

CITY OF OPA-LOCKA

"The Great City"

CLERK'S ACTION SUMMARY MINUTES REGULAR COMMISSION MEETING

May 25, 2022

7:00 P.M.

1. CALL TO ORDER:

Mayor Williams called the meeting to order at 7:04 p.m. on Wednesday, May 25, 2022, at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the City Commission were present: Commissioner Chris Davis, Commissioner Sherelean Bass, Commissioner Audrey Dominguez, Vice Mayor John H. Taylor Jr., and Mayor Veronica J. Williams. Also, in attendance were: Interim City Manager Darvin Williams, City Attorney Bernadette Norris -Weeks and City Clerk Joanna Flores.

3. INVOCATION:

The Invocation was delivered by Vice Mayor Taylor.

4. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited in unison.

Mayor Williams requested a moment of silence on behalf of the victims of the Uvalde, Texas school shooting

5. AWARDS/PROCLAMATIONS/ACKNOWLEDGMENTS:

There were none.

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

Commissioner Dominguez pulled Agenda Item number 13-4 from the Consent Agenda.

Agenda Item 13-4 was deferred by Interim City Manager Darvin Williams.

A substitute for Agenda Item 13-5 was introduced.

It was moved by Vice Mayor Taylor, seconded by Commissioner Davis to approve the Consent Agenda.

There being no discussion, the Consent Agenda was approved by a 5-0 vote.

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

7. APPROVAL OF AGENDA:

Clerk Flores read Add-on Agenda Item 14-1 into the record.

Mayor Williams asked Interim City Manager Williams to state the emergency nature of Add-on Agenda Item 14-1.

Interim City Manager Williams informed the Commission that if the information being requested by the resolution proposed by Add-on Agenda Item 14-1 is not received, it will have a severe and significant fiscal impact for the FY 2020 audit, including the potential of the City being defunded. The Manager reminded the Commission that the deadline for the audit is next week on May 31st. He also pointed out that both he and the previous Manager had requested an extension and it had not been granted.

It was moved by Commissioner Davis, seconded by Commissioner Bass to include Add-on Agenda Item 14-1 on the Agenda.

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

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

Clerk Flores read Add-on Agenda Item 14-2 into the record.

Mayor Williams asked City Attorney Norris-Weeks to state the emergency nature of Add-on Agenda Item 14-2.

City Attorney Norris-Weeks stated that there have been a number of occasions when the City Attorney's Office is having a problem getting information, in addition to the City Manager involving himself in the affairs of the City Attorney, interfacing with attorneys

who are adverse to the City, persons who have litigation against the City, as well as persons involved with union negotiations. The City Attorney said that she has never encountered these things in her 30 years of practice and that it is preventing the City from being able to perform their duties. She went on to say that she has attempted to bring the matter up individually to Commissioners and is left with no other choice than to try to bring the Item to them for a discussion.

It was moved by Commissioner Dominguez, and with no second, the Item failed to be added to the Agenda.

Mayor Williams asked City Clerk Flores to read Add-on Agenda Item 14-3 into the record.

City Clerk Flores stated that she needed direction from the Commission because Add-on Agenda Item 14-3 was being sponsored by City Manager Williams but City Attorney Norris-Weeks has not yet had the opportunity to review it.

City Attorney Norris-Weeks stated that Add-on Agenda Item 14-3 was just provided to her at the beginning of the Meeting. The City Attorney said that it was an example of what she was explaining during the discussion of the previous Item, with things being prepared and brought forward without her knowledge, adding that she is supposed to review items for legal sufficiency.

Interim City Manager Williams pointed out that there were many people in the Commission Chamber from the Flea Market and he explained that the Emergency Item that he was proposing was to address their needs and concerns. The Manager went on to say that his Office and the City Clerk's Office responds to last-minute requests from the City Attorney's Office all of the time and he added that there is nothing extraordinary about the emergency resolution he was proposing. He concluded by requesting that the Commission move forward with the emergency resolution with the notation that the City Attorney had not provided the documentation for legal sufficiency, so that they could aid the people in the room.

City Attorney Norris-Weeks asserted that she is supposed to be given an opportunity to review and research things, to determine if they're even legal under the City's Code. Ms. Norris-Weeks went on to say that she had never been given an Item prior to a Commission Meeting starting, in the two and half years she has been serving as City Attorney. She also said that she doesn't even know if the request that's being made is a legally valid request that the Commission can even vote upon. The City Attorney concluded by reiterating that it is an example of what she has been dealing with.

Commissioner Bass suggested a recess to allow the City Attorney time to examine Add-on Agenda Item 14-3.

Mayor Williams indicated she would support calling for a recess, if reviewing Add-on Agenda Item 14-3 during that recess, was something that the City Attorney could do.

City Attorney Norris-Weeks stated that she could try to review Add-on Agenda Item 14-3 during a recess, if the Commission chose to do that. The City Attorney added that it would help to be provided a description of what the item could be.

Interim City Manager Williams provided a description of the proposed Resolution. The City Manager also informed the Commission that his Administration is working to find an additional location for the Flea Market vendors, and he said that the Resolution would assist them with the move by waiving all of the fees which are approximately \$300 per vendor.

Commissioner Bass asked for what amount of time City Manager Williams was proposing to waive the fees for relocation for the Flea Market vendors.

Interim City Manager Williams pointed out that the proposed Resolution states that the fees required for the Flea Market vendors to relocate, would be waived for a period of 1 year.

City Attorney Norris-Weeks stated that whenever there is a change of occupational license fees, because it is to be generally equally applied to everyone, the City Ordinance does not say that they may be waived by any means other than an Ordinance, which is the means by which it was established. The City Attorney also said that occupational licenses are set forth in Florida Statutes, are specific as to their intent and there is a process to obtain or change the license, with different statutory benchmarks required. She went on to say that given the short period of time, she doesn't know if she can find any case law or examples where something like what is being proposed, has been requested or done legally. City Attorney Norris-Weeks concluded by suggesting that the Commission may want to take some action, contingent upon it being found to be a legal action.

Mayor Williams asked what the repercussions could be if the resolution proposed by Add-on Agenda Item 14-3 was not reviewed for legal sufficiency.

City Attorney Norris-Weeks stated that agenda items are not supposed to come before the Commission if they are not legally sufficient, and she added that it never happens.

Commissioner Davis pointed out that the Commission had a room full of people that had been reaching out to them all week and he recognized that time is of the essence because

the Flea Market vendors have a hard deadline giving them a month to relocate, when many of them have had businesses in the community for over 40 years. The Commissioner stated that he hates to sit on the Dais and see Items come before the Commission without Management having internal conversations so that they can address the matters in a more appropriate way. Wondering if the Item can be brought back before the deadline, he also asked if they could pass the Item contingent upon the City Attorney's analysis waiving the fees for the certificate of use and vendor fees, since he noted that the Attorney had a problem with the occupational license fee.

City Attorney Norris-Weeks suggested that perhaps whoever is over the occupational license division could give the Commission examples of something done in the past and would make the resolution proposed in Add-on Agenda Item 14-3, something that they believe they can do, because she is not aware of that.

Commissioner Davis stated that after hearing the response provided by City Attorney Norris-Weeks, he thinks it is in the best interest of the Commission and the Community, to bring the item back once it's approved for legal sufficiency at a Special Commission Meeting, adding that it is the only option he can think of if the Item is not ready.

Mayor Williams pointed out that the only question on the table is including Add-on Item 14-3 to the Agenda. The Mayor acknowledged that it was unorthodox, but suggested that the Commission could move the Item to the end of the Agenda and asked if that would give City Attorney Norris-Weeks time to go through it, for legal sufficiency.

City Attorney Norris-Weeks stated that she is happy to do whatever the Commission suggests, adding that she can try to look at it between their conversations and try to research it.

Mayor Williams asked if it was the will of the Commission to include Add-on Item 14-3 to the Agenda, pointing out that they have people and vendors there and that it is a state of emergency. The Mayor went on to say that she wants to be able to have something as opposed to waiting 2 or 3 more days, because the business owners don't have days to wait.

City Attorney Norris-Weeks stated her understanding is that the Resolution included in Add-on Item 14-3 proposes foregoing collection and she assumes that is the same as a waiver of a fee. The City Attorney then proceeded to ask if the intent was for the vendors from the Flea Market to be able to operate anywhere.

