



**CITIZENS' ADVISORY COMMITTEE
AGENDA**

July 9, 2007 8:30 AM

SPCC Building – 21st Floor Conference Room B

- | <u>Item</u> | <u>Presenter</u> |
|--|--------------------|
| I. Approval of minutes from 3/21/07 and 5/21/07 meeting | Chairwoman Reiter |
| II. Featured Stakeholder – Commission on Ethics | Robert Meyers |
| III. Expedite Ordinance | Robin Reiter |
| IV. Significant Scope Modifications | Roger T. Hernstadt |
| A. Baywalk Project (Oral) | |
| B. Martin Luther King Business Center (Oral) | |
| C. Wynwood/Allapattah | |
| V. Report on 180-Day Subcommittee Meeting of 6/27/07 | Ana Finol |
| VI. Program Status Update – Oral Presentation | Roger T. Hernstadt |
| A. Museums Update (Handout) | |
| B. Hialeah Water Treatment Plant | |
| C. Economic Development Projects | |
| D. Killian Library | |
| E. Property Tax & Impact Reform | |
| VII. Informational Items | |
| A. Not-For-Profit Capital Fund
County Manager's Recommendations | Roger T. Hernstadt |
| B. Procurement Ordinance Sponsored by Commissioner Moss | |
| VIII. Other Business | |
| A. Next CAC Meeting Date - September 12, 2007. | |

**OFFICE OF CAPITAL IMPROVEMENTS
Building Better Communities Bond Program
305-375-1900**



**Citizen's Advisory Committee Meeting
March 21, 2007
Stephen P. Clark Center
111 NW 1 Street
18th Floor Conference Room 18-4
8:30 AM**

Meeting Minutes

CAC MEMBERS PRESENT:

Robin Reiter-Faragalli	Elio Alfonso
Jose "Pepe" Andreu	Sandra Gonzalez-Levy
Wendell A. James	Ann Pope
Jose Antonio Martinez	Jeffrey A. Mishcon
Reverend Dr. James Wise	Barbara Bisno
Guy Forchion	Michelle Mason
Juan T. Sanchez	

OTHERS PRESENT:

Gerald T. Heffernan, Assistant County Attorney

Roger Hernstadt, Director, OCI	Jose A. Galan, OCI
Ana Finol, OCI	Marlen Brant
Bernard McGriff, OCI	Juana Rodriguez, OCI
Roslyn Alic-Batson	Ivan Rodriguez, OHP
Carlos Dunn, OHP	Margarita Garces, MDFR
Julio Castro, MDPLS	Suzet Alvarez-Cleary, MDPLS
David Raymond, Homeless Trust	Robert Stebbins, GSA
Becky Mathou, Dade Heritage Trust	Maggie Fernandez, CMO
Alfonso Ledo, MDFR	Ken Knight, Public Housing
David Raymond, Homeless Trust	Al Ledo, Miami-Dade Fire Rescue
Susanne M. Torriente, Assistant County Manager	
Maggie Fernandez, Assistant to the County Manager	

PROCEEDINGS:

The Citizens' Advisory Committee meeting was convened at 8:36 AM on Wednesday, March 21, 2007.

I. Approval of Minutes

The Chairwoman called for a motion to approve the minutes of the January 24, 2007 meeting. Jeffrey A. Mishcon moved for approval and was seconded by Juan Sanchez. The motion passed unanimously.

Comments from the Chairwoman

The Chairwoman introduced and welcomed the newest committee member, Michelle Mason.

The Chairwoman stated that the Committee members had not received an action item on page 3 of 8. George Navarrete, GOB Division Chief, stated that the municipalities would be provided the information recognizing that GOB receives schedules from municipalities at the time the County enters into agreements with the municipalities. Chairwoman Reiter asked the staff to please clarify in the GOB schedules, what are the planned programs not just for municipalities but for non-profit groups.

II. Public Presentations

There were no public presentations.

III. Report on 180-Day Subcommittee Meeting of February 22, 2007

Mr. Navarrete stated that he believed that the subcommittee meeting was very productive.

- a. Subcommittee members requested that stakeholders (MDFR, Parks, Vizcaya, Library, and GSA) appearing on the 180-day late report provide an explanation as to why their projects were late. The explanations are included except for one project from GSA which explanation was not received and as soon as explanation is received GOB will make that available to CAC.
- b. Another request was to provide a summary sheet to one of the reports and it is included in the CAC package.
- c. GOB has already taken steps to close the action items or will be done prior to the next GOB Subcommittee meeting (i.e., notification the Subcommittee when upcoming items are going to be heard by BCC or any other Committee).

Mr. Navarrete noted that the Procurement Ordinance was presented for First Reading at the BCC of March 20, 2007 and the item was moved to the Public Hearing. The Public Hearing is scheduled for Governmental Operations and Environment (GOE) Committee on May 15, 2007.

