CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
REGULAR COMMISSION MEETING
January 13, 2021
7:00 P.M.

1. CALL TO ORDER:

Mayor Matthew A. Pigatt called the meeting to order at 7:00 p.m. on Wednesday, January 13, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Alvin E. Burke, Commissioner Chris Davis, Commissioner John H. Taylor Jr., Vice Mayor Veronica J. Williams and Mayor Matthew A. Pigatt. Also in attendance were: City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, City Clerk Joanna Flores and Assistant City Attorney Candace Cobbs.

3. INVOCATION:

The Invocation was delivered by Commissioner John H. Taylor Jr.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:
There were none.

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

Mayor Pigatt pulled agenda item 13-1 from the Consent Agenda.

7. APPROVAL OF AGENDA:

Clerk Flores stated that a request was made to amend the agenda to include the following item as 14-1:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE PENDING AND FUTURE INVOICES FOR CITY ATTORNEY LEGAL EXPENDITURES; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager and City Attorney*

Mayor Pigatt asked that the City Manager and/or City Attorney state the emergency nature of this item.

Attorney Norris-Weeks said that there are items pending before the State at this point, and they said that what they will need is approval from the city going forward in order to pay the legal expenditures for her office. Therefore, they are bringing this item to the Commission for approval so that the City Manager can do so consistent with the Code of Ordinances.

It was moved by Commissioner Burke, seconded by Commissioner Taylor to amend the agenda to include 14-1.

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

Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Mayor Pigatt	Yes

It was moved by Commissioner Davis, seconded by Commissioner Burke to approve the agenda.

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

Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Mayor Pigatt	Yes

8. APPROVAL OF MINUTES:

Virtual COVID-19 Workshop Minutes – May 7, 2020

It was moved by Commissioner Davis, seconded by Vice Mayor Williams to approve the minutes of the Virtual COVID-19 Workshop on May 7, 2020.

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

Commissioner Burke	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Mayor Pigatt	Yes

Virtual Audit Workshop Minutes – May 14, 2020

It was moved by Commissioner Burke, seconded by Commissioner Taylor to approve the minutes of the Virtual Audit Workshop on May 14, 2020.

There being no discussion, the motion passed by a5-0 vote.

Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Mayor Pigatt	Yes

Virtual COVID-19 Workshop Minutes – May 14, 2020

It was moved by Vice Mayor Williams, seconded by Commissioner Burke to approve the minutes of the Virtual COVID-19 Workshop Meeting on May 14, 2020.

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

Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes
Mayor Pigatt	Yes

Special Commission Meeting Minutes – November 12, 2020

It was moved by Commissioner Burke, seconded by Vice Mayor Williams to approve the minutes of the Special Commission Meeting on November 12, 2020.

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

Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Mayor Pigatt	Yes

Regular Commission Meeting Minutes – November 19, 2020

It was moved by Commissioner Davis, seconded by Commissioner Burke to approve the minutes of the Regular Commission Meeting of November 19, 2020.

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

Commissioner Burke	Yes
Commissioner Davis	Yes

Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Mayor Pigatt	Yes

9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:
There were none.

10. PUBLIC PRESENTATIONS:
There were none.

11. CITIZENS' FORUM:

Clerk Flores announced the protocols for public participation at city commission meetings.

The following public comment was submitted by email and read into the record by Clerk Flores:

Eric Redmon of Villa Francine - I would like to take this time to give much thanks to the City Manager and City Clerk's office for the gift card give away during the holidays which meant so much to the citizens of Opa locka. The City Manager and staff along with the City Clerk's office showed true leadership.

Mayor Pigatt opened the floor for Citizens' Forum for those who were in the audience.

Brian Dennis of 821 NW 54th Street, Miami, Florida came forward and read Section 5(b) of the City Manager's Contract which spoke about the review and evaluation process for the City Manager. He expressed his concerns relating to the rumors about firing the City Manager.

Dorothy Johnson of 13724 NW 22nd Place, Opa-locka, Florida appeared before the City Commission and commended the IT Department initiative and suggested that the Welcome Kit be added. In looking at the Workshop last week, she said that the Building & License Department needs help because during her recent visits the line has been out the door. She suggested that the Commission look into approving legislation for the next election or special election that would probably be coming up for seats or districts.

She further expressed concerns relating to the most recent municipal election in 2020.

