

City of Opa-locka

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



CHARTER REVIEW BOARD Agenda

**Thursday, June 16, 2022
6:00 PM**

**City Commission
Chair Jannie Russell
Vice Chair Nikisha Williams
Board Member Christina Banks
Board Member Mykeisha Fenn
Board Member John Riley
Board Member Audrey Edmonson
Board Member Frank Vega**

SPEAKING BEFORE THE CITY COMMISSION

Pursuant to F.S. 286.0105, if a person decides to appeal any decision made by the Board, Agency or Commission with respect to the proceedings, and that, for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 953-2800 for assistance at least two (2) business days prior to the meeting to request such accommodation. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).

Procedures for Public Participation

Participation at Charter Review Board Meetings

The Charter Review Board will meet in-person while allowing virtual participation via Zoom.

Charter Review Board Meeting location for in-person meetings

Charter Review Board Meetings are held in the Auditorium at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida, with offsite participants joining by Zoom.

How to watch the meeting

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

How to participate

Charter Review Board Meetings are held in-person with virtual participation; members of the public wishing to address the Commission on any agenda item may do so in person or virtually.

To participate virtually, please register prior to the start of the meeting at www.opalockafl.gov.

CITY OF OPA-LOCKA
"The Great City"

AGENDA
CHARTER REVIEW BOARD
June 16, 2022
6:00 PM

1. **CALL TO ORDER:**
2. **ROLL CALL:**
3. **INVOCATION:**
4. **PLEDGE OF ALLEGIANCE:**
5. **ADDITIONS/CHANGES/DELETIONS:**
Request to add, change or delete items from the agenda
6. **APPROVAL OF MINUTES:**

Charter Review Board Meeting Minutes – May 18, 2022
7. **PUBLIC COMMENT:**
Please limit to no more than three (3) minutes
8. **DISCUSSION ON RECOMMENDATIONS FOR CHARTER AMENDMENTS:**
9. **PUBLIC COMMENT:**
Please limit to no more than three (3) minutes
10. **ITEMS FOR NEXT MEETING AGENDA:**
11. **ADJOURNMENT:**

CITY OF OPA-LOCKA
“The Great City”

CLERK’S ACTION SUMMARY MINUTES

CHARTER REVIEW BOARD MEETING

Wednesday, May 18, 2022

6:00 p.m.

1. CALL TO ORDER:

Board Chair Jannie Russell called the meeting to order at 6:05 PM on Wednesday, May 18, 2022 at Sherbondy Village, 215 Perviz Avenue, Opa-locka, Florida.

2. ROLL CALL:

The following members of the Charter Review Board were present: Board Member Christina Banks, Board Member Audrey Edmonson, Board Member Mykeisha Fenn, Board Member John Riley, Board Member Frank Vega, Board Vice Chair Nikisha Williams and Board Chair Jannie Russell. Also in attendance were Assistant City Attorney Candice Cobb and Deputy City Clerk Chris Wills.

3. INVOCATION:

The invocation was delivered by Board Member Riley.

4. PLEDGE OF ALLEGIANCE:

The pledge of allegiance was recited in unison.

Board Chair Russell called for a moment of silence for the lives that were lost in the senseless shootings in New York and Pennsylvania.

5. ADDITIONS/CHANGES/DELETIONS:

Request to add, change or delete items from the agenda

There were none.

6. APPROVAL OF MINUTES:

Charter Review Board Meeting Minutes – April 7, 2022

It was moved by Board Member Riley, seconded by Board Member Fenn to approve the minutes from the **Charter Review Board Meeting Minutes – April 7, 2022**.

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

Board Member Fenn	Yes
Board Member Riley	Yes
Board Vice Chair Williams	Yes
Board Member Banks	Yes
Board Chair Russell	Yes

7. PUBLIC COMMENT:

Please limit to not more than three (3) minutes

Ms. Dorothy Johnson who resides at 13724 NW 22nd Place stated that she would prefer to wait until the Board's second Public Input section to make her suggestions on single member districts and the Commission salary.

Board Chair Russell stated that the Board has a copy of the recommendations Ms. Dorothy Johnson made at the Citizens Input Workshop, assuring her that they will allot her time during the second Public Input section of the meeting.

There being no additional members of the public to address the Charter Review Board, Board Chair Russell closed Public Comment.

