

CITY OF OPA-LOCKA

“The Great City”

CLERK’S ACTION SUMMARY MINUTES REGULAR COMMISSION MEETING

October 27, 2021

7:00 P.M.

1. CALL TO ORDER:

Mayor Pigatt called the meeting to order at 7:05 p.m. on Wednesday, October 27, 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 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, 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. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

Interim Police Chief Dennis M. Jackson II was sworn in by City Manager John Pate.

Vice Mayor Williams presented a proclamation to the Delta Sigma Theta Sorority in honor of Delta Days in the City of Opa-locka, with special remarks delivered by Miami-Dade County School Board Member Dorothy Bendross-Mindigall, Delta Sigma Theta Sorority, Inc. Miami Alumnae Chapter President Stephanie Steele-Nelson, and Delta Theta Sorority Inc. Miami-Dade County Alumnae Chapter President Toni Gilliam-Harrison.

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

Commissioner Taylor pulled Agenda Item 13-2.

It was moved by Vice Mayor Williams, seconded by Commissioner Taylor to approve the consent agenda.

The motion to approve the Consent Agenda passed by a 4-0 vote.

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

7. APPROVAL OF AGENDA:

Mayor Pigatt stated that City Manager Pate proposed to amend the agenda to include 2 add-on items.

City Clerk Joanna Flores advised the Commission of the request to amend the agenda to include Agenda Item 14-1 and read the proposed item into the record.

14-1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE STATE OF FLORIDA CONTRACT WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. FOR QUALIFIED PROFESSIONAL SERVICES TO PROVIDE TEN (10) COPIER MACHINES FOR USE WITHIN THE CITY; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SAME, FOR AN AMOUNT NOT TO EXCEED NINETEEN THOUSAND, SEVENTEEN DOLLARS (\$19,017.00), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; TERMINATING ALL ACTIVE CONTRACTS AND LEASES WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

Mayor Pigatt asked City Manager Pate to state the emergency nature of add on item 14-1.

City Manager Pate stated that Item 14-1 is being requested to be added to the Agenda due to the fiscal well-being of the City. The City Manager said that because of a mishap from Toshiba, they are requesting that the City renew the contract or make a payment that he said would be explained further upon the Agenda Item being presented to the Commission.

It was moved by Commissioner Taylor to add Item 14-1 to the Agenda, and the motion was seconded by Commissioner Bass.

There being no discussion, the motion to add Item 14-1 to the Agenda, passed by a 4-0 vote.

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

City Clerk Joanna Flores advised the Commission of the request to amend the agenda to include Agenda Item 14-2 and read the proposed item into the record.

14-2. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CITY NATIONAL BANK OF FLORIDA TO PROVIDE PROFESSIONAL BANKING SERVICES TO THE CITY OF OPA-LOCKA FOR THE OPENING OF AN INTEREST BEARING CHECKING ACCOUNT TO DEPOSIT THE ALLOCATION OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager*

Mayor Pigatt asked City Manager Pate to state the emergency nature of add on Item 14-2.

City Manager Pate stated that Agenda Item 14-2 is being requested to be added to the Agenda due to the fiscal well-being of the City. Based on discussions with the Commission, the City Manager said that it was in the City's best interest to invest the funds received from the American Rescue Plan Act, which he said totaled a little under \$8 million, to have those funds start accruing interest immediately.

It was moved by Commissioner Taylor to add Item 14-2 to the Agenda, and the motion was seconded by Vice Mayor Williams.

There being no discussion, the motion to add Item 14-2 to the Agenda, passed by a 4-0 vote.

Vice Mayor Williams	Yes
Commissioner Bass	Yes
Commissioner Davis	Not Present

Commissioner Taylor	Yes
Mayor Pigatt	Yes

It was moved by Commissioner Taylor, seconded by Commissioner Bass to approve the Agenda.

There being no discussion, the motion to approve the Agenda passed by a 4-0 vote.

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

8. APPROVAL OF MINUTES:

Continued Second Budget Hearing Minutes - September 29, 2021

It was moved by Commissioner Taylor, seconded by Vice Mayor Williams to approve the minutes of the **Continued Second Budget Hearing Minutes on September 29, 2021**.

