CITY OF OPA-LOCKA

"The Great City"

CLERK'S ACTION SUMMARY MINUTES
FIRST BUDGET HEARING
September 15, 2021
5:01 P.M.

1. CALL TO ORDER:

Mayor Pigatt called the meeting to order at 5:04 p.m. on Wednesday, September 15, 2021 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Sherelean Bass, Commissioner Chris Davis and Mayor Matthew A. Pigatt. Commissioner John H. Taylor Jr. arrived at 5:16 PM, Vice Mayor Veronica J. Williams arrived at 5:17 PM. Also, in attendance were City Manager John E. Pate, City Attorney Burnadette Norris-Weeks, Assistant City Attorney Candice Cobb and City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was delivered by Commissioner Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. FIRST READING ORDINANCES/PUBLIC HEARINGS:

a) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ADOPTING A FINAL MILLAGE RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES, FOR FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; SETTING FORTH PUBLIC HEARING DATES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

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

It was moved by Commissioner Davis, seconded by Commissioner Bass to discuss Agenda Item 5-a.

Mayor Pigatt opened the Public Hearing for Agenda Item 5-a.

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings and informed the Commission that two members of the public registered to speak during the public hearing, including former Commissioners Dorothy Johnson and Rev. Joseph Kelley.

Mayor Pigatt recognized Ms. Dorothy Johnson who connected to the meeting via Zoom, but was unable to address the Commission because of technical issues.

Rev. Joseph Kelley of 485 Dunad Avenue thanked the Commission for increasing the $1,000 budget allocation for the annual Martin Luther King Jr. Walk to $2,000 but he expressed disappointment with the depiction of the event as a casual walk by elected officials around the City, urging them to revisit how such an important legacy is portrayed. Rev. Kelley pointed out that nothing has been included in the budget for raises for all employees and asked that at least a 3% increase be considered, to account for the cost of living. He also asked that the Seniors on the Move logo be put on the bus that was purchased for the transportation of the Seniors of the City, lamenting that he was told last year that it would be addressed later because there was no money. Rev. Kelley also encouraged the Commission to allocate funding to address the homeless and mental health challenges in the community.

There being no additional members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 5-a.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 5-a.

City Manager Pate asked Budget Administrator Anathan to introduce Agenda Item 5-a.

Budget Administrator Anathan stated that the proposed millage rate was 9.6500 mills to fund the City's tentative FY 2022 budget, which he said was 4.72% greater than the current year rollback rate of 9.2148 mills. Mr. Anathan added that the proposed millage rate is projected to generate $11.2 million for the City's general fund and $884,000 for the CRA fund.

Mayor Pigatt pointed out that the millage rate was being reduced as proposed by the City's 5-year recovery plan, recognizing the burden that taxes place on the City's businesses and residents.

There being no additional discussion, the ordinance passed first reading by a 3-0 vote.

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

b) **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AND ADOPTING THE CITY'S GENERAL, PROPRIETARY AND SPECIAL FUNDS BUDGET FOR THE FISCAL YEAR 2021-2022, COMMENCING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022; PROVIDING FOR THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; AUTHORIZING THE CITY MANAGER TO TAKE CERTAIN ACTIONS; PROVIDING FOR APPROPRIATION OF ALL BUDGET EXPENDITURES; PROVIDING FOR FEES CONSISTENT WITH APPROPRIATION AND AMENDMENT; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

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

Mayor Pigatt opened the Public Hearing for Agenda Item 5-b.

There being no members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 5-b.

It was moved by Commissioner Davis, seconded by Commissioner Bass to discuss Agenda Item 5-b.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 5-b.

City Manager Pate explained that each of the City's Department Directors would provide a briefing on their budget in addition to their accomplishments and goals, and he asked Budget Administrator Anathan to introduce Agenda Item 5-b.

Budget Administrator Anathan reviewed the City's proposed FY 2022 budget. Mr. Anathan also reminded the Commission that the Second Budget Hearing was scheduled

for September 22nd, and if they made changes to the proposed budget, it would go back to the State of Florida for approval with their response being received no later than October 15th. He pointed out that if the Commission chose to make changes to the proposed budget, it could be passed as currently submitted and a budget amendment could be submitted in October. He explained that he would review the budget and then invite department directors to present their proposed budgets individually.

Commissioner Davis asked about the $700,000 allocated for new construction during the current fiscal year and Budget Administrator Anathan's statement that new developments could lead to the reduction in the millage rate.