Gary Johnson of 13235 Alexandria Drive, Opa-locka, Florida came forward and requested an update on the flooding at his apartment complex. Secondly, he said it was his understanding that the city adopted an ordinance to have two police officers at the apartment complex and he needs to know what time those officers are scheduled to be there. Due to the recent increase in violence, he asked if the city had a plan for the youth in the community to keep them out of trouble and give them an opportunity at success.

Natasha Ervin of 670 Dunad Avenue, Opa-locka, Florida, appeared before the City Commission and expressed her concerns relating to the need for police officers in the city and the city offering a competitive salary. She went on to speak about the rumors relating to the Mayor and the City Manager.

She further thanked everyone who was involved in making the Christmas Toy Drive event a success.

Lamar Crews of 13831 NW 24th Avenue, Opa-locka, Florida, came forward and voiced his concerns relating to the overgrown trees specifically on NW 24th Avenue and Superior Street. He suggested that the city employ Opa-locka residents to perform landscape maintenance throughout the city's streets and alleyways as oppose to hiring an outside contractor.

Sandra Collado, resident of Opa-locka, Florida, came forward and spoke about a new member on the dais that she has never seen before in her 40 plus years living in the city. She expressed her frustration as it relates to the lack of assistance to the Hispanic residents in Opa-locka.

She further referred to several areas in the city which needed to be cleaned-up to improve the image of the city.

Mayor Pigatt reminded the public to adhere to the Decorum at commission meetings and that all comments be addressed to the entire Commission as a body and not to anyone individually.

There being no further persons to speak, Citizens' Forum was closed.

Mayor Pigatt requested that the City Manager provide a response to the concerns relating to the drainage, police substation at Glorietta and tree maintenance.

Manager Pate provided an update on the police substation and drainage at Glorietta Gardens. In terms of the tree maintenance, he said that the Code currently states it is the responsibility of the resident and there would need to be legislation to address that. He said he had extensive conversations with Public Works because this was not the first time this subject was brought up over the last three months.

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

1. (13-1) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMERGENCY CONTRACT, ATTACHED HERETO AS EXHIBIT "A", WITH HCA ASSET MANAGEMENT, LLC FOR THE PROVISION OF ASSET VALUATION, INSURANCE APPRAISAL AND POLICY AND PROCEDURES DEVELOPMENT ASSISTANCE SERVICES IN AN AMOUNT NOT TO EXCEED THIRTY THREE THOUSAND DOLLARS ($33,000.00), PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Cobbs.

It was moved by Commissioner Burke, seconded by Commissioner Davis to approve the resolution.

Robert Anathan, Budget Administrator for the City of Opa-locka explained that the City is required to get an Asset Evaluation Study done which will meet requirements of the audit. Right now, without it, it is a cause of getting qualified opinions on the audit. Once this is completed, it should remove that as an impairment to a clean audit. This will also address two items that are in the operational audit.

Mayor Pigatt expressed the importance of this item. He said that staff did a great job in putting together the package/proposal which will address a long standing issue in the City of Opa-locka. On many of the past audits, the city was not able to get an unmodified opinion due the fact that the city did not have an inventory of physical assets taking place. This is something that has been stated in the last few audits and also very important for the city to get outside of financial oversight. This is critical and the timing of it, based on execution of this contract, is past the deadline for the city's submission for the upcoming audit.

He stated that he wants to ensure that this is conducted on a regular schedule so that this doesn't happen in the city again.

Manager Pate explained that once this act is done and completed by this organization, the yearly audits should actually resolve this issue along with maintenance of the appropriate property list by city staff both in the accounting department and public works department. As far as this matter being contracted out, this has been a decades old issue in regards to the city not being able to maintain proper controls in regards to its assets. This is imperative to prevent the city from going into financial oversight again that the city maintain proper control through proper staffing and holding staff accountable moving forward.

Mayor Pigatt asked, once the city executes this inventory of physical assets, can staff continue to do the inventory moving forward or is this another contract that the city needs to do annually?

Manager Pate said this is a function of a standing municipal organization being able to maintain their own physical assets and not have an organization come in and do it on a yearly basis. Once it is maintained and controlled, there will be proper controls in place to ensure this doesn't occur again.

