

City of Opa-locka

*Commission Chambers
215 Perviz Avenue
Opa-locka, FL 33054*



SPECIAL COMMISSION MEETING Agenda

**Thursday, April 29, 2021
5:30 PM**

City Commission

**Mayor Matthew A. Pigatt
Vice Mayor Veronica J. Williams
Commissioner Alvin Burke
Commissioner Chris Davis
Commissioner John H. Taylor Jr.**

Appointed Officials

**City Manager John E. Pate
City Attorney Burnadette Norris-Weeks
City Clerk Joanna Flores, CMC**

SPEAKING BEFORE THE CITY COMMISSION

NOTE: All persons speaking shall come forward and give their full name and address, and the name and address of the organization they are representing.

There is a three (3) minute time limit for speaker/citizens forum and participation at all City Commission meetings and public hearings. Your cooperation is appreciated in observing the three (3) minute time limit policy. If your matter requires more than three (3) minutes, please arrange a meeting or an appointment with the City Clerk prior to the Commission meeting. *City of Opa-locka Code of Ordinances Section 2-57*

DECORUM POLICY

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission, shall be declared to be out of order by the presiding officer, and shall be barred from future audiences before the Commission by the presiding officer, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members. *City of Opa-locka Code of Ordinances Section 2-58*

NOTICE TO ALL LOBBYISTS

Any person appearing in a paid or remunerated representative capacity before the City staff, boards, committees and the City Commission is required to register with the City Clerk before engaging in lobbying activities. *City of Opa-locka Code of Ordinances Section 2-18*

FLORIDA STATUTES, CHAPTER 285.0105:

Anyone who desires to appeal any decision made by any board, agency, or commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for that reason, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal may be based.

Procedures for Public Participation

How to watch the meeting

Members of the public are encouraged to watch public meetings and public hearings at <https://www.youtube.com/user/CityofOpaLocka>

City Commission Meetings are held in-person while allowing virtual participation. Members of the public wishing to address the body on any agenda item may do so in person or virtually. **Space for in-person attendance is very limited due to COVID-19 social distancing.**

To participate virtually, please register at least 2 hours prior to the scheduled meeting time on the City of Opa-locka website at www.opalockafl.gov.

CITY OF OPA-LOCKA

“The Great City”

SPECIAL COMMISSION MEETING

Thursday, April 29, 2021

5:30 PM

AGENDA

1. CALL TO ORDER:

2. ROLL CALL:

3. INVOCATION:

4. PLEDGE OF ALLEGIANCE:

5. PUBLIC INPUT:
(agenda items only)

6. RESOLUTIONS:

(a) 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 Mayor Pigatt*

(b) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, SUSPENDING CITY MANAGER JOHN E. PATE, PENDING AN INVESTIGATION; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Pigatt*

(c) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA, APPROVING AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN CITY MANAGER JOHN E. PATE AND THE CITY OF OPA-LOCKA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE. *Sponsored by Mayor Pigatt*

7. ADJOURNMENT:

RESOLUTIONS

RESOLUTION NO. _____

**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.**

WHEREAS, on August 23, 2019, the City Commission appointed John E. Pate as the City Manager; and

WHEREAS, the City finds that it is in the best interest of the City to terminate the City Manager with cause.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION
OF THE CITY OF OPA LOCKA, FLORIDA:**

Section 1. Recitals. The recitals to the preamble herein are incorporated by reference.

Section 2. Termination of City Manager. The City Commission hereby terminates City Manager, John E. Pate, with cause.

Section 3. Scrivener's Errors. Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Attorney or designee, without need of public hearing by filing a corrected copy of the same with the City Clerk.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption, and is subject to the approval of the Governor of the State of Florida or his designee.

PASSED AND ADOPTED this _____ day of _____, 2021.

Resolution No. _____

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

Burnadette Norris-Weeks, P.A.

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke
Commissioner Davis
Commissioner Kelley
Commissioner Taylor
Vice-Mayor Williams
Mayor Pigatt

_____ (Yes)	_____ (No)
_____ (Yes)	_____ (No)
_____ (Yes)	_____ (No)
_____ (Yes)	_____ (No)
_____ (Yes)	_____ (No)
_____ (Yes)	_____ (No)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF OPA-LOCKA, FLORIDA,
SUSPENDING CITY MANAGER JOHN E. PATE
PENDING AN INVESTIGATION; PROVIDING FOR
INCORPORATION OF RECITALS; PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, on August 23, 2019, the City of Opa-Locka Commission ("City Commission") appointed John E. Pate as the City Manager; and

WHEREAS, on September 25, 2019, an Employment Agreement was executed between the City of Opa-Locka and John E. Pate ("Employment Agreement"); and

WHEREAS, Section 13 of the Employment Agreement states: *"The Commission shall have the authority to suspend the Manager with full pay and benefits pending investigation and a final employment decision made by the Commission, but only if a majority the Commission members and the Manager agree, or in the alternative, after a public hearing, if a majority of the Commission members votes to suspend the Manager for just cause. The Manager shall have been given written notice setting forth any charges giving rise to just cause at least five (5) days prior to such hearing";* and

WHEREAS, the City Commission desires to pursue a suspension process pursuant to the specific terms of the applicable Employment Agreement, including notice and a public hearing, if there is not mutual agreement between the City and City Manager; and

WHEREAS, pending an investigation, the City finds that it is in the best interest of the City to suspend City Manager John E. Pate.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION
OF THE CITY OF OPA LOCKA, FLORIDA:**

Section 1. Recitals. The recitals to the preamble herein are incorporated by reference.

Section 2. Suspension of City Manager. The City Commission hereby suspends City Manager, John E. Pate, pending an investigation.

Section 3. Scrivener's Errors. Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent

Resolution No. _____

may be authorized by the City Attorney or designee, without need of public hearing by filing a corrected copy of the same with the City Clerk.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption, and is subject to the approval of the Governor of the State of Florida or his designee.

PASSED AND ADOPTED this _____ day of _____, 2021.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

Burnadette Norris-Weeks, P.A.

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Commissioner Taylor	_____ (Yes)	_____ (No)
Vice-Mayor Williams	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF OPA-LOCKA, FLORIDA, APPROVING
AN AMENDMENT TO THE EMPLOYMENT
AGREEMENT BETWEEN CITY MANAGER JOHN E.
PATE AND THE CITY OF OPA-LOCKA; PROVIDING
FOR INCORPORATION OF RECITALS; PROVIDING
FOR AN EFFECTIVE DATE**

WHEREAS, on August 23, 2019, the City of Opa-Locka Commission ("City Commission") appointed John E. Pate as the City Manager; and

WHEREAS, on September 25, 2019, an Employment Agreement was executed between the City of Opa-Locka and John E. Pate ("Employment Agreement"); and

WHEREAS, the City Manager and the City of Opa-Locka desire to amend the Employment Agreement to:

WHEREAS, the City finds that it is in the best interest of the City to amend the Employment Agreement between John E. Pate and the City of Opa-Locka.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COMMISSION
OF THE CITY OF OPA LOCKA, FLORIDA:**

Section 1. Recitals. The recitals to the preamble herein are incorporated by reference.

Section 2. Authorizing an Amendment to the Employment Agreement: The City Commission hereby approves certain amendments to the Employment Agreement between John E. Pate and the City of Opa-Locka, Florida. The City Commission further authorizes the execution of the Employment Agreement on mutually agreed upon terms and in a form to be approved by City Attorney.

Section 3. Scrivener's Errors. Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the City Attorney or designee, without need of public hearing by filing a corrected copy of the same with the City Clerk.

Resolution No. _____

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption, and is subject to the approval of the Governor of the State of Florida or his designee.

PASSED AND ADOPTED this ____ day of _____, 2021.

Matthew A. Pigatt, Mayor

ATTEST:

Joanna Flores, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

Burnadette Norris-Weeks, P.A.

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Burke	_____ (Yes)	_____ (No)
Commissioner Davis	_____ (Yes)	_____ (No)
Commissioner Taylor	_____ (Yes)	_____ (No)
Vice-Mayor Williams	_____ (Yes)	_____ (No)
Mayor Pigatt	_____ (Yes)	_____ (No)

SUPPORTING
DOCUMENTATION
AGENDA ITEMS
6(a), 6(b) and 6(c)

City Manager John E. Pate

Termination for Cause

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ARTICLE II. - CITY COMMISSION

Section 2.5. - Powers.

All powers of the city and the determination of all matters of policy shall be vested in the commission. Without limitation of the foregoing, the commission shall have power to:

- (1) Appoint and remove the city manager;
- (2) Establish administrative departments;
- (3) Adopt the budget of the city;
- (4) Authorize the issuance of bonds by a bond ordinance;
- (5) Inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs;
- (6) Appoint the members of the duly constituted City boards and committees;
- (7) Adopt plats;
- (8) Adopt and modify the official map of the city;
- (9) Regulate and restrict the height and number of stories of buildings and other structures, the size of yards and courts, the density of population and the locations and use of buildings for trade, industry, business, residence or other purposes;
- (10) Provide for safe and sanitary housing accommodation[s] for families of low income;
- (11) Adopt, modify and carry out plans proposed the clearance of slum districts and rehabilitation of blighted areas;
- (12) Adopt, modify and carry out plans proposed for the replanning, improvement and redevelopment of neighborhoods and for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or in part by disaster;
- (13) Provide for an independent annual audit.

(Res. No. 12-8434, § 2, 7-18-12)

Section 3.3. - Powers and Duties of the City Manager.

The Manager shall:

- (1) Be responsible for the appointing, hiring, promoting, supervising and removing of all City employees, except the City Attorney, the City Clerk, and all employees of the Office of the City Attorney and all employees of the Office of the City Clerk.
- (2) Direct and supervise the administration of all departments and offices but not City boards or committees, unless so directed by the Commission from time to time;
- (3) Attend Commission meetings and have the right to take part in discussion, but not the right to vote;
- (4) Ensure that all laws, provisions of this Charter and directives of the Commission, subject to enforcement and/or administration by him/her or by employees subject to his/her direction and supervision, are faithfully executed;
- (5) Prepare and submit to the Commission a proposed annual budget and capital program;
- (6) Submit to the Commission and make available to the public an annual report on the finances and administrative activities of the City as of the end of each fiscal year;
- (7) Prepare such other reports as the Commission may require concerning the operations of City departments, offices, boards and agencies;
- (8) Keep the Commission fully advised as to the financial condition and future needs of the City and make such recommendations to the Commission concerning the affairs of the City as s/he deems to be in the best interests of the City;
- (9) Execute contracts and other documents on behalf of the City as authorized by the Commission;
- (10) Perform such other duties as are specified in this Charter or as may be required by the Commission; and
- (11) Pursue the collection of all allowable fees and taxes and maximize financial reserves as is necessary to sustain the City and the service levels requested by the citizenry. Periodically compare fee structure to similarly sized municipalities to ensure fair and appropriate pricing.

