

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES
SPECIAL COMMISSION MEETING

June 15, 2021
6:30 P.M.

1. CALL TO ORDER:

Mayor Matthew A. Pigatt called the meeting to order at 6:40 p.m. on Tuesday, June 15, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Chris Davis, Vice Mayor Veronica J. Williams and Mayor Matthew A. Pigatt. Commissioner John H. Taylor Jr. arrived at 6:41 PM. Also in attendance were: Assistant City Manager George Ellis, Assistant City Attorney Candice Cobbs and Deputy Clerk Christopher Wills. Commissioner Alvin E. Burke was not in attendance.

3. INVOCATION:

The Invocation was delivered by Vice Mayor Williams.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC INPUT: (agenda item only)

Mayor Pigatt opened the floor for public input on the agenda.

Dottie Johnson of 13724 NW 22nd Place, Opa-locka, FL stated that she is very grateful and appreciative of the legislation that is coming forward for the City Manager’s appraisal. Ms. Johnson pointed out that there were about forty-five indicators being proposed, and she inquired as a former certified trained senior human resource manager, about whether that could be reasonably accomplished. She thanked the sponsor of the item and the leadership team that drafted it. Expressing her understanding that all the elements will be an annual appraisal for one individual, Ms. Johnson asserted that if the Manager looks good, her professional opinion is that the Commission looks great to the community. She concluded by thanking the Commission for the opportunity.

Florida State Representative James Bush thanked the members of the Commission for giving him the opportunity to briefly address them. Representative Bush reported that he would be coming next week to formally present the official check for the appropriation awarded to the City of Opa-locka that was signed by the Governor for a new police station as well as upgraded security for parks throughout the City. He expressed his support for City Manager John Pate and stated that his position is supported by his personal observation, his working relationship with Mr. Pate and correspondence from the Office of the Chief Inspector General of the State of Florida which operates out of the Office of the Governor. The Representative shared that from the first time he met the Manager when he was working in Florida's 109th House District, he has been able to do a lot of things together. He offered the example of his effort to seek funding for the City in the last legislative session and stated that it was Mr. Pate and the City Manager's Office that supplied him in a timely manner with all the necessary documents for him to be in a posture to get the necessary funding for the City. As a result, the Representative said that he will be presenting a check in the amount of one \$1,125,000 for the new police station and a second check in the amount of \$100,000 for security upgrades for all the City's parks. He informed the Commission that he has been keeping in contact with the Chief Inspector General to know how the City is moving along, asking him to send him an update on where the City is. Assuring the Commission that he would not read the whole letter, Representative Bush told the Commission he had an email from the Inspector General that he wanted to extrapolate several points from.

Mayor Pigatt stated that unfortunately because there is a CRA meeting that starts at 7:00 PM, the Commission must move the agenda along. The Mayor also pointed out that the Commission is not meeting regarding the City Manager's performance but is to discuss the tool that will be used to evaluate the Manager. He explained that public input must specifically address the resolution.

Florida State Representative James Bush stated that he understands the resolution but asked for Mayor Pigatt's indulgence to allow him thirty seconds to get on the record, at least one or two things in the letter from the Office of the Chief Inspector General. If not, the Representative said that he would like to make the letter available to whoever would pass it out to the members of the Commission.

Mayor Pigatt said that the Clerk will get the letter being provided by Florida State Representative James Bush from the Office of the Chief Inspector General, to pass it out to the members of the Commission. The Mayor thanked the Representative for respecting the Commission's time.

Florida State Representative James Bush thanked Mayor Pigatt and the Commissioners for the opportunity and reminded them that he will be back next week to present the checks for the State's appropriations to them.

There being no additional members of the public to speak, Mayor Pigatt closed public input.

Assistant City Attorney Candice Cobbs recognized that Commissioner Taylor had joined the meeting.

6. RESOLUTION:

(a) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE CITY MANAGER EVALUATION TOOL IN THE FORM ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Vice Mayor Williams*

The above resolution was read by Assistant City Attorney Candice Cobb.

It was moved by Vice Mayor Williams, seconded by Commissioner Taylor to discuss the resolution.

Mayor Pigatt asked Vice Mayor Williams to introduce item 6-A.