Mayor Pigatt stated that the Audit Committee is recommending an Audit Workshop to review the findings of past audits so that it is clear what is needed to ensure all recommendations are being implemented and addressed. He requested that the City Manager call an Audit Workshop soon to review the past audits. He further requested that this be done on an annual basis so that once the city receives the audit findings, a workshop is held to review those findings and develop some type of strategic plan to ensure things are being addressed in a timely manner.

Manager Pate said that the Audit Committee can call a joint workshop with the City Commission to review the audits and this can be a function of the Audit Chairperson which is the Mayor.

Therefore, he doesn't necessarily have to call that workshop because that was a recommendation of the Audit Committee.

Mayor Pigatt stated to the City Manager that whenever they are ready to call the workshop that his office be ready to make it happen.

Mayor Pigatt directed the City Clerk to poll the Commission for an Audit Workshop within the next two weeks.

Manager Pate stated to the Mayor that they would probably want to see if the auditor is available so that he can do the overview of the audit findings. The city may want to also inquire about the pricing and what he would charge the city to come in and go over those audit findings especially if they are going through multiple years.

Mayor Pigatt requested that the City Manager arrange the time based on the City Manager's Office and Mr. Brunson's availability and work with the City Clerk to poll the Commission to find a date that works out for everyone.

As it relates to the audit and the issue of accounting for the city's physical assets, Commissioner Davis said he does know once they have a third party come in and assist the city in getting control of its assets that it may have a fiscal impact simply because assets are something the city records on its books. Ultimately depending on what's accounted for somewhere down the road it may affect the city financially. He asked if the City Manager anticipated any financial impact as a result of having this function.

Manager Pate said that his estimation as far as physical property is that some are overvalued and some are undervalued. As far as the physical assets, the city is probably over insured. However, the city will not know for sure until this study is completed.

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

Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Mayor Pigatt	Yes

13. ADMINISTRATION:

CONSENT AGENDA:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMERGENCY CONTRACT, ATTACHED HERETO AS EXHIBIT "A", WITH HCA ASSET MANAGEMENT, LLC FOR THE PROVISION OF ASSET VALUATION, INSURANCE APPRAISAL AND POLICY AND PROCEDURES DEVELOPMENT ASSISTANCE

SERVICES IN AN AMOUNT NOT TO EXCEED THIRTY THREE THOUSAND DOLLARS ($33,000.00), PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

This item was pulled from the Consent Agenda – Action on this item can be viewed under agenda item 12 – Action Items.

14. NEW ITEMS:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE PENDING AND FUTURE INVOICES FOR CITY ATTORNEY LEGAL EXPENDITURES; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager and City Attorney*

The above resolution was read by Attorney Cobbs.

It was moved by Commissioner Burke, seconded by Vice Mayor Williams to pass the resolution.

Attorney Norris-Weeks explained that this is an item brought forth due to the fact that the state is holding invoices and requiring that the City Manager be given authority to sign off on invoices from the City Attorney's Office. This item is being brought before the Commission so that it coincides with what's required by the Code.

Mayor Pigatt expressed his concerns about this being the first time he's seen an item such as this being brought forth for approval. He inquired as to why this item was necessary and whether the Commission will be approving invoices and if so, where are those invoices attached to this item?

Attorney Norris-Weeks said that this is a procedure that the state is requiring and the city is trying to comply. Their rational is that the City Attorney does not work for the City Manager and therefore, the Commission has to give the City Manager the authority to process. The City Attorney has obviously done work and wants to get paid and they are just trying to go through the motion of whatever it was that the State said they needed.

She requested that the Commission approve the item so that the City Attorney can get paid for work performed.

After hearing that this is a recommendation from the State, Vice Mayor Williams said she is in agreeance with following what the City Manager and City Attorney have put forth.

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

Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes

Mayor Pigatt Yes

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 THE ANNUAL ADOPTED GENERAL, PROPRIETARY AND SPECIAL REVENUE FUNDS BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; 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. *Sponsored by City Manager*

The above ordinance was read by Attorney Cobbs.

Mayor Pigatt opened the floor for a public hearing.

Dorothy Johnson of 13724 NW 22nd Place, Opa-locka, Florida, expressed her concerns about emergency legislation coming in front of the taxpayers without having any input or documentation in advance.

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

It was moved by Commissioner Burke, seconded by Commissioner Davis to approve the above ordinance on first reading.

