

CITY OF OPA-LOCKA

"The Great City"

CLERK'S ACTION SUMMARY MINUTES

REGULAR COMMISSION MEETING

WEDNESDAY, February 12, 2020

7:00 P.M.

Sherbondy Village Auditorium

215 Perviz Avenue

Opa-locka, FL 33054

1. CALL TO ORDER:

Mayor Matthew Pigatt called the meeting to order at 7:00 p.m. on Wednesday, February 12, 2020 at the Sherbondy Village Auditorium, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Mayor Matthew A. Pigatt, Vice Mayor Chris Davis, Commissioner Sherelean Bass, Commissioner Alvin Burke, and Commissioner Joseph L. Kelley. Also in attendance were: Assistant City Manager George Ellis, 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. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

Commissioner Sherelean Bass, the City Commission, and Police Chief James Dobson presented a commendation to Communication Officer Tangelar Parker for all of her years of service to the City.

Chief Dobson Presented a commendation to Officer Yonis for making a significant arrest recently which took five different drugs off the street. She was recognized as the employee of the month.

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

NEW ITEMS:

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO WORK IN CONJUNCTION WITH THE CITY ATTORNEY TO RECOMMEND SETTLEMENT OF CLAIMS TO THE CITY COMMISSION WITH AN ESTIMATED VALUE OF LESS

THAN \$25,000.00; AUTHORIZING THE CITY MANAGER TO REFER CERTAIN CLAIMS DIRECTLY TO THE CITY ATTORNEY; AUTHORIZING THE CITY MANAGER TO SETTLE CERTAIN NUISANCE VALUE CLAIMS FOR AN AMOUNT LESS THEN \$2,500.00, AFTER CONSULTATION WITH THE CITY ATTORNEY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Attorney and City Manager*

The above resolution was read by Attorney Norris-Weeks.

It was moved by Vice Mayor Davis, seconded by Commissioner Burke to amend the agenda to include item 14-1.

City Attorney Norris-Weeks said certain settlements that are due require that this action be taken at this time.

There being no further discussion, the motion to amend the agenda to include item 14-1 passed by a 5-0 vote.

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

7. APPROVAL OF AGENDA:

It was moved by Commissioner Burke, seconded by Commissioner Bass to approve the agenda, consent agenda and pull list.

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

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

8. APPROVAL OF MINUTES:

Special Commission Meeting Minutes – January 15, 2020

It was moved by Vice Mayor Davis, seconded by Commissioner Burke to approve the minutes from the Special Commission Meeting of January 15, 2020.

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

Commissioner Burke	Yes
Vice Mayor Davis	Yes

Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

Regular Commission Meeting Minutes – January 22, 2020

It was moved by Commissioner Bass, seconded by Commissioner Burke to approve the minutes from the Regular Commission Meeting of January 22, 2020.

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

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

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

10. PUBLIC PRESENTATION:

11. CITIZENS' INPUT:

Shalonda Rivers, 13875 NW 22nd Avenue, Opa-locka, FL, said some things have been completed at the complex, but she wants to insure they move on to the next steps. They say inspections are going to be done, but she has not seen anything happening. She said she does not trust management and hopes they will do what they promised at the previous meeting.

Dorothy Johnson, 13724 NW 22nd Place, Opa-locka, FL, commended Commissioner Kelley, Commissioner Burke, and Commissioner Bass for keeping the outreach programs going in the City. She asked the commission to defer item 2 as that land was to remain a tot lot. If it is approved she will go to the county and file a complaint against the City because the green space is for the children who live in the triangle.

12. ACTION ITEMS:

13. CONSENT AGENDA:

13-1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING ISSUANCE OF A REQUEST FOR PROPOSALS ("RFP") FOR THE INGRAM PARK FIELD RELIGHTING AND COMPLIANCE PROJECT TO COMPLY WITH MIAMI-DADE COUNTY COMMUNITY DEVELOPMENT BLACK GRANT (CDBG) FUNDING REQUIREMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

13-2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO REPRESENT THE CITY OF OPA-LOCKA IN THE LITIGATION CASE(S) RAUL FERNANDEZ AND DJ OPPORTUNITIES, INC. VS MIAMI-DADE COUNTY AND CITY OF OPA-LOCKA, FLORIDA AND LAKEVIEW APARTMENTS VS MIAMI-DADE COUNTY AND THE CITY OF OPA-LOCKA, FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Attorney*

The above resolutions were read by Attorney Norris-Weeks.