Budget Administrator Anathan explained that property tax base growth is 99% driven by market forces and grows a little each year from new construction. Mr. Anathan pointed out that of the $82 million of growth seen in FY 2021, only $700,000 was related to property that was improved. Additionally, he said that the FY 2021 building permits will be more than $1 million, and he concluded that what is going on, should lead to a bigger number in FY 2022 or FY 2023.

Vice Mayor Williams asked if the $15,000 being proposed for professional development was spent this year or was a projection for the coming year, and she asked if the money would be spent for all City Staff or for the City Manager's Office Staff.

City Manager Pate explained that the $15,000 being proposed for professional development was a projection for the coming year for the staff in his office. The Manager also informed the Commission that Citywide professional development is housed within the Human Resources Department, and that it is also part of the negotiations with the unions.

Vice Mayor Williams recalled that she asked about City Staff salaries in July and asked if she could be provided with a 3-year history of salaries for all employees, including any increases.

Budget Administrator Anathan stated that the proposed budget only increases salaries for 2 employees. Mr. Anathan committed to providing the requested list of employees and their salaries including any increases, but he pointed out that there have not been many increases except for 3 employees who had their salaries brought back up after they were reduced because of the City's financial emergency.

Vice Mayor Williams asked for clarification on whether all City employees had their salaries restored, except for the 3 employees that were mentioned by Budget Administrator Anathan.

City Manager Pate stated that while he would love to raise salaries for all employees, he is limited to adjusting salaries for exempt positions because the City is in negotiations with the unions, which have not seen a salary increase for their union employees for many years. The Manager reminded the Commission that when they voted to raise the salaries of all employees to a minimum of $30,000, it created an issue with the unions because the raise had not been bargained for.

Commissioner Taylor asked if the 3 employees who had not had their salaries restored were union employees and if they were not, why they received the restoration of their salaries so late.

City Manager Pate stated that he did not know why the 3 employees Commissioner Taylor inquired about had not had their salaries restored previously, because it occurred before he began serving as Manager.

Mayor Pigatt asked why the revenues included in the proposed operating budget reflected $34 million, despite the 5-year recovery plan having projected that the revenue would be $35 million.

Budget Administrator Anathan explained that the analysis of the revenue in the operating budget is a work in progress, but he assured the Commission that the general fund revenue is above what was projected in the 5-year recovery plan.

Mayor Pigatt expressed concerns about revenues being lower and expenditures being higher than what was projected in the 5-year recovery plan.

City Clerk Joanna Flores presented her Department's proposed budget for FY 2021-2022 to the Commission.

Commissioner Bass asked for clarification on the City Clerk's Office organizational chart and the role of the Legislative Aide, requesting details on the job description for that position as well as for the Executive Assistant.

City Clerk Joanna Flores explained that the Legislative Aide is going to be under the City Manager's Office handling the legislative process including any research that is needed while the City Clerk's Office will have an Executive Assistant to the Mayor and City Commission who will handle the administrative and clerical work.

Commissioner Bass asked why the Legislative Aide's position would be put under the City Manager's Office.

City Clerk Joanna Flores explained that the request to have the Legislative Aide position put under the City Manager's Office came from the Manager's Office in a public meeting

and she agreed to it, pointing out that historically the Clerk's Office has had an Executive Secretary to the Mayor and Commission and that this is the first time that the office has had a Legislative Aide. The Clerk suggested that perhaps the Manager could shed light on the purpose for transferring the position to his office.

City Manager Pate explained that because his office is responsible for developing legislation on behalf of the Commission, he felt the position of the Legislative Aide was better suited under the Manager's Office. The Manager stated that currently his Executive Assistant along with City Staff, develop legislation through various meetings with the members of the Commission. He said that through conversations with Clerk Flores, he felt it was prudent that the Clerk have the administrative support needed with the Executive Assistant, while the Legislative Aide will work on developing legislation under his office.

City Clerk Joanna Flores stated that her goal is to ensure that the Commission's needs are met, and she is okay with the staff person in her office being either a Legislative Aide or Executive Assistant, based on what most of the Commission requests.

Vice Mayor Williams suggested that the word "legislative" be taken away from the title of the position under the City Clerk's Office, so that the position will be simply an aide to the Commission, and she added that a legislative position could be created in the City Manager's Office to do the legislative leg work. The Vice Mayor also asked if the work currently done by Mr. Randy Grice under the title of Legislative Aide, would be the same work done by the Executive Secretary, and stated that she just wants to make sure that the Commission is provided the same service under the new job title that was proposed.

City Clerk Joanna Flores confirmed that the administrative duties currently being performed by Mr. Randy Grice under his title as Legislative Aide, would fall under the position of Executive Secretary.