Section 4.2. - Prohibitions.

(A) *Appointment and Removals.* Neither the Commission nor any of its members shall in any manner dictate the appointment or removal of any City employees, whom the City Manager or any of his/her subordinates are empowered to appoint. The Commission may express its views and fully and freely discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.

(B) *Interference with Administration.*

(1) Except for the purpose of inquiries and investigations made in good faith and in accordance with a resolution adopted by the Commission, the Commission and any of its individual members shall deal with City employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Commission nor its members shall give orders to any such employee, except the City Manager, the City Clerk and the City Attorney, either publicly or privately. It is the express intent of this Charter that recommendations for improvement in City government operations by individual Commission members are made solely to and through the City Manager. Commission members may discuss with the City Manager any matter of City business; however, no individual Commission member shall give orders to the City Manager.

(2) Any commissioner violating the provisions of this section, shall be guilty of a misdemeanor and upon conviction thereof shall cease to be a commissioner.

Sec. 2-13. - Standards of conduct.

In furtherance of the public trust assumed by public officers of the city upon their election or appointment to public office or employment, the following standards of conduct shall be applicable to public officers of the city:

- (a) *Core values.* Each public officer pledges his or her commitment to the core values of the City of Opa-Locka, as follows:
 - (1) *Leadership by example.* A public officer will display leadership by:
 - a. Subscribing to the City of Opa-Locka's Ethics for Public Officers;
 - b. Promoting a sense of community, community values, and community spirit and by embracing diversity within the community, while focusing on the importance and values of family;
 - c. Practicing a "can do" attitude rather than an attitude of negativity and division;
 - d. Developing vision or focus on the future, and supporting the achievement of vision;
 - e. Being responsive;
 - f. Having fun and enjoying one's role as a public officer of the city;
 - g. Recognizing and fostering leadership throughout the city government and the residential and business communities of the city;
 - h. Balancing statesmanship and political and professional goals; and
 - i. Maintaining a positive image, while working towards the best interests of the city and its citizens.
 - j. Treat everyone with respect and courtesy even during times when there is disagreement.
 - (2) *Empowerment (mindset/orientation) attitude.* A public officer will display an empowerment attitude by:
 - a. Encouraging citizens to be active, responsible partners in city government that function with public officers of the city to achieve a shared vision;
 - b. Empowering city administration to continuously improve the quality of and the services provided by city government;
 - c. Encouraging entrepreneurship by governing the city as a successful, ethical business model; and
 - d. Maximizing revenue for the city.
 - (3) *Customer focus and involvement (volunteerism/action).* A public officer will encourage and promote customer focus and involvement by:
 - a. Encouraging citizens and residents to be involved in government and bridging the gap between city government and community;
 - b. Promoting specific avenues by which citizen input is gathered and information is disseminated by the city;
 - c. Encouraging citizen involvement in decision-making; and
 - d. Supporting data-based decision-making.
 - (4) *Continuous improvement.* A public officer will work towards continuous improvement through:
 - a. Self-improvement through education, personal growth, and personal learning;

- b. Supporting process improvement in city systems and key process improvements through knowledge-based decision-making;
 - c. Supporting and encouraging personal wellness and professional development throughout city government;
 - d. Supporting innovation through technology; and
 - e. Promoting effective use of customer feedback to improve quality of government and the providing of government services.
- (b) Each public officer shall be dedicated to the concepts of effective and democratic local government, respecting the principals and spirit of representative democracy, and setting a positive example of good citizenship by scrupulously observing the letter and spirit of applicable laws, rules, and regulations.
- (c) Each public officer shall pledge himself or herself to affirm the dignity and worth of the services rendered by city government and to maintain a constructive, creative, and practical attitude towards urban affairs incorporating a deep sense of social responsibility as a public servant.
- (d) *Each public officer shall be dedicated to the highest ideals of honor and integrity in all public and personal relationships and shall conduct themselves in a manner which maintains and promotes public confidence in city government.*
- (e) Each public officer shall recognize that the main function of local government, at all times, is to serve and promote the best interests of the public.
- (f) Each public officer pledges to keep the community informed on the affairs of city government, emphasize and practice friendly and courteous service to the public, and seek to improve the quality and image of public service.
- (g) Each public officer pledges that he or she will not misuse the office or position, will not participate in debate on any matter which may come before the city commission for decision and which may benefit a family member, client, or business acquaintance, and will not seek or accept any personal profit or gain, or unwarranted favor or privilege for himself or herself, or any relative.
- (h) *Each public officer pledges not to improperly influence or attempt to influence other public officers.*
- (i) A public officer shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service, or business creates a conflict with the proper discharge of his or her official duties as a public officer.
- (j) A public officer shall not invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with one's official duties as a public officer.
- (k) Florida's Gift Law, as amended from time to time and as codified at Section 112.3148, Florida Statutes, is hereby incorporated herein by reference. A public officer shall not directly or indirectly solicit, accept, or receive any gift, whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form if: (1) it could be reasonably inferred or expected that the gift was intended to influence the performance of a public official's duties; or (2) the gift was intended to serve as an inducement for an improper action or as a reward not otherwise permitted under Florida law.
- (l) Each public officer agrees to be honest, fair, and respectful to others in performing his or her duties as a public officer and agrees to refrain from and avoid conduct creating an appearance of impropriety or which is otherwise unbefitting a public officer, including but not limited to making false accusations or personal attacks against another public officer, or behaving in a rancorous or contentious manner.**

- (m) A public officer shall not use the provisions of this code of ethics to further frivolous claims against any other public officer. Frivolous claims shall be those forwarded with knowledge that the claim contains one (1) or more false allegations or those made with reckless disregard as to whether the complaint or claim contains false allegations of fact material to a violation of this code of ethics.
- (n) Each public officer pledges to uphold and adhere to the provisions of the Charter of the city.
- (o) A public officer shall not knowingly violate any federal, state, or local law, rule or regulation.
- (p) When applicable, each public officer serving on the city commission or an advisory board of the city, when appearing before any other governmental body shall inform the recipient of the oral communication that the issue being presented is not the official position taken by the city commission or an advisory board and indicate that his or her appearance is not authorized by the city commission.
- (q) A public officer shall not disclose confidential information acquired in one's capacity as a public officer to others or use such confidential information to further one's personal interests.
- (r) No public officer shall undermine the duties, responsibilities, and role of the city administrator, as provided in the Charter and the Code of Ordinances and as assigned by the city commission, from time to time.
- (s) Each public officer shall disclose all personal relationships in any instance whether there could be a conflict of interest or an appearance of conflict.
- (t) Nothing herein shall be construed to apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective city office, as governed by Chapter 106, Florida Statutes.
- (u) No public officer; however, shall be prohibited from giving or receiving:
 - (1) An award publicly presented in recognition of public service;
 - (2) Commercially reasonable loans made in the ordinary course of a lender's business; or
 - (3) Reasonable entertainment, meals, or refreshments furnished in connection with public events, appearances, or ceremonies related to official duties or city government business.
- (v) *No public officer shall be prohibited from making an inquiry for information or providing assistance on behalf of a citizen or interested person if no fee, reward, or other thing of value is promised to, given to, or accepted by the public officer or a relative of a public officer, whether directly or indirectly, in return therefore. However, no public officer shall "influence peddle" or use his or her position as a public officer to gain favors or benefits inconsistent with city policy or applicable law on behalf of any citizen or other person.*
- (w) A public official may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in the department in which the person is serving or over which the person exercises jurisdiction or control any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a position in a department if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the department, who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by a collegial body of which a relative of the individual is a member.

(Ord. No. 09-01, § 2, 1-14-09)

**CITY MANAGER EMPLOYMENT AGREEMENT
BETWEEN**

JOHN E. PATE

AND

THE CITY OF OPA-LOCKA, FL

THIS EMPLOYMENT AGREEMENT hereinafter called this “Agreement”, is made and entered into as of the 25th day of September, 2019, by and between the City Commission, hereinafter referred to as the “City” or “Commission”, of the City of Opa-locka, a political subdivision of the State of Florida, hereinafter called the “Employer”, and John E. Pate, hereinafter referred to as “Employee”.

W-I-T-N-E-S-S

WHEREAS, the Commission desires to employ the services of John E. Pate, as City Manager of the city, hereinafter referred to as the “Manager”, pursuant to the terms of the Opa-locka City Charter, hereinafter referred to as the “Charter”, the Opa-locka City Code of Ordinances, hereinafter referred to as the “City Code”, the Opa-locka City Administrative Code, hereinafter referred to as the “Administrative Code”, and all statutes, laws and constitutional provisions applicable to the position of Manager; and,

WHEREAS, it is the desire of the Commission to provide certain benefits and establish certain conditions of employment for Employee as the Manager in accordance with this Agreement; and,

WHEREAS, it is the desire of the Commission to secure and retain the services of Employee as the Manager and to provide inducement for him to remain in such employment; and

WHEREAS, Employee desires to accept employment as the Manager in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

Section 1. Employment

- A. The Commission hereby hires and appoints John E. Pate as the Manager, under the terms established herein, to perform the duties and functions specified in the Charter, the City Code, the Administrative Code, and all statutes, laws, constitutional provisions and other city ordinances, regulations, resolutions and policies applicable to the position of Manager, and to perform such other legally permissible and proper duties and functions as the Commission shall assign from time to time.