8. DISCUSSION ON RECOMMENDATIONS FOR CHARTER AMENDMENTS:

Board Member Riley emphasized his belief that the Charter Review Board should make a recommendation to the City Commission, to have the Civil Service Board added to the Charter. The Board Member pointed out that the City has had quite a few hundred-thousand-dollar settlements with Employees since the charter was adopted in 2012, adding that there are better uses for taxpayer money.

Board Member Banks joined Board Member Riley in recommending that the Civil Service Board be added to the Charter.

Board Vice Chair Williams asked why Board Member Riley recommended including the Civil Service Board in the Charter instead of having it continue to live in the Code.

Board Member Riley explained that just as there are statutes in law as well as constitutional rights, the Charter is the City's constitution. The Board Member pointed out that 3 members of the City Commission could decide to change the ordinance, but it would take the voters to change the Charter. He added that City Employees and others should know that the Civil Service Board has been established on a permanent basis.

Board Vice Chair Williams asked if Board Member Riley had any thoughts on whether or not the Civil Service Board is not working correctly.

Board Member Riley stated that the Board Membership should go back to what was in the Charter, including 2 Members appointed by the City Commission, 1 member recommended by the City Manager and appointed by the Commission, and 2 elected by City Employees. The Board Member pointed out that even the courts have previously recognized the balance of that Board. Mr. Riley also stated that all of the cases previously brought against the Civil Service Board, were won by the Board, adding that they had 4 lawsuits in the 22 years prior to 2010, but there have been 17 since 2012.

Board Chair Russell asked how many of the 17 lawsuits since 2012, have been won.

Board Member Riley stated that he knows that 4 of the lawsuits have been paid out for more than \$100,000, but there are so many cases pending.

Board Member Banks acknowledged that the Board received information regarding the grievance process for the Human Resource Department, but said that if that department is weak, they need to have a backup for City Employees. The Board Member added that grievances that are put on a piece of paper are just a piece of paper, but that putting the Civil Service Board in the Charter gives those Employees sound ground to stand on. She also said that if the City is ever going to get its finances in order, they need to tie up all the loose ends, so that good raises can be given to those who warrant them. Board Member Banks concluded by asserting that the city must abide by the United States Equal Employment Opportunity Commission guidelines, otherwise lawsuits will come up.

Board Chair Russell stated that she thinks the Board should look at Board Member Riley's proposal to include the Civil Service Board in the Charter, with an open mind. The Chair asserted that the Employees are very important to the City, and she expressed concern about whether or not they have something in place that's not working. She then asked Board Member Riley for further clarification on whether the current Board is the same as it was when it was in the Charter

Board Member Riley stated that because each Commissioner is currently appointing a person to the Civil Service Board, it becomes political. The Board Member also stated that the question that was on the 2012 made no reference to the Civil Service Board and only asked if the Charter should be updated. He concluded by reminding his fellow Board Members that it was eliminated.

Board Chair Russell stated her understanding that Board Member Riley believes the way the Civil Service Board is currently structured, the Commission has more votes than City Employees. The Board Chair also recalled that at their last meeting, it was brought to the

Commission's attention that the Civil Service Board had all of its Members appointed and were ready to meet.

Deputy Clerk Wills informed the Charter Review Board that the City Commission had made appointments to the Civil Service Board and there are now 0 vacancies.

Board Chair Russell recalled that Board Member Riley chaired the Civil Service Board for a while and asked what the Board did if a City Employee came before the Board with a grievance, adding that she remembered they had subpoena powers.

Board Member Riley explained that the Charter specifically stated that the Civil Service Board shall call witnesses. The Board Member went on to say that City Employees had the option to file a grievance with the union or an appeal to the Civil Service Board of decisions made by the City administration. Mr. Riley also said that the board was authorized to initiate sexual harassment investigations that were kept confidential until the Board reached its findings. He said that it was the direct result of the City being sued because a former city manager who was convicted of sexually harassing a City Employee assaulted a City Employee. Board Member Riley suggested that if the Board Members really want to understand why it was necessary, he would suggest each Member read the 11th Circuit Court of Appeals case for Angela Crypt versus the City of Opa-locka.

Board Vice Chair Williams suggested that the City Attorney complete an analysis and provide the Board with a one-page document to help them truly understand the differences between the inclusion of the Civil Service Board in the City Charter as opposed to in the City's Code. The Vice Chair said that she is intrigued by what Board Member Riley recommended because she sees how the Civil Service Board was incredibly weakened and wondering if there are ways that the Civil Service Board can be strengthened to include duties that should still exist versus ones that perhaps don't exist in the City's Code, without having to put it back into the City's Charter.

