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Citizen's Advisory Committee Meeting

March 2, 2006

Stephen P. Clark Center

111 NW 1 Street

19th Floor Conference Room

8:00 AM

Meeting Minutes

CAC MEMBERS PRESENT:

Robin Reiter, Chairwoman
Barbara Bisno
Armando Gutierrez, Jr.
George Lindemann
Sylvia Person
Alan Rubin
James A. Wendell

Jose Andreu, Vice Chairperson
Fred Frost
Alain Lecusay
Jeffrey A. Mishcon
Ann Pope
Reverend Dr. James Wise

COUNTY ATTORNEY:

Gerald Heffernan, Assistant County Attorney
Gerri Bonzon-Keenan, Assistant County Attorney

OTHERS PRESENT:

Roger T. Hernstadt, Director, OCI
Jose A. Galan, OC
Roslyn Alic-Batson, OCI
Betty Alexander, DBD
Betty Gutierrez, Office of Commissioner Barreiro

George Navarrete, OCI
Ana Watson, OCI
Bernard McGriff, OCI
John Topinka, MDHA
Juana Rodriguez, OCI

PROCEEDINGS:

- Meeting called to order at 8:20 A.M. by Chairperson, Robin Rieter.
- January 19, 2006 meeting minutes approved.
Motion Moved: Alan Rubin

Motion Seconded: James Wise

Motion Passed: Unanimously

- Chairperson welcomed Alain Lecusay, new CAC member, who will be replacing Mr. Joe Bobler, who has resigned due to other commitments.
- Chairperson extended her gratitude to all those CAC members who have attended the Miami-Dade Ethics Training, as it is a requirement to members serving on a public board.
- CAC members reminded of the Miami-Dade County Ordinance which states that Board members that are absent for two (2) consecutive meetings, or fifty percent (50%) of all meetings in a 12 month period can be removed for the committee.
- Chairperson Reiter inquired if there were any citizen presentations to be made. She noted that there were none at said time.
- Feature Stakeholder Presentation by John Topinka, Director of Finance and Administration, Miami-Dade Housing Agency. Mr. Topinka gave a brief history of the Miami-Dade Housing Agency and explained how GOB funds will be utilized to provide affordable housing.
- Question and answer session followed the above stakeholder presentation.
- Program Status Update Presented by Mr. Roger Hernstadt, Director, Office of Capital Improvements. Mr. Hernstadt informed CAC Members of the current status of GOB projects and provided responses to all CAC Member inquiries regarding the matter.
- Mr. Hernstadt congratulated CAC Members for their responsiveness in attending Ethics Training. He also, thanked CAC Members who attended the Community Health Center ground breaking and emphasized that support such as this is greatly appreciated. Mr. Jose Andreu stated that he was impressed by the quality and commitment of the individuals involved with this program. He went on to add that the GOB could not be financing a more justifiable project than the Community Health Center. Per Mr. Andreu, the cost benefits analysis for this center indicates that it will be one of the highest returns per dollar if actually carried out. Mr. Andreu went on to state that he was very proud of being a member of this community and extended his gratitude to Mr. Jose Galan, Chief, Program Legislation for the Bond Program, who was instrumental in assisting him in speaking with those involved in carrying out said project.
- Mr. Hernstadt advised that the first organizational meeting of the Economic Development Fund Selection Committee will be held on the 28th of the month. The CAC Committee requested that an advertisement be issued requesting a letter of interest from those entities that might be interested in accessing said fund. The non for profit RFP is scheduled to be advertised by March 21st. Mr. Hernstadt advised that the RFP will be advertised in the 3 main newspapers: (1) The Miami Herald, (2) The Miami Times and (3) Diarios de las Americas. In addition, all registered vendors will receive an e-mail notification. For those with no e-mails a letter of notice will be sent out. Ms. Ann Pope asked what type of

structure or process will be used to help first tier and the smaller grassroots type organizations through the process. Mr. Hernstadt explained that that no less than two meeting will be held before the proposal due date, for entities applying for said funds. Technical assistance will be provided in terms of filling out paper work, and putting together packages, etc.

- Mr. Hernstadt addressed an inquiry regarding the participation of CAC Members in Competitive Selection Committees (CAC). Per Mr. Hernstadt, the County Attorney's Office has advised that CAC Committee Members can indeed be part of a CSC. The Office of Capital Improvements will work with CAC Members in gathering all pertinent information regarding expertise in order to submit to DBD, the entity in charge of overseeing the appointment of CSCs.
- Mr. Hernstadt advised that OCI is in the process of revising Administrative Order (A.O.) 3-39. He explained that said A.O. governs the A&E selection process, as well as the implementation of capital construction projects. Subject revision will be going through the legislative process next month. OCI believes that the revisions that are being proposed will allow the timeframe of A&E selections to be reduced from 120 days to 90 days. Projects less than \$2,500,000 in construction cost will be able to be reduced to 45 days. Mr. Hernstadt went on to explain that A&E consultant selection, for projects over \$1,000,000, has a current timeframe of 120 days, or 3 weeks for a project less than \$1,000,000. Furthermore, CAC Members were advised that A.O. 3-39 deals solely with A&E; other type of consultant selection is handled by the County's Department of Procurement Management.
- Roger Hernstadt advised CAC Members that their meeting package includes a previously requested report for projects 180 days behind schedule; subject report is denoted as Item 5C. **Also, included in said package was an item to relax the County Procurement regulation for municipalities and certain non-profit groups.** Chairperson Reiter recommended to CAC Members that subject items be discussed and that a motion be made to either encourage or discourage the County with regards to their stance on this issue. Mr. Alan Rubin agreed that the inclusion of this item in the agenda is an excellent idea. As a result, a motion was made to vote on the proposed recommendation.
Motion Moved: Mr. Alan Rubin
Motion Seconded: Rev. James Wise
Motion Passed: Unanimously
- Mr. Jerry Hoffman, County Attorney's Office (CAO), advised the Ordinance had been amended and the changes deemed immaterial.
- Chairperson Reiter asked the CAC Committee to again vote on the item and the motioned carried.
Motion Moved: Robin Reiter
Motion Seconded: Rev. James Wise
Motion Passed: Unanimously