- B. The Commission's employment of Employee as the Manager shall be effective October 15, 2019 through October 14, 2023. This Agreement shall remain in effect until terminated by the Commission or by the employee as provided herein.
- C. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Commission to terminate the services of the Manager at any time, subject only to the provisions set forth in Section 3 of this Agreement.
- D. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Manager to resign at any time from his position as the Manager, subject only to the provisions set forth in Section 4 of this Agreement.
- E. It shall be the duty of the City Manager to employ, direct, assign, reassign, evaluate, and accept the resignations of all the employees of the City under his supervision consistent with the City rules, policies, ordinances, charter, county, state and federal law.
- F. It shall be the duty of the City Manager to organize, reorganize and arrange the staff of the City and to develop and establish internal regulations, rules, and procedures which the City Manager deems necessary for the efficient and effective operation of the City consistent with the lawful City directives, policies, ordinances, city charter, county, state and federal law.
- G. The City Manager shall perform the duties of City Manager of the City with reasonable care, diligence, skill and experience.

Section 2. Duties and Obligations

- A. The Manager shall have the duties, responsibilities and powers of said office under the City of Opa-locka Charter, Code of Ordinances, Administrative Code, and all statutes, laws, constitutional provisions and other city ordinances, regulations, resolutions and policies applicable to the position of Manager. The Manager shall carry these out in a professional and competent manner.
- B. The Manager shall remain in the exclusive employ of the Commission and shall devote all such time, attention, knowledge and skills necessary to faithfully perform his duties and responsibilities, and to exercise his powers under this Agreement, having no outside employment whatsoever. He may, however, engage in educational and professional activities and other employment activities upon receipt of approval by the Commission, provided that such activities shall not interfere with his primary obligation to the Commission and City as the Manager. The Manager shall dedicate no less than an average of forty (40) hours per week in the performance of his duties as Manager hereunder.
- C. In the event the Manager shall serve on any appointed or elected board of any professional organization, or serve on any committees related to his professional activities, in the event any monies are paid, or gifts received, by him related to such service, such money or property shall be paid over to or delivered to the City, unless otherwise provided by the Commission.

Section 3. Termination and Severance Pay

- A. Termination without Cause. The Commission may, at any time whatsoever, terminate the employment of the Manager, without cause, by an affirmative vote, upon reasonable prior notice to the Manager, of not less than three members of the Commission. If such event should occur, the Manager will be given written notice of the decision of the Commission not less than 10 days prior to the effective date of the termination. Upon such termination, The Manager will be entitled to: 1) a severance payment equal to twenty (20) calendar weeks of base salary; 2) a lump sum payment at his then-hourly rate of base salary as Manager for all annual leave hours accumulated by his but unused as of the date of termination, not to exceed the maximum accrual provided in the City's Personnel Policies Manual applicable to all other non-union employees of the Commission; and 3) continuation of the Manager's health insurance under Section 9 at City expense for a period of one hundred and eighty (180) calendar days following the date of termination in accordance with, and within the limitations of, COBRA and the rates applicable thereunder. The Commission shall not continue any benefits after termination that are directly connected with being the City Manager. In other words, the Commission shall continue paying insurances and pension but not a car allowance, phone, and the like.
- B. Termination for Cause. The Commission may also, for cause, terminate the employment of the Manager at any time whatsoever, by affirmative vote, of not less than three (3) members of the City Commission. The Manager shall be entitled to a hearing if, within five (5) business days of termination for just cause, he so requests in writing to the City Attorney. In the event the Manager's employment is terminated for cause, the City shall be under no obligation to pay severance pay described under subsection A (1) or the continuation of health insurance described under subsection A (3) hereof. The term "for cause" shall be deemed to include: gross negligence in the handling of City affairs; willful violation of the provisions of law; willful disregard of a direct order, demand, or policy of the Commission; conduct unbecoming a public employee; illegal or habitual drug abuse; arrest; conviction of a felony; conviction of any crime involving moral turpitude or relating to official duties; or violation of the Florida Ethics Code. For the purpose of this subsection, if the Manager pleads guilty or nolo contendere or is found guilty of a felony, he shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

Section 4. Resignation

- A. In the event the Manager voluntarily resigns his position, he thereby agrees to give the City not less than sixty (60) days' written notice prior to effective date of any voluntary resignation, unless the parties agree otherwise.
- B. In the event the Manager voluntarily resigns his position, the City shall not pay severance pay described under subsection 3 A(1) or pay for the continuation of health insurance described herein.

Section 5. Compensation and Annual Review

- A. The City shall pay the Manager, for his service, an annual base salary of \$169,700, payable in equal installments pursuant to City policy and may increase it from time to time as herein provided. At any time, the Commission may agree to increase the base salary and/or other benefits received by the Manager in such amounts and to such extent as the Commission may determine to be desirable in its sole discretion.
- B. Beginning in 2020, as determined by the Commission, the Commission shall review and evaluate the performance of the Manager at least once every fiscal year between March 1st and the immediately following April 30th. Said review and evaluation shall assess the Manager's performance of all duties and responsibilities, and his exercise of all powers for which he is responsible under this Agreement during the immediately preceding period. Failure by the Commission to conduct such a review and evaluation in any given year or years shall not be considered a breach of this Agreement.
- C. Annually, the Commission and the Manager shall jointly define such goals and performance objectives that they may determine necessary for the proper operation of the City and for the attainment of the Commission's policy objectives, and shall further establish a relative priority among those various goals and objectives, and said objectives and goals shall be reduced to writing. Objectives and goals hereunder shall generally be attainable within the time limitations specified and shall take in to account the City's annual operating budget and capital budget and appropriations provided thereunder.

Section 6. Retirement

The City shall enroll the Manager in the Senior Management Service employee classification within the FRS (the Florida Retirement System) plan. Furthermore, the City shall contribute the employee share of 3% on behalf of the Manager.

Section 7. Communications Equipment

The City Manager is required to be on call for twenty-four hour service. In recognition thereof:

- A. The City shall issue a city owned cell phone, computer and provide other mobile connectivity that provides Internet to the Manager to be used solely for City business purposes.

Section 8. Other Benefits

- A. Except as may be otherwise limited under the terms of this Agreement, the Manager shall be entitled to earn, use, accrue and be compensated for 15 days of sick leave and 25 vacation day per year upon execution of this agreement. The Manager shall further be provided a bank of 7.5 days of sick and 14.5 days of vacation leave upon execution of this agreement.

- B. The Commission, in consultation with the Manager, may fix any such other terms and conditions of employment as it may determine from time to time relating to the performance of the Manager, provided that such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement or other applicable law.

Section 9. Insurance

- A. The Commission shall provide term life insurance as is provided to other non-union employees of the Commission.
- B. The Commission shall provide to the Manager medical, dental, and any other offered insurance plan on the same terms and conditions as are available to all other non-union employees of the Commission. The Commission shall further provide for the Manager and his dependent(s) health, dental, and any other available insurance benefit offered at no cost of the Manager.

Section 10. No Reduction of Benefits

The Commission shall not at any time during the term of this Agreement reduce the salary, compensation or other financial benefits of the Manager, except and to the degree and extent such reduction is also imposed across-the-Commission for all non-union employees of the Commission.

Section 11. General Business Expenses

The Commission agrees to budget pay for the professional travel and state authorized expenses of the Manager necessary for his participation in professional development training applicable to his duties as a City Manager, not to exceed a total cost of \$1,500.00 per year. The Commission may pay for the Manager to be a member of other professional organizations that the Commission agrees are necessary and desirable as authorized in advance.

Section 12. Residence and Relocation Expenses

- A. The Commission agrees to pay for Relocation Expenses in an amount not to exceed Ten Thousand Dollars (\$10,000.00), provided that no less than three (3) quotes are obtained and that the best and most responsive and responsible quote is selected, as determined by the Manager.
- B. The Manager agrees to make all attempts to find suitable housing within the City of Opa-Locka, Florida. In the event he is unable to identify housing within the City of Opa-Locka within a period of twelve (12) months following execution of this Agreement, the Manager agrees to reside within a radius of ten (10) miles from the city limits of Opa-Locka, FL.

Section 13. Suspension

The Commission shall have the authority to suspend the Manager with full pay and benefits pending investigation and a final employment decision made by the Commission, but only if a majority of the Commission members and the Manager agree; or in the alternative, after a public hearing, if a majority of the Commission members votes to suspend the Manager for just cause. The Manager shall have been given written notice setting forth any charges giving rise to just cause at least five (5) days prior to such hearing.

Section 14. Indemnification

The City shall defend, indemnify and pay all judgments or settlements in regard to any personal liability arising out of and in the scope of the City Manager's responsibilities, to the fullest extent authorized by Florida Statutes, and other laws and in accordance with the City of Opa-Locka Code of Ordinances, in addition to any insurance purchased by the City. The City agrees to pay all reasonable litigation expenses of the Manager during the pendency of proceedings, only if actions were taken in the course and scope of the City Manager's employment.

Section 15. Bonding

Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Section 16. Other Terms and Conditions of Employment

The Employer, only upon agreement with Employee, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, City Charter, local ordinances or any other law.

Section 17. Notices

Notice pursuant to this Agreement shall be given by depositing in the custody of the United States Postal Service by certified mail return receipt, or any other certified delivery service showing confirmation of process delivery and directed to the City Mayor and Attorney as to the City. And, directed to the City Manager as to the City Manager.

Section 18. Entire Agreement

The text of this document shall constitute the entire Agreement between the parties, except as may be amended in writing by the parties hereto. All provisions contained in this Agreement are subject to and conditioned upon compliance with the Charter, the County Code, the Administrative Code, and all statutes, laws, constitutional provisions and other County ordinances, regulations, resolutions and policies. The Charter, the County Code, the Administrative Code, and all such statutes, laws, constitutional provisions and other County ordinances, regulations, resolutions and policies shall take precedence over any part or portion of this Agreement, any other provisions of this Agreement to the contrary notwithstanding.

Any terms and conditions not specifically addressed in this Agreement shall be deemed to be addressed in the City's Personnel Rules, to the extent there is no conflict with this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to have been executed on behalf of each as of the date and year first above-written.

MANAGER:



John E. Pate

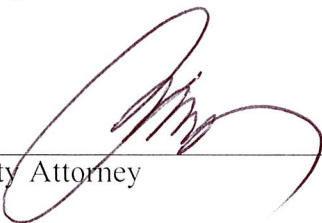
THE City:

City Commission of Opa-Locka, a political subdivision of the State of Florida:

By: 

City Mayor

Attest:


Clerk of the City Commission
City Attorney

Conduct unbecoming a public employee;

Matthew Pigatt

From: Matthew Pigatt, Mayor - City of Opa-locka
Sent: Tuesday, September 15, 2020 9:00 AM
To: John E. Pate
Subject: Accounting of leave time

Good morning Mr. Pate,

Please provide an accounting of your personal, medical, and vacation time over the past year.