There being no discussion, the motion to approve the minutes passed by a 4-0 vote.

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

9. DISTRICT ONE / DISTRICT TWO - COUNTY COMMISSIONER REPORT:

There was none.

10. PUBLIC PRESENTATIONS:

There were none.

11. CITIZENS' FORUM:

(Opportunity for discussion of any concerns – please limit to 3 minutes)

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings. The City Clerk stated that one person had registered to address the Commission virtually.

Mayor Pigatt opened the Citizens' Forum.

Mr. Jim Casey addressed the Commission via Zoom and introduced himself as legal counsel from the law offices of Slesnick & Casey in Coral Gables, on behalf of the South Florida Police Benevolent Association and Captain Sergio Perez. Mr. Casey stated that his purpose was to try and set the record straight regarding the allegations brought by civilians appearing before the Commission, alleging various issues of misconduct against Captain Perez. He said that he believes the person would have little personal knowledge of the facts and circumstances of the issues he characterized as rumors, innuendo and untruths. Mr. Casey stated that all the allegations he has been made aware of have been thoroughly litigated and resolved. He addressed the letter written by an attorney on behalf of Captain Perez, which was shown to the Commission by the young lady who appeared before them 2 weeks ago, which she said made her afraid, threatened and intimidated. According to Mr. Casey, it was a typical letter authorized by Florida Statutes regarding a cease and desist, which according to the statute places people on notice that they have made unsubstantiated allegations and explains the appropriate manner to retract those in a public forum similar to the one in which they were made. He stated that it is a right and process open to any Floridian who believes they have been defamed in a public forum. Mr. Casey added that there are many processes to address grievances that residents or business owners may have against public servants. He also acknowledged that the previous speakers against his client, have a 1st Amendment right to say anything they wish to say in private or in public, but he pointed out that it is not an unfettered right and he said that if their statements are false and that falsity caused injury to the plaintiff, that person may have to suffer the consequences. Mr. Casey concluded by stating that the Commission has adopted a decorum policy for citizens addressing them which bars any person making impertinent or slanderous remarks who becomes boisterous.

Retired Police Chief Cheryl Cason of 781 Curtiss Drive stated that she thinks the appointment of Police Chief Dennis Jackson II is a good move for Opa-locka. She said that she feels hopeful with the move that was made and expressed that she knows the community can work with him to do the positive things needed to move the City forward.

Mr. Brian Dennis of 2140 York Street apologized to each member of the Commission and the residents of Opa-locka for his behavior a couple of weeks ago, regardless of what has been going on lately in the City that he was getting emotional about. Mr. Dennis recalled having worked with Police Chief Jackson in the City of Miami starting in 1997 during his tenure as President of Brothers of the Same Mind. He stated that there is no need to put the interim tag on the Chief because he thinks that he is the best Chief the City could possibly find. Mr. Dennis added that you must know what you are doing to become an Assistant Chief in the City of Miami, and he said he saw Chief Jackson handle the problems in Model City at the District Command Center and go from no stripes to stripes to the

collar. He offered sympathies to Commissioner Taylor's family, sharing that he has lost a child and just recently had to officiate his own nephew's funeral. Mr. Dennis offered to do anything to help Commissioner Taylor and his family and concluded by wishing all the members of the Commission a blessed evening.

Ms. Audrey Dominguez of 1147 Jann Avenue thanked Commissioner Taylor and his team for bringing Conga-locas to the City of Opa-locka, stating that it was a great event with good food and music. Ms. Dominguez stated that planning must start for next year to make it bigger and better. She said that she was sad and upset to hear about Police Chief Barreiros leaving but said that she respects his reasons and decision. Ms. Dominguez asserted that the City must unite and not give up on the Police Department. She shared that she met Interim Chief Dennis Jackson and expressed her hope that he does a great job. She asserted her opinion that Agenda Item 13-2 which proposes to have the City join the litigation against HB 1, is only going to benefit the attorneys and not the City of Opa-locka.