City Manager Williams stated that he is looking to find another location within the City of Opa-locka for all of the Flea Market vendors, and he said that what he is asking the City Commission to do and is asking the City Attorney to provide legal sufficiency for, is

to free his hands so that the Flea Market vendors will have the capacity to move without the City requiring an exorbitant amount of fees which would present an additional hardship to what they're already facing.

Vice Mayor Taylor asked if including Add-on Item 14-3 could bring any consequences, joining his colleagues on the Commission in noting that the Flea Market vendors were there for answers and they wanted to give them some glimpse of hope.

City Attorney Norris-Weeks suggested that the Commission can certainly include Add-on Item 14-3 on the Agenda and she can review it prior to their vote, to possibly approve it subject to being found to be legal.

It was moved by Vice Mayor Taylor, seconded by Commissioner Davis to add Item 14-3 to the Agenda.

City Clerk Flores read Add-on Item 14-3 into the record.

There being no further 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

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

There being no discussion, the Agenda was approved by a 5-0 vote.

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

8. APPROVAL OF MINUTES:

Regular Commission Meeting Minutes – April 27, 2022

It was moved by Commissioner Bass, seconded by Vice Mayor Taylor to approve Regular Commission Meeting Minutes – April 27, 2022

There being no discussion, the Minutes were approved by a 5-0 vote.

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

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

There was none

10. PUBLIC PRESENTATIONS:

1. Lixon Nelson, CEO / Employment Consultant of the Alliance Community & Employment Services, Inc. ref: training, education, and career services for individuals with disabilities:

Mr. Nelson introduced himself as the President of the Alliance Community & Employment Services known as Aces which assists individuals with job training and development. He shared that under his leadership, over 100 individuals with disabilities have been served by Aces, with an emphasis on those struggling with mental health. Mr. Nelson explained that he wanted to determine how he could assist the city of Opa-locka and its residents with his services.

Commissioner Davis thanked Mr. Nelson for all that he does in support of the community's mental health, and especially for the disabled community. The Commissioner shared that for the past 2 years, he has served as an educator of special education students, teaching 4th grade and sharing Mr. Nelson's sentiments with that special population. He pointed out that there is a perception about students with autism that their disability hinders them and they're not able to learn, when in fact it is a social disorder and they have varying abilities and are able to do great things, which he sees every day with his students. The Commissioner also thanked Mr. Nelson for bringing his resources to the community, adding that in his former life he worked in the nonprofit sector and he never came across one that had such a specific niche to impact the special education community. Commissioner Davis concluded by encouraging Mr. Nelson to keep up the great work he is doing and he asserted that the City looks forward to working with him.

Commissioner Bass asked Mr. Nelson about other locations/cities ACES has as well as for how long ACES has been a part of the Community.

Mr. Nelson stated that he has been a part of the community his entire life and that he was born with a disability, struggling with dyslexia. He went on to inform the Commission that he is contracted through the State of Florida through the Department of Education for

vocational rehab, and he has been working mainly within South Florida's tri-county region. Mr. Nelson also explained that he had an office in Davie that he had to close due to the pandemic, where he was teaching special needs individuals life skills, job development and changing their mindset to also become entrepreneurs.

Commissioner Bass' followed up by asking if the city of Opa-locka extended its assistance to ACES, if it would help ACES' mission.

Mr. Nelson stated that the economic conditions made Opa-locka a perfect location and that half of the Residents are living with some form of disability, unbeknownst to many of those individuals.

Vice Mayor Taylor recalled having met Mr. Nelson a couple of months ago and shared that he was impressed by the story of how he overcame his physical challenge. Pointing out that May is National Mental Health Month, the Vice Mayor expressed his appreciation for the work that ACES has done, does and will do for the community with disabilities. Recalling that the City joined South Florida School of Excellence for their Autism Awareness parade, he stressed that it is a good thing to bring the type of resources provided by ACES, to Opa-locka and he thanked Mr. Nelson.

Mayor Williams joined her colleagues in thanking Mr. Nelson while acknowledging that mental health is often the elephant in the room that never gets talked about. The Mayor said they know every family suffers from it, and she sees it every day, being in education. She added that from the youngest to the oldest child, those students who suffer with a disability, become adults that end up being turned into the streets.

Mr. Nelson informed the Commission that he also works with Job Corps and the Department of Juvenile Justice, sitting in on their re-entry meetings. He went on to share that he has spoken with students with disabilities who have told him that they don't see too many other employers who are open to sharing that they have a disability like he does. Mr. Nelson explained that ACES exposes students with disabilities to others that look like them.

Mayor Williams thanked Mr. Nelson again and stated that the City looks forward to building a great partnership with him.

2. Rick Beasley, Executive Director of Career Source South Florida to address the Summer Employment Program.

Mr. Rick Beasley introduced himself as the Executive Director of Career Source and shared that he had a conversation with Commissioner Davis. He explained that Career Source is one of 24 workforce boards in the State of Florida that provides employment

training services throughout Miami-Dade and Monroe Counties, with an office right down the street that provides employment training services. Mr. Beasley proposed to partner with the City by leveraging resources to provide the youth who reside in the City with some employment programs. He stated that Career Source South Florida would match the money allocated by the City to assist with the summer employment program and offered an example of \$50,000 provided by the City that Career Source South Florida would match. According to the proposal, 40 young people who reside in Opa-locka would be given the opportunity to work with employers from all over the City while being paid \$13.88 an hour, which is the equivalent of \$28,870 per year. The program would also incorporate a financial literacy component, an employment workshop, and the opening of a bank account with a local bank. Mr. Beasley concluded by stating that it is an opportunity to have the youth in the City working and providing them a way to gain skills while keeping off the streets to keep crime low.

Commissioner Dominguez asked Mr. Beasley about the primary ages of the participants and how the selection process would work.

Mr. Beasley explained that the participants of the programs offered by Career Source typically range from 15 to 24, but most cities prefer a range from 15 to 18. He went on to inform the Commission that a registration portal would be created where individuals would apply strictly online, and a random selection process would take place to choose the 40 participants within the City limits.

Commissioner Davis thanked Mr. Beasley for making his presentation on the Career Source Youth Summer Jobs program to the Commission. The Commissioner stated his intention to propose a future agenda item to direct the City Manager's Office to identify the funding to curb youth summer violence and change their trajectory. He concluded by also thanking Mayor Williams for also being in contact with Mr. Beasley and offering his gratitude to former Mayor Pigatt for being the first to bring the opportunity to the City.

Commissioner Bass asked about the timeline for the Career Source Summer Youth Employment Program.

Mr. Beasley stated that the program would begin July 1st and end on September 25th of 2022.

Mayor Williams recognized her long-standing history of working together with Career Source in high schools, for students in various communities. The Mayor pointed out that jobs, financial literacy, life skills and wealth building all make a difference and lamented that most crime happens because the youth doesn't have anything to do in the summer. She concluded by thanking Mr. Beasley again and asserting that she is on board.

Mr. Beasley concluded his presentation to the Commission by explaining that the sum total of the Career Source Youth Summer Job Program for 40 students would equate to \$116,000 in expenses, but they will ask the City to put up just \$50,000 with Career Source covering the remaining \$67,000 of the cost. He said that he looks forward to seeing the partnership happen with the City of Opa-locka.

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.

Mayor Williams opened the Citizens' Forum.

Mr. Manuel Perez, who resides at 1125 Peri Street came to thank the Commission for all of the good work that they have done on behalf of the City residents. In 15 years, Mr. Perez said that he has not seen all his Public Works Employees so happy.

Ms. Dorothy Johnson, who resides at 13724 NW 22nd Place informed the Commission that Career Source came from the previous administration. She said that money was always set aside for their summer program, but participants were unable to qualify due to their criminal records. In addition, Ms. Johnson stated that she was very disappointed and concerned that the Planning and Zoning Appeals Board meetings were being recorded but not video recorded. She also informed the Commission that she had previous meetings with vendors at the Flea Market and encouraged them to get as many people to the Commission meeting because she is an unofficial commissioner but still cares about her community. Ms. Johnson said that she gave some of the Flea Market vendors the names of several Commissioners, and thanked those members of the Commission who reached out to them, adding that the vendors were understanding that the other Commissioners who had a busy schedule couldn't reach out to them. She expressed disappointment and dissatisfaction with the comments that were made at the meeting by some board members, suggesting that they work as a team.