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

Matthew Pigatt

From: John E. Pate
Sent: Wednesday, September 23, 2020 9:42 PM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: Burnadette Norris-Weeks
Subject: Expression of Concerns

Follow Up Flag: Follow up
Flag Status: Flagged

Mayor Pigatt,

I feel like I am unfairly targeted by you in various different ways and it is coming to a point that I feel that you do not respect me as an individual and your objective is to ensure that I am not employed here in the near future. You do everything you can to tear me down and tarnish my reputation, which is inclusive of my credibility. You deal with me using double standards. It is creating a strained, hostile, and stressful working environment for me. I am openly documenting my concerns since you feel the need to individualize and personalize everything I do. You micromanage and review all my actions with a magnifying glass. You speak about me negatively to other municipal government professionals and openly question my competency level without impunity. I am requesting that this behavior cease and that I am placed in a non-hostile working environment that is conducive to the success of the City of Opa-locka.

Thank you,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

NWU EMP# 44
NWU SPSC# 361
ILETSB-EI PER21C# M-221
ILETSB-EI ESTLE21C# E-314

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public. Your receipt of this message is not intended to waive any applicable privilege or claim of confidentiality, and any prohibited or unauthorized disclosure is not binding on the sender or the City of Opa-locka.

Matthew Pigatt

From: John E. Pate
Sent: Monday, January 4, 2021 4:52 PM
To: Gary Peterson
Cc: Elected Officials; George Ellis Jr.; Joanna Flores
Subject: Fwd: PRR: Task 8, The Screening Report
Attachments: Opalocka Police Chief Proposal.pdf

Gary,

See the below referenced public records request desired by the Mayor of Opa-Locka related to Task - 8, The Screening Report. The Mayor would like to see a copy of this report. As I see this a bullying tactic to get his pre-selected pick selected, picked, or placed back on the considered list, I would ask to get this information to me as soon as possible. The final selection to pick the Chief of Police is mine and mine alone. I will also copy the entire City Commission on this e-mail, so they realize that a perceived ethics violations may be occurring.

Thanks,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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Begin forwarded message:

From: Joanna Flores <jflores@opalockafl.gov>
Date: January 4, 2021 at 4:39:48 PM EST
To: "John E. Pate" <jpate@opalockafl.gov>
Cc: "Matthew Pigatt, Mayor - City of Opa-locka" <mpigatt@opalockafl.gov>, Randy Grice <rgrice@opalockafl.gov>
Subject: PRR: Task 8, The Screening Report

Good afternoon Mr. Pate,

Please accept this email as a Public Records Request on behalf of Mayor Matthew Pigatt for the screening report under task 8 of the attached proposal for police chief.

Feel free to contact me should you have any questions.

Sincerely,

Joanna

Sent from my iPhone

Begin forwarded message:

From: Randy Grice <rgrice@opalockafl.gov>
Date: January 4, 2021 at 11:09:52 AM EST
To: Joanna Flores <jflores@opalockafl.gov>
Subject: PRR: Task 8, The Screening Report

Good morning.

Mayor Pigatt would like to request the screening report detailed under task 8 of the attached police chief proposal.

Thank you.

Randy Grice
Legislative Aide to Mayor and City Commission
City of Opa-locka
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054
Email: rgrice@opalockafl.gov
Website: www.opalockafl.gov

Matthew Pigatt

From: John E. Pate
Sent: Monday, February 22, 2021 8:19 AM
To: ladiagoldwire@gmail.com
Cc: George Ellis Jr.; Matthew Pigatt, Mayor - City of Opa-locka; Esin Daniel Abia; Elected Officials
Subject: Re: Building Services Enhancements- Further Discussions

Ms. Goldwire,

It would be my pleasure to continue the dialogue you have had with my staff. As a matter of record, it is my understanding that you have extensive discussions with Mayor Pigatt related to your observations of the Building and Licensing Department. As you may be aware, Opa-locka's form of government is strong Manager; weak Mayor as the Mayor is only one vote on the City Commission and is only recognized as the ceremonial head of the city. This matter is not ceremonial in nature and if further dialogue is desired to help advise the city in relation to a day-to-day operational function, I would respectfully ask that the Mayor be excluded from those discussions as they have an appearance of his involvement in the day-to-day activities of the city, which exposes the Mayor to a potential ethics violation and further, a potential violation of the city's charter.

Please advise in your further interest is helping the city after accepting the specifications of the city's relationship with you as set forth above. I look forward to hearing from you soon.

Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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On Feb 22, 2021, at 8:04 AM, ladiagoldwire@gmail.com wrote:

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. If if this is a suspicious message please contact itsupport@opalockafl.gov

Greetings Gentlemen,

It was my intention to put some time between our last conversation and now in an effort to give intense thought as to how I could best be of service as it pertains to enhancing existing services rendered through your Building and Licensing departments.

In our meeting we discussed several options to bring your outfit into compliance and means to address pivoting the permitting and licensing processes to align with current pandemic conditions. I would welcome the opportunity to be of assistance. As I explained, having officiated under grim circumstances in similarly situated circumstances in Riviera Beach, there is lived experience I can attest to when reflecting on the many ways "the powers that be" can use deficiencies and inefficiencies to make their case to local and state authorities.

Committed to a life of service understanding that it is often the only thing that counts, I look forward to working with your administration in the near future. Please advise as to your interest in us furthering this conversation and I will make time to put a formal enhancement plan together for your review and consideration.

All The Very Best,

Matthew Pigatt

From: John E. Pate
Sent: Monday, February 22, 2021 10:24 AM
To: Elected Officials
Cc: Matthew Pigatt, Mayor - City of Opa-locka; Joanna Flores; Randy Grice; Nelson Rodriguez
Subject: Meetings w/ Mayor Piagtt

Mayor, Vice-Mayor, and City Commission,

On Monday, February 22, 2021, Mayor Matthew Pigatt had a meeting with Council Member Jordan W. Leonard related to city business and potentially a future agenda item for action or discussion. The City Manager's Office was invited to the meeting and upon entering the meeting, both myself and Mr. Ellis were removed from the meeting without notice by the meeting host Mayor Mathew Pigatt. Effective immediately all administrator rights have been removed from Mayor Pigatt's Zoom account and he will no longer allowed to host Zoom meetings nor will the city be hosting meetings on Zoom on the Mayor's behalf moving forward. Furthermore, all Monday Meetings and Agenda Briefings with the Mayor are being cancelled until further notice pending the guidance and direction from the full City Commission, which can be discussed this upcoming Wednesday.

Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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Matthew Pigatt

From: John E. Pate
Sent: Friday, March 19, 2021 3:32 PM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: Joanna Flores; George Ellis Jr.; Sha'mecca Lawson; Randy Grice; Hip Rock Star; Elected Officials
Subject: RE: Vaccination site details

Mr. Mayor,

See my responses below.

1. When will the commission be made aware of the details of the vaccination site coming to the city

The Commission will be made aware once details are finalized. You have been in direct communication and have been providing day-to-day guidance and details with the entity that will be providing vaccinations as well, so you can very well notify the Commission, if you chose to. You also assisted the organization in coordinating the mobile site with the assistance of Mr. Grice. When are you going to notify and communicate to the Commission on what you are doing as Mayor to coordinate and direct the activities of the vaccination sites within the city?

2. When will we receive the marketing information to share with the community?

The organization stated that they will be doing their own marketing and advertising of the site.

3. What is the PR plan for opening of the site?

There is no PR Plan for the site at this time. You have been in direct and constant contact with the entity that is providing services to the city, so what are your thoughts related to the PR Plan or Strategy?

4. What strategies will be used to ensure community participation?

This does not fall under the purview of my office as we were task to provide a site and staffing for the site. The entity stated that they will be doing their own marketing/public relations in the community and will actually have individuals going door to door promoting the vaccination site.

5. Will there be a press conference? If so, when?

No Press Conference

Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054
Office Phone - (786) 338-6598
Cell Phone - (786) 829-0739
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From: Matthew Pigatt, Mayor - City of Opa-locka
Sent: Friday, March 19, 2021 3:03 PM
To: John E. Pate <jpate@Opalockafl.gov>
Cc: Joanna Flores <jflores@Opalockafl.gov>; George Ellis Jr. <gellis@Opalockafl.gov>; Sha'mecca Lawson <slawson@Opalockafl.gov>; Randy Grice <rgrice@Opalockafl.gov>; Hip Rock Star <jgm@hiprockstar.com>
Subject: Vaccination site details
Importance: High

Mr. Manager,

In a few days, the City of Opa-locka will have a vaccination site. At the moment, I am unclear of the details. Please provide answer to these questions asap:

1. When will the commission be made aware of the details of the vaccination site coming to the city?
2. When will we receive the marketing information to share with the community?
3. What is the PR plan for opening of the site?
4. What strategies will be used to ensure community participation?
5. Will there be a press conference? If so, when?

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

----- Original message -----

From: Randy Grice <rgrice@Opalockafl.gov>
Date: 3/19/21 11:53 AM (GMT-05:00)
To: "Yvette N. Harris" <yvette@harrispublicrelations.com>, Viet Le <viet.le@nomihealth.com>

Cc: Joanna Flores <jflores@Opalockafl.gov>, "John E. Pate" <jpate@Opalockafl.gov>, "George Ellis Jr." <gellis@Opalockafl.gov>, Sha'mecca Lawson <slawson@Opalockafl.gov>, "Matthew Pigatt, Mayor - City of Opa-locka" <mpigatt@Opalockafl.gov>
Subject: RE: Follow up email-Nomi Health

Good morning.

Please see the below list of suggested locations for the mobile vaccination vans.

Town Center Apartments, 420 Aladdin St, Opa-locka, FL 33054
Cordoba Courts, 13875 NW 22nd Ave, Opa-locka, FL 33054
Glorieta Gardens Apartments, 13210 Alexandria Dr, Opa-locka, FL 33054
Archbishop McCarthy Residence, 13201 NW 28th Ave, Opa-locka, FL 33054

Royal Palm Apartments, 2300 NW 136th Street Opa-locka, Florida 33054

Lock Town Ind Lvg Apartment 2351 NW 135th Street Opa-locka, Florida 33054

Thank you.