Board Chair Russell asked how many cases the City has had since 2012 when the Civil Service Board was moved from the City Charter to the City Code, and she asked what the outcomes were. The Board Chair also expressed concern that Civil Service Board Members might not be qualified to start digging into people's personal lives for sexual harassment cases and she said they're not bound by any oath to not discuss the case.

Board Member Riley said that confidentiality is in the City's Code and that the sexual harassment ordinance was meaningless unless it was assigned to someone. The Board Member went on to say that it was better to include the Civil Service Board in the City's Charter in case one of the elected officials is accused of sexual harassment, it would act as an independent board that can handle that, and if it's chartered then 3 Commission Members can't kill it. He also pointed out that Miami-Dade County has the Commission on Human

Rights which complaints from any employee in Miami-Dade County except County employees. Board Member Riley went on to remind the Board that the Civil Service Board was taken out of the City's Charter in 2012 and it wasn't passed under ordinance into the City's Code until 2018.

Board Chair Russel asked if Board Member Riley was stating that in the period of 6 years between when the Civil Service Board was removed from the City's Charter and when it was passed under ordinance into the City's Code, that there was no protection for the employees.

Board Member Riley confirmed that he was stating that there was no protection for City Employees during the period of 6 years between when the Civil Service Board was removed from the City's Charter and when it was passed under ordinance into the City's Code.

Assistant City Attorney Candice Cobb read the language which established the Civil Service Board in the City Charter as well as the language that established it in the City Code.

Board Chair Russell stated that she thinks Vice Chair Williams was looking for something a little bit more in depth and asked Board Member Edmonson if she had anything to add to the discussion.

Board Member Edmonson agreed with Board Member Riley that including the Civil Service Board in the City Charter would mean that it would have to be voted on by Residents to have it removed, but if it is established by resolution or ordinance, all that is needed is the right number of votes to have it removed by the Commissioners.

Board Member Riley stated that he hopes the City Attorney will inform the Charter Review Board Members about one of the lawsuits against the City, which was against one of the City Commissioners for sexual harassment.

Board Chair Russell stated that she doesn't want to get too personal because she has gotten feedback from people on both sides, with some people saying that employees were able to go to the Civil Service Board and get away with things because of the people that were on the board, while some say that the Civil Service Board did a good job when they had the right people there. The Board Chair asserted that she just wants to make sure that whatever decision the Charter Review Board makes, that it's not personal and is what's best for the City, as Board Member Riley says. She stressed that the Employees in the City are important and said that their morale shows what kind of work they're going to do and what kind of return the residents that pay taxes are going to get. Chair Russell expressed her hope that with the information from the City Attorney's office which was requested by Vice

Chair Williams, that the Charter Review Board can pull their minds together and come up with something good to put before the City Commission for them to vote on, before it goes on the ballot for the voters. She concluded by stating that they also need a stronger response from the Human Resources Department.

Board Member Banks stated that when you are an employee of the City, the first place you're going when you have any type of problem of that nature, you're going to the Human Resources Department. The Board Member also shared that based on her experience working in the Opa-locka Human Resources Department during the time that Board Member Riley was talking about, the City brought in a specialist for sexual harassment cases, but she said she wouldn't mention how many cases there were. She did say that there were so many sexual harassment cases that she said it was unreal, and further said that she would not even mention what was going on in the City's Police Department. Board Member Banks went on to say that the Charter Review Board Members should not have to go back and forth trying to find out which way is best. She did acknowledge that it's good to do their homework on it but stressed that the foundation should be in the Human Resources Department with policies and procedures enacted for the employees to be able to walk in and be able to talk with somebody if they have grievances. Ms. Banks acknowledged that the AFSCME contract is being negotiated but lamented that there are City Employees who are hurting because they haven't had salary increases in 10 to 15 years waiting to get an increase. She asked who the City Employees are supposed to go to, stating that the only thing they can do is sue. Board Member Banks asserted that including the Civil Service Board in the City Charter would give City Employees backup if the Human Resources Department is weak. The Board Member recognized that there are good City Employees who there are guidelines for and there are people who are doing no good in their department, going on to say that their supervisors and managers should do what they have to do. She recalled that when the City came under oversight by the State of Florida, no reviews were being done and the representatives from the State of Florida said that reviews had to be done. Offering assurances that she is not bashing the Human Resources Department, Board Member Banks concluded by asserting that there have to be policies and procedures for everything, with those guidelines followed and the employees need to know that, including the grievance policy.