Ms. Toroni Mitchell, who resides at 1425 NW 22nd Place stated that most, if not all of the lights at Segal Park are out, with individuals sleeping in the park, including some individuals using microwaves and connecting television sets in the park. Ms. Mitchell said that she believes the conditions in the park are getting worse. On another note, Ms. Mitchell really enjoyed Kipping It Under the Stars, but her only complaint was the lack of people present at the event. She also shared that following the event, Residents could hear gunshots fired in the general area. Ms. Mitchell said that she would like to see Police or Reserve Officers present. She concluded by stating that she would like for there to be a revision of the Parks and Recreation Department's rental deposit reimbursement policy.

She said that she rented a park for an event in March and has yet to receive a refund for her deposit.

Mr. Joseph Carlos, who resides at 1246 Dunad Avenue addressed the announcement of the closing of the Opa-locka Flea Market. He began by thanking the Commission for giving time to those affected by the closure. According to Mr. Carlos, the private company that purchased the property failed to give proper notice to allow vendors the proper time to remove their merchandise. He said that his issue was with the time frame given to the vendors to relocate. Mr. Carlos stated that they could have given them 6 months after many of the vendors having been with the Flea Market for 40 years. He informed the Commission that some of the vendors had just recently paid large amounts of money to begin establishing their business at the Flea Market, and were not told of the plan to close it. Mr. Carlos went on to say that the decision to close the Flea Market will impact thousands of people. He concluded by thanking the Commission for listening to them.

Mr. Johan Fernandez introduced himself as the owner of an electronics business that has been established at the Flea Market for about seven years. Mr. Fernandez expressed sadness that the Flea Market was closing after 40 years of operation, given that it was the source of support for hundreds of families, most of which are low-income families who are also minorities. He asked the Commission to help those affected by the current situation with the new owners so that they are provided with more time to relocate. Explaining that many of the vendors have huge items in their inventories such as tires, containers, and machinery, Mr. Fernandez pointed out that the moves will be very costly, and they will require time to relocate using the appropriate logistical plans to ensure proper storage. According to Mr. Fernandez, the new ownership is still evicting vendors who cannot meet their monthly rental payments. Mr. Fernandez shared the story of a vendor who had her rent collected, despite the owners knowing they were closing. He also shared that another vendor invested \$30,000 - \$40,000 in building a whole new space and as soon as they finished construction, they were told they would have to relocate in the next 26 days. Mr. Fernandez concluded by stating that they understand it is private property and they need to leave, but hope that some time can be bought for them to move.

Ms. Sheila Gutierrez who resides at 14460 SW 30th Street, Miami, FL 33175 added her voice in support of her fellow colleagues at the Flea Market. Ms. Gutierrez said that she also came to the Commission Meeting in solidarity with her father who has been a vendor at the Opa-locka Flea Market for 36 years, when the flea market was on the other side. She shared her memories from when she was a child, and her father owned his first tire shop, working 7 days a week and never being home because he was always working. Ms. Gutierrez said that her father's work ethic is what he taught his children who also have

family businesses in the Flea Market. She went on to say that the closure is a huge shock to her and her family, whose financial future was dependent upon the Flea Market. Acknowledging that they knew the Flea Market was going to close, Ms. Gutierrez said that management never confirmed the date and gave conflicting information such as telling vendors they had 2 years left before the Flea Market would close. She shared her concern that the 30-day timeline would make it nearly impossible for vendors to move all their current merchandise inventory, in addition to the new orders that had yet to arrive. Ms. Gutierrez concluded by stating that she hopes that their voices are heard and greatly appreciated the opportunity.

Raphael introduced himself as the owner of an electronics business at the Flea Market. He shared that many of the vendors that provide merchandise to the Flea Market Vendors, are now scared to do business with them. Raphael expressed his understanding that everyone's got to go, but he said that they can't get a permit in less than 30. He concluded by asking that the vendors be given a break.

Margaret Auxaless introduced herself as one of the vendors at the Flea Market for the last 25 years who has done nothing else for employment. She shared that she is a widow with 4 children living with her, along with a mortgage, and other bills to pay. Ms. Auxaless even bought merchandise on the Friday prior to being notified about the closure and being ordered to remove everything the very next day. Additionally, she informed the Commission that the vendors were threatened that if they refused to pay rent during the eviction, that they would be forced out prematurely by the Police within 24 hours of noncompliance. She concluded by stressing that they be given more time.

There being no additional members of the public to address the Commission, Mayor Williams closed the Citizen's Forum.

Vice Mayor Taylor acknowledged that Toronnie Mitchell had addressed the issues with Segal Park including the lighting and homeless sleeping in the park. Pointing out that the issue is a recurring concern, Vice Mayor Taylor inquired about any plans of action to resolve the issue that's been brought on many occasions

Interim City Manager Williams responded by stating that he was unclear on how many occasions the issues at Segal Park have been brought up, given he has only been appointed for 2 months. The Manager went on to state that there will be an agenda item to secure Segal Park scheduled for the second Commission Meeting in June and that the item proposing to secure Sherbondy Park, would be presented during that meeting.

Mayor Williams asked Interim City Manager Williams to respond to the issues presented during the Citizens' Forum.

Vice Mayor Taylor stated that he wasn't done.

Mayor Williams recognized Vice Mayor Taylor.

Vice Mayor Taylor addressed the members of the public who were in the audience and concerned by the closure of the Flea Market by stating that the Commission sympathized with them. The Vice Mayor went on to state that all the Members of the Commission have patronized the Flea Market. He informed each constituent dealing with the closure that the Commission understands what they are going through and that the Commission is going to try its best to help in any way it could. The Vice Mayor reminded them that the Commission's hands are tied because the Flea Market is private property, but he gave them his word that the ownership will hear their concerns and that the Commission would fight to their best abilities to get the issue resolved.

Mayor Williams offered to give everyone on the dais who wanted to comment on the issue of the Flea Market closure, an opportunity to speak.

Commissioner Bass stated that she wanted to echo the sentiments expressed by everybody who spoke before her. The Commissioner shared that beginning 35 years ago, she could remember patronizing the Flea Market on Sunday mornings to get produce for her family. Commissioner Bass offered assurances that the Commission feels their pain and understands their perspectives on the closure, adding that they will do what is within their power, to make sure the transition from the closure to relocation was one that was smooth for all involved parties.

Commissioner Davis acknowledged that the City Manager's Office proposed a resolution to address the relocation of the Flea Market vendors to a new location, but noted that the 30-day timeline provided by the Flea Market owners to the vendors, is not actually addressed in the resolution proposed to be considered later that evening by the Commission. The Commissioner insisted Interim City Manager Williams look at various solutions that would result in the expansion on the 30-day timeline. He also reminded the Commission of past actions taken by Miami-Dade County during the COVID-19 pandemic, including instituting a moratorium on rent. According to Commissioner Davis, the moratorium froze the power that Police Departments have to enforce evictions or the displacement of Residents and Businesses. Commissioner Davis acknowledged that he did not know the legal sufficiency of that, but he expressed his hope that a similar consideration could be explored to help aid these Business Owners in their time of need.

Mayor Williams asked if Interim City Manager Williams could address the issues presented during the citizens' forum.

Interim City Manager Williams began by assuring the Flea Market vendors that they had been heard and stressed that he wanted them to know that he is doing everything in his power to support them. The Manager went on to say that he believes that all the Commission Members would be open to supporting the vendors in every way. He then proceeded to announce that he has already requested a meeting with the current owners of the Flea Market to discuss the extension of the time the vendors need to relocate.

Mayor Williams called for decorum and requested that individuals in the crowd refrain from egging people on to stand up.

Interim City Manager Williams continued by stating that the City understands that the actions being proposed aren't all the Flea Market vendors need, but he assured them that it would be just the beginning. The Manager stated that the 30-day eviction notice is unacceptable and vowed that his administration would bear the weight of his office to get the situation resolved. In addition to the extension, Manager Williams pointed out that the emergency agenda item would be discussed, which would remove any fees connected to a move by the Flea Market vendors to a new location. As an additional step, Interim City Manager Williams announced that his office identified several locations the City would be able to explore as possible sites for the Flea Market vendors to move to, having scheduled the first site visit the following morning with the goal of keeping them within the City of Opa-locka.

Mayor Williams asked Manager Williams if he wanted to address anything else that was brought forth by the public during the Citizens' Forum.

Manager Williams stated that he would like to address each of the issues brought forth by the public during the Citizens' Forum, one by one.

