CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
VIRTUAL REGULAR COMMISSION MEETING
Wednesday, September 9, 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, September 9, 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 Joseph L. Kelley.

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 and 13-3 (Commissioner Kelley).

7. APPROVAL OF AGENDA:

It was moved by Commissioner Bass, seconded by Commissioner Kelley 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:

Virtual Regular Commission Meeting Minutes – July 22, 2020

It was moved by Commissioner Bass, seconded by Commissioner Kelley to approve the minutes from the Virtual Regular Commission Meeting of July 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

Virtual Special Commission Meeting Minutes – July 28, 2020

It was moved by Vice Mayor Davis, seconded by Commissioner Bass to approve the minutes from the Virtual Special Commission Meeting of July 28, 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 Special Commission Meeting Minutes – July 30, 2020

It was moved by Commissioner Kelley, seconded by Vice Mayor Davis to approve the minutes from the Virtual Special Commission Meeting of July 30, 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 PRESENTATIONS:

1. **Sara Fuchs, College Student**
   Re: Ordinance extending anti-discrimination and sexual harassment protections to independent contractors

Ms. Fuchs explained to the commission that there are several federal laws that are in place to protect independent contractors and they may not even know these laws exist. She is working to inform Cities that they have protections under these laws so that contractors do not have to face discrimination under the current guidelines and therefore these laws should be amended to include independent contractors.

Vice Mayor Davis said he invited Ms. Fuchs to the meeting so she can inform the City about these concerns. He hopes this will bring synergy and equity to the City's workforce.

Mayor Pigatt thanked Ms. Fuchs for bringing awareness to the City and looks forward to seeing legislation to accompany what is being brought forth today.

11. CITIZENS' INPUT:

12. ACTION ITEMS:

1. (13-2) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDER REQUEST #1 FOR RJ SPENCER CONSTRUCTION, LLC. FOR THE PROVISION OF PARKING LOT IMPROVEMENTS AT 2105 ALI BABA AVENUE, IN

AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS ($15,000.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Cobb.

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

City Manager Pate asked Public Works Director Airia Austin to explain why the item is being brought forth.

Mr. Austin said that the change order will include sidewalks for the safety of the public between the parking lot and the building; and will also add more handicap spaces for convenience to visitors.

Commissioner Kelley commented that he was under the impression that the sidewalks were already included in a prior agreement. He asked if the amount that was originally allocated is still under the projected amount.

Mr. Austin said so far they are only addressing the sidewalks for this specific facility so residents do not have to walk around the building to get to the park. As of now, they are under the projected amount that was allocated for the project.

Commissioner Bass asked if the rearrangement of the spaces will increase or decrease the parking space.

Mr. Austin said it will be increased by two (2) parking spaces.

Vice Mayor Davis asked if the space being created for the sidewalks will be ADA compliant.

Mr. Austin said, "Yes".

Mayor Pigatt agreed with Commissioner Kelley that the parking lot have direct connection to the Kaboom Park. He asked if it will be fenced in.

Mr. Austin said it will be fenced in to make access more defined using wrought iron fencing.

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

2. (13-3) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH EAC CONSULTING, INC. FOR CONTINUING PROFESSIONAL ACHITECTURAL AND ENGINEERING CONSULTING SERVICES TO DEVELOP CITYWIDE STORMWATER MASTER PLAN & CAPITAL IMPROVEMENT PLAN (SWMP); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Assistant City Attorney Cobb.

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

City Manager Pate asked Public Works Director Airia Austin to explain why the item is being brought forth.

Mr. Austin said the plan is expected to take five (5) months to complete. Once the deliverables are with the City, it will be put out for bid for flood management and is intended to reign in the current emergency.

Commissioner Kelley asked if the ninety nine thousand dollars ($99,000.00) only covered the first phase.

Mr. Austin said, “Yes”.

Vice Mayor Davis asked if private business owners will be held accountable

Mr. Austin said that it will be a major part of the project by building out a roadway that is compatible and will benefit existing businesses with the expectation the roadways will be maintained.

City Manager Pate said he has been in talks with the property manager over at Glorietta Gardens Apartments and is looking into how to deal with the flooding issues over there.