Ms. Dorothy Johnson of 13724 NW 22nd Place stated that she has lived in her home since 1978 and has never seen the drainage cleaned, and she thanked City Manager Pate through the Commission. Ms. Johnson expressed her appreciation that the City took the initiative to observe Breast Cancer Awareness Month, but she lamented that the pink Police Department vehicle was part of the previous administration, and she said that if they don't have enough money to put the pink badges on every Police Officer she doesn't think it is fair to put it on 2 or 3. She strongly suggested that a State of Florida service provider clean up State Road 9, stating that she has provided their name and phone number. Recalling that when she was a Commissioner, she used to go see when Michelle came through, Ms. Johnson asked who is doing the quality control check in the City. Additionally, she stated that before they consider code enforcement, they need to look at the City's property including the water stations, which she said looked like a dump. She added that if they need a model house to look at, they know where she lives, and shared that her husband cuts the lawn 3 times a week because of the image they want to project to their neighbors. Ms. Johnson recalled that when she was an elected official, all 3 appointed officials were evaluated, and she said that after she had a one-on-one with 1 of the appointed officials, they resigned. She also said that after the previous administration, a change was made to the Agenda, and she suggested that the Commission needs to have their dialogue and the citizens need to have input.

Jannie Russell of 1210 Peri Street noted that Vice Mayor Williams is ecstatic and said it was a great job seeing the sea of red for Delta Days. Ms. Russell offered her condolences to Commissioner Taylor's family. She stated that Conga-locas was a job well done which she really enjoyed, adding that despite it being hot, they stayed out there most of the day and said that it was good from start to finish. Ms. Russell recommended that next time, she would like to see a little bit more for the children to enjoy, stating that the event had

something for older people and younger people but not for the children, but was good. She suggested that additional signage be put up when work on the sidewalks is going to be done because you don't know the street is going to be closed off, expressing that she is looking forward to them getting to her street. Ms. Russell concluded by welcoming the new Chief of Police.

Samar of 720 Sharar Avenue addressed the Commission on behalf of her father who could not be at the meeting. Inquiring whether the City offers any grants for historic properties, she informed the Commission that they have been unable to keep up with it and was told that if they don't paint it soon, they'll be cited. She stated that it is not a good idea to cite people in the middle of a pandemic because a lot of people don't have jobs, adding that it is difficult to find reliable contractors who don't just steal your money. Additionally, she asked what the tall blue things being installed around the City are, because one was installed outside her aunt's home, and they have no idea what it is.

There being no additional persons to address the Commission, the public input portion of Citizen's Forum was closed.

Mayor Pigatt opened the floor for any comments from the Commission about the items addressed by the members of the public.

Commissioner Bass expressed that she was happy, asserting that there is a God and that she was going to leave it at that.

Commissioner Taylor congratulated Ms. Dorothy Johnson for her 48th anniversary. He also asked City Manager Pate if the State of Florida maintains State Road 9.

City Manager Pate stated that at one time, the City took responsibility from the Florida Department of Transportation for maintaining sections of State Road 9, but that the City does not have the wherewithal to continue to do that and is in the middle of discussions about that. The City Manager asked Public Works Director Airia Austin to address the maintenance on State Road 9.

Public Works Director Airia Austin stated that the City maintains the trees and shrubbery while the State of Florida maintains the flat portions of the roadway.

City Manager Pate pointed out that maintenance of State Road 9 is a shared responsibility, but they are looking at either dealing with it all or requesting that the State of Florida take all the responsibility back. The City Manager pointed out that if the State of Florida does decide to take the maintenance of State Road 9 back, they will want the City to bring it to a level where it is easily maintained moving forward.

Commissioner Taylor inquired about the signage for the repair of the sidewalks, guidance on grants for the painting of historic homes and the blue objects that were mentioned during the Citizens' Forum.

City Manager Pate stated that he will ensure that if there are any opportunities for residents who own historical housing, that it is appropriately put out to residents through Planning & Community Development Director Gregory Gay. The City Manager reported that he knows there are some historical homes that the City has been appropriately fining due to lack of maintenance on the property, assuring the Commission that they are being investigated. He also informed the Commission that the blue devices that are being installed in front of resident's homes are testing stations which allow water quality testing without entering people's private homes.