Vice Mayor Williams thanked everyone for joining the Commission meeting, clarifying that the purpose of the meeting is to discuss the tool that will be used to evaluate the City Manager. The Vice Mayor added that she wants to make sure that everyone understands her motive which is only to evaluate the Manager and to make sure that the Commission has an effective tool to handle that process properly. She also expressed that for the City to move forward, it must have a top-down approach. In the Vice Mayor's opinion, for there to be accountability that those on the dais speak about during public meetings, she stated that the Commission must ensure that all the City's employees are evaluated. To ensure what she was saying was understood, the Vice Mayor acknowledged that the Commission doesn't have the jurisdiction to evaluate employees but asserted that if they do not make it a priority to ensure that evaluations happen all over, then there's no reason to have a conversation about accountability. Reminding the Commission that the item was agreed upon by City Manager Pate to make sure that they have an effective tool to evaluate him, she stressed that the conversation is just to make sure that the Commission understands the process. Commenting on Ms. Dottie Johnson's statement about the number of standards that are being proposed in the Manager's evaluation tool, the Vice Mayor said she believes that if only one or two items were created under each standard, it wouldn't give the Commission a lot of room to have a good conversation as they make changes to the tool. Expressing hope that the Commission read through the evaluation tool for the Manager that she is presenting, she also expressed her belief that the number of items being proposed to be included in the evaluation tool will lead to the Commission being objective and not subjective, and she suggested that a smaller number of items would cause them to be broader. Once again reminding the Commission that her motive is only to create a tool so that the Commission can effectively evaluate the City Manager, the Vice Mayor offered to answer any questions.

Commissioner Taylor stated that he is glad that Vice Mayor Williams stated her intent and motives because he was questioning the rush on the item. The Commissioner said that he thought the Commission had agreed to table the item until the workshop they are having next week, so that they can collectively decide what is going to go on the City Manager's evaluation. Reminding the Commission that evaluations are for coaching, he expressed that the rushing seems to have a negative motive behind it and is his issue with the whole thing. Pointing out that City Manager Pate is on vacation, City Clerk Flores is also on vacation, he once again said that he doesn't understand why a special meeting was called to discuss an item that would have been discussed at a workshop next week when all five of the Commission members would put their ideas on the table. Acknowledging that the Manager should be evaluated, he stressed that he doesn't understand the rush and added that it just doesn't seem right to him. Commissioner Taylor asserted that he just does not want to be a part of negative retaliation, stating that he believed the discussion about the Manager's evaluation tool could have waited because he recalled that the Commission agreed to work together.

Commissioner Davis stated that he shares some of the same sentiments his colleagues expressed, including Commissioner Taylor. The Commissioner said that he thinks all the Commissioners agree that they need to have a formal comprehensive evaluation process for the City Manager. He also said that he agrees with Vice Mayor Williams that the current evaluation mechanism that is in place needs to be improved. Recalling that the last time the Commission met, there was a consensus that the board would look at the various proposals that were presented and come up with something comprehensive, the Commissioner pointed out that the workshop scheduled for next week was supposed to do just that. He expressed concern that consensus wasn't garnered from everyone on the Commission, despite being presented with an item that is ready to be voted on. Assuring the Commission that he doesn't have a problem with the item, he stated that he would like to see the opportunity for the rest of his colleagues to provide input. The Commissioner also asked for clarity on what the evaluation period would be if the evaluation tool was passed as it is, wondering if the period would go back to evaluate the Manager's past performance or if it would be utilized going forward.

Mayor Pigatt stated that he shares his colleague's sentiments. The Mayor thanked Vice Mayor Williams for presenting the item and for doing the research to bring it before the Commission. He reminded the Commission that they are on a time schedule that City Manager Pate brought before them as a resolution, extending the evaluation period of his contract for three months. Pointing out that they are already a month into that time period, the Mayor recalled that when the Manager brought that before the Commission, the Vice Mayor also expressed concerns about the evaluation tool at the same time. Noting that the Commission said they were going to discuss the evaluation tool, he also pointed out that they have all received packets that included thorough research comparing the evaluation tool with those used by other surrounding cities. Recalling that it has been brought before the Commission multiple times and that they had a workshop about it, the Mayor also reminded his colleagues that they need to have the evaluation tool so that they can