Commissioner Davis stated that because the position is already budgeted for, he recommended re-allocating the position as he said he had previously mentioned on the dais, and he suggested having a conversation with the employee to see where they want to fit in. The Commissioner added that he did notice a lag in the development of legislative items and said that he doesn't feel like the responsibility is solely on the City Manager's Office given the resources they have.

Commissioner Taylor stated that the new role being proposed should be offered to the person that's already in the position. The Commissioner also explained his understanding that the person in the role is currently playing two separate roles on the clerical side and on the legislative side, so that what is being proposed is to divide the roles to be filled by 2 different individuals. He also asked for assurances that the Commission will have access

to both the Legislative Aide in the City Manager's Office and the Executive Secretary in the City Clerk's Office.

Both City Clerk Flores and City Manager Pate confirmed that Commissioner Taylor was correct, and the Commission will have access to both the Legislative Aide in the City Manager's Office and the Executive Secretary in the City Clerk's Office.

Mayor Pigatt asked why the breakdown of the City Manager's Office did not include a Legislative Aide if it was being proposed to create the position under his office.

City Manager Pate explained that the job title will be a Special Assistant to the City Manager with the role of a Legislative Aide.

Mayor Pigatt expressed his opinion that the job description for the proposed position of Special Assistant to the City Manager, should include the role of the Legislative Aide very clearly because as Vice Mayor Williams pointed out, it is very common for the Mayor and Commission to have a Legislative Aide and in approving the budget, that title will no longer exist in the City of Opa-locka.

Noting that the Commission has an Executive Session scheduled, the Mayor asked for a motion to recess the First Budget Hearing.

It was moved by Vice Mayor Williams, seconded by Commissioner Taylor at 6:44 PM, to recess the First Budget Hearing until after the Executive Session.

Mayor Pigatt reconvened the First Budget Hearing at 7:32 PM and asked City Manager Pate to continue with the presentation of the proposed City budget.

City Manager Pate asked Budget Administrator Anathan to continue with the presentation of the proposed City budget.

Budget Administrator Anathan apologized that his planned 20-minute presentation took about 45 minutes. Recognizing that it could become an inordinately long night, he informed the Commission that he recommended to the City Manager that they adopt the budget and then have another Workshop in October to propose any amendments to the budget that may be needed.

Mayor Pigatt asked if Budget Administrator Anathan was proposing to stop the budget presentations from the City Departments and to have the Commission pass the proposed budget now.

Budget Administrator Anathan stated that he wasn't necessarily suggesting that the Commission stop now but did suggest that they not go through the budget presentations from every City Department.

Mayor Pigatt asked if the City Department Directors could limit their budget discussion to their objectives for the coming year and any significant budget changes.

Budget Administrator Anathan stated that the budget presentations from the City Departments are already structured as Mayor Pigatt suggested, but he pointed out that there is still a lot of information to look at.

Mayor Pigatt asked his colleagues on the Commission if they preferred to just ask specific questions about the budget or if they wanted a brief review of the budget from City Staff.

Vice Mayor Williams pointed out that she asked her questions about the proposed budget earlier and she did not have any specific City Department related questions.

Commissioner Taylor stated that he didn't have any targeted questions about the proposed budget at the moment, and he said that once he did, he would refer them to the City Manager.

Commissioner Davis stated that he has a question related to beautification of the City but noted that the discussion would probably take place during the first budget amendment. The Commissioner said that he didn't have any questions relevant to the proposed budget.

Commissioner Bass shared that she went through the budget and that if she had any questions, she would call the parties in charge.

Mayor Pigatt asked for information from the Public Works Department, including how many people the City has picking up trash as well as information on the Department's projects for the coming year.

City Manager Pate asked Public Works Director Airia Austin to deliver his budget presentation, to answer the Commission's questions about beautification and capital improvement projects.

Public Works Director Airia Austin delivered his Department's proposed budget presentation to the Commission.

Mayor Pigatt asked what staffing increases were being budgeted for by the Public Works Department for basic maintenance.

Public Works Director Airia Austin informed the Commission that the increases in staff for his department include 4 for maintenance of tree trimming and signs, 1 for maintenance of buildings and 2 for illegal dumping in the City's commercial corridors.

Mayor Pigatt asked if increasing the staff also meant that the Public Works Department would get another truck to increase the efficiency of trash pickup.

Public Works Director Airia Austin informed the Commission that the long-term plan was to have 2 trash trucks, but that they can't tell if it will be needed until they have dedicated individuals to perform the task. Mr. Austin stated that if the need for another truck arises, it will come before the Commission as a proposed budget amendment.

