

CITY OF OPA-LOCKA

“The Great City”

**CLERK’S ACTION SUMMARY MINUTES
VIRTUAL REGULAR COMMISSION MEETING**

Wednesday, April 22, 2020

7:00 P.M.

1. CALL TO ORDER:

Mayor Matthew Pigatt called the virtual Regular Commission Meeting to order at 7:00 p.m. on Wednesday, April 22, 2020.

Pursuant to Executive Order No. 20-69, issued by the office of the 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 Sherelean Bass, Commissioner Alvin Burke, and Commissioner Joseph L. Kelley. Also in attendance 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. AWARDS/PROCLAMATIONS/ACKNOWLEDGEMENTS:

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

The following items were pulled from the Consent Agenda to be discussed separately under Action Items: pulled 13-2 (Mayor Pigatt).

NEW ITEMS:

14-1: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO AN EMERGENCY AGREEMENT WITH HIP ROCKSTAR, LLC, FOR PUBLIC RELATIONS AND MARKETING SERVICES IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by City Clerk Flores.

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

Mayor Pigatt asked the manager to clarify why the item is being added to agenda.

City Manager Pate said after reviewing available information, it was advised that someone come in and provide information to the community regarding COVID-19.

Commissioner Kelley said he wants to state for the record that this item does not meet the criteria for what is going on.

There being no discussion, the motion on the amendment failed by a 3-2 vote.

Commissioner Burke	No
Vice Mayor Davis	Yes
Commissioner Kelley	No
Commissioner Bass	Yes
Mayor Pigatt	Yes

A motion was made to amend the agenda to allow for a public presentation regarding the new item above.

It was moved by Vice Mayor Davis, seconded by Mayor Pigatt to approve the amendment.

There being no discussion, the motion on the amendment failed by a 3-2 vote.

Commissioner Burke	No
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Vice Mayor Davis	Yes
Commissioner Kelley	No
Commissioner Bass	Yes
Mayor Pigatt	Yes

7. APPROVAL OF AGENDA:

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

Commissioner Kelley stated for the record that the item was initially presented as one and now it has been split three (3) different ways. He said he will speak to the attorney and the manager at a later date regarding the matter.

There being no further discussion, the motion passed by a 4-1 vote.

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	No
Commissioner Bass	Yes
Mayor Pigatt	Yes

8. APPROVAL OF MINUTES:

Virtual Special Commission Meeting Minutes – April 03, 2020

It was moved by Vice Mayor Davis, seconded by Commissioner Bass to approve the minutes from the Virtual Special Commission Meeting of April 03, 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

Virtual Regular Commission Meeting Minutes – April 08, 2020

It was moved by Commissioner Bass, seconded by Vice Mayor Davis to approve the minutes from the Virtual Regular Commission Meeting of April 08, 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:

City Clerk Flores state that she received a message from Larry Gardner, Commissioner Barbara Jordan's Office, District I, which stated that the commissioner would like for the City/Commission to go on her Facebook page to receive updates regarding COVID-19.

District II was not available.

10. PUBLIC PRESENTATIONS:

11. CITIZENS' INPUT:

City Attorney Norris-Weeks said by order of the governor, the public was allowed to submit responses to address the commission prior to the meeting through the clerk's office and that information was also provided in the agenda packet.

City Clerk Flores confirmed that no one from the public provided information prior to the meeting.

12. ACTION ITEMS:

- 2. 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. *Sponsored by City Manager***

The above resolution was read by Attorney Norris-Weeks.

It was moved by Commissioner Kelley, seconded by Commission Bass for discussion.

Commissioner Kelley asked the manager if this was the total amount that is owed to the former manager.

City Manager Pate said, "Yes."

Commissioner Bass wants to make sure the amount is exact and it is documented.

Mayor Pigatt said he pulled the item because he wants to ensure proper reports are being provided regarding the City and its finances. He asked the manager what he intends to do about the unusually high annual and sick leave balances of over one million dollars that the city currently has.

City Manager Pate said he is currently reviewing employee balances and is also working with the Budget Department to start cashing out those balances over a three to five year period. This will be included in the five year recovery plan.