It was moved by Vice Mayor Davis, seconded by Commissioner Bass to pass the resolutions.

The motion passed by a 4-0 vote.

Commissioner Burke	Not Present
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	Yes

Commissioner Kelley asked that the language be removed from agenda packet where it states that all consent items have to be read into the record. He said it sends a mixed message to the public on whether or not the consent items should be read into the record.

14. NEW ITEMS:

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO WORK IN CONJUNCTION WITH THE CITY ATTORNEY TO RECOMMEND SETTLEMENT OF CLAIMS TO THE CITY COMMISSION WITH AN ESTIMATED VALUE OF LESS THAN \$25,000.00; AUTHORIZING THE CITY MANAGER TO REFER CERTAIN CLAIMS DIRECTLY TO THE CITY ATTORNEY; AUTHORIZING THE CITY MANAGER TO SETTLE CERTAIN NUISANCE VALUE CLAIMS FOR AN AMOUNT LESS THEN \$2,500.00, AFTER CONSULTATION WITH THE CITY ATTORNEY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Attorney and City Manager*

The above resolution was read by Attorney Norris-Weeks.

It was moved by Commissioner Burke, seconded by Commissioner Kelley for discussion.

Commissioner Kelley said he is in support of the item.

Vice Mayor Davis agreed.

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

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

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RECOMMENDING DEVELOPMENT AGREEMENT APPROVAL FOR THE CONSTRUCTION AND OPERATION OF A SELF STORAGE FACILITY ON THE PROPERTY LOCATED AT 12940 NW 27TH AVENUE AND THE ADJACENT PARCEL LOCATED AT THE CORNER OF NW 129TH STREET AND NW 27TH AVENUE AND IDENTIFIED BY FOLIOS 08-2128-004-0031 AND 08-2128-004-0022, IN THE B-2 AND B-3 ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE.
Sponsored by City Manager

The above resolution was read by Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Deena Gray, on behalf of Greenspoon Marder, 200 E Broward Blvd, Ft. Lauderdale, FL, requested that the item be deferred so they can revise the agreement.

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

This item was deferred by the sponsor to the Regular Commission Meeting on 2/26/2020.

2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED COUNTY DEED RELATED TO THE FORMER COUNTY-OWNED PROPERTY LOCATED AT 1801 ALI-BABA AVENUE, OPA-LOCKA, FLORIDA TO PERMIT THE CITY OF OPA-LOCKA TO DEVELOP SUCH PROPERTY FOR INFILL HOUSING RATHER THAN A TOT LOT AND TO COMPLY WITH THE REQUIREMENTS OF THE AMENDED AND RESTATED COUNTY DEED; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Norris-Weeks.

Planning & Community Development Director Gregory Gay said the item came as a result of reviewing some of the activity in the area and it was found that the tot lot has not been in use for a long time. Years ago the City declared the tot lot as surplus property and it was put on the surplus property list. Also, the agreement with the county has a reverter clause that states that if the City did not use the property as a tot lot, it will revert back to the county. They are currently at the point where they can use it as a tot lot or request for another use with the county, preferably residential. They have been in talks with the county and they are in agreeance to change the property pending the commission approval.

Commissioner Kelley asked who decided to move forward with the item because he does not like this at all. He said by reaching out to the county, the City got the ball rolling to move forward with this without coming before the commission. He said this is not how business is done and he does not support the item.

Mayor Pigatt said the commission already approved the item at the January 15, 2020 Special Commission Meeting and to not support it now will send mixed signals to the county.

Mr. Gay agreed.

Mayor Pigatt opened the floor for a public hearing.

Dorothy Johnson, 13724 NW 22nd Place, Opa-locka, FL, when Commissioner Kelley was mayor in 2009, the agreement was put in place for the tot lot. If this passes, she is going to call Commissioner Jordan tonight in protest and action will be taken. The Magnolia North area needs green space for the residents in that area.