Mayor Pigatt asked how many miles of sidewalk and roadway were planned to be paved in the proposed budget.

Public Works Director Airia Austin stated that 2.5 miles of sidewalk and 3 lane miles of roadway will be paved as proposed in the budget for the upcoming year.

Commissioner Davis asked about including garbage cans in the City's public spaces, in the proposed budget.

Public Works Director Airia Austin informed the Commission that the request for proposals for the City's bus benches includes a stipulation that they will have trash cans and the contractor will be responsible. Mr. Austin also assured the Commission that his Department can also address including trash cans in the City's public spaces.

Commissioner Taylor suggested that the Public Works Department develop a yearly maintenance schedule to put a focus on areas like the parks, gateways and the trees at different times of the year, so that they get painted and maintained every year.

Public Works Director Airia Austin agreed with Commissioner Taylor.

Commissioner Bass asked about the installation of lights and cameras to help stop illegal dumping.

Public Works Director Airia Austin stated that lights and cameras will first be installed in hot spots, which he explained are areas where illegal dumping is cleaned up frequently.

Vice Mayor Williams suggested that research be done to determine why illegal dumping is a problem in Opa-locka, including what neighboring cities have done. She shared that another municipality sent letters advising residents they would be fined and urged the creation of a complete campaign that the entire City gets behind, to combat illegal dumping.

Mayor Pigatt asked what the status of the Code Enforcement Department was and if there were any additions to the budget, including funding for professional development, so that the Code can be effectively applied to maintain and beautify the City.

Police Chief Steven Barreira informed the Commission that his Department's proposed budget includes funding for an additional staff member to handle the clerical needs of Code Enforcement, noting that from 2019 to present time, they issued over 943 warnings, 250 citations and approximately 450 lien requests. The Chief also said that the Police Department is working on e-filing of Code Enforcement citations, to reduce the lag time when filing with Miami-Dade County. He shared that he is trying to increase efficiency and that if an additional staff member is needed, an official request will be made through the Manager's Office.

Mayor Pigatt asked Police Chief Barreira if his Department's proposed budget included any training for Code Enforcement staff.

Police Chief Steven Barreira stated that professional development is included in the operational costs of his Department's proposed budget.

Mayor Pigatt asked what was being proposed in the budget to make the Building & Licensing Department more efficient in addition to addressing financial oversight.

Building & Licensing Department Director Gregory Gay informed the Commission that the proposed budget for his Department reflects modifications to staffing, including the addition of 2 to 3 staff members. Mr. Gay stated that the staff modifications are being made to allow people that are applying for permits that can be easily obtained, to not have to wait weeks.

City Manager Pate informed the Commission that while it is not reflected in the proposed budget, financial oversight in the Building & Licensing Department is being addressed by handling all transactions in the Utility Billing Office using the cashiering system, with all the transactions being reconciled on a constant basis. The Manager assured the Commission that taking cash and giving a hand receipt does not occur anymore and that the change was made prior to the City being put on notice about probable criminal activity in the Public Works Department.

Mayor Pigatt asked how evaluations are being handled by the Human Resources Department and whether a move to an electronic system was being included in the proposed budget. The Mayor also asked for information about the proposal to remove the Commission's healthcare coverage.

City Manager Pate informed the Commission that a request to implement an automated evaluation system for the Human Resources Department would be included in the City's first budget amendment process. The Manager also shared that he hopes to complete a full assessment of the Department within the next 90 days, to put together a plan of action to improve the overall employee experience within Opa-locka. He asked Financial Consultant Gerri Lazarre to address the Commission's questions about the removal of their healthcare coverage, stating that in the results of the last audit completed by Mr. Anthony Brunson, he recommended that it be looked at because based insurance is considered additional compensation in the City's Charter.

Financial Consultant Gerri Lazarre explained that because the City was paying for the Commission's health insurance benefit without any paycheck deductions, the Finance Department was having reconciliation issues during the audit. She pointed out that per the City Charter, the compensation for the Commission is only $500 and it does not say that health care benefits are considered compensation, creating a conflict between the City's laws and what is being done in practice. Ms. Lazarre informed the Commission that through the accounting cleanup process, it was realized that a lot of things happened in the past that should not have happened, and they wanted to bring it up to the City Manager and give him recommendations on what should be done to fix it going forward.

Vice Mayor Williams stated she is just a little confused about the Commission's health insurance coverage being considered additional compensation, despite them recently having a conversation about things that were paid that weren't considered additional compensation. Noting that the Commission's health care benefits were offered for many years, she asked if it went through a particular City Department.