Randy Grice

Legislative Aide to Mayor and City Commission

City of Opa-locka

780 Fisherman Street, 4th Floor

Opa-locka, FL 33054

Email: rgrice@opalockafl.gov

Website: www.opalockafl.gov

From: Yvette N. Harris [<mailto:yvette@harrispublicrelations.com>]

Sent: Friday, March 19, 2021 7:55 AM

To: Matthew Pigatt, Mayor - City of Opa-locka <mpigatt@Opalockafl.gov>; Randy Grice <rgrice@Opalockafl.gov>; Viet Le <viet.le@nomihealth.com>

Subject: Follow up email-Nomi Health

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Hi good morning. Hoping all is well. Just wanted to make sure that you all had each other's email addresses. Not sure if you did. Looking forward to assisting in anyway.

Yvette

--

Yvette N. Harris

There is no value in life except what you chose to place upon it and no happiness in any place except what you bring to it yourself.

-Henry David Thoreau

Matthew Pigatt

From: John E. Pate
Sent: Thursday, April 15, 2021 12:12 PM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: Kierra Ward; Joanna Flores; City Attorney; Burnadette Norris-Weeks; Candice Cobb; George Ellis Jr.
Subject: Re: Public Records Request - RE: Accounting of leave time

Mr. Mayor,

You can get accounting of leave time, but you cannot get any medical documents that is on file for any employee of the city from HR currently, which violates HIPPA. Also, the Commission passed legislation authorizing the Attorney, Manager, and Clerk for being exempt from attending Commission Meeting and Workshops physically during the Pandemic.

Govern your actions accordingly. This waives towards the area of continued harassment, ADA accommodation related violations, and placing me and my staff in a hostile work environment. I will be potentially filling an ethics complaint related to your continued broaching in the various areas related to city day to day operations.

Kindest Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
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Matthew Pigatt

From: John E. Pate
Sent: Friday, April 23, 2021 2:57 PM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: George Ellis Jr.; Sha'mecca Lawson; Randy Grice; Joanna Flores
Subject: Re: Question: Community Oriented Policing Services (COPS) – Technology and Equipment Account - Community Project

Mr. Mayor,

I have been in constant communication with the Congreewoman's Office, so I do not understand the intent of your e-mail. My staff has been working on this around the clock and now **you are interfering in the day to day operations of the city**. If you accept that your actions are warranted, please feel free to continue down that path and authoring our actions.

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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On Apr 23, 2021, at 12:49 PM, Matthew Pigatt, Mayor - City of Opa-locka <mpigatt@opalockafl.gov> wrote:

Mr. Pate,

Congresswoman Wilson called me for our responses to these emails. They have urgent deadlines to

meet to secure funding for the City. Could you consider responding to her office asap and coping me?

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

----- Original message -----

From: "Scott, Charles" <Charles.Scott@mail.house.gov>
Date: 4/23/21 12:26 PM (GMT-05:00)
To: "Matthew Pigatt, Mayor - City of Opa-locka" <mpigatt@Opalockafl.gov>, Veronica Williams - Vice Mayor - City of Opa-locka <vwilliams@Opalockafl.gov>
Subject: FW: Question: Community Oriented Policing Services (COPS) – Technology and Equipment Account - Community Project

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Eleventh in string

From: Scott, Charles
Sent: Wednesday, April 14, 2021 6:16 PM
To: John E. Pate <jpate@opalockafl.gov>
Subject: Question: Community Oriented Policing Services (COPS) – Technology and Equipment Account - Community Project

Mr. Pate, Please if you would, review the attached package for accuracy and appropriate information. Thank you in advance for you're a quick response on this matter. Sincerely.

From: Bennett, Derron <Derron.Bennett@mail.house.govmailto:Derron.Bennett@mail.house.gov>>
Sent: Tuesday, April 13, 2021 7:28 PM
To: CJ.MemberRequests@mail.house.govmailto:CJ.MemberRequests@mail.house.gov>
<CJS.MemberRequests@mail.house.govmailto:CJS.MemberRequests@mail.house.gov>>
Cc: Scott, Charles <Charles.Scott@mail.house.govmailto:Charles.Scott@mail.house.gov>>
Subject: Question: Community Oriented Policing Services (COPS) – Technology and Equipment Account - Community Project

Bob,

Congresswoman Frederica S. Wilson is looking into using one of her community project slots to request funding for the city of Opa-Locka, Florida, to purchase ShotSpotter equipment. I've cc'ed Charles Scott in our district office, who is handling this project in the district, and he can answer any questions on the project. Attached are the answers we plan to submit to the database, but we want to make sure that they are in proper form. Regarding question #17, the city plans on getting a letter of support from their state senator, Shevrin Jones.

Can you or your staff review the answers and assist our office in cleaning them up if needed?

Thanks

Derron

Derron Bennett

Legislative Director

Rep. Frederica S. Wilson

2445 Rayburn House of Building

Washington, DC 20515

O: (202)225-4506

<040821 Opalocka_ShotSpotter Project.pdf>

Matthew Pigatt

From: John E. Pate
Sent: Friday, April 23, 2021 7:57 PM
To: Elected Officials; Directors; Sha'mecca Lawson; George Ellis Jr.; Miguel, Melinda M.; Hunter, Brian; Andrew Axelrad; Hip Rock Star; lholborow@opalockapd.com; Sergio Perez (OLPD)
Subject: My Future in Opa-locka - Potential Termination
Importance: High

Good Evening Everyone,

It has come to my attention that Mayor Pigatt is polling the City Commission to call a Special Meeting to obtain a census to conduct my annual evaluation and terminate my employment with the City. I have given this city my full undivided attention, even when I am ill and/or in the hospital. I have multiple medical conditions that has caused me to be on FMLA and certain accommodations made related to my health issues. Due to HIPPA, I am unable to disclose my medical conditions. The Mayor has not had any conversations with me regarding my employment or my performance. There are no evaluations on file describing my performance as poor or subpar. There are no employment improvement plans in my file to address any areas of concern nor has the Mayor provided me any opportunities to address any concerns, if they exist. I have taken this city next level and we have improved and excelled in many areas during my tenure as City Manager. When I came to Opa-locka, the wellness of the city was greatly off kilter and I came in a made dynamic changes in a short period of time.

I do believe that my relationship with the Mayor can and will improve, if he is willing to take the time and have interactive conversations with me. I have no ill feelings towards the Mayor and it is my hopes that he cancels this Special Meeting that he is calling and address his concerns with me in a way that is substantive and progressive in nature. I am ready and willing to speak to the Mayor. I do not want the citizens of Opa-locka to suffer through the search for a new City Manager, while we are in the middle of addressing the operational audit, the four major challenges, and our yearly financial audits.

At the end of the day, I sincerely love each and every one of you in a genuine way and I ask for you continued and unwavering support. I love the Great City of Opa-locka and I ask for your continued confidence in my performance as your City Manager. I ask for your prayers because this too shall pass.

Kindest Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054
Office Phone - (786) 338-6598
Cell Phone - (786) 829-0739
E-Mail: jpate@opalockafl.gov

NWU EMP# 44
NWU SPSC# 361
ILETSB-EI PER21C# M-221
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Matthew Pigatt

From: Matthew Pigatt, Mayor - City of Opa-locka
Sent: Tuesday, June 16, 2020 5:04 PM
To: John E. Pate
Subject: RE: Citizen concern regarding city leadership

Mr. Manager,

This is the first time I have ever recieved an email addressed to me as "Matt" as an elected official in the City of Opa-locka.

This is the first time I have seen this from you. It is concerning to have this the day after a formal verbal warning about decorum.

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

----- Original message -----

From: "John E. Pate" <jpate@Opalockafl.gov>
Date: 6/16/20 3:27 PM (GMT-05:00)
To: "Matthew Pigatt, Mayor - City of Opa-locka" <mpigatt@Opalockafl.gov>
Cc: Randy Grice <rgrice@Opalockafl.gov>
Subject: Re: Citizen concern regarding city leadership

Matt,

Recommendations made to Terminate employees and the file is under attorney review.

Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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On Jun 16, 2020, at 3:10 PM, Matthew Pigatt, Mayor - City of Opa-locka
<mpigatt@opalockafl.gov> wrote:

Mr. Manager,

Please provide the police report on this incident along with what has been done to address this citizen's concern about his experience with one of our officers.

Matthew A. Pigatt
Mayor
City of Opa-locka
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054
T: (305) 688-4611
C: (786) 269-1252
Email: mpigatt@opalockafl.gov
Website: www.opalockafl.gov

From: Matthew Pigatt, Mayor - City of Opa-locka
Sent: Tuesday, June 9, 2020 3:37 PM
To: John E. Pate <jpate@Opalockafl.gov>; Randy Grice <rgrice@Opalockafl.gov>
Subject: FW: Citizen concern regarding city leadership

Mr. Manager,

Please have the video ready for our 4PM meeting.

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

----- Original message -----

From: tysonreginald@aol.com

Date: 6/9/20 7:37 AM (GMT-05:00)

To: "Matthew Pigatt, Mayor - City of Opa-locka" <mpigatt@Opalockafl.gov>

Subject: Citizen concern regarding city leadership

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Mr. Mayor;

I must inform you that I am disgusted with you as a city officials and I will make it my job to see to it that you are either recalled or never serve another term as mayor. You came to my home to solícite my vote however; when i send you and email of grave concern regarding one of you unprofessional officers - my email goes unanswered. How disrespectful and careless. Nevertheless; I will ensure a more competent official become our next mayor.

Best wishes,
Reginald Tyson
[3053671753](tel:3053671753)

Matthew Pigatt

From: John E. Pate
Sent: Sunday, April 25, 2021 1:15 PM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: George Ellis Jr.; Elected Officials; Melinda M. Miguel; Brian Hunter; City Attorney; Burnadette Norris-Weeks; Candice Cobb
Subject: Reconciliation

Mr. Mayor,

I hope you receive this message with an open mind and heart. I love my job in Opa-locka. I truly desire to reconcile our professional relationship. I think I have plenty of room for growth and I do respect you as a man and the leader of this great city. I am a very passionate individual and I want to apologize to you for my part in relation to the status of our working relationship. I want to give you my word as a professional that I will do what I need to do to make our working relationship a better one for the sake of the residents, staff, and stakeholders of this amazing community. It is my hopes that you take my words as being sincere and genuine in nature.

