Funding										
Revenue/Loans/Trans In			17,000	(140,551)					7,000	(116,551)
Fund Balance				280,637						280,637
Total Funding	-	-	17,000	140,086	-	-	-	-	7,000	164,086
Expenditure			17,000	140,086					7,000	164,086
Budget Thru Amend #3										
Funding										
Revenue/Loans/Trans In	19,332,329	734,292	1,248,469	1,503,436	668,518	3,495,364	-	2,404,911	702,356	30,089,675
Fund Balance	-	78,055	536,631	280,637	-	-	10,000	-	-	905,323
Total Funding	19,332,329	812,347	1,785,100	1,784,073	668,518	3,495,364	10,000	2,404,911	702,356	30,994,998
Expenditure	19,332,329	812,347	1,785,100	1,784,073	668,518	3,495,364	10,000	2,404,911	702,356	30,994,998

Exhibit "A"

FY 20 Budget Amendment #3

Enterprise Funds			
	Water Sewer Fund	Storm Water Fund	Total Ent Funds
Budget Thru Amend #2			
Funding			
Revenue/Loans/Trans In	17,350,384	1,466,312	18,816,696
Fund Balance	-	-	-
Total Funding	17,350,384	1,466,312	18,816,696
Expenditure	17,350,384	1,466,312	18,816,696
Amendment #3			
Funding			
Revenue/Loans/Trans In			-
Fund Balance		136,000	136,000
Total Funding	-	136,000	136,000
Expenditure		136,000	136,000
Budget Thru Amend #3			
Funding			
Revenue/Loans/Trans In	17,350,384	1,466,312	18,816,696
Fund Balance	-	136,000	136,000
Total Funding	17,350,384	1,602,312	18,952,696
Expenditure	17,350,384	1,602,312	18,952,696

Exhibit "A"

FY 20 Budget Amendment #3

General Fund

	Budget Thru Amend #2	Amendment #3	Budget Thru Amend #3
Funding			
Revenue/Loans/Trans In	19,332,329	-	19,332,329
Fund Balance	-	-	-
Total Funding	19,332,329	-	19,332,329
Expenditure			
Commission	212,652	-	212,652
CM - Executive	829,986	-	829,986
CM - General Government	3,140,960	-	3,140,960
CM - Reserve	853,943	-	853,943
CM - Emergency	29,500	-	29,500
CM - Interfund	300,000	17,000	317,000
Clerk	460,654	-	460,654
Attorney	673,983	-	673,983
Finance	744,838	120,000	864,838
Human Resources	303,525	-	303,525
Planning & Community Dev	421,762	-	421,762
Building & Licenses	520,644	(40,000)	480,644
Parks & Recreation	999,512	-	999,512
Police	6,225,227	(50,000)	6,175,227
Code Enforcement	473,226	-	473,226
Public Works - Admin	299,179	-	299,179
Public Works - Bldg Maintenance	701,973	-	701,973
Public Works - Streets	1,304,762	-	1,304,762
Public Works - Trash	110,000	-	110,000
Public Works - Vehicle Maintenance	726,003	(47,000)	679,003
Total Expenditure	19,332,329	-	19,332,329

Exhibit "A"

FY 20 Budget Amendment #3

#	Requested Amendment				Budget	Adj	Revised	Comments
1	**People's Transportation Plan - Infrastructure**							
	PTP	Rev	176-334951	County Trans Sys - Roads	1,495,390	(140,551)	1,354,839	Revenue anticipated to be reduced due to COVID-19. Other Contracted Services to increase due to additional infrastructure improvement of roads and sidewalks. Cost of bus higher than budget, but consistent with prior years. FY 18 audit indicates $1.34 million of available fund balance for infrastructure projects within this fund. It is estimated that $135,388 (unaudited) was used in FY 19, leaving $1.21 million for use in FY 20 and beyond. This use of fund balance will leave $0.93 million for further use.
	PTP	Exp	47-541340	Other Contracted Service	1,438,140	116,933	1,555,073	
	PTP	Exp	47-541342	Circulator Bus	180,000	29,000	209,000	
	PTP	Exp	47-541992	Contingency	5,847	(5,847)	-	
	PTP	Bal	176-271000	Fund Balance	-	280,637	280,637	
2	**Finance - Other Contracted Services**							
	Finan	Exp	17-513340	Other Contract Services	160,000	130,000	290,000	Finance budget assumed presence of a new Finance Director and a lesser role for financial consultants. Although actively recruited, City has been unable to hire for this position, necessitating additional effort from the financial consultants. The savings from this vacant position would offset the additional consultant effort. However a prior budget amendment didn't acknowledge this trade-off and used these savings for other items, now necessitating identification of alternate savings.
	Finan	Exp	17-513110	Salaries - Executive	22,500	(10,000)	12,500	
	Bus & L	Exp	30-524110	Salaries - Executive	121,500	(25,000)	96,500	
	Bus & L	Exp	30-524130	Salaries - Part-Time	105,281	(15,000)	90,281	
	Pol Adm	Exp	36-521130	Salaries - Part-Time	165,954	(50,000)	115,954	
	Veh Mnt	Exp	49-541450	Gas, Oil & Grease *	286,000	(30,000)	256,000	
		Exp						