Robert Anathan, Budget Administrator for the City of Opa-locka appeared remotely and highlighted the 27 budget amendment items to be included as a part of the above ordinance which are reflected in the agenda cover memo as well as the FY 21 Budget Amendment exhibit.

Commissioner Davis recalled the city having issues in the past due to being somewhat antiquated with the Sick Leave Policy and the city was moving in the direction which was standard for most municipal governments comparable in size which includes Paid Time Off (PTO). He asked, is the city still operating in the antiquated sick leave structure or has the city transitioned to a system of Paid Time Off.

Manager Pate said that the city is still operating in the antiquated system and they have to go into collective bargaining which will take place in the near future with both the police union and AFSCME.

He explained that as far as the leave payout included in this particular item, this amount is for transitions from the city of long standing members. As the city is aware, there is a long standing issue of allowing people to maintain benefit time. Moving forward, upon his tenure here, the city did change that policy limiting the amount of carryover, however, anything in the past, the city cannot penalize employees through the city's negligence.

He further stated that the city will continue to look at this issue which is an audit finding that is currently and actively being addressed by the city.

Commissioner Davis said he is glad the city is at least moving in the direction to address that policy.

Mayor Pigatt noticed that there were two additional staffing positions for the Public Works Department and Human Resources Department. Recently, during the State of the City Report, Building and Licensing expressed the need for additional assistance. He asked, is there any anticipation for including someone in Building & Licensing and why is operations in Human Resources priority?

Manager Pate explained that as far as Human Resources is concerned, there are long standing issues within the Human Resources Department and this is a closely monitored matter by the State of Florida and Auditor General's Office. Based on consultation with the State as well as the Human Resources Department in looking at the capabilities of antiquated Human Resources practices that they are looking to modify/upgrade, the city saw the need to add that position.

In terms of the Operations Manager position, the city has been attempting to recruit an Assistant Director of Public Works for quite some time but have been having issues with the salary range being competitive. Mr. Austin needs assistance with his duties in Public Works and CIP. The Operations Manager will come in and supervise both superintendents in the Public Works Department and be of assistance to Mr. Austin.

He further stated that the City Manager's office is looking at the capabilities of the city's Building and Licensing Department. Part of the issue is technology based and they are working with the Information Technology Department to upgrade their system. He said that efficiency is one part of the issue and another part of the issue is evaluating the entire Building & Licensing Department holistically in looking at potential changes. There is a possibility of adding an additional administrative personnel to the Building & Licensing Department during the second reading of this budget amendment, however, he is still evaluating that.

Mayor Pigatt stated to his colleagues that one of the things that has been on his mind is the city's need for a lobbyist; to have someone in Tallahassee to advocate for the city. Last year there was a big uproar in the State with bills that wanted to dissolve municipalities and Opa-locka was used as one of the top cities for that. Also, the city hasn't had success in securing dollars in Tallahassee. The funding for a lobbyist was removed from the city's budget since the city has been in financial oversight. This is something the city should look into and it may not be right now, but the city should conduct a strategic planning session to discuss in order to find out what would be the goals and aims of the Commission.

He urged the Commission to think about and consider the city's need for a lobbyist especially moving towards this upcoming legislative session. Moving forward, once the Operational Audit Workshop and Audit Workshop are conducted, he suggested a strategic planning session to discuss this matter in more detail.

Vice Mayor Williams responded to Mayor Pigatt's comment about a lobbyist and said she respectfully disagrees with the city looking for a lobbyist at this time. It is her belief that the city is on the right path and cannot afford a lobbyist. She is in favor of continuing to search for lobbyists who are willing to work on a pro-bono basis.

Mayor Pigatt explained that the point he is leaning towards is that the Commission is clear upon their goals, really think this through and then propose it to people who may be able to assist.

Commissioner Davis said due to the city's financial position, the State wasn't in support of a lobbyist on behalf of the city, however, since that time, the State did approve the Commission identifying a member to lobby which was more cost effective.

Commissioner Burke concurred with Vice Mayor Williams. He said the city has spent a lot of money on lobbyists in Tallahassee and they've never seen a return. He stated that the best lobbyist the City could have is themselves, because nobody will fight as hard as they will for the city. He suggested that designated members of the Commission go to Tallahassee to lobby on behalf of the city.