On March 13, 2007 GOE Committee the GOB had 2 items: 1) Acceleration Procedures Report was accepted and scheduled for April 24, 2007 BCC meeting; and 2) significant change to the Aventura project was also approved at the GOE Committee and scheduled for April 24, 2007 BCC meeting.

Chairwoman Reiter asked if the GOB wanted any member of the CAC to speak on behalf of these items to the full Commission or to at any Committee, if that would help assuming the CAC was in favor of it.

Roger T. Hernstadt, Director of OCI stated that it would be helpful and he will provide the Committee members with dates and times as appropriate.

Chairwoman Reiter asked if CAC members had any questions on the 180-day Subcommittee Report and noted that the information presented was far better than any the CAC has been provided before.

Chairwoman Reiter asked for an update from GSA regarding the projects under their purview for the next meeting.

Mr. Sanchez asked for clarification regarding the impact of late projects.

Mr. Hernstadt stated that project lateness does not affect the *Building Better Communities* General Obligation Bond Program project money because all projects are capped as to funding. Project lateness does contribute to the overall cost of a project. The County's capital departments have other capital dollars that they would need to devote to that project to makeup for the shortfall that would be incurred by being late. There are 2 types of "late": 1) a project phase is late but the overall delivery date of the project is still on time 2) overall delivery of a project is late. The use of 180-days is the threshold in analyzing if a project is late and that is what the CAC has stated. It is the early warning system that more involvement, participation, questions, answers, discussions and presentations become necessary.

Chairwoman Reiter asked for an update from GAS as to their challenges with the GOB since they represent approximately 25% of the entire Program. Simultaneously, GSA is also construction contractor and consultant to a number of other County departments and GSA is trying to accommodate all of these client departments.

IV. Program Status Updates

A. Funding Acceleration Process

The Chairwoman asked for a motion to approve the recommendation of the passage of the Funding Acceleration Process. Ann Pope moved for approval was seconded by Barbara Bisno, and the motion passed unanimously.

Discussion

Committee member Alain Lecusay, who was not present at today's meeting, requested that a statement he prepared be read into the record. George Navarrete read Mr. Lecusay's statement into the record. Mr. Lecusay supported the Funding Acceleration Process item.

B. Revision to the Procurement Ordinance

Mr. Hernstadt noted that the revision to the Procurement Ordinance is a simple change. The County had previously authorized the cities (the municipalities) to utilize their own procurement policies when they were developing a GOB project on their own land. At that time, the County did not contemplate the situation wherein the municipality and the County would be involved in a joint project. The first case falling under this situation is the case of the City of Aventura wherein the City would like to partner with the County's Library Department and create a one facility to house both the a County library and the City's culture events center. Due to the repeal of the expedite ordinance, the City of Aventura can implement this project faster but with the condition of utilizing their own procurement process.

Chairwoman Reiter requested a motion to move the issue forward. The item was moved by Committee member Elio Alfonso and seconded by Jose Andreu. Juan Sanchez asked if this ordinance affected the two museums that are to be constructed on City of Miami land. Mr. Hernstadt stated that the Procurement Ordinance does not affect that project. There being no further discussion, the motion carried unanimously.

C. Expedite Ordinance

Roger Hernstadt explained that next to the Funding Acceleration Process, the Expedite Ordinance is the most important tool available for project implementation. The original Expedite Ordinance process was repealed as a result of a charter change by the special election establishing a Strong Mayor. This process had granted the County Manager the authority to approve construction advertisements and awards for projects that were funded in the County's published Capital Improvement Plan (Capital Budget) which included *Building Better Communities* GOB funded projects. The Manager was also authorized to approve change orders that do not exceed the original contract by 15% or \$500,000, in the cumulative, whichever is less. The Office of Capital Improvements has prepared and submitted for consideration a new expedite procedure for approving capital improvement projects which is included the Committee members' packages. OCI has concluded that the absence of an expedite ordinance can add up to six to nine months to a project's timeline. This is a major concern as to how it will affect the overall Bond Program. Mr. Hernstadt noted that this is an item in which staff requests that CAC members support.

Chairwoman Reiter requested a motion to accept the recommendation. The item was moved by Barbara Bisno and seconded by Jose "Pepe" Andreu. There was no discussion on the item and the motion carried unanimously. The Chairwoman requested the date of the presentation so that CAC members can be present to support.

D. Historic Preservation Request for Proposals

Mr. Jose A. Galan, the GOB Chief of Program Legislation, advised the CAC that OCI has been working with both the Office of Historic Preservation which in turn has worked with the Dade

Heritage Trust to draft a request for proposals (RFP) for the Historic Preservation Fund which totals \$10 million. Currently, there is \$350,000 available in the Fund. There is no foreseeable additional funding available in the next few years.