I am willing to do whatever I need to do to bring this matter to a positive conclusion, so we both can continue doing the fine work on behalf of the residents and stakeholders of this great city. I look forward to our continued dialogue in relation to the next steps in reconciling our working relationship.

Respectfully,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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**Willful disregard of a direct order,
demand, or policy of the
Commission;**



Office of the City Manager
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054

John E. Pate, MS, CM
City Manager

Telephone (786) 338-6598
Email: jpate@opalockafl.gov

To: Mayor Matthew Pigatt
Vice Mayor Chris Davis
Commissioner Sherelean Bass
Commissioner Alvin Burke
Commissioner Joseph L. Kelley

From: John E. Pate, City Manager *John E. Pate*

Date: September 22, 2020

Re: Executive Summary – Code Enforcement Internal Audit Results

Executive Summary

This internal audit was initiated when the City Commission (“Commission”) directed the City Manager’s Office (“CMO”) to conduct a management inquiry related to the operations and performance of the Code Enforcement Department within in the City of Opa-locka (“Opa-locka”).

This assessment included the review of a specific series of addresses that were involved in a land acquisition transaction related to new development within Opa-locka. It should be made noteworthy that some of the land in question was once owned or still owned by individuals who had a relationship with the City of Opa-locka either directly as an employee of the city and/or elected official (interchangeable terminology) or indirectly through various degrees of association.

The internal audit consisted of a review of specific citations related to the above earlier referenced land acquisition transaction, five (5) years of citation files extracted from random generated software via Microsoft Excel by using a standard deviation of zero (0), which consisted of three hundred and seventy eight (378) dismissed cases and two hundred and twenty one (221) voided cases, which broke down to a random sample size of forty (40) voided and forty (40) dismissed citations, and lastly a review of the management and operations of the Code Enforcement Department.

The internal audit revealed an egregious, pervasive, and unchecked processes and procedures related to the criteria or matrix in the relation the defining the circumstances in which citations are voided or dismissed. There are very clear examples of some actions having no clear rationale or basis for administrative action by staff and/or adjudicative action by the Special Master. It is clear that any

violations that are pending on a property should be voided or dismissed with good cause. The only one action found to be reasonable regarding the land acquisition matter is a duplicate citation that was written that actually went through the proper review process, in that there were multiple levels of review and approval prior to it being sent to the City Manager for final voiding action.

The internal audit also revealed that there is a lack of supervision within the Code Enforcement Department and with very little support from supervision related to the day-to-day operations of the Code Enforcement Department. There is a period of time noted, in which the Code Enforcement Supervisor (a union position) wrote zero (0) citations over a 6 month period of time within the year 2020. During this same period of time members of Code Enforcement staff were reassigned or out of the office for legitimate reasons, which left multiple areas of the city unchecked or monitored related to Code Enforcement matters, more specifically illegal dumping, cleanliness, private property flooding and drainage issues, and other egregious code related infractions. The lack of citations and enforcement related to the above referenced areas speak for themselves.

The factual information in this report is provided to the City Commission based on their request for a management inquiry and internal audit of the Code Enforcement Department. This Executive Summary is not the complete report on this topic and provides key systemic issues and highlights to immediately begin dialogue on this matter. The full report along with an extensive list of recommendations will be made available in the next 30-45 days for Commission review and input. This Executive Summary contains enough information to make immediate impactful changes in the near future prior to the release of the full report.

*** END OF MEMORANDUM***

Item Under Discussion	Request/Point Person	Requesting Commissioner	Date Required
City Manager's Report: Delays in CIPs	What is the timeline for installation of lights at Ingram? <i>City Manager</i>	Commissioner Burke	Ongoing: Mr. Austin advised that a timeline would be provided after he has spoken with the vendor
City Manager's Report: Timeline for completion of Cairo Ln.	What is the scheduled completion timeline for Cairo Ln.? <i>City Manager</i>	Mayor Pigatt	Ongoing: Mid. 2023 was the completion timeframe provided by Mr. Austin
Discussion of Item 13-7: Emergency work on Cairo Ln.	Can the city make a special taxing district for Cairo Ln. or all predominantly industrial areas? <i>City Manager/ City Attorney</i>	Commissioner Taylor	Ongoing: City attorney committed to working with staff and investigating the issue. No timeline was given.
Add on item 14-3: Reducing certain distance requirements for alcohol sale and consumption with in the city	Requesting a map illustrating the impacted properties in decreasing the sale of alcohol from 1,000 to 500 ft. The map is being requested for the second reading of ordinance. <i>City Manager</i>	Mayor Pigatt	Stated Deadline, Next Week A map was provided in the 4/14 agenda pack but a new map will be provided in the future. Mr. Gay committed to providing the information next week for the Commission to review.
Discussion of add on item 14-2: Land development regulations to amend certain language referencing special exception for adult businesses.	Requesting information about regulations regarding adult entertainment facilities in the city. <i>City Attorney</i>	Mayor Pigatt	Ongoing: Attorney will look into the matter and provide possibly during the summer months.
City Manager's Report: Commission Request	Requesting city's employee evaluation process status report. Commissioner Taylor suggested mid-year	City Commission	Ongoing: CM advised that the

		evaluations. The original request was made during the 01/08 SOTC workshop. Original deadline given was 1/15. <i>City Manager</i>		issued would be discussed with HR and a report would be produced.
City Manager's Commission Request	Report:	Provide a status update on the pay plan for the city? The original request was made during the 01/08 SOTC workshop. <i>City Manager</i>	City Commission	Ongoing: Per CM, collective bargaining has to be completed before the plan can be modified. CM will provide timeline at a future date.
City Manager's Commissioner Davis's Concern	Report:	Status of producing a quarterly or monthly financial report? The original request was made during the 01/08 SOTC workshop. <i>City Manager</i>	Commissioner Davis	Ongoing: CM committed to having the conversation with finance to determine which option would be most feasible to provide to the Commission considering the other responsibilities of the finance department.
City Manager's Commission Request	Report:	Status on code enforcement investigation. <i>City Manager</i>	City Commission	Ongoing: CM cited ongoing litigation as the reason for the delay of addition reports on the investigation .
City Manager's Mayor Pigatt's Concern	Report:	What is the status on board reports and how can board vacancies in the city be promoted? <i>City Manager/ City Clerk</i>	Mayor Pigatt	Ongoing: CMO will assistance in promoting board vacancies through PR team. CM advised that he would

Section 3. Termination and Severance Pay

B. Termination for Cause.

The Commission may also, for cause, terminate the employment of the Manager at any time whatsoever, by affirmative vote, of not less than three (3) members of the City Commission. The Manager shall be entitled to a hearing if, within five (5) business days of termination for just cause, he so requests in writing to the City Attorney. In the event the Manager's employment is terminated for cause, the City shall be under no obligation to pay severance pay described under subsection A (1) or the continuation of health insurance described under subsection A (3) hereof.

The term "for cause" shall be deemed to include:

- gross negligence in the handling of City affairs;
- willful violation of the provisions of law;
- willful disregard of a direct order, demand, or policy of the Commission;
- conduct unbecoming a public employee;
- illegal or habitual drug abuse;
- arrest;
- conviction of a felony;
- conviction of any crime involving moral turpitude or relating to official duties; or violation of the Florida Ethics Code.
- For the purpose of this subsection, if the Manager pleads guilty or nolo contendere or is found guilty of a felony, he shall be deemed to have been convicted, notwithstanding a suspension of sentence or a withholding of adjudication.

Matthew Pigatt

From: John E. Pate
Sent: Thursday, April 15, 2021 12:12 PM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: Kierra Ward; Joanna Flores; City Attorney; Burnadette Norris-Weeks; Candice Cobb; George Ellis Jr.
Subject: Re: Public Records Request - RE: Accounting of leave time

Mr. Mayor,

You can get accounting of leave time, but you cannot get any medical documents that is on file for any employee of the city from HR currently, which violates HIPPA. Also, the Commission passed legislation authorizing the Attorney, Manager, and Clerk for being exempt from attending Commission Meeting and Workshops physically during the Pandemic.

Govern your actions accordingly. This waives towards the area of continued harassment, ADA accommodation related violations, and placing me and my staff in a hostile work environment. I will be potentially filling an ethics complaint related to your continued broaching in the various areas related to city day to day operations.

Kindest Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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On Apr 15, 2021, at 12:00 PM, Matthew Pigatt, Mayor - City of Opa-locka
<mpigatt@opalockafl.gov> wrote:

Please see the below public records request that was not fulfill.

Please provide an accounting of Mr. John Pate's personal, sick, and vacation leave since the beginning of his employment with the City of Opa-locka. Also, provide any medical documentation that supports each meeting that Mr. Pate could not attend in-person or at all due to medical reasons, including all commission meetings and workshops.

If you intend to deny any part of my request, please advise me in writing and indicated any applicable exemption.

Matthew A. Pigatt

Mayor
City of Opa-locka
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054
T: (305) 688-4611
C: (786) 269-1252
Email: mpigatt@opalockafl.gov
Website: www.opalockafl.gov

From: Matthew Pigatt, Mayor - City of Opa-locka
Sent: Tuesday, September 15, 2020 9:00 AM
To: John E. Pate <jpate@Opalockafl.gov>
Subject: Accounting of leave time

Good morning Mr. Pate,

Please provide an accounting of your personal, medical, and vacation time over the past year.

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

Matthew Pigatt

From: John E. Pate
Sent: Thursday, April 15, 2021 12:14 PM
To: Randy Grice
Cc: George Ellis Jr.; Sha'mecca Lawson; Joanna Flores; Matthew Pigatt, Mayor - City of Opa-locka
Subject: Re: Briefing Agenda, Monday 4.19.21

Meeting is cancelled.

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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On Apr 15, 2021, at 12:02 PM, Randy Grice <rgrice@opalockafl.gov> wrote:

Good afternoon.

Please see the attached agenda for 4.19.21.

Thank you.