complete the Manager's evaluation within the time schedule. He also pointed out that the Commission had an evaluation tool in the past with different Commissioners names on it, but after reviewing the evaluation tool proposed by the Vice Mayor, he said that he sees nothing different from a standard evaluation protocol in it. Urging the Commission to have a conversation if there is something in particular that they want to see changed in the evaluation tool, the Mayor explained that it is a separate conversation from the workshop next week which is to discuss the Commission's priorities. The Mayor also reminded them that the Commission priorities workshop was scheduled to wrap up the conversation they had almost two months ago, and that they need to decide whether they are going to use the new or old tool for the evaluation of the Manager. He told his fellow Commission members that if they don't want to move on the item, that it is fine, but pointed out that based on agenda protocols, it would have to be brought up as a future agenda item, if it is going to be brought up in a regular Commission meeting. Based on that, the Mayor outlined June 23rd as the date it would be included as a future agenda item, to be included on the July 14th agenda, and he asked the Commission to realize that it would put them very near to the time frame that was set by the 3-month extension for the evaluation period and won't give them enough time to set meetings with the Manager, have the evaluation and discussion, as well as have the Manager complete a self-evaluation. The Mayor urged the Commission to consider that they just need an evaluation tool, so that they can begin to think through it and find out what they want to do to move forward.

Vice Mayor Williams asked to be recognized so she could shed some light. The Vice Mayor stated that she heard her colleague's sentiments including Commissioners Taylor and Davis. To make it clear, she stated that it is an item she brought to the Commission to make sure that City Manager Pate's evaluation was done. The Vice Mayor reported that she sat down with the Manager and had a conversation, during which he agreed to having the evaluation done. She expressed her feelings that the process should have continued with her and the Manager alone, and that it became convoluted when that did not happen. Requesting that the next time they continue down the same process, so that no one feels like anything nefarious is going on, she once again assured the Commission that her motive is only to evaluate the Manager. The Vice Mayor also offered assurances to Commissioner Taylor that the only reason she created the evaluation tool that she is proposing, is because time was running out within that ninety-day period that Mr. Pate had agreed to, acknowledging that Mayor Pigatt was correct in pointing out that thirty days of that period have already gone by. Pointing out that she did not call a special Commission meeting, nor would she have, but she did also remind her colleagues that this is the third time that this evaluation tool has been on the agenda or in their laps. When considering the opportunity for all the members of the Commission to create the evaluation tool, the Vice Mayor said she feels like she has done everything by providing evaluation tools from other cities and taking it one step further. She assured the Commission that she does not think that they should all just say "yes", suggesting that they can scratch out items if they think there are too many and encouraged them to edit and revise her proposed evaluation tool. Noting that the Commission was out of time for the night, she suggested that the Commission make those edits to the proposed evaluation tool next week but

stressed that they must get this done. The Vice Mayor expressed her frustration because it is something that the Commission talked about and she wants to get it done, hoping that everyone will support her when she says that she wants to do nothing more and nothing less.

Mayor Pigatt asked his colleagues if they wanted to defer the item or vote on it.

Commissioner Taylor asked the Commission to table and defer the item proposing the evaluation tool for the Manager, so that it won't look so bad. The Commissioner urged his colleagues to do it the right way, reminding them that they have protocols in place to consider future agenda items that are discussed as a team. He asserted that the way the item is now, he will not support it on principle.

Commissioner Davis stated that he is in favor of tabling the item proposing the evaluation tool for the Manager. The Commissioner said he doesn't have a problem with updating the evaluation tool, stating that he thinks it is antiquated like most of the documents the Commission uses. Recalling that the Commission was ready to evaluate the Manager at the end of the allotted period, he pointed out that one of his colleagues had a problem with the evaluation tool. The Commissioner said that in his opinion they have been amicable to extend the opportunity to look at what other cities are doing, to come up with an evaluation tool that can be presented before the board. He asserted that he thinks they should give time to their colleagues, including Commissioner Taylor, if they feel they need an additional week to look at it, vet the document and make any changes.

Mayor Pigatt stated that if the Commission is going to table the item proposing the evaluation tool for the City Manager, he would like them to set a date to discuss the item. The Mayor recalled that at the last meeting, City Clerk Flores talked about the challenges she's had in setting meetings, which has delayed the Commission priorities workshop and City Manager's evaluation. He urged the Commission to be decisive, asking them to check their schedules now. Reminding them that next week they have their Commission priorities at 5:30 PM and then the Commission meeting at 7 PM. The Mayor asked Commissioner Taylor to lead the discussion on what date works to move the item along.

Commissioner Taylor stated that he was under the impression that they were going to discuss the evaluation tool for the Manager at the Commission priorities workshop because it is what they had all decided. The Commissioner asked his colleagues to tell him if he was wrong, but he was under the impression that it was the initial plan until the special meeting popped up.