* Assumes $25,000 In Amendment # 2 Approved

EXhibit "A"

FY 20 Budget Amendment #3

#	Requested Amendment				Budget	Adj	Revised	Comments
3	**Safe Neighborhood - 2105 Ali Baba**							
	Veh Mnt	Exp	49-541450	Gas, Oil & Grease *	256,000	(17,000)	239,000	2105 Ali Baba project has committed $461,750 against a budget of $464,750, (including two change order requests to be presented at this meeting). This leaves $3,000 available. If this budget amendment is approved in July (second reading), two additional change orders will then be presented for approval. 1. Additional Parking Lot ($15,000), 2. Window Replacement - Phase 2 ($5,000) - Total of $20,000. With $3,000 already available, $17,000 will be required to fund these additional change orders. Low gas prices and reduced City driving due to COVID-19 stand-down provide savings.
	Gen Fnd	Trf Out	80-581920	From Gen Fund To Safe Nei	300,000	17,000	317,000	
	Safe Nei	Trf In	320-381001	From Gen Fund To Safe Nei	300,000	17,000	317,000	
	Safe Nei	Exp	44-541818	2105 Ali Baba Project	464,750	17,000	481,750	
		* Adjusted Due To Item # 2						
4	**Community Development - Miscellaneous Expense**							
	CD	Exp	37-515440	Rentals & Leases	3,560	1,800	5,360	Miscellaneous minor adjustments
	CD	Exp	37-515470	Office Supplies	1,000	300	1,300	
	CD	Exp	37-515530	Advertisements	5,000	4,000	9,000	
	CD	Exp	37-515540	Pubs/Subs/Memberships	3,600	(2,100)	1,500	
	CD	Exp	37-515541	Education	5,000	(4,000)	1,000	
5	**Parks & Recreation - Office Supplies**							
	P & R	Exp	72-572510	Office Supplies	1,500	1,500	3,000	Miscellaneous minor adjustments
	P & R	Exp	72-572403	Special Events	26,000	(1,500)	24,500	
6	**Wastewater Collection & Transmission**							
	Sewer	Exp	35-535430	Electric, Gas, Water	78,500	11,500	90,000	Brings utility budget in line with prior year expenditures. Pump station roof repair is now required.
	Sewer	Exp	35-535461	Repair & Maintenance - Bldg	15,000	14,000	29,000	
	Sewer	Exp	35-535260	Rentals & Leases	25,000	(12,000)	13,000	
	Sewer	Exp	35-535312	Other Professional Services	28,000	(13,500)	14,500	
7	**Stormwater - Other Professional Services**							
	Storm	Exp	43-538312	Other Professional Services	-	100,000	100,000	Initiation of a stormwater master plan. As per FY 18 Annual Financial Report, $1,335,524 available fund balance.
	Storm	Bal	450-271000	Fund Balance	-	100,000	100,000	

EXhibit "A"

FY 20 Budget Amendment #3

#	Requested Amendment				Budget	Adj	Revised	Comments
8	**Stormwater - Machinery & Equipment**							
	Storm	Exp	43-538640	Machinery & Equipment	20,000	36,000	56,000	Additional funding required to procure a pump on a trailer to deal with City flooding.
	Storm	Bal	450-271000	Fund Balance	100,000	36,000	136,000	
	* Adjusted budget due to Item #7							
9	**Building Maintenance - Air Conditioning Unit Replacement**							
	Bldg Mn	Exp	39-541640	Machinery & Equipment	43,745	90,000	133,745	Replace six air conditioning units at Sherbondy Village Recreation Center which are extremely old with ongoing significant maintenance expense.
	Bldg Mn	Exp	39-541493	Building Maint Reserve	266,985	(90,000)	176,985	
10	**General Government - Rentals & Leases**							
	Gen Gov	Exp	19-519440	Rentals & Leases	33,800	4,000	37,800	Copier expense under budgeted. Budget now in line with FY 19
	Gen Gov	Exp	19-519997	Tax Payments	24,000	(4,000)	20,000	
11	**Parks & Recreation - Office Supplies**							
	Prk Rec	Exp	72-572510	Office Supplies	1,500	1,500	3,000	Additional office supplies offset by reduced recreational activities due to COVID 19
	Prk Rec	Exp	72-572485	Recreational Activities	13,000	(1,500)	11,500	
12	**IT - Parks Personal Temperature Monitors**							
	Gen Gov	Exp	19-519997	Tax Payments *	20,000	(7,000)	13,000	Acquisition of personal temperature monitors to monitor participants in Parks & Recreation programs.
	Gen Gov	Trf Out	19-519441	To IT Services **	80,235	7,000	87,235	
	IT	Trf In	119-383030	Into IT Services**	677,707	7,000	684,707	
	IT	Exp	85-512646	Computer Equipment **	111,900	7,000	118,900	
	* Reduced budget due to Item #10							
	** Budget increased in Amendment #2							
13	**Parks & Recreation - Senior Bus**							
	Prk Rec	Exp	72-572648	Vehicle Lease/Purchase	-	21,350	21,350	Purchase of senior bus charged to an incorrect account
	Prk Rec	Exp	72-581920	Parks & Recreation Reserve	217,144	(21,350)	195,794	