Board Chair Russell asked if the Civil Service Board also handled raises.

Board Member Banks confirmed that the Civil Service Board did handle raises, and she said that Board Member Riley knows as well as she does, because she clerked for the Board.

Board Chair Russell stated that she understands everyone's passion on the topic, even if they don't see it through the same lens. She reminded her colleagues on the Charter Review

Board that at one time or another they have all been employees and some know what it is to have employees as well. Chair Russell asserted that employees are what make a city great. Acknowledging that having the Civil Service Board in the City Charter makes it something that can't just be changed without going back before the voters, but she said that even if it is in the City's Code of Ordinances, if you have a case, you could sue regardless, and she asked the City Attorney what makes one stronger than the other.

Assistant City Attorney Candice Cobb pointed out that Board Member Riley covered the difference between having the Civil Service Board established in the City Charter and within the City's Code of Ordinances. The Assistant City Attorney reiterated that it would be more difficult to remove the Civil Service Board from the Charter because it's a foundation and staple of the City.

It was moved by Board Member Riley, seconded by Board Member Banks to recommend to the City Commission that the same Civil Service Board that was included in the City's Charter prior to 2012, be brought back and re-established through the Charter.

Board Chair Russell assured Board Member Riley that she is walking the same path that he is walking, but at that time could not vote yes, until she has all of the information. The Board Chair offered assurances that by the next time that the Charter Review Board comes together, she will get it for herself from the Human Resources Department and will go over it with what has been provided by the City Clerk's Office, to make sure that she can make an informed decision.

Board Member Riley stated that with all due respect, the Human Resources Department wouldn't be able to find it if it was pointed out by the FBI.

Board Chair Russell stated that she thinks they are making it too personal, adding that she understands that Board Member Banks was an employee of the City for years. The Board Chair pointed out that the other Board Members have been residents for years but not City Employees.

Board Member Banks pointed out that she requested the Human Resources Department policies and procedures on grievances so that the Charter Review Board could see it, adding that it should be transparent. The Board Member stressed that this is important because if the City loses good people that they can keep and help grow, it will help the City grow.

Board Member Fenn stated that she is going into this discussion without bias, as a fair Citizen who is listening. The Board Member joined Board Chair Russell in pointing out that oftentimes they go back and keep looking to what has happened, but she asserted that they have to look at the road ahead of them and go forward. She went on to stress that if they say the Employees are the heart of the City, then they want to move forward with

protecting them and if that is going to mean putting it in the City’s Charter, she is all for it. Board Member Fenn concluded by stating that she is not going to make a rash decision based on what has happened, adding that she wants to do this with sound judgment, look forward at what could happen, asking that they cease the discussion until we they get the information that 3 of the Board Members requested from the City Attorney.

Board Vice Chair Williams stated that Board Member Fenn did a great job of expressing exactly how she feels and thanked her for those comments.

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

Board Member Riley	Yes
Vice Chair Williams	No
Board Member Banks	Yes
Board Member Fenn	No
Chair Russell	No

Board Chair Russell stressed that the failure of the motion to recommend to the City Commission that that the Civil Service Board be added to the City Charter, did not mean the Charter Review Board can’t bring it back if they have a change of heart. The Board Chair asked if any member of the Charter Review Board had any input on the proposal to amend the Charter to divide the City into single member districts.

Board Vice Chair Williams stated that she is intrigued by the proposal to amend the Charter to divide the City into single member districts, and she said that she is debating whether it should be 1 member of the City Commission elected at-large with the City divided into 4 districts, or 2 members of the Commission being elected at-large with the City divided into 3 districts. The Vice Chair went on to say that she is trying to understand what information is presented to voters that the Charter Review Board would have to have worked so that the folks who are voting on it have sufficient information, and she asked if someone can explain exactly what would go on the ballot. She concluded by encouraging her colleagues on the Board to share their thoughts on the proposal for single member districts.