Randy Grice
Legislative Aide to Mayor and City Commission
City of Opa-locka

780 Fisherman Street, 4th Floor
Opa-locka, FL 33054
Email: rgrice@opalockafl.gov
Website: www.opalockafl.gov

<Mayor's Monday Morning Briefing Agenda 4.19.21.pdf>

John Pate Time Off Report

Date Range: 10/15/2019 - 04/15/2021

Last Name	First Name	Position ID	Department	Pay Class	
Pay Date	Pay Code				Hours
Pate	John	ZLU004520	660210	Exempt - Salaried	
Mon 11/11/2019	ADMINISTRATIVE-				8.00
	Administrative				
Thu 11/28/2019	ADMINISTRATIVE-				8.00
	Administrative				
Fri 11/29/2019	ADMINISTRATIVE-				8.00
	Administrative				
Wed 12/25/2019	ADMINISTRATIVE-				8.00
	Administrative				
Thu 12/26/2019	ADMINISTRATIVE-				8.00
	Administrative				
Fri 12/27/2019	ADMINISTRATIVE-				8.00
	Administrative				
Wed 01/01/2020	ADMINISTRATIVE-				8.00
	Administrative				
Wed 01/22/2020	ADMINISTRATIVE-				8.00
	Administrative				
Thu 01/23/2020	ADMINISTRATIVE-				8.00
	Administrative				
Wed 02/05/2020	SICK-Sick				8.00
Thu 02/06/2020	SICK-Sick				8.00
Fri 02/07/2020	ADMINISTRATIVE-				8.00
	Administrative				
Wed 02/12/2020	ADMINISTRATIVE-				8.00
	Administrative				
Thu 02/13/2020	VACATION-Vacation				8.00
Fri 02/14/2020	VACATION-Vacation				8.00
Mon 03/16/2020	ADMINISTRATIVE-				8.00
	Administrative				
Tue 03/17/2020	ADMINISTRATIVE-				8.00
	Administrative				
Thu 03/19/2020	ADMINISTRATIVE-				8.00
	Administrative				
Fri 06/26/2020	SICK-Sick				8.00
Mon 07/13/2020	SICK-Sick				8.00
Tue 09/08/2020	SICK-Sick				8.00
Mon 09/14/2020	SICK-Sick				8.00
Tue 09/15/2020	SICK-Sick				8.00
Wed 09/16/2020	SICK-Sick				8.00
Thu 09/17/2020	SICK-Sick				8.00
Fri 09/18/2020	SICK-Sick				8.00
Thu 10/15/2020	VACATION-Vacation				8.00
Fri 10/16/2020	VACATION-Vacation				8.00
Mon 11/09/2020	ADMINISTRATIVE-				8.00
	Administrative				
Fri 11/20/2020	SICK-Sick				8.00
Mon 12/14/2020	SICK-Sick				8.00
Tue 12/15/2020	SICK-Sick				8.00
Wed 02/17/2021	SICK-Sick				8.00
			Subtotal		264.00

Matthew Pigatt

From: John E. Pate
Sent: Friday, May 8, 2020 8:43 AM
To: Directors; Alvin Burke, Commissioner - City of Opa-locka; Sherelean Bass, Commissioner - City of Opa-locka; Joseph L. Kelley, Commissioner - City of Opa-locka; Chris Davis; Matthew Pigatt, Mayor - City of Opa-locka; Directors
Cc: Sha'mecca Lawson; George Ellis Jr.
Subject: Medical Status

Good Afternoon,

I started not feeling well Tuesday after I was rushed to the hospital by MDR. I have been also feeling under the weather on yesterday and today. I want to apologize for not bringing this to your attention earlier but as all hard workers do, we attempt to push through whatever issues that we may have and experience. I continue to ask for your ongoing support due these very challenging times. I will be working remotely today.

Thank you.

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

NWU EMP# 44
NWU SPSC# 361
ILETSB-EI PER21C# M-221
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Matthew Pigatt

From: John E. Pate
Sent: Monday, June 29, 2020 8:05 AM
To: Matthew Pigatt, Mayor - City of Opa-locka
Subject: Re: Mayor's Call - Reschedule

Good Morning Mayor,

It was my intention to work from home today. I just wanted some time to catch up with staff and ensure that your briefing be a productive one. Regardless, if you want to do the briefing today, we can.

Please advise.

Thank you,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
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On Jun 29, 2020, at 7:47 AM, Matthew Pigatt, Mayor - City of Opa-locka <mpigatt@opalockafl.gov> wrote:

Good morning,

Are you taking a sick day today?

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

----- Original message -----

From: "John E. Pate" <jpate@Opalockafl.gov>
Date: 6/29/20 7:16 AM (GMT-05:00)
To: "Matthew Pigatt, Mayor - City of Opa-locka" <mpigatt@Opalockafl.gov>, Randy Grice <rgrice@Opalockafl.gov>
Cc: "Gerri Lazarre (Consultant)" <glazarre@Opalockafl.gov>, Robert Anathan <ranathan@Opalockafl.gov>, Airia Austin <Aaustin@Opalockafl.gov>, "George Ellis Jr." <gellis@Opalockafl.gov>, Sha'mecca Lawson <slawson@Opalockafl.gov>, Joanna Flores <jflores@Opalockafl.gov>
Subject: Mayor's Call - Reschedule

Good Morning,

Can we reschedule the Mayor's call for Wednesday or Thursday morning of this week instead of this morning?

Please advise.

Thanks,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
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return e-mail and promptly delete this e-mail and any attachments and copies thereof from your system. If you are not the intended recipient or are otherwise not authorized to further disclose this message and its contents, please be aware that any copying, distribution, dissemination, disclosure or other use of this e-mail and any attachments is unauthorized and prohibited. This e-mail and any attached documents may contain Law Enforcement Sensitive material and should not be disseminated outside of official law enforcement channels. The information contained in this message as well as any attachments shall not be released to the media or the general public. Your receipt of this message is not intended to waive any applicable privilege or claim of confidentiality, and any prohibited or unauthorized disclosure is not binding on the sender or the City of Opa-locka.

Matthew Pigatt

From: John E. Pate
Sent: Monday, June 29, 2020 8:50 AM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: George Ellis Jr.
Subject: Re: Mayor's Call - Reschedule

Mr. Mayor,

In retrospect, I will be taking a sick day today. I just had a significant surgery on Friday and I do not want to push myself too far. I am also waiting on my COVID-19 results due to my exposure to positive staff members last week.

I will call you later today or sometime tomorrow to follow-up on your requests during today's call. Mr. Ellis will be covering the call for me today. I thank you in advance for your support and professionalism.

Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
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On Jun 29, 2020, at 7:47 AM, Matthew Pigatt, Mayor - City of Opa-locka <mpigatt@opalockafl.gov> wrote:

Good morning,

Are you taking a sick day today?

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

----- Original message -----

From: "John E. Pate" <jpate@Opalockafl.gov>
Date: 6/29/20 7:16 AM (GMT-05:00)
To: "Matthew Pigatt, Mayor - City of Opa-locka" <mpigatt@Opalockafl.gov>, Randy Grice <rgrice@Opalockafl.gov>
Cc: "Gerri Lazarre (Consultant)" <glazarre@Opalockafl.gov>, Robert Anathan <ranathan@Opalockafl.gov>, Airia Austin <Aaustin@Opalockafl.gov>, "George Ellis Jr." <gellis@Opalockafl.gov>, Sha'mecca Lawson <slawson@Opalockafl.gov>, Joanna Flores <jflores@Opalockafl.gov>
Subject: Mayor's Call - Reschedule

Good Morning,

Can we reschedule the Mayor's call for Wednesday or Thursday morning of this week instead of this morning?

Please advise.

Thanks,

John E. Pate, MS, CM
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City of Opa-locka
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Matthew Pigatt

From: John E. Pate
Sent: Monday, June 29, 2020 8:55 AM
To: Matthew Pigatt, Mayor - City of Opa-locka; Chris Davis; Alvin Burke, Commissioner - City of Opa-locka; Joseph L. Kelley, Commissioner - City of Opa-locka; Sherelean Bass, Commissioner - City of Opa-locka
Cc: Joanna Flores; Randy Grice; Sha'mecca Lawson; George Ellis Jr.; Jessica Modkins
Subject: Re: Status - City Manager

Good Morning,

First, a sincere thank you to everyone that called and texted me over these last couple of days. I am at home recovering from surgery and taking things one day at a time. I have taken Friday, June 26, 2020 and Monday, June 29, 2020 as sick days.

If anyone has any questions or concerns, please feel free to contact me directly.

Thank you,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
Cell Phone - [\(786\) 829-0739](#)
E-Mail: jpate@opalockafl.gov

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Good Morning,

I have been admitted to the hospital this morning related to a non-COVID-19 illness. I will most likely be undergoing a surgical procedure later on today. I will make all attempt to attend the training course later on today focused on educating our electorate and key staff on best practices in government. Mr. Ellis will be in charge during my absence and will have direct contact with me for any guidance related matters. I will provide an update later on today related to my status moving into Saturday's Townhall meeting.

I will have my laptop and cellular phone with me, so if there are any questions and concerns, I will be somewhat accessible. In advance, thank you for your ongoing support and understanding.

Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
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Matthew Pigatt

From: John E. Pate
Sent: Wednesday, August 19, 2020 7:56 AM
To: Sherine Bullock; Randy Grice; Sha'mecca Lawson; bnorris@apnwplaw.com; Nelson Rodriguez; Airia Austin; Matthew Pigatt, Mayor - City of Opa-locka; Joanna Flores; Robert Anathan; Gerri Lazarre (Consultant); City Attorney
Subject: Agenda Briefing - VSCM 08/20/2020

Good Morning,

I am under the weather this morning, but I will be following along via audio. Mr. Ellis will take the lead on the call but I will be able for any questions.

Thank you,

Agenda Briefing - VSCM 08/20/2020

Scheduled: Wednesday, Aug 19, 2020 from 9:00 AM to 10:30 AM

Location: Virtual

Invitees: Sherine Bullock, Randy Grice, Sha'mecca Lawson, bnorris@apnwplaw.com, Nelson Rodriguez, Airia Austin, Matthew Pigatt, Mayor - City of Opa-locka, Joanna Flores, Robert Anathan, Gerri Lazarre (Consultant), City Attorney

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
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Matthew Pigatt

From: Matthew Pigatt, Mayor - City of Opa-locka
Sent: Tuesday, September 15, 2020 9:00 AM
To: John E. Pate
Subject: Accounting of leave time

Good morning Mr. Pate,

Please provide an accounting of your personal, medical, and vacation time over the past year.

Matthew A. Pigatt
Mayor, City of Opa-locka

Sent from phone. Please excuse any typos.