City Attorney Norris-Weeks interjected and offered to explain the provisions of the law to Interim City Manager Williams so that he could curtail his statements based on what could legally be done.

Interim City Manager Williams made it clear that the comments he was about to make when City Attorney Norris-Weeks interjected were not about the proposed Flea Market item, but were simply a response to comments made during the Citizens' Forum. The Manager began with the concerns about the event deposit refund brought up by Ms. Mitchell, explaining that for the last 6 years Opa-locka has been under financial oversight by the State of Florida, requiring the State's approval for any financial expenditures. He stated that he is aware of deposit refund requests, but his office has been awaiting their approval from the State of Florida. Manager Williams went on to announce that his Administration is preparing a plan with tentative review from the State of Florida, to pull Opa-locka out of financial oversight within the next 6 months.

Mayor Williams interrupted applause from the public to remind members of the audience of the City Commission Meeting rules of decorum. The Mayor stated that the Commission understood tensions were high and that she was allied with the concerned Flea Market vendors, but that didn't negate the fact that all parties were still at a Commission Meeting. She stated that though clapping had been allowed during the meeting, as of that point there should be no more clapping, shouting, or standing. If those actions were to continue, Mayor Williams warned that offenders would have to be removed. Mayor Williams then proceeded to ask Manager Williams if he was addressing the concerns expressed during the Citizens' Forum, because she said that she had not heard the State of Florida's financial oversight of the City addressed during Citizen's Forum and it sounded like he was delivering the Manager's Report to the Commission.

Interim City Manager Williams asked for an opportunity to connect the dots for the Commission, explaining that it is important that Citizens were aware of how the financial oversight process functioned because it was impacting his ability to issue the refunds that were discussed during the Citizens' Forum and is an issue that comes before the Dais on a regular basis, adding that he wanted the Residents to understand what his Office is doing to address the issues.

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

There were none

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 SSN ENGINEERING, LLC. FOR CONTINUING PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES; FOR ENGINEERING AND DESIGN SERVICES; FOR THE CONSTRUCTION AND INSTALLATION OF AN 8-FOOT WROUGHT IRON FENCING AND ENTRY GATE SYSTEM FOR SHERBONDY PARK, IN AN AMOUNT OF ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$195,000.00); FURTHER AUTHORIZING A TEN PERCENT (10%) PROJECT CONTINGENCY BUDGET OF NINETEEN THOUSAND, FIVE HUNDRED DOLLARS (\$19,500.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

2. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT THE EMERGENCY FEE PROPOSAL OF M.C. HARRY AND ASSOCIATES, INC. FOR REHABILITATION OF HISTORIC CITY HALL AND ENTERING INTO THE AGREEMENT, ATTACHED HERETO AS EXHIBIT "A", IN AN AMOUNT OF ONE HUNDRED TWENTY-THREE THOUSAND, SEVEN HUNDRED AND FIFTY DOLLARS, (\$123,750.00); PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***
3. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, ACCEPTING THE PROPOSAL OF ATKINS NORTH AMERICA, INC. FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDING CONSULTING SERVICES UNDER RFQ NO. 22-0422100; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***
4. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE MIAMI-DADE COUNTY CONTRACT WITH H&R PAVING, INC. FOR QUALIFIED PROFESSIONAL SERVICES FOR PUSH-BUTTON INTERSECTIONS IMPROVEMENT (MIAMI-DADE COUNTY RPQ #20190236), AND ENTERING INTO AN AGREEMENT WITH H&R PAVING, INC. TO INSTALL A FRENCH DRAIN, STORM DRAIN CATCH BASIN (J TYPE) SYSTEM AND POLLUTION RETARDANT BAFFLES ALONG NW 147TH STREET, WITHIN THE CITY OF OPA-LOCKA, TO MITIGATE FLOODING EVENTS ON THE STREET, IN AN AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTEEN THOUSAND, EIGHT HUNDRED FORTY-ONE DOLLARS (\$218,841.00); FURTHER AUTHORIZING A TEN PERCENT (10%) PROJECT CONTINGENCY BUDGET, IN A TOTAL AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND, EIGHT HUNDRED EIGHTY-FOUR DOLLARS (\$21,884.00); PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

5. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE RECOMMENDATION OF THE HISTORIC ENVIRONMENTAL PRESERVATION BOARD TO ISSUE A CERTIFICATE OF APPROPRIATENESS FOR THE STRUCTURE AT 806 JANN AVENUE TO ALLOW FOR THE REPLACEMENT OF THREE WINDOWS ON REGISTERED HISTORIC PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

14. NEW ITEMS:

1. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, REQUIRING THE CITY ATTORNEY TO SUBMIT THE REQUIRED ITEMS AS DELINEATED IN THE BODY OF THE LEGISLATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

The above resolution was read by City Attorney Norris-Weeks.

Mayor Williams asked Interim City Manager Williams to introduce Add-on Agenda Item 14-1.

Interim City Manager Williams pointed out that he has a fiduciary duty to protect the City of Opa-locka in consideration of its fiscal needs from further fiscal punishment. The Manager made it clear that many of the challenges pre-dated his Administration, and that the purpose of the resolution was to secure the appropriate information and invoices from the City Attorney. He stated that after the completion of an organizational audit, it was realized that the City Attorneys' outside litigation invoices were almost two years behind, including outside litigation bills that were submitted by her firm at an average rate of \$15,000 - \$20,000 a month, which he calculates is an outstanding unverifiable liability of \$372,000. The resolution, according to the explanation provided by Manager Williams, is intended to secure the outstanding invoices from February of 2021 to date. He expressed that these documents are necessary for the City to move forward with the budgetary process and for financial liabilities to be managed.

It was moved by Commissioner Davis, seconded by Commissioner Bass to discuss agenda item 14.1

Manager Williams asked Financial Consultant Gerri Lazarre to speak about the needs for the audit for fiscal years 2020 and 2021.

Financial Consultants Gerri Lazarre and Sandra Bridgeman began by explaining that they are required to ensure that the city follows the guidance of the government accounting standards board as well as the financial accounting standards board. Ms. Lazarre explained that those 2 entities provide guidance on how to present information in financial statements, as well as how to disclose information in financial statements. She went on to explain that one of the items they are having to look at are contingent liabilities which are long-term risks and need to be accounted for in the financial statements. Ms. Lazarre informed the Commission that in order to put that together, they need to work with the City Attorney to get an idea of what claims or litigation may be out there and what they look like. She stated that the information was requested back in October of 2021 and the response from the City's Attorney's Office in November 2021 was that the information would be submitted in a week. When they did not receive the information, Ms. Lazarre said that she sent another email in January requesting a follow-up. She went on to share that when the new City Manager came on board, her team reached out and informed him that they were having some trouble getting the information. Ms. Lazarre stated that through their email communications, they were told that the information had been provided, despite her saying that it had not been. According to Ms. Lazarre, a meeting with the City Attorney's Office was requested, leading to several conversations about the missing documents, but those still did not lead to the documents in question being provided. She then said that after a Zoom meeting with the City Attorney's Office, an email was sent outlining what was pending, which was responded to but they were unable to understand and reconcile the Attorney's response. Providing an exhibit to the Commission, Ms. Lazarre showed them what the Finance Department had provided the City Attorney with to outline what was pending, and she asked them to compare it to the document that the Attorney provided. Citing the example of a settlement case for which the City Attorney provided some information, Ms. Lazarre said that the Finance Department was told that the case was ongoing for the purposes of conducting a settlement related to property deeds, but was also told that the case was dismissed in January 2021 and that the settlement included only the transfer of City property and that it had it had all been conveyed, which she said led to additional questions such as the value of the conveyed property and she said that information is still pending or is not clear. She did acknowledge and expressed her appreciation that the City Attorney had provided some documents directly to the auditors in response to their request, including all of her invoices for FY 2020 which they had just received, despite still not having the information to prepare for the FY 2021 audit.

Financial Consultant Sandra Bridgeman began by stating that she thinks it's a matter of communication, adding that they tried to make it easier so that they could move forward. She said that there are a couple of items that may appear minor, but the example provided related to the property is an issue because depending on the value, they will have to add or delete and it will affect other entries as well. Ms. Bridgeman informed the Commission

that one of the most important things was the inclusion of a sum total of the liability, but she noted that when the documents were returned to them, the total was not there. She concluded by stating that the reason the item is still open is because it is not complete in its form.