Board Member Fenn shared that she left the last Charter Review Board meetings not knowing if she understood why the proposal for single member districts was brought up. The Board Member said that while she thinks it was a great idea, she pointed out that Opa-locka is such a small City that she doesn’t think it is totally necessary at this point to have the dystrophy that she worries will divide voters. She lamented that the City already doesn’t get votes and expressed concern that they could have one person running in a district and could win by default, or no one running, adding that she doesn’t think single member districts are necessary.

Board Member Riley stated that Board Chair Russell says they are making it personal, but he pointed out that there's a difference between being personal and passionate. The Board Member went on to state that the size of the City is irrelevant with respect to the proposal to divide the City into single member districts. He said that it's about representation and offered the example of the Miami-Dade Board of County Commissioners which had 9 members from 1956 up until the 1990s, but they could never get more than one black Commissioner elected. Board Member Riley said that with single member districts, they were able to get representation on the County Commission that is equal to the community the Commission represents. He said it would be up to the voters to decide if the person would have to live within the district. Board Member Riley concluded by stating that the concept of a governing body is that members come together on behalf of the whole and said that a court would look at it very simply, considering whether the current City Commission represents the makeup of the population of the City of Opa-locka.

Board Vice Chair Williams asked Board Member Riley who he thinks is not being represented on the City Commission.

Board Member Riley recalled that when he first came to Opa-locka, it was 67% white, 35% black and about 3% Hispanic, and he asked what Board Vice Chair Williams thinks it is today.

Board Vice Chair Williams said that she didn't know exactly but she knows Opa-locka is just over 50-60% blacks and 40-45% Latino.

Board Member Riley pointed out that Opa-locka still has some White and Asian residents, but while he said he is not advocating for any Member of the Commission to represent a particular group, he asserted that the Commission should be a reflection of what the Community is. The Board Member said that he is sure Board Member Edmonson would be able to tell the Charter Review Board that lawsuits are won because of underrepresentation.

Board Chair Russell said that she thinks when they talk about representation, they need to look at areas that are underrepresented. The Board Chair went on to say that she doesn't know how single member districting would work because the City would have to revamp the election process. She added that she thinks that 2 at-large members of the Commission with 3 single member districts might work better than 1 at-large member of the Commission with 4 single member districts because she thinks that there are areas that don't get a whole lot of attention, specifically identifying the East side as an area of the City that she doesn't know the last time they had a Commissioner from that area. Adding that she thinks Opa-locka is kind of small, she acknowledged that Board Member Riley said that size has nothing to do with it. Board Chair Russell stated that she doesn't see how

single member districts would work at this time in Opa-locka but said that if it makes sense and the voters want it, then they have to do it. She concluded by also acknowledging that Board Member Riley's stated that elected officials should represent all areas but stating that she sees the signs and it seems that they represent their area.

Board Member Riley pointed out that the entire Commission has to vote for the funding for the projects where those signs have the names of the Commissioners. The Board Member said that part of the political process is that if a Commissioner wants something in their district, then they have to give something to another district, but overall, the group comes together for the whole.

Board Chair Russell stated that she is quite sure that former Vice Mayor Dottie Johnson is waiting in the wings to give the Charter Review Board a little lesson on why she thinks single member districts are so important.

Board Member Riley stated that if they read the minutes from August of 1985, they will find that a proposal for single member districts was discussed then.

Board Chair Russell said that Board Member Riley had just said that they were not going to be able to find anything going back that far.

Board Member Riley pointed out that he had said they would not find anything going back that far in the Human Resources Department, but the minutes are in the Clerk's Office.

Board Chair Russell asked which of the Charter Review Board Members wanted to discuss the compensation for the Mayor & Commission first.

Board Vice Chair Williams pointed out that she has been relatively vocal in support of the proposal to increase the compensation for the Mayor & Commission, but she asserted that she stands wholeheartedly with the idea that it needs to be attached to a formula that is used more universally, offering the formula shared by the Florida League of Cities as one possible option, in addition to the recommendation from former Mayor Joseph Kelley to tie it to the consumer price index.

Board Member Banks asserted that whatever the Charter Review Board decides to do with the proposal to raise the compensation for the Mayor & Commission, it has to be tied budget wise. The Board Member pointed out that they don't have anyone from the City's budget or finance team at the meeting to provide them any info on the City's financial emergency. She reminded her colleagues on the Board that the first thing cut by the representatives of the State of Florida were benefits that were being provided to the City Commission.

