

CITY OF OPA-LOCKA
"The Great City"

CLERK'S ACTION SUMMARY MINUTES
SPECIAL COMMISSION MEETING

January 14, 2022
5:30 P.M.

1. CALL TO ORDER:

Mayor Williams called the meeting to order at 5:37 p.m. on Friday, January 14, 2022 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, Commissioner Audrey Dominguez, Vice Mayor John H. Taylor Jr., and Mayor Veronica Williams. Also, in attendance were: City Manager John E. Pate, Assistant City Attorney Michelle Pamies and City Clerk Joanna Flores. City Attorney Burnadette Norris-Weeks participated virtually via Zoom.

3. INVOCATION:

The Invocation was delivered by Commissioner Bass.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

5. PUBLIC INPUT: (*agenda items only*)

City Clerk Joanna Flores announced the protocol for public participation at City Commission meetings.

Mayor Williams opened the floor for Public Input.

Mr. John Riley who resides at 2963 NW 135th Street stated that he has been a participant in the City of Opa-locka since 1974, as an active member of the community, having held plenty of positions including being in the position that the Commission is in, having sat on the dais. Mr. Riley said that as a veteran, he finds that Opa-locka is an American city and the Constitution of the United States grants freedom of speech, which means that officials can talk to any person. He asserted that America and Opa-locka are democracies where no one entity runs everything, and "we the people" are all part of it. Pointing out that

tomorrow is Dr. Martin Luther King's birthday, he asked the Commission to imagine where we would be today if Dr. King had not had backbone and forethought as he went through threats and intimidation. Mr. Riley encouraged the Commission to not let anything deter them from doing their duty and job by doing whatever is in the best interest of the people of Opa-locka, which he said they were sworn to do. He concluded by thanking the Commission for their service.

Retired Police Chief Cheryl Cason of 781 Curtiss Drive stated that she has a very heavy heart, having been born in the City and adding that she is back. Ms. Cason said that she is here to stand firm with the Commission who she said have a duty to do what's right. She expressed her dissatisfaction with the way the City is being talked about in the law enforcement community, recalling that she brought the Commission some information, which now they know about. Ms. Cason said she is upset because they don't deserve this and said that Officers are afraid to come to work because of what she called a dictatorship. She said that whatever she must do, she will do it and is getting a cart and is going door-to-door. Ms. Cason also said that the Florida Department of Law Enforcement governs law enforcement, and she lamented that an Officer was arrested yesterday, adding that we knew he was going to be arrested. She said that Sergeant Michael Steel took the hit, and she also said that Jesus took the hit for us, adding that she believes every Police Officer became the victim that day and it is being allowed. Ms. Cason asserted that this is serious and is her community, and those who don't respect it with their foot on their necks, will respect it. Expressing that she does not cry easily, she said it was heartfelt and urged the Commission to do it today and let the chips fall where they may.

Mr. Leon Grant identified as the fiancé of retired Police Chief Cheryl Cason and said that she is very passionate about the City doing everything right, urging the Commission to listen to her and give the residents some help.

Mr. Ario Lundy who resides at 14911 Duval Street stated that he has been around for 20 years and that he loves them all. He said that ever since he's been here, the City Manager has been doing his job and asked the Commission to tell him what he's not doing right, also expressing that he is starting to realize that people don't like changes. Asserting that the City Manager runs the day-to-day operations for the City after being appointed by the Commission and the Mayor that was previously on the dais, he stressed that people should not be coming to the Commission talking about the Manager who is doing his job. He shared that as a developer, he had never had a very good conversation with the City Manager until he met Mr. Pate who he said is listening to the community and asked how his business could be taken to the next level. Urging the Commission to stop ego problems, he said they should look at what is in the best interest for the City. He expressed concerns that if the Commission brings someone from the local community to be the City Manager, that they are going to play politics and will get nothing done like before. Adding that the

old situations of the City are not needed, he said that he thinks City Manager Pate understands that Opa-locka is going in a different direction, but he lamented that during the couple of times he's been at the Commission meetings, the members of the Commission don't know what direction they want to go in because he said they are all learning. He urged the Commission to let people do their job like Police Chief Dennis Jackson who he thinks is doing a very good job. Recalling when Rudy Crew came to the Miami-Dade County School Board, he said that he was doing a good job building all the schools and they put him up. He concluded by asking the Commission to give Mr. Pate a chance to do his job and support him, reminding those sitting on the dais that Opa-locka has had many city managers and he said they have never gotten anything done.