Financial Consultant Gerri Lazarre offered her assurances that the Finance Department was willing to work with the City Attorney to get the information together.

Mayor Williams asked City Attorney Norris-Weeks to address the concerns that were raised by the Finance Department.

City Attorney Bernadette Norris-Weeks began stating that she had specifically written in the format requested in the email that was sent just yesterday. The City Attorney went on to say that the attachment is the same one that she has been providing for the last couple of years, and she said that it was fine. She went on to say that the Zoom call referred to by Finance Consultant Gerri Lazarre and Sandra Bridgeman was a suggestion that the Attorney had made and she said they had other meetings during which they went line by line. The Attorney also said that the Finance Department adds up the values. She then acknowledged that there were problems with the property transfer, despite the fact that the case had settled. Addressing the concern that was raised about the value of the property, Ms. Norris-Weeks said that she had suggested that the Finance Department could take the values from the Miami-Dade Property Appraiser's website. The City Attorney then proceeded to point out that when the issue was initially presented as something that needed to be done, it was in connection with the audit, but she said that this wasn't even a 2020 issue and thus would not have impacted the audit currently being completed. She stated that once she saw the situation escalating with the Financial Consulting Team, the City Attorney began to copy the Members of the Commission in her emails. Ms. Norris -Weeks communicated that the exhibits the Commission was looking at were completed in March and she added that most of the things on the sheet have to do with legal work covered under the \$25,000 deductibles charged by the Florida League of Cities. City Attorney Norris-Weeks stated that she did everything that she could to avoid having this issue come before the Commission because she doesn't think it is necessary, adding that Manager Williams could have instructed his Staff to work through these issues. She said that she suggested talking and meeting with the Finance Department weeks ago and got nothing back from them. City Attorney Norris -Weeks, reminded the Members of the Commission that some of them told her earlier that morning that they wanted this resolved, and she said that she reached out and was told that they would get back with her but never did. Ms. Weeks expressed her feeling that these actions were retaliatory because she tried to stand up for her firm and get information that she needed. Normally, she said that what happens in all cities is that outside auditors would send a letter based on a threshold amount. The City Attorney said

that she is hearing that representations were made in meetings with the City Commission, that something is needed by the State of Florida by Friday, but she said that nobody communicated that to her. Asserting that the process she is being asked to follow is not required anywhere and if they were going to talk about bills being late, she said that Ms. Lazarre's bills are late. City Attorney Norris -Weeks expressed her opinion that Interim City Manager Williams wanted to highlight for the Commission that her bills are late, not that she is not doing the work. She went on to explain that her bills were late because she goes through each of the bills and charges the City for 1 attorney doing 1 thing, instead of billing for the 5 attorneys from her firm who are doing work for the City. City Attorney Norris-Weeks concluded by asking what more she could do.

Mayor Williams asked Financial Consultant Gerri Lazarre what is needed from City Attorney Norris-Weeks.

Financial Consultant Gerri Lazarre stated that they need City Attorney Norris Weeks to go through the list she was given and provide the information as clear as possible.

City Attorney Norris-Weeks asked what information she needed to provide.

Vice Mayor Taylor asked that the item be deferred because there seems to be a communication issue.

Commissioner Davis stated that it came to his attention a few weeks that a concern that was highlighted initially during the City's last financial emergency board meeting on December 15, 2021, relative to the billing of outside litigation fees from the City Attorney's Office has not been resolved. The Commissioner stated that he and his colleagues have received numerous correspondence via emails between the City Manager's Office and the City Attorney's Office regarding this issue. To mediate the matter in a transparent and professional way, Commissioner Davis said that he requested a Special Commission Meeting so that they could have the discussion in a public forum, make the community aware of the issue and provide an opportunity for them to weigh in, after several failed attempts to resolve the matter privately and internally. The Commissioner said that he also took the time to confirm with the State of Florida's Auditor General's Office yesterday that this is still an issue. He said that it was stated to him that nothing has been done to address the concerns raised initially on December 21, 2021, at the last meeting that was held with the State of Florida financing financial emergency board members of the City Commission both past and present. Commissioner Davis went on to say that at least 2 City Managers and the Auditor General's Office shared the same concerns regarding the expenditure of outside legal fees and accurately budgeting and managing its fiscal impact. At his request, the Commissioner said that a Special Commission Meeting was confirmed by the Clerk's Office on May 23, 2022. Having received the confirmation via phone call the very next day, the call stated that

there was no longer a quorum present and that members of the Commission asked that their availability for the previously confirmed meeting not be disclosed to the Board Member requesting the meeting. He also stated that he requested an official opinion from the City Manager's office as to the legal sufficiency of the statement, but that has yet to be provided. Earlier that day, Commissioner Davis shared that he received the email from the Office of the City Attorney corresponding with the Finance Department, asking the reason why outside of the monthly retainer of sixteen thousand dollars, why outside legal fees that are not yet realized or quantified for this fiscal year and beyond in the City's financial audits and budgeting process, specifically needed to be provided to them. He said that he received communications from both the State of Florida and the City's Finance Department that have stated that the outside legal fees and the overall analysis of various legal determinations, in fact needed to be provided in addition to the outside legal fees for the City Attorney's Office, dating back to the period from January 2021 to April 2022, as their offices have not received any communication from the Attorney's Office referencing billing since that time. Commissioner Davis went on to say that the current City Manager has asked for those documents in good faith several times as demonstrated through emails on which all members of the Commission were copied, further noting that it's clearly outlined in the Attorney's service contract and requested by several other sources tasked with managing the City finances. He stated that he is troubled and wants to know why this issue was previously presented in December 2021 at the last financial emergency board meeting but it still has not been resolved and is creating even more of a financial burden on the City, as budget protect projections have not been received for outside legal fees for the upcoming fiscal year that's approaching FY 23 ahead of the budget season which is slated to start in July of this year in addition to the City not receiving information relative to the FY 20 audit. Pointing out that paragraph 4 of the Attorney's professional service contract stipulates that it is her firm's responsibility and duty to prepare a proposed budget within 60 days of any litigation matter, Commissioner Davis said that because that is not taking place, it makes it extremely hard as Elected Commission Members of the City to fulfill their fiduciary and chartered responsibility to manage debt, ensure that the City has an annual independent audit with clean opinions, and a balanced budget. In addition to not receiving those financial documents to make adequate financial and budgetary decisions on behalf of the Residents they represent, the Commissioner Davis said that they also have an issue without accurately quantifying the fiscal impact of all legal cases dating back to September 30 2020. Acknowledging the current practice that litigation matters are brought to the City Commission on an individual basis and at shade meetings, to provide direction, he asserted that it's imperative that the City receives a comprehensive fiscal analysis, including total amounts, as legal decisions and outcomes ultimately have a fiscal impact that must be realized before the City can make any financial decisions for the upcoming fiscal year. Ahead of the budget season, Commissioner Davis expressed his hope that these

documents can be provided so that the City can effectively and officially move forward in a way that is productive for Residents and upholds a culture of financial accountability that preserves the fiscal integrity of the City, ensuring that it remains financially solvent, as it is still in a state of financial emergency, which they would like to come out of soon.

City Attorney Norris-Weeks expressed her feeling that she is being used as a political ping pong, adding that it is unfortunate and unfair. The City Attorney stated that some of the things said by Commissioner Davis were just inaccurate, but she said that she won't go through them because he is her boss. She went on to point out that the City's liability has gone down each month, the bills for litigation expenses have been well below \$20,000 and are going down as they have been able to settle cases and have other cases dismissed or put out for summary judgment. expressed her discontent given the number of services her office was able to provide at a bargain to the city of Opa-locka.

Interim City Manager Williams clarified that Financial Consultant Gerri Lazarre's bills are up to date and he said that City Attorney Norris-Weeks is factually incorrect, and it is the Manager's Office that has the authority to make that statement.

City Attorney Norris-Weeks stated that she was told that Financial Consultant Gerri Lazarre was late on her bills.

Interim City Manager Williams said that he didn't know where City Attorney Norris-Week gets her information.

Mayor Williams reminded everyone that they were speaking in a public setting.

Interim City Manager Williams agreed with Mayor Williams on the importance of keeping in mind the public setting they were in, and he lamented that the email from City Attorney Norris-Weeks was the most unprofessional one he has ever received.