- Mr. Hernstadt reported that he had the opportunity to meet with Commissioner Bruno Barreiro in order to discuss a project whereby the Little Havana Activities and Nutritional Center will be given an opportunity to partner with the Community Action Agency (CAA) and the Department of Human Services to enhance the facility of 700 SW 8th Street. Mr. Hernstadt went on to explain that the general scope of services at this location are child care living facilities and elderly medical services. Note that staff assistance will be provided to the aforementioned organizations in order to bring them together.
- Chairperson Reiter advised that she would like to name a small sub-committee to meet on alternate months with GOB staff in order to review the 180 Day Exception Report. Said sub-committee will review this report in order to give the CAC an overview and recommendation as to what action(s) should be taken by the Committee as a whole. Chairperson Reiter appointed Mr. George Lindermann, Mr. Alan Rubin, Mr. Alain Lecusay and Ms. Ann Pope to be part of this subcommittee. Members accepted the appointment and will report back at the next CAC meeting. Note that these sub-committee meetings will be held on a trail basis. If the sub-committee is comfortable with the information contained within the 180 Day Exception Report, then said sub-committee will be dissolved.
- Mr. Hernstadt advised CAC Members that there are 55 contracts that are underway and 70 that are being processed with regards to municipal and non-for-profit projects. The above mentioned 70 projects will be impacted by the legislation the CAC Committee endorsed earlier due to the fact that the cities and non-profit entities were hoping to be able to use their own procurement methodologies. In addition, Mr. Hernstadt advised that no one expected for \$150,000,000 that was obtained the first bond sale to be spent during the first year. There are more than 200 projects getting a piece of those funds. The real goal is to make sure that those funds are expended in three years.
- CAC Committee discussed living wages as it pertains to municipalities. The Committee further discussed stance to impose municipalities receiving GOB money to use County procurement procedures as opposed to their own. Mr. Lucasay inquired if a report, study and/or investigation has ever been conducted to compare the requirements of the county as opposed to those of municipalities. Mr. Hernstadt advised that the differences between entities can be infinite with the exception that all must comply with State Statutes.
- Chairperson Reiter recommended that a checklist be provided for small businesses which raise the question of whether said entities have family leave, living wages, procurement guidelines, employment handbook, etc. In including said checklist the County is not saying that it is going to exclude an organization from applying for a project and/or rejecting their proposal, but rather utilizing the checklist as a tool for raising important questions. Mr. Hernstadt acknowledged Chairperson Reiter's checklist recommendation and agreed to include it in the process.
- Mr. Lindermann stated that he did not agree. He would not like to see a small organizations from submitting on a project because they need to state on a checklist that they do not meet or comply with a given element. To do this, per Mr. Lindermann, is to deny small organizations and community of benefits.

- The CAC Committee is concerned that we live in one of the poorest cities in the country and this type of process does not aid minority entities. Per Mr. Lindermann, the focus of this community is to be able to help the people that really need help. He believes that with all of these requirements small entities will never have a chance.
- Mr. Lecusay, is concerned about how the County is going to manage guidelines without being able to check the process of different municipalities. Chairperson Reiter stated that while these are all interesting points, however, it only affected 1% to 1.5% of the available bond money. The most the County can do is institute program safeguards and try and maintain the program open and accessible for the people and organizations that will benefit from this \$30,000,000 initiative. Mr. Hernstadt advised that GOB funds will be used to improve community based organizations and facilities already receiving federal and county grants to support their operations. Ms. Pope again added that the County should join forces with outside organizations in order to provide technical assistance to small business entities in order to ensure that they do not become overwhelmed by required paperwork, but rather receive much needed funds. Per Mr. Hernstadt, the checklist recommendation is an excellent one.
- Per Mr. Hernstadt, the previously recommended checklist can be submitted as part of an organization's application. Furthermore, the checklist will help in identifying which entities truly need help and what type of technical assistance is needed prior to signing a contract.
- Chairperson Reiter called for a straw poll vote on reconsidering item to relax the County Procurement regulation for municipalities and certain non-profit groups. A straw vote was taken and the vote was in favor of the item as previously approved by the CAC Committee. An actual vote on the item was not possible because a quorum was lost. The Chairperson went on to state that policy language should be relaxed, however, protection both for small organizations, as well as for the County must be ensured. Furthermore, she expressed her desire to reconvene the CAC Committee in order to further discuss the motion to relax the language of the procurement process ordinance. Subject meeting will be scheduled and the CAC Committee will be reconvened within the next ten days.

ADJOURNMENT

- Meeting adjourned at approximately 10:30A.M.