Mr. Joe Curtis introduced himself virtually via Zoom as legal counsel for City Manager Pate, stating that a letter was sent that states the legal counsel's position. Mr. Curtis said that neither he nor Mr. Pate will make any comment.

Mayor Williams pointed out that the Public Input portion of the Special Commission Meeting is the only place for City Manager Pate's legal counsel to say anything.

Mr. Joe Curtis acknowledged he understood that he would not be able to address the Commission during any other part of the Agenda.

There being no additional members of the public to address the Commission, Mayor Williams closed Public Input.

6. RESOLUTION:

1. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, TERMINATING CITY MANAGER JOHN E. PATE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Vice Mayor Taylor*

The above resolution was read by Attorney Pamies.

It was moved by Vice Mayor Taylor, seconded by Commissioner Dominguez to discuss Agenda Item 6-1.

Mayor Williams asked Vice Mayor Taylor to introduce Agenda Item 6-1.

Vice Mayor Taylor stated that the resolution proposed by Agenda Item 6-1 would terminate City Manager Pate's contract without cause, effective 10 days from today.

Mayor Williams expressed her hope that the discussion is not too lengthy and asked the members of the Commission to not engage in hot-headedness or speak from emotion and passion. The Mayor urged her colleagues to be specific and clear.

Commissioner Dominguez noted that this is her first Special Commission Meeting on the dais and shared that she has been literally sick to her stomach since she received the notification of the meeting. Recalling that as a resident, she witnessed the national search for the City Manager and having supported John Pate from day one, she said that she is now in the position where she must choose what is right for the City. Commissioner Dominguez offered assurances that she is an independent thinker and is not persuaded by anyone on the dais or what the streets are saying, believing in honesty, transparency and integrity. Having asked God for discernment, she shared that she reached out to a retired Chief of Police that she has known for over 20 years and asked him how he would have handled the incident with Captain Sergio Perez. The Commissioner said that the retired Chief told her that it should have never gotten to the district attorney's office and should have been handled internally with the Chief of Police, adding that it was the result of a lack of leadership from the City Manager. Recalling that Police Chief Steven Barreiros left right after the incident with Captain Perez occurred, Commissioner Dominguez said that in her opinion, he left because he didn't want his reputation to be tainted, especially with the knowledge, experience and background he had. The Commissioner asserted that if it was up to her, Chief Barreiros would be Police Chief right now and she stressed that the City Manager should never interfere in any decision the Police Chief has to make.

Commissioner Bass lamented that where the Commission is today, is not a place where she wants to or intended to be because the decision they will make can make or break the City and is a hard decision she does not want to make. The Commissioner said that City Manager Pate knows that she is not 100% satisfied and is not 100% dissatisfied with his leadership. She urged her colleagues to do what they believe in their hearts, is the right thing to do. Acknowledging that the City has been through several City Managers because something always happens that leads the Commission to feel it is necessary to release the Manager, Commissioner Bass offered assurances that she has no grudges or animosity with anybody including Mr. Pate, sharing that she has a soft spot for him. Stating that no dollar amounts the residents of Opa-locka pay the members of the Commission would make it easier, Commissioner Bass added that \$550 per month does not cut it to make this decision that can destroy one human being or a city of 17,000 residents. Commissioner Bass concluded by noting that Vice Mayor Taylor said his proposal was to terminate City Manager Pate's contract without cause, but she

said that it has to have a cause and that in her heart she feels that she has to do what's right.