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

13. ADMINISTRATION:

CONSENT AGENDA:

1. (13-1) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, CALLING FOR A GENERAL ELECTION TO BE HELD IN AND FOR THE CITY OF OPA-LOCKA, FLORIDA, ON NOVEMBER 3, 2020; PROVIDING AUTHORIZING FOR THE CITY CLERK TO PUBLISH THE APPROPRIATE NOTICE OF THE GENERAL ELECTION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY AT LEAST FIFTEEN (15) DAYS PRIOR TO THE ELECTION AS SET FORTH IN SECTION 8.5-3 OF THE CITY OF OPA-LOCKA CODE OF ORDINANCES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Clerk*

2. (13-4) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 300 ENGINEERING GROUP, P.A. FOR CONTINUING PROFESSIONAL AND ARCHITECTURAL ENGINEERING CONSULTING SERVICES FOR COMPLETION OF THE CAIRO LANE, NW 127TH STREET AND ALEXANDRIA DRIVE PROJECT IMPROVEMENTS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

3. (13-5) **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, RATIFYING THE PROPOSED FIVE-YEAR PLAN AND DIRECTING THE CITY MANAGER TO FORWARD TO THE GOVERNOR THE PROPOSED FIVE-YEAR PLAN AS A PRELIMINARILY APPROVED BY THE MAYOR AND COMMISSION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

It was moved by Vice Mayor Davis, seconded by Commissioner Kelley 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:

B. APPEALS

16. ORDINANCES/RESOLUTIONS/PUBLIC HEARINGS:

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

1. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING SAME ORDINANCE NUMBERS 07-19 AND 13-33 WHICH IMPLEMENTED A BAN ON WEARING SAGGY PANTS AND SHIRTS IN CITY BUILDINGS AND PARKS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Vice Mayor Davis, Mayor Pigatt, and Commissioner Bass*

The above ordinance was read by Assistant City Attorney Cobb.

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 Bass for discussion.

Vice Mayor Davis said while he understands the original intent of the ordinance in making sure young people carried themselves in a respectful manner, at this time he thinks it is criminalizing a certain segment of the population.

Commissioner Burke went on to explain to the commission that when the item was first adopted, it was not to target the youth, but to uplift them. People came from all over to document the item as it was the first of its kind in the country. Even today, not only young men, but the young girls are also doing it and it does not look good. He does not support the item.

Commissioner Kelley said he wanted to cosponsor the item because he was there for its inception. He said if it is repealed, he hopes there is a follow up as there needs to be something in place to keep the youth in line.

Commissioner Bass agreed that the item should be repealed.

Mayor Pigatt said he was once for the fashion trend as a young man, but with age comes wisdom and his mindset has changed since then.

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

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

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DUAL-DESIGNATING 37TH AVENUE FROM 135TH STREET TO 151ST STREET AS "COMMISSIONER BARBARA JORDAN WAY"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; ; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Kelley*

The above ordinance was read by Assistant City Attorney Cobb.

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 Commissioner Kelley, seconded by Commissioner Burke for discussion.

Commissioner Kelley commended Commissioner Jordan for all the work she has done over the years championing for the City. Be it by providing services, resources or providing funding for different initiatives in the City and on behalf of the residents, she has done it all. Since she is termed out, he wanted to have something that would be permanent to express the City's appreciation.

Commissioner Bass said she has known Commissioner Jordan for over two (2) decades and she has always been a source of inspiration for her.

Vice Mayor Davis agreed and stated that Commissioner Jordan has done so much for the City over the years and it is appreciated.

Mayor Pigatt echoed the sentiments of his colleagues and also commended Commission Jordan for working on behalf of the City and its residents throughout the years.

There being no further 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

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

1. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 11, 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 THE CODE; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Commissioner Bass, Mayor Pigatt and Vice Mayor Davis*

The above ordinance was read by Assistant City Attorney Cobb.

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 Commissioner Bass, seconded by Vice Mayor Davis for discussion.

Commissioner Bass said the item was approved on first reading and she hopes she will still have the support of the commission for this. Several cities have already implemented this and she consulted with the attorney who also believes this item will be beneficial for the commission and will be a timesaver when making decisions on legislation.

Mayor Pigatt thanked Commissioner Bass for bringing the item to the attention of the commission and agreed that it will allow the meeting process to be more efficient.

There being no further 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

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ORDINANCE 15-31, ARTICLE X, SIGN REGULATIONS OF THE LAND DEVELOPMENT REGULATIONS BY RETROACTIVELY EXTENDING THE DEADLINE FOR ALL NON-CONFORMING

SIGNAGE TO BECOME FULLY COMPLIANT UNTIL DECEMBER 31, 2020; PROVIDING FOR REPEALER; SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (first reading/public hearing held on July 22, 2020). *Sponsored by City Manager*

The above ordinance was read by Assistant City Attorney Cobb.

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 Commissioner Burke, seconded by Vice Mayor Davis for discussion.