Commissioner Taylor concurred with Commissioner Burke and said he would rather explore what's already being recommended, to designate someone from the Commission to travel to Tallahassee as oppose to spending extra money for a lobbyist.

Mayor Pigatt stated that the Commission will have the conversation detailed along with their goals and objectives and if that means appointing someone on this Commission, the city has to debate the allocation of funds for that travel expense and also coordinate those times and make that happen. This has to be decided as a body and whoever that individual is needs to clearly understand what the Commission goals and objectives are.

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

Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes
Commissioner Taylor	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 AND REPLACING, IN ENTIRETY, ARTICLE IV OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ENTITLED "STORMWATER UTILITY", SPECIFICALLY AMENDING SECTIONS 21-190 THROUGH 21-196; CREATING NEW SECTIONS 21-197 THROUGH 20-203; PROVIDING FOR INTENT; CONSTRUCTION; DEFINITIONS; UTILITY ESTABLISHMENT; CUSTOMER BASE; UTILITY CATEGORIES; FEE SCHEDULE AND PAYMENT; EXEMPTIONS; STORMWATER UTILITY ENTERPRISE FUNDS; REQUEST FOR ADJUSTMENT; PROHIBITIONS; PERMITS, PLAN REVIEWS, INSPECTIONS AND ADMINISTRATIVE FEES; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; CONFLICTS OF LAW, SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by City Manager*

The above ordinance was read by Attorney Cobbs.

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 Commissioner Taylor to pass the above ordinance.

Robert Anathan, Budget Administrator for the City of Opa-locka explained that this ordinance was a byproduct of the commission intent to move the stormwater charges onto the property tax bill which for the first time would allow each and every property to pay its fair share.

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

Commissioner Burke	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Mayor Pigatt	Yes

2. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING TO CLOSE, VACATE AND ABANDON THE UNDEVELOPED STREET LOCATED BETWEEN THE PARCEL AT 1990 ALI BABA AVENUE IDENTIFIED BY FOLIO 08-2122-003-2210 AND THE PARCEL IDENTIFIED BY FOLIO 08-2122-003-2200 PURSUANT TO ORDINANCE 14-02, FOR THE DEVELOPMENT OF A RESIDENTIAL USE OF THIS PARCEL IN THE B-O ZONING DISTRICT AND WITHIN THE CORRIDOR MIXED USE OVERLAY DISTRICT; PROVIDING FOR APPROVAL; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by City Manager*

The above ordinance was read by Attorney Cobbs.

Mayor Pigatt opened the floor for a public hearing. There being no persons to speak on the public hearing, the public hearing was closed.

Gregory Gay, Director of Planning and Community Development for the City of Opa-locka stated that this item is for second reading to vacate the street right-of-way which is approximately 20th Avenue and sits between two properties along Ali-baba Avenue. The purpose of this vacation is to initiate the process in order to transfer the property as a part of a settlement agreement. All research has been conducted in relationship to the ownership of the site and it is a street right-of-way and this would allow the city to move forward with the transaction for the settlement.

It was moved by Vice Mayor Williams, seconded by Commissioner Burke to pass the above ordinance.

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

Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Mayor Pigatt	No

3. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REPEALING CHAPTER 18, ARTICLE II OF THE CODE OF ORDINANCES, IN ITS ENTIRETY, CREATING A NEW CHAPTER TO INCLUDE DEFINITION OF TERMS; PROVIDING FOR THE REGULATION OF BURGLAR ALARMS; PENALTIES AND FEES FOR NON-COMPLIANCE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by City Manager*

The above ordinance was read by Attorney Cobbs.

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 Commissioner Davis to pass the above ordinance.

Manager Pate briefly introduced the above ordinance for the regulation of burglar alarms in the city.

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

Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes
Mayor Pigatt	Yes

4. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AMENDING ARTICLE 1.5 ENTITLED "CODE OF ETHICS; CONFLICT OF INTEREST" SECTION 2-14 ENTITLED "ORIENTATION OF ELECTED OFFICIALS" TO INCLUDE TRAINING ON THE ROLES AND RESPONSIBILITIES OF APPOINTED OFFICIALS; PARLIAMENTARY PROCEDURE; A REVIEW OF THE CITY'S STRATEGIC PLAN; PREPARATION OF AN ACCOUNTABILITY PLAN FOR THE CITY MANAGER FOR THE UPCOMING YEAR AND A REVIEW OF MAJOR CHALLENGES FACING THE CITY IN A WORKSHOP SETTING; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE (first reading/public hearing held on December 9, 2020). *Sponsored by Mayor Pigatt*

The above ordinance was read by Attorney Cobbs.