Note - All communications sent to this email is public record.

Matthew Pigatt

From: John E. Pate
Sent: Tuesday, September 15, 2020 2:43 PM
To: Matthew Pigatt, Mayor - City of Opa-locka; Sherelean Bass, Commissioner - City of Opa-locka; Chris Davis; Alvin Burke, Commissioner - City of Opa-locka; Joseph L. Kelley, Commissioner - City of Opa-locka; Directors; Joanna Flores; Randy Grice; George Ellis Jr.; Sha'mecca Lawson; City Attorney; Burnadette Norris-Weeks; Candice Cobb
Subject: Out-of-Office

Good Afternoon,

I will be out of the office for a short period of time recovering from an allergic reaction that I had recently. I am currently hospitalized and was just downgraded from being in the ICU to a regular medical floor today. Mr. Ellis has been consulting with me directly since I have been hospitalized and we are clearly on the same page in reference to all matters related to the City of Opa-locka. Mr. Ellis is authorized to sign all documents related to day-to-day operational transactions until my return to the office.

This is a very trying and stressful time for me. All I can ever ask from you is your continued support of me as I tackle this challenge. As you know, all of our shoulders bear heavy with challenges from time to time, but this too shall pass. It is my hopes that each of you continue to remain supportive and understanding of my situation, while striving to do the best job possible on an every day basis.

Thank you,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
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E-Mail: jpate@opalockafl.gov

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public. Your receipt of this message is not intended to waive any applicable privilege or claim of confidentiality, and any prohibited or unauthorized disclosure is not binding on the sender or the City of Opa-locka.

Matthew Pigatt

From: John E. Pate
Sent: Friday, September 18, 2020 9:58 AM
To: Matthew Pigatt, Mayor - City of Opa-locka; Sherelean Bass, Commissioner - City of Opa-locka; Chris Davis; Alvin Burke, Commissioner - City of Opa-locka; Joseph L. Kelley, Commissioner - City of Opa-locka; Directors; Joanna Flores; Randy Grice; George Ellis Jr.; Sha'mecca Lawson; City Attorney; Burnadette Norris-Weeks; Candice Cobb
Subject: Re: Out-of-Office

Good Morning,

Thank you everyone for your phone calls, text messages, and well wishes. I am out of the hospital at this time and due to return to work on Monday, September 21, 2020. If there are any needs between now and then, please continue to communicate with Mr. Ellis.

Thank you,

John E. Pate, MS, CM
City Manager
City of Opa-locka
[780 Fisherman Street, 4th Floor](#)
[Opa-locka, FL 33054](#)
Office Phone - [\(786\) 338-6598](#)
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On Sep 15, 2020, at 2:42 PM, John E. Pate <jpate@opalockafl.gov> wrote:

Good Afternoon,

I will be out of the office for a short period of time recovering from an allergic reaction that I had recently. I am currently hospitalized and was just downgraded from being in the ICU to a regular medical floor today. Mr. Ellis has been consulting with me directly since I have been hospitalized and we are clearly on the same page in reference to all matters related to the City of Opa-locka. Mr. Ellis is authorized to sign all documents related to day-to-day operational transactions until my return to the office.

This is a very trying and stressful time for me. All I can ever ask from you is your continued support of me as I tackle this challenge. As you know, all of our shoulders bear heavy with challenges from time to time, but this too shall pass. It is my hopes that each of you continue to remain supportive and understanding of my situation, while striving to do the best job possible on an every day basis.

Thank you,

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Matthew Pigatt

From: John E. Pate
Sent: Thursday, November 19, 2020 10:08 AM
To: Directors
Cc: Joanna Flores; Matthew Pigatt, Mayor - City of Opa-locka; Chris Davis; Sherelean Bass, Commissioner - City of Opa-locka; Joseph L. Kelley, Commissioner - City of Opa-locka; Alvin Burke, Commissioner - City of Opa-locka; veronicawilliams28@att.net; taylor4opalocka@gmail.com
Subject: Out-of-Office (Surgery)
Importance: High

Good Morning,

I will be out of the office starting today to have surgery tomorrow in Chicago due to unforeseen circumstances. I will be participating in today's Commission Meeting and Swearing In Ceremony via Zoom. I will be working remotely starting on Monday, November 23, 2020 and will be participating in meetings via Zoom or through conference call. I am tentatively scheduled to return to the office on November 30, 2020. If you need anything, please feel free to contact me via phone or e-mail. We can conduct meetings via Zoom to facilitate city business and I am available at any time to be at your disposal. Mr. Ellis will be available on-site if any assistance is needed as well.

In advance, thank you for your support, prayers, and due diligence related to the business on making the Great City of Opa-locka a better place for all.

Regards,

John E. Pate, MS, CM
City Manager
City of Opa-locka
780 Fisherman Street, 4th Floor
Opa-locka, FL 33054
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Cell Phone - (786) 829-0739
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Matthew Pigatt

From: John E. Pate
Sent: Sunday, November 29, 2020 2:18 PM
To: Directors
Cc: Joanna Flores; Matthew Pigatt, Mayor - City of Opa-locka; Chris Davis - Commissioner - City of Opa-locka; Alvin Burke, Commissioner - City of Opa-locka; Veronica Williams - Vice Mayor - City of Opa-locka; John Taylor - Commissioner - City of Opa-locka; Sha'mecca Lawson; George Ellis Jr.; Nikeya Jenkins; Sergio Perez; Darryl Stroud; Burnadette Norris-Weeks; Candice Cobb; City Attorney
Subject: Out-of-Office (Surgery)

Good Afternoon,

I will be out of the office working remotely recovering from surgery in Chicago. I have a flight schedule to return to South Florida on **Thursday, December 3, 2020**. I will be participating in meetings via Zoom or through conference call. I am tentatively scheduled to return to the office on **Friday, December 4, 2020**. If you need anything, please feel free to contact me via phone or e-mail. We can conduct meetings via Zoom to facilitate city business and I am available at any time to be at your disposal. Mr. Ellis will be available on-site if any assistance is needed as well.

In advance, thank you for your support, prayers, and due diligence related to the business on making the Great City of Opa-locka a better place for all.

Regards,

John E. Pate, MS, CM

City Manager

City of Opa-locka

780 Fisherman Street, 4th Floor

Opa-locka, FL 33054

Office Phone - (786) 338-6598

Cell Phone - (786) 829-0739

E-Mail: jpate@opalockafl.gov

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Matthew Pigatt

From: John E. Pate
Sent: Tuesday, December 8, 2020 9:51 AM
To: Directors; Elected Officials
Cc: George Ellis Jr.; Sha'mecca Lawson; Lt. Nikeya Jenkins; Sergio Perez; Darryl Stroud
Subject: Out-of-Office

Good Morning,

I am currently sick and hospitalized. Mr. Ellis will be providing support for the City Manager's Office during my physical absence. I do have my city laptop and able to certain day-to-day functions. Please contact me via email if something requires my action, otherwise Mr. Ellis and the CMO staff will be able to provide you the support you need as always.

Regards,

John E. Pate, MS, CM
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Matthew Pigatt

From: John E. Pate
Sent: Wednesday, January 6, 2021 8:19 AM
To: Matthew Pigatt, Mayor - City of Opa-locka
Cc: George Ellis Jr.; Joanna Flores; Burnadette Norris-Weeks; Candice Cobb; City Attorney
Subject: Sick

Good Morning,

I am sick this morning and on my way to the emergency room. Mr. Ellis will cover this morning's Agenda Briefing.

Regards,

John E. Pate, MS, CM
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Matthew Pigatt

From: John E. Pate
Sent: Tuesday, February 9, 2021 1:20 PM
To: Elected Officials; Directors
Cc: Joanna Flores; Gerri Lazarre (Consultant); George Ellis Jr.
Subject: Audit Workshop - February 9, 2021

Good Afternoon,

I will not be in attendance for tonight's audit workshop due to medical reasons. Mr. Ellis and Ms. Lazarre will take the lead on the discussion along with Mr. Brunson. If you need anything, please do not hesitate to contact me.

Regards,

John E. Pate, MS, CM
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Matthew Pigatt

From: John E. Pate
Sent: Wednesday, February 10, 2021 10:24 AM
To: Elected Officials; Directors
Cc: Joanna Flores; George Ellis Jr.; Sha'mecca Lawson
Subject: Regular Commission Meeting - February 10, 2021

Importance: High

Good Morning,

I will not be in attendance for tonight's Commission Meeting due to medical reasons. Mr. Ellis will take my place on the dais and I will attempt to participate via Zoom. If you need anything, please do not hesitate to contact me.

Regards,

John E. Pate, MS, CM
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Matthew Pigatt

From: John E. Pate
Sent: Wednesday, February 17, 2021 10:07 AM
To: Elected Officials
Cc: George Ellis Jr.; Sha'mecca Lawson; Randy Grice; Joanna Flores
Subject: Sick Today

Good Morning,

I am out of the office sick today. Please contact Mr. Ellis for any day-to-day city operational issues.

Regards,

John E. Pate, MS, CM
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Matthew Pigatt

From: John E. Pate
Sent: Monday, March 29, 2021 5:32 AM
To: Elected Officials; Directors; George Ellis Jr.; Sha'mecca Lawson; Joanna Flores; City Attorney; Sha'mecca Lawson; Burnadette Norris-Weeks; Candice Cobb
Subject: Out-of-Office (Emergency Surgery)

Good Morning,

I am out of the office today undergoing emergency surgery at Memorial Hospital in Hollywood, Florida. I will unavailable today, but if something is urgently needed please contact Ms. Lawson and she should be able to accommodate you. I will e-mail everyone when I am out of recovery.

Regards,

John E. Pate, MS, CM
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Matthew Pigatt

From: John E. Pate
Sent: Wednesday, April 14, 2021 4:02 PM
To: Joanna Flores
Cc: Elected Officials; Directors
Subject: Regular Commission Meeting - April 14, 2021

Madam Clerk,

I will be participating in the Commission Meeting via Zoom tonight as I am suddenly feeling under the weather. Mr. Ellis will be supporting me from the dais tonight. If I feel better, then I will physically attend the meeting tonight. If not, I will certainly participate via Zoom.

If any Commission members have any questions or concerns, please feel free to contact me directly and I will be more than happy to explain and provide further clarification on an individual basis.

Regards,

John E. Pate, MS, CM
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