Mayor Williams proposed that they vote on the item because the discussion was counterproductive and they were not going to get anywhere.

City Attorney Norris-Weeks stated that if the Commission votes to pass the resolution proposed by Add-on Agenda Item 14-1, she would not be able to produce all her bills by the end of the month.

Commissioner Davis reminded the Commission that they are to operate in the sunshine, which is why he asked for a Special Commission Meeting so they could have this discussion in public. The Commissioner asked how they intend to solve the issue. He also reiterated that it is not a new issue, because it is the same thing that was said at the City's last financial emergency board meeting, and is also being said by the Finance

Department, concluding by stating that the notion that what he is saying is misleading, is preposterous.

Mayor Williams assured Commissioner Davis that she understands that it is their responsibility to have this discussion if it is the will of the Commission, but she just wants to re-establish decorum and not have 2 Charter members engaged in a boxing match.

Commissioner Dominguez noted that they aren't getting anywhere and urged the City Attorney to meet with the City Manager to figure out what each of them want.

City Attorney Norris-Weeks stated that she is willing to meet City Manager Williams to and has been.

Vice Mayor Taylor called for a motion to close the debate on Add-on Agenda Item 14-1 and call for the question, and it was seconded by Commissioner Dominguez.

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

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

As Clerk Flores began the roll call for the approval of Agenda Item 14-1, Commissioner Bass said that she could not vote on the Item without knowing what would happen if the City Attorney did not provide the documentation being required of her.

Mayor Williams asked Clerk Flores for clarification on whether her understanding of Robert's Rules of Order was correct that they are not able to stop a vote to consider Commissioner Bass' question in the middle of a vote on the Item.

Clerk Flores confirmed that Mayor Williams was correct.

Commissioner Bass left the Dais and said that she would return after the Commission voted on the Item.

Mayor Williams asked if she has to follow Robert's Rules of Order as the Chair of the Commission.

Clerk Flores stated that Mayor Williams' question about the requirement for her to follow Robert's Rules of Order as the Chair of the Commission, would be a question for City Attorney Norris-Weeks.

City Attorney Norris-Weeks stated that generally speaking, the Commission would vote, but she said that if there is a question, it is up to the discretion of the Chair of the Commission to decide if it should be considered.

Mayor Williams stated that as the Chair of the City Commission, it is her will to consider Commissioner Bass' question prior to continuing the vote on Add-on Agenda Item 14-1.

Commissioner Bass returned to the Dais and stated that she just needs an answer before she votes, to her question about what would happen if the City Attorney does not provide the documentation being required of her.

Interim City Manager Williams reminded the Commission that both he and the previous Interim City Manager had requested extensions on the 2020 audit without any response. The Manager assured the Commission that this is not personal to him, and reiterated that the issue has been ongoing with the first request for the documents from the City Attorney being sent on October 15th. He stated that he has never copied a member of the Commission in his emails to the City Attorney and has made every effort to resolve the issue professionally, including having his Staff design the spreadsheet that was referred to. The Manager reminded them that they are out of time because the deadline for the FY 2020 audit is May 31st.

City Attorney Norris-Weeks asked if anyone heard Financial Consultant Gerri Lazarre state that she has everything from the City Attorney for the 2020 audit, and she noted that is what the auditor said as well.

Commissioner Davis made a point of order, noting that the Commission had a group of business people come to the meeting and they haven't even gotten close to their item. Stating that he wants to get to the business of the people, he asked Mayor Williams to move the agenda along.

There being no additional discussion, the motion to approve Add-on Agenda Item 14-1 passed by a 3-2 vote.

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

City Attorney Norris-Weeks asked for reconsideration of the motion, stating that there is no way she can physically do what is being asked, and she said that Interim City Manager Williams knows that.

Mayor Williams stated that the Commission has to move along with the Agenda.

3. **AN EMERGENCY RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, DIRECTING THE INTERIM CITY MANAGER, DARVIN WILLIAMS, TO REFRAIN FROM HOLDING HIMSELF OUT AS AN ATTORNEY REPRESENTING THE CITY OF OPA- LOCKA; REQUIRING WILLIAMS TO ACT PROMPTLY TO PROVIDE INFORMATION NEEDED FOR LITIGATION DEFENSE MATTERS AND OTHER CITY BUSINESS; REQUIRING WILLIAMS TO REFRAIN FROM ENGAGING IN IMPROPER BARGAINING UNIT NEGOTIATIONS AND ANNOUNCEMENTS OUTSIDE OF SCHEDULED BARGAINING MEETINGS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.** *Sponsored by City Manager*

The above resolution was read by City Attorney Norris-Weeks.

Mayor Williams asked Interim City Manager Williams to introduce Add-on Agenda Item 14-3.

Interim City Manager Williams stated that the purpose of this item is to provide his Office the ability to facilitate and support the vendors of the Flea Market. The Manager explained that he had to bring this before the Commission as an emergency item because the events impacting the Flea Market vendors were just unfolding and he wanted to be able to address the vendor's needs and offer them support. In anticipation of the vendors coming to the Commission meeting, the Manager said that he wanted to have something prepared for the Commission to vote on, so the vendors would know what he already knows, that every Member of the Commission supports those Flea Market vendors. He said that this would be a first step to help them relocate, and would provide them the ability to relocate quickly without incurring fees either to the new Flea Market location that his administration is working to identify, or to their own location within the City.

It was moved by Commissioner Davis and seconded by Commissioner Bass to discuss Add-on Agenda Item 14-3.

Commissioner Dominguez asked how many Flea Market vendors the City would assist and what the financial impact would be.

Interim City Manager Williams informed the Commission that he performed a fiscal impact study that estimated that there are approximately 714 vendors at the Flea Market with the total exposure being about \$259,000 if all 714 vendors take advantage of the opportunity to have their fees waived for a business license certificate, certificate of use,

water and sewer verification; mechanic inspection, electrical inspection, plumbing inspection and code enforcement inspection. The Manager stated that the actual expected liability of his proposal is just \$65,000 with the anticipation that 175 Flea Market vendors will actually take advantage of the opportunity.

City Attorney Norris-Weeks informed the Commission that they should consider Florida State Statute 205.162, which she said allows business tax receipt waivers for individuals who are 65 years or older, disabled veterans, widowed spouses of a disabled veterans, widows with minor dependents, and veterans who have been honorably discharged. The City Attorney also found in the Opa-locka' City Code that the site where a flea market has to operate must be at least 25 acres, as specifically outlined in the Zoning Code.

Commissioner Davis stated that after hearing City Attorney Norris-Weeks' opinion, he would be in favor of moving forward with the agenda item without including the waiver of the business license or business tax receipt. The Commissioner suggested that the best way to move forward would be to exempt individuals classified as federal and state protected classes.

City Attorney Norris-Weeks recommended that the Commission could allow for the exemptions set forth in Florida State Statutes 205.162. The City Attorney went on to say that she doesn't know if the other proposed fee waivers would be legally sufficient because she doesn't know what the City's Code states about each of those fees. She suggested that someone from those City Departments that typically collect those fees, may be able to tell the Commission what issues might stand in the way. City Attorney Norris-Weeks concluded by stating that she does not want to tell the Commission to go ahead and vote on the resolution proposed by Add-on Agenda Item 14-3 because she has not had time to do research on it.

Mayor Williams thanked Manager Williams for taking the necessary steps to do something, because something needed to be done. The Mayor shared that she was inundated with emails and she attempted to respond to a few. She concluded by thanking the Manager again for bringing the Item before the Commission on an emergency basis, adding that it shows that he's here for the Community.

Commissioner Davis asked for guidance from City Attorney Norris-Weeks for his proposed amendment to the waiver for business licenses included in the resolution, with special exceptions for the protected classes. The Commissioner pointed out that in the group of Flea Market vendors that spoke before the Commission earlier, a significant amount of those business owners may fall into one of the protected classes and the City may be able to still provide them the resource.

Before roll call, Commissioner Davis wanted to put a motion on the floor that includes the item contingent upon the business license because he would not want to vote on the item with business licenses included given City Attorney Norris -Weeks opinion on the legality of the item before the commission which the manager agreed to the amendment.

Interim City Manager Williams agreed to accept Commissioner Davis' proposed amendment of Add-on Agenda Item 14-3.

City Attorney Norris-Weeks recommended that the Commission consider passing Add-on Agenda Item 14-3, subject to the exemptions outlined in Florida Statutes 205.162 and as otherwise permitted by Florida law. The City Attorney once again suggested that City Staff may be able to give the Commission additional information.