Mayor Pigatt thanked everyone for coming up and utilizing the Citizens Forum to address the Commission and make their thoughts known on what they need to do in the City.

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

- 1. [13-2] A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPAL-OCKA, FLORIDA, AUTHORIZING THE PUBLIC RIGHTS PROJECT, A PROJECT OF THE TIDES CENTER, COMMUNITY JUSTICE PROJECT AND SOUTHERN POVERTY LAW CENTER TO FILE A LAWSUIT ON BEHALF OF THE CITY OF OPA-LOCKA, FLORIDA, THAT FACIALLY CHALLENGES SECTION 1 OF CS/HB 1 (2021); PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Pigatt and Vice Mayor Williams***

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

It was moved by Vice Mayor Williams to discuss the resolution proposed by Agenda Item 13-2, and the motion was seconded by Commissioner Taylor.

Mayor Pigatt stated that HB 1 is legislation that was filed in the State Legislature last year, which was deemed as the anti-rioting bill but gives the Police the discretion to deem a demonstration of 3 or more people as a riot, elevates the charges, gives people in their vehicle who feel threatened, the ability to take matters into their own hands and harm those engaged, in addition to restricting a municipalities ability to make decisions on their budget. The Mayor pointed out that sometimes budgets need to go up while some budgets need to go down, and he said that because of the bill, the Police budget cannot be reduced in any way and that if a Citizen or the State Attorney files a complaint, the State of Florida can investigate and overrule the ability of the municipality to make those decisions. He

said that the resolution in Agenda Item 13-2, proposes that the City join other municipalities throughout the State to challenge the law.

Vice Mayor Williams said that she knows there is talk that the Commission shouldn't move forward with the resolution proposed in Agenda Item 13-2 because the City is in financial crisis, but she asserted her belief that municipalities need full control of their budget to function. The Vice Mayor offered the example of the Police Department receiving a grant of \$10,000 and said that under HB 1, the City must maintain that additional \$10,000 funding because it is considered an increase in the budget. She stated that in years of financial hardship, it could be an issue. Vice Mayor Williams offered assurances that it is not an assault on the Police Department, which she said is loved dearly, but that it is a fail-safe for the City and its budget.

Commissioner Taylor stated he does not support HB 1 but pointed out that the difference between Opa-locka and other municipalities is that it is under financial oversight by the State of Florida and thus they would be suing the entity that controls the City's money at this point. The Commissioner asked City Attorney Norris-Weeks if the resolution proposed in Agenda Item 13-2 is just a ceremonial gesture for the City to join in the suit against HB 1, if there would be ramifications if the City does not support the lawsuit and if the lawsuit is successful, whether the City will still benefit if it does not support the litigation.

City Attorney Norris-Weeks stated that the choice to support the litigation against HB 1 is purely within the discretion of the Commission, to decide whether it is in the best interest of the City. The City Attorney said that she doesn't think any litigation is ceremonial, and she explained that the litigants are fighting to have the issue looked at by a court to hopefully have it overturned because they believe it takes away home rule authority from cities and it straps the cities from being able to control their budgets. She stated that there are no ramifications she is aware of if the City does not support the litigation, and that she does not know whether there will be any actions against the City if they do support it. The City Attorney added that she thinks it has been explained by the attorneys who brought it forward, that there would not be a fee that the City would pay because the lawsuit is being litigated by a public entity as a social justice cause.

Commissioner Taylor explained that the reason he pulled Agenda Item 13-2 for discussion is because he doesn't want the City to suffer based on actions that the Commission takes. The Commissioner cautioned jumping on stuff that other cities have the infrastructure to handle, when Opa-locka is not in that position at this moment.

Vice Mayor Williams asked if any other cities are under financial oversight that have joined the litigation against HB 1. The Vice Mayor acknowledged that she is hearing

apprehension about potential backlash against the City, and she also asked if there could be a backlash.