City Manager Pate noted Vice Mayor Williams concerns about the Commission's health insurance coverage being removed but reminded the Commission that they were provided a briefing with the Manager, Financial Consultant Gerri Lazarre and Budget Administrator Bob Anathan, to go over what the auditor discovered to affect how it may affect them.

Mayor Pigatt recalled the briefing that City Manager Pate alluded to, but he stated that what is confusing is that despite the Commission being told that the removal of health insurance benefits may occur, it wasn't in the operational audit finding report at all, despite it including other findings on healthcare. The Mayor pointed out that his wife and 3 kids are going to lose their health care on October 1st upon the passing of the City's budget and that he doesn't know how many others on the Commission will lose their healthcare as well. He noted that providing the Commission with health care benefits has been a practice in the City for many years, and that because of this change, the only benefit that anybody that comes to serve on the dais will receive is $550 a month before taxes reduce it to $491, which he said is a very difficult situation in which to put a body of citizens who want to

serve their community. The Mayor acknowledged that he is hoping that legislation comes up through the Charter review process to rectify it, because he doubts that anybody would say that people shouldn't have healthcare in this community.

City Manager Pate stated that despite his fiduciary responsibility to bring up the information about the Commission's health insurance as it was provided to him, he is happy to continue the coverage beyond October 1st if the Commission wants to pass legislation to maintain the coverage.

Commissioner Davis recalled that when he first got into office, many of the items that were deemed as compensation for the Commission were taken away, including City vehicles, which he said the State of Florida had a problem with because they weren't outlined in the City Charter by ordinance. The Commissioner acknowledged Mayor Pigatt's concern and pointed out that medical insurance is more of a need, but he said that he doesn't have a family tied to the City's health care benefit and he has employers outside of the City who subsidize his personal health insurance premium. He suggested that the Commission should consider bringing up the issue, provided there is no legal liability, reminding his colleagues that we are still in the middle of a pandemic, and he wouldn't want to see anyone go without adequate insurance to protect them.

Mayor Pigatt stated that he started the process that led to the Commission not receiving any benefits that were not outlined in the City's Charter including cars, but he urged his colleagues to really think about this in terms of the future of those who serve in the community. He added that it is a very normal thing throughout the State of Florida in all municipalities and governments.

Commissioner Taylor asked City Attorney Norris-Weeks if the Commission can legally pass legislation to maintain its health insurance coverage.

City Attorney Norris-Weeks stated that it sounds to her like a determination was made by somebody that it is not legal for the City to pay for the Commission's health insurance because it is considered additional compensation. She pointed out that it's the same issue that came up recently with funeral expenses and the case law that addresses additional compensation for the Commission. Because of that and because it has been flagged as a possible audit finding, she asserted that the best advice would be to go through a Charter review and have it put before the voters in a referendum.

Commissioner Taylor inquired about whether the City has someone who handles procurement.

City Manager Pate informed the Commission that the proposed budget includes funding for a person to handle procurement part time at first. He stated that right now procurement

is split between two staff members, but what is being proposed is to have one who will work on procurement with Budget Administrator Anathan as their sole responsibility.

City Attorney Norris-Weeks asked if the person being proposed to be hired to handle procurement would handle all procurement, pointing out that it is something the Legal Department has been doing.

City Manager Pate stated that the person being recommended to be hired in the proposed budget, would handle all procurement, to take the heavy lifting off the Legal Department.

Mayor Pigatt asked how much the City spends on procurement annually and inquired why a full-time person will be handling legislation for the Commission while the person who handles procurement for the City will only be part time.

Budget Administrator Bob Anathan stated that he believed the City spends $30-$35 million on procurement annually, but he later stated that he needed to revise that number down.

City Manager Pate recalled that the City had a procurement officer when he began serving as Manager, but that they were not able to recruit for the position. He also pointed out that some of the City's procurements are subcontracted through the engineers who are working on projects for the City, as well as other third-party entities.

Budget Administrator Anathan reminded the Commission that larger procurements are done through requests for proposals.

Mayor Pigatt pointed out that the City processes millions of dollars worth of procurement, that 13 of the operational audit findings were solely on procurement, and that many of the previous meetings included the re-bidding out of requests for proposals. He firmly asserted that the City needs to have someone in procurement and thanked Commissioner Taylor for bringing it up.

City Manager Pate offered to make the procurement official full time during the Commission's first budget amendment.

There being no additional discussion, the ordinance passed first reading by a 5-0 vote.

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

6. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Taylor, seconded by Commissioner Davis to adjourn the meeting at 8:40 p.m.

Matthew A. Pigatt
Mayor

Attest:

Joanna Flores, CMC
City Clerk