Interim City Manager Williams stated that he believes the fee waivers proposed by Add-on Agenda Item 14-3 are self-explanatory and offered to take any questions from the Commission himself. The Manager concluded by pointing out that stating the City is not going to collect a fee, does not mean the work will not be done.

Vice Mayor Taylor asked that the proposed amendment to Add-on Agenda Item 14-3 be read into the record.

City Attorney Norris-Weeks stated that the amendment would read "subject to the exemptions outlined in Florida Statutes 205.162 and other applicable provisions of Florida law."

It was moved by Commissioner Davis, seconded by Vice Mayor Taylor to amend Add-on Agenda Item 14-3.

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

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

There being no further discussion, the motion to approve Add-on Agenda Item 14-3 as amended, passed by a 5-0 vote.

Commissioner Davis	Yes
Commissioner Dominguez	Yes
Vice Mayor Taylor	Yes

Commissioner Bass	Yes
Mayor Williams	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, ABOUT THE STORAGE OF BOATS AND WATERCRAFT VESSELS; AMENDING ARTICLE V, SECTION 22-114, OF THE CITY OF OPA-LOCKA'S LAND DEVELOPMENT REGULATIONS, PROVIDING FOR CERTAIN DEFINITIONS; REQUIRING OWNERSHIP OR LEASE OF PARKED BOATS ON RESIDENTIAL PROPERTY; PROHIBITING ENCROACHMENT OF BOATS UPON ANY PORTION OF THE FRONT YARD; PERMITTING ONLY MINOR AND NOISELESS REPAIRS OF BOATS; PROHIBITING BOAT TRAILERS USED FOR LIVING OR SLEEPING QUARTERS; PROVIDING FOR A REGISTRATION PROCESS FOR BOATS AND PERSONAL WATERCRAFT; AMENDING CHAPTER 7, THE ARTICLE I, SECTION 7-6 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES TO ADD NEW NUMBER 105 ESTABLISHES A \$100 FEE FOR BOATS AND WATERCRAFT VESSELS PERMIT REGISTRATION; AMENDING SECTION 2-570.33 OF THE CITY OF OPA-LOCKA'S CODE OF ORDINANCES ESTABLISHES A CIVIL PENALTY FOR NONCOMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Williams***

The above resolution was read by City Attorney Norris-Weeks.

Mayor Williams introduced Agenda Item 16-A-1 by stating that it's pretty self-explanatory and is the first item she sponsors to deal with this issue, and will introduce the second one soon. The Mayor went on to say that in the midst of the City's beautification projects, she wants to make sure that if residents own watercraft, that they are registered. She also said that it is something most cities do. She also shared that during the Mayors Roundtable that she attended, she learned that people are using boats and trailers to live in, and the proposed legislation includes a provision against taking up residence inside of a watercraft. Acknowledging that people are doing whatever they can to survive through the housing crisis, she urged her colleagues on the Commission to consider that when a family that lives in a home has additional people living on a boat that is parked on their property, they are overextending the City's resources. Mayor Williams concluded by proposing an amendment to include a warning before a resident is cited for being in violation of the proposed watercraft ordinance.

Mayor Williams opened Public Hearing.

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

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

Vice Mayor Taylor stated that he understands the resolution but said he can't support it in good conscience, considering the current economic crisis. The Vice Mayor also said that he doesn't think taking punitive action against the City's Residents is wise, considering how high gas prices are. He acknowledged that \$100 may not be a lot of money to some people, he said they need to consider that the City's average income is \$16,000 per year in addition to the fact that Opa-locka has the highest taxes in Florida.

Mayor Williams stated that fueling a watercraft takes a lot more money than \$100 as a yearly assessment. The Mayor asserted that she is not going to allow for it to be known that she is not looking out for those who don't have the money in a recession, stressing that watercrafts are a luxury. She encouraged her colleagues to consider that multiple mayors have said that this is what's happening with watercrafts, in addition to the City's Code Enforcement Department and Police Department being

overextended because she said they can't even drive through the streets half the time because of the watercrafts.

Commissioner Dominguez also voiced her concerns about the proposed watercraft ordinance, stating her opposition to adding another fee on top of the cost that watercraft owners already pay for their license. The Commissioner added that she would not support the ordinance because of the increased burden it would place on the Code Enforcement Department which she is pretty sure doesn't have the manpower to go to each resident to determine if they have a boat. She concluded by stating that the proposed watercraft ordinance would disproportionately affect Hispanic constituents at a higher rate than any other demographic.

Mayor Williams addressed Commissioner Dominguez's concerns by reassuring the commissioner that race did not play a factor in her proposal for the watercraft ordinance.

There being no additional discussion, the Ordinance passed First Reading with a 3-2 vote.

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

2. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING THE REQUEST OF 3805 NW 132 STREET, LLC. TO REZONE THE PROPERTY LOCATED AT 3805 NW 132ND STREET, IDENTIFIED BY FOLIO 08-2129-010-0090, FOR THE CONSTRUCTION AND OPERATION OF A CONSTRUCTION AND DEMOLITION WASTE PROCESSING FACILITY ON THE PROPERTY, IN THE I-3 ZONING DISTRICT; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by City Manager***

The above resolution was read by City Attorney Norris-Weeks.

Mayor Williams asked Interim City Manager Williams to introduce Agenda Item 16-A-2.

Interim City Manager Williams asked Director of Planning & Community Development Gregory Gay, to introduce Agenda Item 16-A-2.

Director of Planning & Community Development Gregory Gay began by reminding the Commission that the ordinance proposed by Agenda Item 16-A-2 was brought before them about a year and a half ago and would approve the construction and demolition of a recycling facility. Mr. Gay The facility is in an I-3 industrial area of the City of Opa-locka, but the zoning change from I-3 to I-2 which was not initially approved, would allow for the construction and demolition recycling operation within a wholly enclosed building. Reminding the Commission that the Item originally failed by a 2-2 vote, a year later, the people representing the company have requested reconsideration of the item. Mr. Gay concluded by informing the Commission that the Staff of the Planning & Community Development Department, recommends approval of Agenda Item

Mayor Williams opened Public Hearing for Agenda Item 16-A-2..

Ms. Hope Calhoun introduced herself as the attorney for the applicant requesting the zoning change being proposed by Agenda Item 16-A-2. Attorney Calhoun reminded the members of the commission that when the Item was last before the Commission, the site plan and development agreement were approved because the Commission wanted to do what was in keeping with the City's Code. She assured the Commission that the City Staff from the Planning & Community Development Department opined that their rezoning application complies with City Code and meets all 3 criteria established for approving a rezoning were all met. Attorney Calhoun went on to also point out that their rezoning application would downzone the property so that they can wholly enclose the construction and debris business in a building and thereby improving the property and benefiting surrounding businesses as well.

There being no additional members of the public to address the Commission, Mayor Williams closed Public Hearing for Agenda Item 16-A-2.

It was moved by Commissioner Bass, seconded by Vice Mayor Taylor to discuss Agenda Item 16-A-2.

Commissioner Davis provided a brief history of the item to explain his original opposition to the proposed zoning change. The Commissioner explained that the applicant is requesting to rezone the property because

they are proposing a use that is not permitted on that property, and he said that he would prefer to not continue over-saturating the City with scrap and construction businesses because they don't have anything like major grocery chain in the City.

Attorney Calhoun pointed out that the permitted uses for I-3 and I-2 are almost identical. She reiterated that the property is currently zoned I-3 and is requesting to down zone it to I-2, so that they can operate within a wholly enclosed building. Ms. Calhoun asserted that the Commission wouldn't be introducing a new use to the district but actually allowing an improvement to the district. She also pointed out that the property is in an industrial area and is not in a location where a grocery store is going to be located. Additionally, Ms. Calhoun said that the property currently has an open air parking lot, and the developer is proposing to have an enclosed building that can service existing businesses in the City.

Mayor Williams recalled that she was wholeheartedly against having this in the City and she said that she completely understands Commissioner Davis' concerns. The Mayor proceeded to ask Planning & Community Development Director Gregory Gay if the property is already zoned I-3, if the developer could technically build an open air structure despite the preference to build the wholly enclosed structure.