Board Chair Russell stated that every year starts with a blank budget and all of the line items are put in, pointing out that what is in the budget this year might not be in the budget next year, and revenue might have gone up or decreased. As an example, the Board Chair said that when Kendrick Meek got the class size amendment passed by voters, limiting each classroom to no more than 30 students, everybody said that we couldn't afford it, but when the voters passed it, they had to put it in the budget. She also said that she thinks clarification was provided that the State of Florida did not take away benefits from the City Commission because of the financial emergency, but because there was no policy and procedure in place.

Board Member Banks stated that is not correct and she wants to see it in writing, because she believes there were policies and procedures for all of the benefits that the State of Florida took away from the City Commission. The Board Member also pointed out that you always have a carry-over when you start with a blank budget and added that the City has so many lawsuits it's unreal and that if it were a truly blank budget, the City would not be in financial emergency. She asserted that the City can't carry a budget that has these deficits and continue to run, adding that they will never be able to give Employees a raise and increase anything else. Ms. Banks also reminded her colleagues on the Charter Review Board that she is a resident and taxpayer and she sees it as a waste, continuing on by stating that she thinks it's time for us for all of us to stand up and start fighting to make Opa-locka a better community because they have children, grandchildren and great-grandchildren that they want to be a part of the community and want to make it conducive to them living here in a good environment, with businesses coming in, and representing the demographics in this community.

Board Chair Russell asked if the Clerk's Office could provide the information on why the Commission's benefits were removed by the State of Florida.

Deputy Clerk Wills stated that the documentation that was provided to the Charter Review Board related to the cancellation of the City Commission's health care benefits stipulated that the reason for the cancellation was because there was no policy in place. The Deputy Clerk went on to say that it is possible that both the Chair and the Board Member are correct, that the State of Florida has Opa-locka under a financial emergency because of certain financial circumstances the City was in, and as a result of their review of the City's policies, they took away many of the benefits that the Commission had. He concluded by pointing out that the Charter Review Board has the ability to put the Commission's benefits officially into policy by making the recommendation to the Commission to have that appear on the ballot this coming election for the voters to approve.

Assistant City Attorney Candice Cobb expressed her appreciation for the passion of the Charter Review Board Members wanting to protect the City, its Residents and Employees,

but she asked them to cut back with their speculation regarding the lawsuits because it could cause more harm than good, and she doesn't know if there's firsthand knowledge about what is going on in those lawsuits.

Deputy Clerk Wills stated that because some Members of the Charter Review Board had expressed concerns about where the funding would come from for the proposed increase in compensation for the Mayor & Commission, they may want to consider making a formal inquiry to Budget Administrator Robert Anathan, who might be able to provide some insight into how the budget process will look for the coming year, and might also help the voters have more confidence in voting in favor of any such question that may be put on the ballot.

Board Chair Russell acknowledged that Assistant City Attorney Candice Cobb wants to make sure that the Charter Review Board Members don't give out the wrong information to the community. The Board Chair said that because she is not privy to the information about the lawsuits and most of them are done in closed sessions, they're not to be discussed among people.

Board Member Banks stated that she was not discussing the lawsuits but was mentioning them in order for the Charter Review Board to make an evaluation for recommendations to the Commission on the proposal to increase the Commission's compensation. The Board Member also said that any City Resident that wants to know about litigation can request that information publicly through the City Clerk.

Assistant City Attorney Candice Cobb clarified that she didn't really want to go back and forth but cautioned against speculating how many lawsuits there are and what the substance of those lawsuits are.

Board Chair Russell stated that the Charter Review Board would be looking at a formula for the proposed increase in compensation for the Commission.

Board Vice Chair Williams asked that the Florida compensation salary formula be run so that the Charter Review Board will have it at their next meeting.

Board Chair Russell also stated that she is in favor of the City Commission having access to a vehicle, whether it's a City vehicle that they sign in and out to use and she said that she is also in favor of providing the Commission with health benefits. The Board Chair went on to say that she is not in favor of all the proposed benefits being tied into their salary. She added that she is willing to support whatever formula is used to calculate the Commission's salary according to population.

Board Vice Chair Williams recommended that instead of there being an actual vehicle that the City Commission would check in and out, that they are provided a car stipend and, so they are compensated for the use of their own car.

Board Member Vega recommended that the City Commission be provided with an allowance of a certain amount of money every month for their benefits including their phone, health insurance and vehicle. The Board Member pointed out that the Members of the Commission may have another job that provides them insurance, and an allowance would be simpler.