Mayor Pigatt explained that next week's workshop is about Commission priorities, which is a different discussion from the tool to evaluate the City Manager.

Commissioner Taylor pointed out that the Commission has had workshops to discuss more than one item before.

Mayor Pigatt stated that is good and asked if there was a date certain the Commission can set to discuss the tool to evaluate the City Manager.

Commissioner Taylor stated that he was suggesting discussing the tool to evaluate the City Manager, at the Commission priorities workshop.

Vice Mayor Williams stated she was getting a little confused and asked Mayor Pigatt if he was suggesting that a date be set for a special Commission meeting.

Mayor Pigatt confirmed he was suggesting that a date be set for a special Commission meeting.

Vice Mayor Williams asked if the discussion of the tool to evaluate the City Manager can be placed on the Commission's agenda.

Mayor Pigatt pointed out that the earliest the discussion of the tool to evaluate the City Manager can come up on the regular Commission meeting agenda will be July 14th.

Vice Mayor Williams asked Commissioner Taylor if the reason he wanted to table the item proposing the tool to evaluate the City Manager, was so that the Commission can discuss it.

Commissioner Taylor confirmed that he wanted to table the item proposing the tool to evaluate the City Manager, so that the Commission can discuss it.

Vice Mayor Williams pointed out that the Commission would have to decide on the tool to evaluate the City Manager next Wednesday and literally turn around to have a meeting so that they can vote on it.

Mayor Pigatt confirmed that is the correct protocol.

Vice Mayor Williams stated that she is okay with the Commission having the conversation about the tool to evaluate the City Manager during the priorities workshop, pointing out that it is initially where it was supposed to take place. The Vice Mayor recalled that at the very first priorities workshop, the remainder of the priorities were placed on the lap of the City Manager's Office. She asked Assistant City Manager George Ellis to confirm that there is not anything the Commission needs to discuss next week beyond the presentations from the City Manager's Office.

Assistant City Manager George Ellis confirmed that the City Manager's Office would be making their presentation to the Commission at the priorities workshop.

Vice Mayor Williams stated that she thinks the Commission should be able to have time to really flush through the tool for the evaluation of the City Manager and then hopefully they can quickly turn around and meet on it. The Vice Mayor asked Commissioners Taylor and Davis if they were okay with that.

Commissioners Taylor and Davis confirmed they were okay with discussing the tool for the evaluation of the City Manager at the priorities workshop and then meeting to vote on it.

Mayor Pigatt pointed out that the rules require the Commission to defer to a date certain, the item proposing the tool to evaluate the City Manager.

Commissioner Davis asked if the item proposing the tool to evaluate the City Manager can be deferred to the next regular Commission meeting and can be discussed at the priorities workshop.

Mayor Pigatt asked Assistant City Attorney Candice Cobbs if the Commission can defer a special Commission meeting resolution to a regular Commission meeting.

Assistant City Attorney Candice Cobbs confirmed that the Commission should be able to defer a special commission meeting resolution to a regular Commission meeting, because it's already been noticed.

Mayor Pigatt asked Vice Mayor Williams if she wanted to make a motion to defer her item proposing a tool to evaluate the City Manager.

Vice Mayor Williams confirmed she wanted to make a motion to defer her item proposing a tool to evaluate the City Manager.

Mayor Pigatt confirmed that the item sponsored by Vice Mayor Williams, proposing a tool to evaluate the City Manager, was moved for deferment to the next regularly scheduled Commission meeting on June 23rd.

It was moved by Vice Mayor Williams, seconded by Commissioner Davis to defer until the next regularly scheduled Commission meeting on June 23rd, the item sponsored by Vice Mayor Williams, proposing a tool to evaluate the City Manager.

There being no further discussion, the motion passed by a 4-0 vote.

Commissioner Davis	Yes
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Burke	Not Present
Mayor Pigatt	Yes

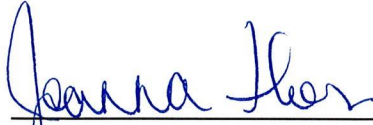
7. ADJOURNMENT:

There being no further business to come before the City Commission, Mayor Pigatt adjourned the meeting at 7:11 p.m.



Matthew A. Pigatt
Mayor

Attest:



Joanna Flores, CMC
City Clerk