City Manager Pate said this item is to extend the deadline for the Planning and Community Development Department to ensure that the businesses are in compliance with the new code and those who are grandfathered in can be identified.

There being no further 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

3. 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 AMENDMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on August 20, 2020). *Sponsored by City Manager*

The above ordinance was read by Assistant City Attorney Cobb.

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 Bass for discussion.

City Manager Pate asked Budget Administrator Robert Anathan to speak on the item.

Mr. Anathan said he already addressed the first fourteen (14) items during first reading so he will only address he fifteenth (15^{th}) item that was added. This item includes the hiring of a chief of police will also add an additional position with the hiring of a motor cycle unit to patrol the City.

A motion was made to amend the ordinance to remove item fifteen (15) from Exhibit A where it speaks to FEMA documents and support.

It was moved by Commissioner Kelley, seconded by Commissioner Bass to amend Exhibit A by removing item 15.

Commissioner Bass asked if there are funds set aside for a motorcycle unit, and if not, are there funds set aside for training.

City Manager Pate answered "Yes" for both questions posed by the commissioner.

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

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. RESOLUTION(S):

17. CITY MANAGER'S REPORT:

City Manager Pate thanked the commission and staff for their support over the last month while attending special call meetings on behalf of the City. He said he will reserve the rest of his report for the next Regular Commission meeting.

18. OFFICIAL BOARD REPORTS:

19. MAYOR /COMMISSION REPORT:

1. **Commissioner Joseph L. Kelley**
    - **Citywide Beautification**
    - **City Public Safety Building**

Commissioner Kelley said he has been speaking with the manager for months now regarding a citywide beautification so it looks more presentable. FPL has improved the lighting situation, but a cleanup project or campaign still needs to take place to rid the City of debris. Things like mulch, flowers, and pruning of the trees goes a long way and those are small things that can be done now.

Commissioner Burke said the budget administrator stated that the millage rate had to be increased for the overhauling of the Police Department and he is concerned. He knows the financial consultant has done a lot of work for the City and that is fine, however, from January of 2020 to August of 2020, Trimerge has been paid four hundred and seventy thousand dollars ($470,000.00) and the City still has not hired a Finance Director. This falls on the commission for not asking any questions regarding the amount of the agreement when it was discussed and voted on. This company utilizes City offices, employees and resources, but this kind of money is still being spent. He asked the manager when the City anticipates hiring a Finance Director because that is way too much money going out. The commission should have placed a cap on the agreement if this was the kind of money that was going to be spent. He also asked if this amount was budgeted prior to making these payments because the City does not have the money.

Commissioner Bass suggested the city utilize high school students who are in need of community service hours to assist with the citywide cleanup project.

Mayor Pigatt thanked the manager, budget administrator, staff, and the state for working to get the budget approved so the City can get out of the financial crisis. The storm water and Cairo Lane assessments are significant projects that will address the flooding issues that are ongoing. He agreed with Commissioner Kelley that the City needs a beautification of the parks, streets, and roadways. It is frustrating to keep addressing it and the City just needs to do better. Even the smallest and most basic changes can make a difference. He said these things are addressed on a regular basis and he does not understand why the changes are not taking place. He asked the manager for a report that gives an update on the Code Enforcement investigation and the constant talk of maintaining the cleanliness of the City. The award of the financial contract for a consultant to the City came at a time when the City was not in order. A huge undertaking went on and he believed they were doing a good job. If a review needs to take place, then the commission should request an evaluation to make sure the work is being completed and the company is being compensated accordingly.

Commissioner Kelley said he looks forward to receiving a report of the maintenance of the City along with a timeline for the completion of certain projects as the mayor suggested.

City Manager Pate said he will work with the Public Works Department and provide a timeframe as well as approved overtime hours for completion of projects around the City.

Mayor Pigatt said the commission would like to see beautification implemented as a regular routine in the City. He knows the City has the capacity to do it and they will make sure it gets done.

City Manager Pate said he understands the concerns of the commission and even though staff is limited, he will work with the respective department(s) to achieve the recommendations of the commission.

20. OFFICIAL BOARD APPOINTMENTS:

City Clerk Flores informed the commission that Planning & Zoning Board of Appeals Member Dawn Mangham's term has expired and Ms. Mangham expressed her desire to continue serving on the board. She asked the commission if they wanted to reappoint Ms. Mangham at this time.

It was moved by Commissioner Kelley, seconded by Vice Mayor Davis to approve 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 Kelley, seconded by Commissioner Bass to adjourn the virtual meeting at 8:40 p.m.

MAYOR

ATTEST:

CITY CLERK