Board Member Fenn clarified that she is in favor of a car stipend, not having a car for the Commission to check in and out. The Board Member also stated that she does agree that the proposed salary and benefits should be separate. Additionally, she agreed with Board Member Vega that if the Members of the Commission have a full-time job, they will probably not need health insurance, so they can opt-out. Board Member Fenn stated that she likes the formula idea for calculating the Commission's salary because then it fluctuates based on the City's population but doesn't agree with providing them an allowance because their bills will fluctuate.

Board Member Vega pointed out that if multiple Members of the City Commission need to use a vehicle, it could present a challenge and said that if they all have their own car, they can receive an allowance that would include benefits like their car and the phone.

Board Chair Russell stated that she thinks the City Commission Members should have a City phone aside from their personal phone because the ethics commission or anybody else may want to see who they've been talking to. The Board Chair added that their City phone should be owned by the City.

Deputy Clerk Wills stated that all City Commission Members are provided a cell phone as well as tablets or a laptop. The Deputy Clerk added that they are not precluded from proposing to include those benefits in the City's Charter, as a recommendation to the commission to codify those benefits into the Charter.

Board Chair Russell asked if the City Commission Members can be considered employees with benefits.

Deputy Clerk Wills reiterated the information provided to the Charter Review Board by Clerk Flores, explaining that the City Commission Members are viewed as part-time employees, and because part-time employees in the City don't necessarily receive benefits, that may not be the best way to address whether or not they're going to receive benefits. The Deputy Clerk went on to explain that the reason he shared that with Members of the Board is that when the research was being done into the salaries and benefits provided to

elected officials in other municipalities, some of the other clerks and human resources representatives, were puzzled as to why Opa-locka was facing this conundrum, because they view their elected officials as employees and simply grant them all the benefits that their city employees would receive. He further explained that he did not discuss whether their elected officials are viewed as full-time or part-time employees, but that was the response that was received from several cities, including the City of Miami as an example.

Board Chair Russell stated that why the City's elected officials are viewed as full-time or part-time employees, will have to be a question for the Human Resources Department that they can get into later.

Board Member Riley pointed out that from the time he was elected in 1982, he was a City of Opa-locka employee. He also said that no government can start off with a zero budget.

Board Chair Russell explained that what she meant is that the City puts a budget together and it's not like they can't add or take away.

Board Member Riley pointed out that the City has a proposed and actual budget each year, where the actual budget includes the revenue that actually came in and what is proposed to come in. He reminded the Members of the Charter Review Board that each City is unique, and they need to do what is in the best interest of the City.

Board Chair Russell stated that the Charter Review Board has a lot of homework to do.

9. PUBLIC COMMENT:

Please limit to not more than three (3) minutes

Ms. Dorothy Johnson of 13724 NW 22nd Place reiterated her support for dividing the City into single member districts, stating that the size of the City doesn't matter, but what matters is the representation of the area for the district. She also suggested that they could propose the single member districts through a petition initiative. Ms. Johnson added that she does not believe the citizens will approve a large salary increase for the City Commission, asserting that they need to build trust with the citizens. She reminded them not to get bogged down in the language, because it will come from the City Attorney's office. She stated that she had carpools that worked out pretty well when she worked for the U.S. Post Office and also suggested that any insurance benefit should be limited to the Commission Members and not their family. Ms. Johnson cautioned the Charter Review Board about discussing the City's litigation. Additionally, she said that the climate has changed between 2012 and now, stating that many employees feel they are being retaliated against, and they may need to use another safety net to make sure that the employees' rights are not violated. Ms. Johnson concluded by reminding the Charter Review Board Members that the Florida League of Cities gave them a lot of resources and urged them to capitalize on those.

There being no additional members of the public to address the Charter Review Board, Board Chair Russell closed Public Comment.

10. ITEMS FOR NEXT MEETING AGENDA:

The Charter Review Board discussed the scheduling of their next meetings, in consideration of the deadlines established by the Supervisor of Elections.

12. ADJOURNMENT:

There being no further business to come before the Charter Review Board, it was moved by Board Vice Chair Williams, seconded by Board Member Fenn to adjourn the meeting at 7:46 p.m.

Jannie Russell
Board Chair

ATTEST:

Joanna Flores, CMC
City Clerk