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 Davis, seconded by Vice Mayor Williams to pass the above ordinance.

Mayor Pigatt explained that this item is basically putting into law a practice to ensure that all elected officials are provided information needed to do their duty and that all of their ideas are also put into a strategic plan.

Manager Pate stated that he was not present during first reading and after reviewing this legislation he does understand what the Mayor is looking to do, but as far as intent, he is in opposition of this item. The Mayor is looking to do an orientation of new elected officials in a workshop setting where he feels those elected officials should have the opportunity to have their orientation done in private. As far as the strategic plan, there is already legislation in place within the Code of Ordinances and Charter that specifically states that the Commission is responsible along with City Manager's Office in developing a strategic plan on a yearly basis. There is also an opportunity for strategic workshops to be called. If there are any specific directives of the City Manager's Office that are required, that can be done through resolution. He said he didn't believe a law change is required to do this. The legislation speaks to the "review of major challenges", however, there is no clear definition of what those major challenges are. At that point, the city has four major challenges which are defined by the Mayor and not necessarily the City Commission. He went on to say that as far as intent, the City Manager's Office is in opposition of this legislation. Anything the Mayor is trying to achieve, can be done without the passage of this legislation.

In reviewing the ordinance relating to the orientation of elected officials, Commissioner Burke asked, doesn't the Florida League of Cities provide orientation for newly elected officials?

Mayor Pigatt stated that the Florida League of Cities training focuses specifically on ethic laws and they do not detail or give an introduction to newly elected officials of what is going on within the specific government. This ordinance is as a result of there being no structured orientation for newly elected officials in terms of what is going on in the government and what are the current objectives, goals and challenges. This would be an opportunity to start the new team off with an understanding of the government and make sure the appointed officials are clear about providing that newly elected person with their roles, responsibilities and understanding. He said he just wants to make sure it is the law so that anybody who steps up to serve in the City of Opa-locka, is equipped with the latest information and are able to have their ideas incorporated in the upcoming year's strategic plan.

Vice Mayor Williams recalled having extensive conversation at the last commission meeting and she was able to highlight some of the orientation she received by the City Manager, City Attorney and City Clerk. One thing she will say is that she truly appreciated the fact that it was private. Having taken a better look at this ordinance, she is in disagreeance to the workshop setting. She said that this past workshop meeting was very good and she appreciated hearing from all of the directors and where the city is heading.

She reiterated that she was not in favor of the workshop setting for orientation.

As a newly elected official, Commissioner Taylor stated that he also appreciated the fact that the orientations were done in private because it gave him an opportunity outside of a formal setting to ask questions one on one. He said that workshops can be called by the City Manager or Mayor and he didn't see the need for this to become a law.

Mayor Pigatt said he clearly hears the will of the Commission and is in favor of modifying the legislation to remove the public workshop for the first part. He asked for suggestions as it relates to newly elected officials discussing their ideas and what amendments were being recommended to achieve this goal.

Manager Pate reiterated that there is a strategic planning section in the City's Code of Ordinances that falls in line with the election cycle and this is already mandated in the Code. As far as the newly elected officials expressing their ideas, they have been doing that and to lock something down for years for something that can be changed systematically is overreaching. He said he doesn't think another piece of legislation is required to tie the City Manager's Office down to a mandate because that is the intent of this legislation.

Mayor Pigatt asked the City Manager for the section in the Charter/Code that requires strategic planning?

Manager Pate informed the Mayor that he could pull the section up, however, he did not have his laptop but the Code speaks about strategic planning.

In preparation of this item, Mayor Pigatt asked the City Attorney if she came across anything that says the City must do an annual strategic planning outside of the Comprehensive Master Plan.

Attorney Norris-Weeks said that wasn't something she specifically looked at, however, she just searched the words strategic planning in the code and those words don't come up together. She said she doesn't know whether that is in the City of Opa-locka Code, but perhaps it's something that is intended by some other name.

Manager Pate said he could be incorrect as far as saying specifically strategic planning is in the Code, but he knows last year the Mayor spoke about the same intent and perhaps it was through a resolution, not an ordinance. He said he does know strategic planning has been brought up in conversations on multiple occasions.