FY 20 Budget Amendment #3

#	Requested Amendment				Budget	Adj	Revised	Comments
14	**City Clerk - Minor Account Adjustments**							
	Clerk	Exp	16-512120	Salaries - Regular	137,714	2,000	139,714	Minor account adjustments to facilitate bill payment
	Clerk	Exp	16-512230	Life And Health Insurance	21,530	9,000	30,530	
	Clerk	Exp	16-512646	Computers	2,000	1,000	3,000	
	Clerk	Exp	16-512540	Memberships	600	50	650	
	Clerk	Exp	16-512312	Other Professional Services	25,538	(1,000)	24,538	
	Clerk	Exp	16-512420	Postage & Freight	3,000	(2,250)	750	
	Clerk	Exp	16-512440	Rentals & Leases	12,000	(2,300)	9,700	
	Clerk	Exp	16-512520	Software Licensing	10,000	(2,500)	7,500	
	Clerk	Exp	16-512541	Education	2,000	(2,000)	-	
	Clerk	Exp	16-581920	Reserve	2,000	(2,000)	-	
15	**City Clerk - Minor Account Adjustments**							
	Pol Ptrl	Exp	22-521520	Operating Expense	17,100	(6,500)	10,600	Reverses Budget Amendment # 2, Item 14, which had been set up to better classify expenditures. However funds were expended against the old account before the amendment was approved. Prior amendment reversed to minimize administrative workload
	Pol Ptrl	Exp	22-521644	Public Safety Equipment	3,500	6,500	10,000	

EXhibit "A"

City of Opa-locka
Agenda Cover Memo

Department Director:	Robert Anathan			**Department Director Signature:**	RA		
City Manager:	John Pate			**CM Signature:**			
Commission Meeting Date:	June 10, 2020		**Item Type:** (Enter X in box)	**Resolution**	**Ordinance**		**Other**
					X		
Fiscal Impact: (Enter X in box) N/A	**Yes**	**No**	**Ordinance Reading:** (Enter X in box)		**1st Reading**		**2nd Reading**
	X		**Public Hearing:** (Enter X in box)		**Yes**	**No**	**Yes** / **No**
					X		X /
Funding Source: Account# : General Fund	(Enter Fund & Dept) See Attachments		**Advertising Requirement:** (Enter X in box)		**Yes**		**No**
					X		
Contract/P.O. Required: (Enter X in box)	**Yes**	**No**	**RFP/RFQ/Bid#:**				
		X					
Strategic Plan Related (Enter X in box)	**Yes**	**No**	**Strategic Plan Priority Area:** Enhance Organizational ■ Bus. & Economic Dev ☐ Public Safety ☐ Quality of Education ☐ Qual. of Life & City Image ☐ Communication ☐		**Strategic Plan Obj./Strategy:** (list the specific objective/strategy this item will address) **Improves focus toward meeting current requirements**		
	X						
Sponsor Name	City Manager		**Department:** City Manager's Office		City Manager		

Short Title:

Budget Amendment #3 – FY 20

Staff Summary:

There are fifteen proposed amendments in this package, seven of which are material, as follows:

1 – Due to COVID-19, County funding (based on sales tax) to the People's Transportation Plan (PTP) Fund is anticipated to decline. Additionally, the recently completed FY 18 PTP audit indicates that as of September 30, 2018 this fund had $1.34 million of fund balance available to be used on roadway projects. It's estimated that $135,000 will have been used in FY 19, leaving $1.2 million available as of the start of FY 20. It is proposed that $280,637 of this available fund balance be used to compensate for the anticipated revenue shortfall and the additional infrastructure work.

2 – FY 20 budget had assumed a Finance Director would be hired by the beginning of the year. Despite ongoing efforts, this hasn't occurred. In the absence of this position being filled, increased financial consulting has been required to get overdue audits completed and support ongoing operations. Other Contract Services budget needs to be increased to support this additional effort.

3 – The 2105 Ali Baba budget requires an increase to allow a future change order to be submitted for additional parking.

7 – Stormwater Professional Services requires funding to allow initiation of a stormwater master plan

8 – Stormwater Machinery & Equipment requires additional funding since budgeted pump on a trailer to be used for flood issues is more extensive than had been budgeted for.

9 – Building Maintenance Machinery & Equipment requires funding to replace six extremely old and high maintenance air conditioning units for the Sherbondy Village Recreation Center.

#12 – Procurement of personal temperature monitoring equipment to monitor participants in Parks & Recreation programs.

The remaining proposed amendment items are administrative adjustments for minor anticipated budget overruns.

.Proposed Action:

Staff recommends that the City Commission approve the proposed amendments.

Attachment:

1. Summary of the recommended amendments
2. Detailed information on each recommended amendment