City Attorney Norris-Weeks said she doesn't know if any other cities that have joined the litigation against HB 1, are also under financial oversight and that she would have no way of knowing whether there will be anybody taking any retaliatory action against the City whether they choose to participate in the litigation or not. She did state that she thinks the people handling oversight must do things in a legal way based on the City's contract.

Vice Mayor Williams said that she believes all the members of the Commission are on the dais for the people of Opa-locka, asserting that she wants to make sure the next generation that sits on the dais doesn't have to deal with HB 1, and she urged her colleagues to not make decisions based on fear.

Commissioner Bass stated that she sees the pros and cons of supporting the litigation against HB 1, and said she is on the fence on this issue. The Commissioner said that while the Commission hopes that there would not be a backlash, she said it happens and that is her fear.

Commissioner Taylor asked if those handling the financial oversight of the City had been consulted about bringing forward the resolution proposing that Opa-locka join the litigation against HB-1. The Commissioner asserted that he is not deciding based on fear but is on the fence like Commissioner Bass.

Mayor Pigatt said that the State of Florida doesn't control Opa-locka's money, and he explained the extent of the authority of the financial oversight board under the contract the City has with them, which he said includes approval and the providing of feedback on the City's budget, approval and the providing of feedback on the City's 5 year recovery plan, in addition to making sure the City has the financial ordinances in place to align how they handle the City's finances with the approved budget. He reminded his colleagues that there have been battles for decades over home rule, and the litigation against HB 1 will challenge the legal authority of the State of Florida because taxpayers should have the authority over their budget. Acknowledging that the Commission's decision could influence the legislative process, the Mayor asserted that because of the Commission's duty to protect the City's taxpayer dollars, he supported joining the litigation.

There being no additional discussion, the resolution proposed by Agenda Item 13-2 failed by a 2-2 vote.

Commissioner Taylor	No
Vice Mayor Williams	Yes
Commissioner Bass	No

Commissioner Davis
Mayor Pigatt

Not Present
Yes

13. ADMINISTRATION:

CONSENT AGENDA:

- 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LANDSHORE ENTERPRISES, LLC FOR THE COMPLETION OF PHASE 1 OF THE BURLINGTON STREET CANAL PROJECT IN AN AMOUNT OF FIVE HUNDRED ONE THOUSAND EIGHTY-FOUR DOLLARS (\$501,084.00); FURTHER APPROVING A TEN PERCENT (10%) CONTINGENCY BUDGET IN THE TOTAL AMOUNT OF FORTY-FIVE THOUSAND FIVE HUNDRED FIFTY-THREE DOLLARS (\$45,553.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

Vote taken on Consent Agenda items can be viewed under Agenda Item 6 – Approval of the Consent Agenda.

14. NEW ITEMS:

- 1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE STATE OF FLORIDA CONTRACT WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. FOR QUALIFIED PROFESSIONAL SERVICES TO PROVIDE TEN (10) COPIER MACHINES FOR USE WITHIN THE CITY; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SAME, FOR AN AMOUNT NOT TO EXCEED NINETEEN THOUSAND, SEVENTEEN DOLLARS (\$19,017.00), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; TERMINATING ALL ACTIVE CONTRACTS AND LEASES WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC.; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

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

It was moved by Vice Mayor Williams to discuss the resolution proposed by Agenda Item 14-1, and the motion was seconded by Commissioner Bass.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 14-1.

City Manager Pate asked Information Technology Director Nelson Rodriguez to explain Agenda Item 14-1 in more detail.

Information Technology Director Nelson Rodriguez explained that the resolution before them in Agenda Item 14-1, will take care of a billing issue with Toshiba. The Information Technology Department Director stated that the State of Florida's contract with Toshiba stipulates that each machine has a monthly lease payment in addition to the cost per copy. He said that after the City Commission adopted Resolution 189557 on October 10, 2018 and joined the state's contract, it was noticed on the first couple of invoices that the cost of the lease was not included on any of the invoices for the 10 machines used by the City. Mr. Rodriguez informed the Commission that his Department contacted Toshiba about the issue, but they stated multiple times in writing that the billing was correct. It wasn't until approximately 30 days ago, that Toshiba acknowledged that they had not billed the City for the cost of the lease for 3 years which was about \$75,000. Information Technology Director Rodriguez said that the resolution to the issue as offered by Toshiba was to not charge the City for the \$75,000 of unbilled leasing fees, if the current lease is terminated and leases on the 10 machines are renewed using the current contract with the State of Florida which includes lower rates and would provide the City with brand new equipment.