Mayor Pigatt made it clear to his colleagues that the State of the City report was not something that was normal in the city; that was as a result of a request he did and what this law is doing is to make sure those types of things take place in the city.

Vice Mayor Williams said both herself and Commissioner Taylor as the newly elected officials have an issue with the workshop setting, however, they are not saying that no one on the dais cannot call a workshop for strategic planning. However, what she is hearing is getting a little convoluted because there are two separate things going on. They are talking about orientation for newly elected officials and that happened for both herself and Commissioner Taylor. If she didn't have a closed session, she would not be freely comfortable to ask questions that she was able to ask and get those questions answered.

She further stated that her issue is the workshop setting. The Ethics training was given by the Miami-Dade County League of Cities as well as the City Attorney. She said that there are a lot of items going on in this one ordinance.

Commissioner Davis said his colleagues seem to have an issue with the public forum and also being able to address certain questions or concerns in private, but as elected officials there are very few things that can be done in a non-public setting. With that being said, as an elected official there is nothing preventing them from having private meetings with the chartered officials because that is well within their right and also their responsibility to do so.

He further said that he didn't see the passing of this legislation hindering that as a public official. Therefore, he is in support of this legislation simply because he is in favor of building sustainability in this government and making sure that those that come after them receive a proper orientation.

Mayor Pigatt stated that Section 2-14(b) reads: "upon request, newly elected members of the city shall receive an in person structured orientation on city government matters from the City administrator and the City Attorney within ten (10) business days of administrating the oath of office". Therefore, it is their right to have an opportunity to go through that in detail and that's a part of being an elected body. The public workshop gives an opportunity as new colleagues to review that information and to hear and share as a collective body and that's the difference. The newly elected officials will still have the opportunity and this law will in no way impede upon anybody ever within the City of Opa-locka to receive an in-person private orientation. An in-person orientation can be held and then those questions and thoughts that they think the rest of the Commission may want to hear, can be brought forth in a public setting.

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

Vice Mayor Williams	No
Commissioner Burke	No
Commissioner Davis	Yes
Commissioner Taylor	No
Mayor Pigatt	Yes

C. RESOLUTION(S):

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FOR A NEW OPA-LOCKA COMMUNITY BUS ROUTE FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION AWARDED TO THE CITY OF OPA-LOCKA FOR UP TO TWO HUNDRED TWENTY-FIVE THOUSAND, ONE HUNDRED TWENTY-ONE DOLLARS ($225,121.00), WHICH REQUIRES A FUNDING MATCH BY THE CITY OF OPA-LOCKA FOR THE PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE FLORIDA DEPARTMENT OF

TRANSPORTATION GRANT AGREEMENT; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

The above resolution was read by Attorney Cobbs.

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

Mayor Pigatt stated that he wants to make sure his colleagues understand that this is a grant that pays for half of the bus route and the city needs to find funding for the other half. Initially, before the city received the extension, staff was not recommending approval of this grant because it will have an impact on the city's budget, five year recovery plan, surplus, and roads/streets projects. He stressed the importance of the Commission doing their due diligence to advocate to secure funds for this bus route.

Manager Pate deferred this item to the next commission meeting since the city received an extension to solicit for additional funding for the match.

17. CITY MANAGER'S REPORT:

Manager Pate reported on the recent crime surge in the City of Opa-locka and explained the steps taken by the Opa-locka Police Department to address public safety. He provided an update on the substation at Glorietta Gardens and the status of the Opa-locka Police Department.

He went on to say that the city is making progress with the city's engineering plan in regards to flood management. Many of these comprehensive updates will be provided at the State of the City workshop which will be taking place prior to the next commission meeting.

Commissioner Burke said that his concern right now is public safety in this city. The new street crimes unit is doing an excellent job, however, there is a great concern about killings taken place which are not only occurring in Opa-locka. The city will be swearing in new officers, but they are losing officers as well. The city needs to look at a competitive salary to keep the officers here because right now Opa-locka is being used as a training ground. The city needs more officers on the streets and must find a way to recruit additional officers.

Commissioner Davis asked that the City Manager elaborate on the alpha bravo and why it was implemented. He said from his understanding there were problems with certain officers signing up for the shifts related to the Crime Unit.