Vice Mayor Davis said this seems to be a problem and he hopes the manager will implement a policy as he is reviewing the employee balances.

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

Commissioner Burke	Yes
Vice Mayor Davis	Yes
Commissioner Kelley	Yes
Commissioner Bass	Yes
Mayor Pigatt	No

13. ADMINISTRATION:

CONSENT AGENDA:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE SOURCEWELL NJPA SERVICE AGREEMENT WITH UNIFIRST CORPORATION FOR THE PURCHASE OF UNIFORMS IN AN AMOUNT NOT TO EXCEED TWELVE THOUSAND ONE HUNDRED DOLLARS (\$12,100.00) IN THE FORM ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*
3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUESTING THAT THE STATE OF FLORIDA GOVERNOR RON DESANTIS RETROACTIVELY AUTHORIZE PAYMENT OF UNEMPLOYMENT BENEFITS TO AFFECTED WORKERS FROM THE TIME OF LAYOFF, EVEN IN CASES THE LAYOFF WAS NOT DIRECTLY RELATED TO THE COVID-19 PANDEMIC; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

It was moved by Vice Mayor Davis, seconded by Commissioner Burke to pass the consent agenda.

The motion passed by a 5-0 vote.

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

14. NEW ITEMS:

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A CERTIFICATE OF APPROPRIATENESS FOR THE STRUCTURE AT 490 ALI-BABA AVENUE TO ALLOW FOR THE REPLACEMENT OF WINDOWS AND DOORS ON THIS REGISTERED HISTORIC PROPERTY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

Sponsored by City Manager

The above resolution was read by Attorney Norris-Weeks.

City Attorney Norris-Weeks restated her earlier comments about the public having had the opportunity to submit their comments prior to the start of the meeting and there are no comments at this time.

Planning & Community Development Director Gregory Gay said the certificate allows for the replacement of windows and doors at historic structures and buildings. The state has provided a letter regarding the criteria for doing so while noting that all of the windows and doors have to be the same and must be impact windows. They recommend that the item is approved by the commission at this time.

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

Commissioner Burke asked Mr. Gay if an assessment was done to the old city hall to determine if it meets the requirements.

Mr. Gay said, "No." The item is coming before the commission because there are owners who own historic properties so they will have to follow the protocol for obtaining the Hurricane impact windows and doors.

Vice Mayor Davis said if the discussion is about the Hurt Building where the Opa-locka CDC is housed, those windows and doors are extremely outdated and this item will allow for well needed upgrades.

Commissioner Bass thanked the vice mayor and Mr. Gay for providing clarity on the item.

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

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

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

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

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

C. RESOLUTION(S):

17. CITY MANAGER'S REPORT:

City Manager Pate said he is working closely with county and state officials to take all of the necessary steps to keep the public safe from the Novel Coronavirus 2019 (COVID-19). He spoke to the county regarding placing a testing site in the City and was told the City would have to foot the bill for the site setup, doctors, security, etc... They will look into a joint partnership to reduce the financial burden while providing assistance to residents who may need it. They are still working on the Auditor General's 99 Findings, roads and streets, the pump stations, and all of the other goals and objectives that the City is responsible for during the pandemic. He thanked the commission for their support with what staff is doing and will continue to monitor the orders and recommendations from the county and the state.

Commissioner Bass asked the manager how many people currently have been diagnosed with the virus.

City Manager Pate said there are 160 confirmed cases of the virus.

Commissioner Burke said he is surprised the numbers are not higher because he has been calling the manager since the stay at home order was put in place and there was no enforcement from the City. The businesses were still opened and the residents were still hanging out outside. He encouraged the commission to ride around and see for themselves because until there is enforcement the numbers will continue to rise.

City Manager Pate said they are actively working on enforcing the curfew. Arrests have been made and he will encourage the police chief to ramp up the enforcement while not arresting everyone.

Commissioner Bass said she noticed the Rotary Club had a community feeding on yesterday and she had no knowledge of it; if she would have known she could have supported it.