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

It was moved by Vice Mayor Davis, seconded by Commissioner Kelley for discussion.

Commissioner Burke said this should have never been a part of any agreement as there was a reverter clause. He said it is not fair to the children in that area and staff should have researched and came up with ways to update the tot lot.

Vice Mayor Davis said he wishes there was this much passion years ago when he came before the commission on behalf of the Opa-locka CDC who wrote and received the Kaboom Grant to revitalize the space at the Kaboom Tot Lot. This tot lot has been sitting for years unmaintained and at this time it is up to the commission to decide what will happen to it.

City Attorney Norris-Weeks said it was understood during negotiations that the property was included in the agreement and the attorneys were under the impression that the commission was on board. While the other attorney is aware of the reverter clause, it was with the intent to go to the county for approval.

Commissioner Kelley asked the attorney to bring forth legislation at the next meeting directing the city manager to find green space in Magnolia North.

Mayor Pigatt said they received the information at the last minute at the last meeting where the discussion was had. When it came before them he was uncomfortable and vote against it because there were many issues with the list. Even though he did not support it, it passed and to vote against it now is going against the previous agreement.

There being no further discussion, the motion on the resolution failed by a 4-1 vote.

Commissioner Burke	No
Vice Mayor Davis	No

Commissioner Kelley	Yes
Commissioner Bass	No
Mayor Pigatt	No

B. APPEALS:

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARING:

A. FIRST READING ORDINANCE(S):

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

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING SECTION 22-136(E) TO DELETE CERTAIN LANGUAGE REFERENCING TRANSIT ORIENTED CORRIDOR AS A SCRIVERNER'S ERROR; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on January 8, 2020). *Sponsored by City Manager*

The above ordinance was read by Attorney Norris-Weeks.

Mayor Pigatt opened the floor for a public hearing.

Dorothy Johnson, 13724 NW 22nd Place, Opa-locka, FL asked for clarity on the section where it speaks about adult entertainment. She asked that the commission looks at the information since they are making decisions on behalf of the tax payers.

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

It was moved by Vice Mayor Davis, seconded by Commissioner Bass to pass the ordinance.

There being no discussion, 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

C. RESOLUTIONS/PUBLIC HEARINGS:

17. CITY MANAGER'S REPORT:

Assistant City Manager Ellis said the manager's office did not have anything to report at this time, but will answer any questions the commission may have.

City Attorney Norris-Weeks said she would like to announce a shade meeting at the appropriate time. She said that an executive session will be held on Wednesday, February 19, 2020 at 5:00

p.m. at the Helen L. Miller Center located at 2331 NW 143rd Street, Opa-locka, FL, 33054. This will be to discuss Joseph Barton VS. City of Opa-locka Case No. 2016-011180CA.

18. OFFICIAL BOARD REPORTS:

19. MAYOR/COMMISSION REPORT:

Commissioner Kelley announced that the monthly community feeding will be held next Friday; the seniors fishing trip will be held on the 25th; and Meet Me Monday was held this past Monday.

Commissioner Bass announced the seniors Valentine's Day Gala that will be held on February 14, 2020.

Vice Mayor Davis announced a tenant association meeting Thursday, February 27, 2020 at 7:00 p.m. at Cordoba Courts Apartments located at 13875 NW 22nd Avenue.

Mayor Pigatt spoke on the State of Florida's desire to bring forth legislation to dissolve cities with a concentration on the City of Opa-locka. He said the City needs to take all necessary steps to avoid this from happening.

20. OFFICIAL BOARD APPOINTMENTS:

A motion was made to appoint Zamarr Brown to the Historic Environmental Preservation Board.

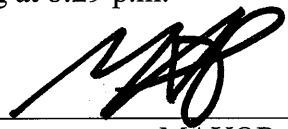
It was moved by Mayor Pigatt, seconded by Vice Mayor Davis to pass the appointment.

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

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

21. 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 meeting at 8:29 p.m.



MAYOR

2/2

ATTEST:


CITY CLERK