There being no discussion, the resolution proposed by Agenda Item 14-1 passed by a 4-0 vote.

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

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CITY NATIONAL BANK OF FLORIDA TO PROVIDE PROFESSIONAL BANKING SERVICES TO THE CITY OF OPA-LOCKA FOR THE OPENING OF AN INTEREST BEARING CHECKING ACCOUNT TO DEPOSIT THE ALLOCATION OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT (ARPA); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

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

It was moved by Commissioner Taylor to discuss the resolution proposed by Agenda Item 14-2, and the motion was seconded by Vice Mayor Williams.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 14-2.

City Manager Pate stated that per the City Charter, any bank account that is to be opened, must be approved by the Commission. The City Manager informed the Commission that per the rules governing the American Rescue Plan Act funds, once the funds are transferred from where they're currently being held into the interest-bearing account, the interest earned on the funds can be reallocated for other uses. He said that the next allotment of the American Rescue Plan Act funds will be received next year and would also be deposited into the account to earn interest until the funds are utilized.

Clerk Flores noted that on the second to last page of the add-on item package, on the back side of the page towards the top, her name is denoted as a manager designated to act on behalf of the City of Opa-locka, but she pointed out that she should be an alternate signature and believes that it should have City Manager Pate's name, with her as a secondary signature.

City Manager Pate offered assurances that he would get the error on the agreement with the bank corrected and stated that the document won't be executed until that's corrected. The City Manager accepted a friendly amendment to change the terminology in the legislation proposed by the resolution in Agenda Item 14-2.

Mayor Pigatt acknowledged that a friendly amendment was accepted to the resolution sponsored by City Manager Pate as proposed in Agenda Item 14-2, which would remove Ms. Joanna Flores and replace her name with Mr. John Pate for the entity authorization on the bank agreement.

There being no additional discussion, the resolution proposed by Agenda Item 14-2 passed by a 4-0 vote.

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

15. PLANNING & ZONING:

A. PUBLIC HEARINGS:

There were none.

B. APPEALS:

There were none.

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 resolution was read by Assistant City Attorney Candice Cobb.

Mayor Pigatt opened the Public Hearing for Agenda Item 16-A-1.

Ms. Dorothy Johnson of 13724 NW 22nd Place asked where she could find the information in the budget about the changes that the Commission approved to the proposed budget for the Police Department. Ms. Johnson recalled that when she previously asked about the decision to reduce the number of Police Officers, she was told that it was not done. She said that she comes from a Law Enforcement family, having previously served as a City of Miami Police Cadet herself, and wants to know where she can find the information before the Commission passes the item.

There being no additional members of the public to address the Commission, Mayor Pigatt closed the Public Hearing for Agenda Item 16-A-1.

It was moved by Vice Mayor Williams, seconded by Commissioner Taylor to discuss Agenda Item 16-A-1.

Mayor Pigatt asked City Manager Pate to introduce Agenda Item 16-A-1.

City Manager Pate pointed out that Agenda Item 16-A-1 proposes the approval of Budget Amendment 4, but that Ms. Dorothy Johnson's spoke of the newly adopted budget where he said 2 Police Officers were reduced.

Mayor Pigatt clarified that with the approval of the new budget, the Commission increased the number of sworn Officers in the Police Department by 2 and the number of non-sworn Officers by 5, in addition to increasing the Public Works Department Staff by 2 so that they can start to clean up the City.

Budget Administrator Anathan presented his proposal for Budget Amendment 4 for the fiscal year 2021 Budget.

Commissioner Taylor asked if there would be a budget amendment for the Public Works Department in addition to the proposed budget amendment for the Police Department, in consideration of the Commission's approval of the reduction of the proposed increase of Police Officers by 2 and the increase of Public Works Department Staff by 2.