Manager Pate explained that initially when the crime surge occurred, non-mandatory overtime shifts were put out to be voluntarily filled by law enforcement officers to surge manpower on the streets. The police department went two (2) days in a row where law enforcement personnel either did not sign up for overtime or limited personnel signed up for overtime which based on his powers as City Manager caused him to deem it as an emergency to cancel all days off as well as all leave requests in regards to police personnel because of the shootings that occurred.

Commissioner Davis expressed his concerns relating to the lack of response from the police officers. He said he is in favor of paying the officers more and ensuring that they are compensated fairly, but when someone is hired to do a job, they must do that job. He stated to the City Manager that there is a real serious problem and he hopes that the city is able to fix it because the residents deserve better.

Vice Mayor Williams said she was made aware that there was a press conference in regards to the shootings and the violence that has been going on. She said she is concerned because the Commission did not know about that press conference and she would like to know who received the information because it was being said that the Commission did not show up. She asked, how did that information get funneled and why didn't it get funneled to the Commission.

Mayor Pigatt explained that there was an email sent the evening before to a few individuals including himself and Commissioner Davis. The email was forwarded to the legislative aide who forwarded to the City Manager's Office, however, moving forward, he has spoken to the legislative aide to make sure when those types of emails come to him that they are forwarded to everyone. Hopefully, this same issue will not occur again and that all communications forwarded to his office are forwarded to the Commission.

Vice Mayor Williams thanked the Mayor for his response, however, if there was a request to forward the information to the Commission, they would have received it through the Clerk's Office. She is concerned that no one from the Commission attended the press conference and moving forward, someone from the dais should be present to represent the city. In the future, the Commission should be made aware of all press conferences that happen in the city.

18. OFFICIAL BOARD REPORTS:

19. FUTURE AGENDA ITEMS:

Manager Pate advised that the Mayor requested two future agenda items at the last meeting and Ms. Lawson is working on drafting those appropriate items which should be forthcoming.

Mayor Pigatt asked that the City Manager provide the Commission with the legislative package for Tallahassee so that the elected body can meet with the appropriate officials to advocate on behalf of the city.

Manager Pate agreed to the Mayor's request.

Vice Mayor Williams said she would like to explore legislation for a Crime Stoppers type program that will pay residents of Opa-locka a minimum of $500.00 and maximum of $1,000.00 for reporting illegal dumping in residential areas resulting in a guilty conviction. She requested information on the residential and commercial areas that have recurring illegal dumping.

Manager Pate said he would make sure Vice Mayor Williams is provided with the information requested.

It was moved by Vice Mayor Williams, seconded by Commissioner Burke to support the future agenda item brought forth by Vice Mayor Williams to explore legislation for a Crime Stoppers program providing incentives to residents for reporting illegal dumping in residential areas that result in a guilty conviction.

There being no further discussion, the future agenda item brought forth by Vice Mayor Williams was supported by a 5-0 vote.

Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes
Mayor Pigatt	Yes

Announcement of Attorney/Client Session

Attorney Norris-Weeks announced a private closed door attorney/client session pursuant to F.S. 286.011 to be held in the City Commission Chambers, 215 Perviz Avenue, Opa-locka, Florida, on Wednesday, January 27, 2021 at 4:30 p.m. to discuss pending litigation in the following matter: B & G OPA HOLDINGS, INC. et al v. CITY OF OPA-LOCKA, Case #18-23269-CIV.

20. MAYOR/COMMISSION REPORTS:

Commissioner Burke reported that the Drive-Thru Christmas Toy Giveaway and Gift Card Distribution were a huge success. He thanked all those involved.

Vice Mayor Williams thanked Commissioner Davis for spearheading the Gift Cards and said that this really warmed her heart and felt like it was a gift she was receiving just to see the residents.

21. OFFICIAL BOARD APPOINTMENTS:

It was moved by Commissioner Burke, seconded by Commissioner Taylor to appoint Audrey Dominguez to the Planning & Zoning Board.

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

Vice Mayor Williams	Yes
Commissioner Burke	Yes
Commissioner Davis	Yes
Commissioner Taylor	Yes
Mayor Pigatt	Yes

22. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Burke, seconded by Commissioner Taylor to adjourn the meeting at 9:32 p.m.

Matthew A. Pigatt
Mayor

Attest:

Joanna Flores, CMC
City Clerk