Planning & Community Development Director Gregory Gay explained that the property applying for re-zoning is technically in an industrial area based on its current zoning and land use. Mr. Gay confirmed that the difference between being zoned I-2 instead of I-3 as is being requested by the applicant, is that under I-2 zoning, they will be able to operate under a wholly enclosed structure, which he said would be a greater benefit to the City overall and is why his Department recommended approval.

Vice Mayor Taylor thanked Planning & Community Development Director Gregory Gay and Attorney Hope Calhoun for clarifying the difference between the I-3 and I-2 zoning, adding that he would rather see it enclosed.

There being no additional discussion, the Ordinance passed First Reading with a 3-2 vote.

Commissioner Bass	Yes
Commissioner Davis	No
Commissioner Dominguez	No

Vice Mayor Taylor	Yes
Mayor Williams	Yes

Commissioner Dominguez stated that she has been totally confused about everything that has passed and would like to reconsider her vote on Add-on Agenda Item 14-1.

It was moved by Commissioner Dominguez, seconded by Vice Mayor Taylor to reconsider Add-on Agenda Item 14-1.

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

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

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

C. RESOLUTION(S):

17. CITY MANAGER'S REPORT:

Interim City Manager Williams began by thanking everyone for supporting the City Employees at the Employee Appreciation Events over the week. The Manager then went on to point out that at the start of his term, there were many Department Head vacancies with no Assistant City Managers, Chief of Police, Director of Finance, Director of the Community Redevelopment Association, Director of Capital Improvements Projects, Director of Building & Licensing, in addition to the City losing its Information Technology Director and not having a permanent Parks & Recreation Director. Manager Williams said that his first goal was to put people in place that could get the jobs done so that the City could move forward and he proceeded to acknowledge Ms. Zonya Ray for her hard work as the Interim Parks & Recreation Department Director, and promoted her to the full position as Director. He then introduced Police Chief Israel to provide an update on the City's Active Shooting Training.

Police Chief Israel began by mourning the loss of the innocent lives of the students in Uvalde, Texas and he asked how many moments of silence we will have to have for fellow dead Americans, asserting that it has to end. The Chief informed the Commission of his Active Shooter Training initiative for all police officers, the Commission, and the public. He explained how the program is based on principles developed by the Federal Bureau of Investigations, which are designed to quicken the Police Department response and help the community learn tactics that can save lives.

As an elementary school educator, Commissioner Davis recognized how somber of a day it was as the nation mourned the children killed in the mass shooting in Uvalde, Texas. The Commissioner expressed his hope that under Police Chief Israel's administration, that the Police Department will receive the trainings that are part of Chief Israel's initiative, so that they are more responsive to preserve the safety of residents and businesses.

Vice Mayor Taylor thanked Police Chief Israel for hitting the ground running. In speaking about the importance of public safety, the Vice Mayor also asked Interim City Manager Williams to address the lighting issue at Sherbondy Park.

Commissioner Dominguez addressed the concern raised by Ms. Toroni Mitchell about the 3 shots that were heard during the Kipping It Under the Stars Movie Night.

Police Chief Israel recommended that all requests for law enforcement presence at events go through the City Manager, so that the Chief can create a plan of action based on the direction given through the Manager's Office. He also recommended that any time there is an act of violence that needs to be reported, that the first call should be to 9-1-1 to ensure that the system that is in place to respond is fully executed as quickly as possible and to ensure the safety of everyone involved.

Mayor Williams welcomed the Commission to join her in wearing orange on June 3rd to commemorate Gun Violence Awareness Day including a trip with 100 students to Marlins Stadium sponsored by Commissioner Bass and Mayor Williams. The Mayor also announced that the Marlins had specifically asked for Chief Israel to join them to be honored at the stadium.

Interim City Manager Williams invited Parks & Recreation Department Director Zonya Ray to inform the Commission about the official opening of the City's pool.

Parks & Recreation Director Zonya Ray announced that the City of Opa-locka will host its first Memorial Day Pool Party on Sunday to kick-off the summer program. Director Ray concluded by sharing her vision for outreach to the community to get everyone involved in the City's parks instead of traveling outside of the City, with the goal to get them to come back home.

Interim City Manager Williams recognized the importance of summer activities for the youth, considering that Opa-locka is a high density City that suffers from a lack of resources. The Manager informed the Commission that the first priority he gave to Ms. Zonya Ray was to get the pool open before the school year ended and he commended her for getting the job done well.

18. OFFICIAL BOARD REPORTS:

There were none.

19. FUTURE AGENDA ITEMS:

1. City Attorney Norris-Weeks encouraged the City to take action to ensure that it receives the funding available from the Opioid Settlement Agreements through the Attorney General's Office.
2. It was moved by Commissioner Davis, seconded by Vice Mayor Taylor to direct the Interim City Manager Williams to identify funding for a \$50,000 grant for the summer employment program with Career Source, to be sponsored by the Mayor and Commission.

Mayor Williams stated that she liked the proposed grant proposal and expressed her hope that an even larger grant than \$50,000 could be found by the grant writing agency which she said had not produced any grants for the Commission as of yet.

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

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

3. It was moved by Vice Mayor Taylor, seconded by Mayor Williams to repeal the Future Agenda Item ordinance.

Commissioner Davis recognized that the original intent of the Future Agenda Item ordinance was to be efficient, but expressed support for Vice Mayor Taylor's proposal to repeal it because if the work he was able to get done in the 11th hour when Miami-Dade County allowed the City of Opa-locka to apply for CARES Act funding, the City would not have received those \$2 million. The Commissioner stated that since the ordinance has been implemented, he has definitely seen it hinder the legislative progress of the Commission.

Commissioner Bass stated that the original intent for her sponsorship of the Future Agenda Item ordinance was to give the City Staff time to do research, but she said that if it is the will of the Commission, because they work as a team, she will throw her hat in.

Interim City Manager Williams stated that the City Manager's Office also supports repealing the Future Agenda Item ordinance because he is finding that items which get passed through Future Agenda Items, may get lost. The Manager stated he is working on Future Agenda Items that had been passed months before the beginning of his term. While he expressed appreciation for the original intent to support the administration, he asserted that the goal is to support the Commission in getting their legislative agenda items to move forward, which he believes they can do better without the Future Agenda Item requirements.

Mayor Williams asked Interim City Manager Williams what the failsafe would be to ensure that the Commission's Agenda Items will be properly researched and done.

Interim City Manager Williams recommended that a legislative analyst be hired to properly move on the Commission's Agenda Items. The Manager pointed out that Department Heads have pitched in with the drafting of legislation, which he said is wholly inappropriate, but committed to continue providing Agenda Cover Memos with supporting documentation. He assured the Commission that he will speak with the City Clerk on how to move forward and ensure that future budgets are funded to include a legislative analyst for the Commission.

Commissioner Dominguez stated that she just wanted to make sure that if the Future Agenda Items ordinance is repealed, that the items the Commission had previously proposed, would still be acted on.

Interim City Manager Williams asked that all members of the Commission send him a list of any Future Agenda Items proposed under previous administrations that have not been acted upon, so that he can push them forward.

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

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

20. MAYOR/COMMISSION REPORTS:

Commissioner Bass thanked Mayor Williams, Interim City Manager Williams, and Police Chief Israel for visiting Robert B. Ingram Elementary to help celebrate the opening of their science lab and monarch butterfly garden.

Mayor Williams reminded the Commission about Gun Violence Awareness Day at Marlins Stadium.

Commissioner Davis thanked the Mayor Williams and all who attended the It's Time to Fish event over the weekend to support the youth. The Commissioner also stated that he would be hosting the Walking One Stop event at Glorietta Gardens on June 13th. He announced a Conversations with Commissioner Chris Davis on Friday, June 3rd from 5-7 PM at Town Center Apartments, with the goal of going on a listening tour to be available to constituents.

21. OFFICIAL BOARD APPOINTMENTS:

It was moved by Vice Mayor Taylor, seconded by Mayor Williams to appoint Alexander Van Meel to the Historic Preservation Board.

There being no discussion, the appointment was approved by a 5-0 vote.

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

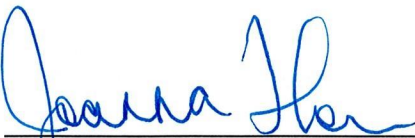
22. ADJOURNMENT:

There being no additional business to come before the City Commission, Mayor Williams adjourned the meeting at 10:50 PM.



Veronica J. Williams
Mayor

Attest:



Joanna Flores, CMC
City Clerk