Commissioner Davis said that he feels obligated to state his position as the longest sitting member on the Commission. Acknowledging that he sees where it is all going, he said he doesn't necessarily totally agree, adding that in the 2 years Mr. Pate has been the City Manager, the Commissioner believes the dais has moved to release the Manager more than they decided to work with him. He pointed out that the Commission had several opportunities to evaluate City Manager Pate and it still has not happened. The Commissioner recalled that when he was elected in 2018, Opa-locka had a revolving door of City Managers which he said hurt the progress of the City. He pointed out that he has never voted to fire a City Manager and said that as a straight shooter with his own mind that doesn't listen to what others say, he does what he must do to make the best decision for the community and his constituents. Commissioner Davis said that nobody sitting on the dais has his back, nobody working in the City has his back, but he knows the community is going to have his back, so he is always going to make a decision in favor of the community, even when he is outnumbered.

Mayor Williams stated that when she was voted into office in November one year ago, she had high hopes despite people saying a lot of stuff including that the Commission was too young and were novices, and that she did not live in Opa-locka. The Mayor asserted that everyone up on the dais, all want what is in the best interest of the City, especially her. She lamented that the year she has been on the dais has been chaotic with hearsay and many forces behind the scenes that have attempted to dismantle the Commission. Mayor Williams said that there have been times when City Manager Pate has been non-responsive to the Commission's questions and the things they have asked for, and she said that the job performance has been lackluster in addition to it being very difficult at times to work in a very confrontational environment, despite some good things that have happened this year in Opa-locka. Asserting that she wants to stick to the working of the resolution proposed in Agenda Item 6-1, Mayor Williams recommended the termination of City Manager Pate, without cause.

There being no additional discussion, the resolution proposed in Agenda Item 6-1 passed by a 4-1 vote.

Commissioner Davis	No
Commissioner Dominguez	Yes
Vice Mayor Taylor	Yes

Commissioner Bass	Yes
Mayor Williams	Yes

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPOINTING _____ AS THE INTERIM CITY MANAGER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by Vice Mayor Taylor*

The above resolution was read by Attorney Pamies.

Mayor Williams recommended Police Chief Dennis Jackson or Vernita Nelson to be considered as possible appointments to serve as Interim City Manager. The Mayor stated that she was recommending Chief Jackson due to the fact that he is level-headed and has not wavered since he's been the Police Chief, adding that with his long history of leadership he would be a great fit.

Vice Mayor Taylor said that he had 2 recommendations for the appointment of the Interim City Manager as well, but he recommended James Wright.

Commissioner Davis stated that if the motion was on the floor to appoint James Wright as Interim City Manager, he would like to second the motion.

Commissioner Dominguez stated that she would like to appoint Darvin Williams as Interim City Manager.

Commissioner Davis raised a point of order, stating that there is a motion on the floor to appoint James Wright as Interim City Manager.

Mayor Williams asked if the Commission was discussing before they vote on the appointment for Interim City Manager, or if they were going to vote on each individual proposed.

Attorney Pamies stated that it is the Mayor's discretion if she wants to let the Commission discuss the proposals for the appointment of the Interim City Manager, but if a motion was made by Vice Mayor Taylor and it was seconded, it would have to be taken up by the Commission.

Commissioner Davis noted that after Mayor Williams proffered the 2 names she recommended for the appointment of the Interim City Manager, there was no discussion and that's when Vice Mayor Taylor threw out a name, the Commissioner seconded it.

Mayor Williams stated that she can suggest that a discussion be allowed before the vote on the appointment of the Interim City Manager.

Commissioner Davis said that after Mayor Williams opened Agenda Item 6-2 for discussion, she said 2 names and he didn't know if it was a motion.

Mayor Williams pointed out that she opened the discussion on Agenda Item 6-2 and that Commissioner Davis was moving something that she didn't make a motion for.