Commissioner Burke said there was an issue that took place on Johnson Street and Lincoln Avenue, where the rotary club of Doral brought food that they wanted to distribute. An altercation took place with Pastor Mikell and they were going to take the food away from the City. He called the manager and asked if the food can be taken to Sherbondy Park and be available to everyone. The manager approved the request and he along with Mr. Pepe transferred the food to the park and fed over two hundred 200 people.

Vice Mayor Davis encouraged the Police Department to exercise discretion while enforcing the curfew to avoid many arrests.

Commissioner Kelley said he is concerned that not enough testing is being done and hopes the City will look for funding to do what needs to be done so there can be testing for those who do not have access to it. He said he will draft a letter to the county requesting assistance from the mayor with providing testing for the residents.

Mayor Pigatt said he has been in communication with several agencies in the county and while it is frustrating, it is ongoing and he is actively working on behalf of the City.

City Attorney Norris-Weeks announced an Executive Session to be held virtually with the city commission on May 6, 2020 at 6:00 p.m. for the purpose of discussing pending litigation in The Brown Law Group, LLC v. City of Opa-locka, Case No. 2019-027913-CA-01.

18. OFFICIAL BOARD REPORTS:

19. MAYOR /COMMISSION REPORT:

Commissioner Bass said she understands that there is a lot going on, but she would like for the commission to be included in everything that is going on in and around the City.

Commissioner Burke left the meeting at 8:04 p.m.

Commissioner Kelley commended everyone for the work they have been doing with the food drives and its benefits to the residents. He said he would hope that if it is allowed, that everyone will participate in the National Day of Prayer on May 7, 2020.

Mayor Pigatt reminded the public that the City is currently dealing with two things at the same time and that is the financial crisis and the Coronavirus. He said this is a critical time and the basics of public safety, water, infrastructure, and health is not good. He said the manager is being called and pulled from everyone when at the last meeting it was voted down to give him the authority to act on behalf of the City with issues stemming from the virus. If that legislation was approved, the commission would not have to convene for every issue and it would be easier to communicate with other agencies and actions could be taken faster. It is on the commission to work as a collective to make things happen on behalf the residents.

Commissioner Kelley left the meeting at 8:45 p.m.

City Attorney Norris-Weeks reminded the commission that there is work that needs to be done and the manager does not have the authority to take certain actions. She said if there is reasonable notice then the commission can convene to take certain actions quickly for everything that may arise.

City Manager Pate said certain actions take at least a 24 hour notice before the commission can convene because the work has to be prepared for discussion.

Commissioner Keller Kelley returned to the meeting at 9:09 p.m.

Vice Mayor Davis said the commission realizes the severity of what is going on and also wishes the full commission can be informed when there are things happening in and around the City and when residents call or approach the commission, they have knowledge of what is going on and can respond accordingly.

Mayor Pigatt asked that a weekly meeting be held relating to COVID-19 until the virus has been eradicated.

City Attorney Norris-Weeks said this can be done with proper notice and if there is business

to attend to. If the manager does not have any business to bring before the commission, then they do not need to meet on the reoccurring date and time they choose. If the commission wants to call a weekly meeting for Thursday at 6:00 p.m. with the majority of the commission available, then they can so with the option to consider issues.

The City Commission agreed to conduct a workshop every Thursday evening at 5:30 p.m. to discuss pending issues regarding COVID-19 and any actions they intend to take.

20. OFFICIAL BOARD APPOINTMENTS:

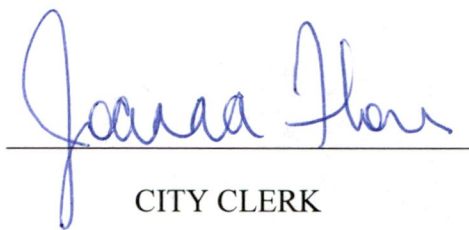
21. ADJOURNMENT:

There being no more business to come before the Commission, it was moved by Commissioner Bass, seconded by Vice Mayor Davis to adjourn the meeting at 9:37 p.m.



MAYOR

ATTEST:



CITY CLERK