Budget Administrator Anathan clarified that his proposal for Budget Amendment 4 for the fiscal year 2021 Budget is for everything that occurred up until September 30th and does not impact the newly approved budget under which the changes were made to the staffing in the Police Department and Public Works Department.

Vice Mayor Williams expressed her concern about the dialogue before Budget Administrator Anathan's presentation of his proposal for Budget Amendment 4 for the fiscal year 2021 Budget and asked if the Commission reduced or increased the number of Police Officers. She also asked if Mr. Anathan expected that the cost for overtime would increase.

Budget Administrator Anathan stated that while there are attempts to manage overtime because of the vacancies in the Police Department, to make sure that the City is covered, overtime is going to go up.

Mayor Pigatt recalled that when the Commission discussed the budget, the pay increases for select employees were discussed and he was told that the budget amendment being proposed would authorize those increases. The Mayor asked what the process was for the pay increases and how it aligns with Finding #52 from the operational audit which found that salary increases were made that were not in alignment with the City's pay plan.

Budget Administrator Anathan stated that most of the salary increases Mayor Pigatt was inquiring about are related to the 3 Department Heads who had their salaries restored, the 2 employees who picked up additional responsibilities, the salary increases from the Police Benevolent Association contract, and payments that were made to employees who left the City after a long time of service.

City Manager Pate pointed out that Budget Amendment 4 proposes the approval of expenditures that have already occurred during the budget year that ended in September. He also reminded the Commission that they requested a workshop to go over all City employee compensation, which City Clerk Flores scheduled for November 17th.

Mayor Pigatt said he is unable to support Budget Amendment 4 until the Commission gets additional clarity on the details of the pay increases, because he wants to be very clear about the pay increases.

Budget Administrator Anathan stated that Budget Amendment 4 needs to be signed, sealed and delivered by November 30th, otherwise the State of Florida is going to find the City to not be in compliance with managing the budget. He warned that if the Commission waits until the workshop on November 17th, they may end up with 2 Commission Meetings around Thanksgiving, which he said is going to be tough.

City Manager Pate stated that he believes that the adjustments that were made to approve raises were done by department through the multiple budget amendments throughout the year.

Budget Administrator Anathan reminded the Commission that they did not get reports on compensation until a couple of months ago, and he said that he made sure that what he was doing had consistency with what was being reported.

Vice Mayor Williams made a motion to end discussion on Agenda Item 16-A-1.

There being no additional discussion, the ordinance proposed in Agenda Item 16-A-1 passed first reading by a 3-1 vote.

Commissioner Davis	Not Present
Commissioner Taylor	Yes
Vice Mayor Williams	Yes
Commissioner Bass	Yes
Mayor Pigatt	No

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

There were none.

C. RESOLUTION(S)/PUBLIC HEARING:

There were none.

17. CITY MANAGER'S REPORT:

Mayor Pigatt asked City Manager Pate to deliver a report to the Commission.

City Manager Pate informed the Commission that the City's Department Directors took a tour of the majority of the City and drove each area to see the issues for themselves. The City Manager reported that because of the tour, some of the challenges are being prioritized and he said he thinks it is a field trip that will be done more often because it was needed. He also informed the Commission that City Staff participated in a mandatory public records request training to become more efficient when responding to public records requests. Recalling that the Commission authorized him to review the City's fleet inventory in the Police and Public Works Department to dispose of vehicles, unused equipment and miscellaneous scrap metal, he shared that City received \$100,803.75 through the auction of those items and that it would be presented at the next Commission Meeting. Mr. Pate also said that the lighting for Ingram Park is 95% complete, awaiting the activation of power by Florida Power and Light. He added that the restroom and roof rehabilitation at Ingram Park were completed. The City Manager expressed that he looks forward to getting more input from residents on an individual basis and shared that he has met with residents regarding their concerns and their feedback on what they would like for the City and said that he is working on feasibility studies for various City Departments. He thanked Information Technology Director Nelson Rodriguez and his staff for the painless Office 365 migration. Mr. Pate advised the Commission of the approval of the \$7 million grant application for the dredging of the 127th Street canal, and he said that it would be further evaluated at a review that is scheduled on November 1st. He recalled that the 2nd anniversary of the date he began serving as City Manager was October 15th and said that he understands Opa-locka is a team and that a lot of progress is being made. The Manager also said that the feasibility study for the new Police Department has been completed and will be presented in the month of November, when the Commission and residents can assist in picking the location, so that the initial \$1.2 million that was received from the State of Florida, can be expended.