Mr. Galan noted that organizations that are eligible to apply will include private homeowners that have historic designations placed on their property, municipalities, non-for-profit groups and any entity that has a historically designated property.

Chairwoman Reiter asked Committee members if there were any questions. Barbara Bisno asked what the criteria are by which these entities will be evaluated. Mr. Galan stated the evaluation criterion has 5 parts: 1) Project proposal; 2) management and administration capabilities; 3) approved facility capabilities; 4) appropriateness of the grant; and 5) merit of the capital project. Ms. Bisno asked if the evaluation criterion is expected to have numerical ratings (i.e., will there be a matrix). Mr. Galan commented that the Not-for-Profit Fund did not have a numerical rating system. Currently, OCI is not contemplating a numerical scoring system for this Historic Preservation RFP. Ms. Bisno asked if the interested entities are going to be advised that all 5 evaluation criterion will be equally weighed and if OCI will guide the discussion so that issues that are not publicly presented to the applicants are not considered.

Mr. Galan noted that OCI will not direct the Review Committee to equally score the evaluation criterion but rather permit the Review Committee to score applicants based on their experiences. Mr. Galan stated that the Review Committee scoring the applicants will consist primarily of County staff, members of the Dade Heritage Trust and staff of the Office of Historic Preservation.

Chairwoman Reiter voiced her concerns as to the evaluation process of the Non for profit group and requested some assurance that the criteria will be established prior to the review of the proposals and then a decision is made. Chairwoman Reiter reiterated that Mr. Galan had named the 5 areas of interest as part of the evaluation and noted that these are the only criterion within the Historic Preservation RFP and only these 5 items are the ones that which the proposers will be rated. Mr. Galan stated that the 5 areas are the subject headings and within the 5 areas there are other measures for the evaluation process.

Wendell James asked what the guidelines are that will be used to develop the cap limitations. Mr. Galan stated that the cap limitations are still being developed but would be based on existing property value.

E. Dade Heritage Trust Agreement

Mr. Jose A. Galan informed the Committee that this project is an agreement between the County, the Dade Heritage Trust and the Office of Historic Preservation. The Office of Historic Preservation will help in the advertisement, help monitor ongoing projects and report back to County staff as to the progress, and assist applicants in grant application process. As with the Historic Preservation Fund, the applicants may include private property owners who may not be familiar with the Program and the grant application process. Mr. Galan introduced Becky Matkov of the Dade Heritage Trust.

F. Alvarez Bungalow

Mr. Galan stated that the Alvarez Bungalow, located at 138 NW 16th Avenue a few blocks from the Orange Bowl, is a privately owned property purchased by the Dade Heritage Trust (DHT) a few years ago. The intent is to establish a pilot program to set aside funding in order to preserve these bungalows which are in disrepair and in need of renovations. The GOB staff intends to bring this item to the Governmental Operations and Environment Committee next month using the GOB standard grant agreement approved by the BCC but with certain modifications. The standard grants agreement includes clauses that the property must be maintained for 25 years and be open to the public. This is a privately owned property and it requires modifications to the grant agreement and the rules different case.

Chairwoman Reiter interjected stating that she sees nothing wrong with mandating the owners of the Alvarez Bungalow open their home to the public for at least one day during the Dade Heritage Days Tour in light of the public funding involved.

G. Homeless Request for Proposals

Mr. Hernstadt introduced Mr. David Raymond, Executive Director of the Office of Homeless Trust. Mr. Raymond gave a brief introduction about the Office of Homeless Trust. This effort will be a two-phase approach. The first phase is using this Homeless RFP to procure property. The second phase involves a second RFP linked to federal and state funding to be used to build structures (minimum 50 units) on the County-owned land.

V. **Scope Modifications**

A. **Aventura Library**

Mr. Hernstadt stated that originally the GOB project between the City of Aventura and the County stated that the City would purchase land to build a cultural facility. The scope change allows both the City's cultural facility and the County's library to be housed in the same facility and on the same parcel of land which signifies that the community will have both facilities sooner.

Jeffrey Mishcon stated that he had many questions on the Aventura Library project. Mr. Mishcon stated that he was under the impression that the voters of Miami-Dade County originally voted on this project to pay for land for a park and now it is supposed to be a cultural events facility. Mr. Galan stated that the resolution language stated to purchase vacant land for to be used as a park or a public facility. Mr. Mishcon wanted to know if the facility would be open to the public and who would own and operate this performing arts center, the County or the City of Aventura? Mr. Hernstadt stated that his understanding was that the facility would be in the same building on County land. Mr. Hernstadt also stated that the GOB Program rules stated that regardless of where a GOB facility is built, the public is to be treated equally. Mr. Mishcon noted that he was under the impression that this would somewhat be emulating the Safe Neighborhoods Park Bond Program where funding was given to various municipalities and that those parks/facilities would be open to all residents and in some instances they are not. Mr. Mishcon then asked if this project is built as a performing arts center and the CAC

approves it then is the facility going to be open to all residents of Miami-Dade County and will all residents pay equally for attending an event at this center?