Commissioner Davis explained that he wasn't seconding Mayor Williams' motion and that he was seconding Vice Mayor Taylor's.

Commissioner Dominguez asked Mayor Williams to repeat the names of those she was recommending being considered for the appointment of the Interim City Manager.

Mayor Williams repeated that she recommended Police Chief Dennis Jackson or Vernita Nelson to be considered for the appointment of the Interim City Manager and opened the floor for discussion.

Vice Mayor Taylor repeated that his recommendation for the appointment of the Interim City Manager was James Wright.

Commissioner Bass stated that her recommendations for the appointment of the Interim City Manager were Police Chief Dennis Jackson or Darvin Williams.

Commissioner Dominguez repeated that her recommendation for the appointment of the Interim City Manager is Darvin Williams.

City Clerk Joanna Flores confirmed that the members of the Commission had recommended that Police Chief Dennis Jackson, Vernita Nelson, James Wright and Darvin Williams be considered for the appointment of the Interim City Manager.

Mayor Williams noted that there were 4 names on the floor to be considered for the appointment of the Interim City Manager and said that a motion is needed from the Commission to vote.

It was moved by Commissioner Davis, seconded by Vice Mayor Taylor to appoint James Wright as the Interim City Manager.

There being no additional discussion, the motion passed by a 3-2 vote.

Vice Mayor Taylor	Yes
Commissioner Bass	No
Commissioner Davis	Yes
Commissioner Dominguez	Yes
Mayor Williams	No

Vice Mayor Taylor asked if the appointment of James Wright could be changed to be effective immediately so that there would not be a gap before it is effective, per the original proposed resolution which stated that the appointment would be effective February 1.

Attorney Pamies stated that even if Mr. Pate is not physically present because he will be on administrative leave, he is still the City Manager for the next 10 days. She recommended that the Commission could appoint James Wright in a support capacity to be the Deputy City Manager and give him a role for 10 days that is not City Manager because the City can't have 2 at a time.

Vice Mayor Taylor stated his understanding that if the Commission makes a motion to appoint James Wright as Deputy Manager until February 1st, he will become City Manager at 12:01 a.m.

Attorney Pamies confirmed that Vice Mayor Taylor's understanding was correct.

City Attorney Burnadette Norris-Weeks stated that the recommended change to the resolution would be to have City Manager Pate serve until February 1st at 12 midnight and James Wright would begin serving as Interim City Manager on February 1st at 12:01 a.m., with Mr. Wright serving as Deputy Manager until then. The City Attorney also said that she thinks the City's Code of Ordinances calls the role an Assistant City Manager and the Commission can appoint Mr. Wright as Deputy City Manager, starting immediately for 2 weeks.

It was moved by Vice Mayor Taylor and seconded by Commissioner Dominguez, to reconsider the original motion.

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

Commissioner Davis	Yes
Commissioner Dominguez	Yes
Vice Mayor Taylor	Yes
Commissioner Bass	Yes
Mayor Williams	No

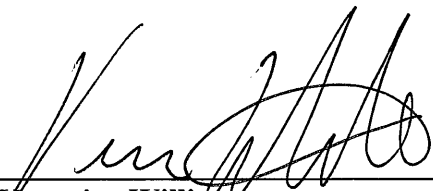
It was moved by Vice Mayor Taylor and seconded by Commissioner Davis, to appoint James Wright as Deputy City Manager effective immediately until February 1st at midnight and to appoint him as Interim City Manager effective February 1st at 12:01 a.m.

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

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

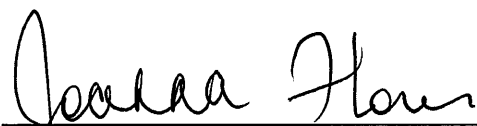
7. ADJOURNMENT:

There being no further business to come before the City Commission, Mayor Williams adjourned the meeting at 6:27 p.m.



Veronica Williams
Mayor

Attest:



Joanna Flores, CMC
City Clerk