18. OFFICIAL BOARD REPORTS:

There were none.

19. FUTURE AGENDA ITEMS:

There were none.

20. MAYOR/COMMISSION REPORTS:

Vice Mayor Williams gave a shout out to Commissioner Taylor for Conga-locas, stating that it was spectacular, she had a great time, and that it was very well planned with all the City's various Departments. The Vice Mayor also thanked her fellow sorors and everyone who assisted to make Delta Days in Opa-locka happen. She noted that the Parks & Recreation Department is having a haunted house and her child will be there. Vice Mayor Williams concluded by thanking Miami-Dade Board of County Commissioners Vice Chair Oliver Gilbert and the members of the Commission that came to the past Saturday's cleanup, acknowledging that the area that was cleaned before, was still relatively clean. She shared that the cleanup event allowed them to see the property that the Commission has been talking about on Ali Baba Avenue, which she said was a blight and needs tender loving care.

Commissioner Bass joined Vice Mayor Williams in congratulating Commissioner Taylor on a job well done with Conga-locas. The Commissioner shared that she is hosting a violence prevention summit at Sherbondy at 10 AM on Saturday and said she will be giving high school students 50 community service hours for attending the summit, to help them get what's needed for graduation because she noted that during the pandemic, they haven't been able to go out and get those hours. She shared the unbelievable lineup which includes a keynote speaker from Chicago, and the moderator from Hot 105. Commissioner Bass said she is looking forward to seeing them all there and concluded by expressing that it was a pleasure cleaning up with Vice Mayor Williams.

Commissioner Taylor gave a shout out to the Clerk's Office for working with him to put Conga-locas together, and he thanked all the City Departments that came together to make sure it was a success. The Commissioner said that while he wasn't at the cleanup, he heard it was a great event and commended Vice Mayor Williams on a job well done. He welcomed the new Police Chief and said they expect great things from Chief Jackson.

Mayor Pigatt thanked his colleagues on the Commission for serving the City of Opa-locka and offered kudos to Commissioner Taylor for an amazing Conga-locas event as the first annual Hispanic heritage celebration in the City. The Mayor also thanked Vice Mayor Williams for inaugurating Delta Days in Opa-locka and for working with Miami-Dade Board of County Commissioners Vice Chair Oliver Gilbert on the 3rd community cleanup. He said that these events, including what Commissioner Bass is doing on Saturday, bring the community together to engage each other to build the village that is needed to move Opa-locka forward. The Mayor concluded by sharing his appreciation to Interim Chief of Police Dennis Jackson for coming out of retirement to serve the City of Opa-locka, and he said that they look forward to him making sure the community stays safe.

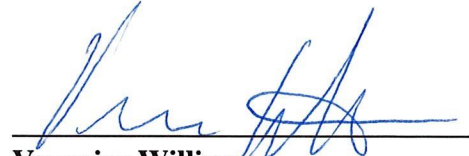
Vice Mayor Williams noted that Interim Chief of Police Dennis Jackson's wife is also a Delta.

21. OFFICIAL BOARD APPOINTMENTS:

There were none.

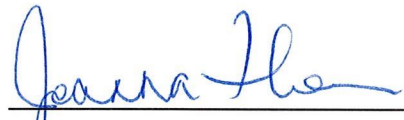
22. ADJOURNMENT:

There being no further business to come before the City Commission, it was moved by Commissioner Taylor, seconded by Vice Mayor Williams to adjourn the meeting at 9:17 p.m.



Veronica Williams
Mayor

Attest:



Joanna Flores, CMC
City Clerk