Mr. Mishcon stated that he objects to the theory being discussed to possibly charge different prices to residents depending on city limits because all the residents of Miami-Dade County paid for the facility.

Chairwoman Reiter asked Committee members if they disagreed with Mr. Mishcon's point of view. Mr. Sanchez stated that Mr. Galan has a valid point in saying that local residents would be responsible for the certain costs out of their City's budget and not the County's budget. Mr. James stated that he agreed with Mr. Mishcon in that it should be a flat rate straight across the board for all but the organizers of an event utilizing the facility may decide to give the residents of the City of Aventura a special rate for a particular event.

Committee member Guy Forshion asked if the library itself is a County facility with County employees. Chairwoman Reiter answered yes.

Mr. Mishcon disagreed with the Chairwoman. Mr. Mishcon requested to vote on the item after the CAC reviews the interlocal agreement. Mr. Hernstadt stated that this facility would be used for more than one purpose. Everyone would be treated same for the primary purpose of the facility (e.g., theater, musical event). However, if the City decides to host a City event and charge City residents different prices than other County residents, those issues will be clarified and developed in the interlocal agreement.

Committee member Sandra Gonzalez-Levy asked who would manage the actual facility and Mr. Hernstadt answered the City of Aventura would manage the facility. The City of Aventura is receiving \$4.7 million in GOB funding is part of a municipal allocation based on a formula (75% based on population, 25% contribution to tax roll by municipality) established by the County Manager wherein 10% of the Program was set aside for municipalities including the unincorporated area of Miami-Dade County.

Chairwoman Reiter requested a motion to move the issue forward. The item was moved by Ms. Gonzalez-Levy and seconded by Mr. James. There was no further discussion on the item and the motion carried.

B. Jackson Memorial Hospital/University of Miami Ear Institute

Mr. Hernstadt stated that the University of Miami Ear Institute was added to the GOB Program during the latter stages of the development of the process by Commissioner Sally Heyman. At that time it was uncertain whether the scope would entail renovating an existing building, constructing a new facility, acquiring a new facility or relocating the Ear Institute elsewhere. There was no cost estimate available at the time. The only information available was that the Ear Institute needed a new facility. The original GOB Program called for a 20% match for this project. The item before the Committee eliminates the 20% match but caps the GOB funding contribution at \$5 million. Mr. Hernstadt noted that this is the only project in the entire GOB Program wherein the stakeholder proffered a match.

Chairwoman Reiter requested a motion to accept the staff recommendation with this modification. The item was moved by Mr. Mishcon and seconded by Ms. Gonzalez-Levy. There was no further discussion on the item and the motion carried.

C. El Portal

Mr. Galan stated that the Village of El Portal has requested to change the scope of its GOB project. The original scope was to purchase land for a park for \$250,000 but the Village has realized that with the current real estate market it will not be feasible to procure property for \$250,000. Instead they have requested a modification in order to use the \$250,000 to renovate their existing parks. Mr. Galan stated that a resolution for Board approval has been prepared with language modification stating that GOB funds will be used to purchase land or to renovate existing parks.

Mr. Mishcon asked if there was a formal request from the Village of El Portal to propose this scope modification. Mr. Galan stated that there was a resolution.

Chairwoman Reiter requested a motion to accept the staff recommendation with this modification. The item was moved by Mr. Mishcon and seconded by Ms. Pope. There was no further discussion on the item and the motion carried.

VI. Featured Stakeholder

Miami-Dade Library Department

Suzet Alvarez-Cleary of the Library Department addressed the Committee to present the status of three Library projects that are currently behind schedule:

Northeast Project # 263

Suzet Alvarez-Cleary, Assistant Director, Miami-Dade Library Department, stated that there will be a significant modification to project # 263. The original GOB project for the Northeast library called for \$2 million for renovations of the library. This library was destroyed by Hurricane Wilma and this now calls for a complete reconstruction of the library. The Library Department is preparing an agenda item for Board approval for to change the project scope from renovation to reconstruction of the Miami-Dade County library in Aventura. The Library Department is also finalizing the interlocal agreement with the City of Aventura to allow the City to construct the library on behalf of the County. Ms. Alvarez-Cleary thanked Mr. Navarrete and Mr. Galan for their input in preparing the interlocal agreement.

Project # 272 Miami Springs Branch Library

Originally this project called for minor renovations to the facility. With the availability of GOB funds, the Library Department decided to increase the scope of the renovations. Currently, the Miami-Springs Branch Library will be moved to a temporary facility until all renovations to the building are complete. Design plans are being finalized with construction anticipated to commence in later summer 2007.

