



**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
Naranja Lakes Community Redevelopment  
Agency (CRA)**

South Dade Government Center  
Room 203  
10710 S.W. 211 Street  
Miami, Florida

August 25, 2008  
As Advertised

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Board of County Commissioners

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Clerk of the Board Division

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**CLERK'S SUMMARY AND OFFICIAL MINUTES  
NARANJA LAKES  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
AUGUST 25, 2008**

The Naranja Lakes Community Redevelopment Agency (CRA) Board convened in the South Dade Government Center, 10710 S.W. 211 Street, Room 203, Miami, Florida, at 6:00 p.m., August 25, 2008; there being present upon roll call: Chairperson Nina Betancourt, Mr. Rene Infante, Mr. Moe Hakssa, Mr. Stuart Archer, Mr. Kenneth Forbes, Mr. Parsuram Ramkissoon and Ms. Marleen Volkert (Mr. Danny Lipe was late); Staff members present were: Assistant County Attorney Mandana Dashtaki; Mr. Jorge Fernandez, Offices of Strategic Business Management (OSBM) Coordinator; Mr. Jason Rodriguez, CRA Analyst, OSBM; and Deputy Clerk Jill Thornton.

**I. Meeting Call to Order and Roll Call**

Chairperson Betancourt called the CRA Board meeting to order at 6:03 p.m.

**II. Approval of the Minutes**

Staff advised that the minutes had not been finalized, but a draft of the minutes was available for their review.

**III. Approval of Agenda**

Mr. Archer asked that tonight's agenda be amended to include a status report on the Heritage Village Project under Update on General Old Business.

Mr. Ramkissoon questioned whether Agenda Item #4 listed under New Business should be heard under Update on General Old Business.

Chairperson Betancourt responded, noting Agenda Item #4 pertained to news articles introduced by Mr. Ramkissoon at the last CRA meeting, which were not listed on that agenda nor discussed at that meeting, and should remain under New Business.

Mr. Forbes suggested the order of agenda, under New Business, be changed to consider Agenda Item #4 first.

Mr. Jorge Fernandez respectfully requested that Agenda Item #1, under New Business, remain first in order.

Mr. Forbes noted his objections for the record.

As maker of the motion, Mr. Archer accepted an amendment to change the agenda order under New Business to consider Agenda Item #4 following the consideration of Agenda Item #1, in order to accommodate Mr. Robert Meyers, Commission on Ethics and Public Trust.

It was moved by Mr. Archer that tonight's agenda be approved as amended to change the agenda order under New Business, to consider Item #4 second; and to include a status report on the Heritage Village Project under Update on General Old Business. This motion was seconded by Ms. Volkert, and upon being put to a vote, passed 6-1. (Mr. Forbes voted No), (Mr. Lipe was absent)

#### **IV. Open Forum for Public Comments**

Chairperson Betancourt opened the floor for public input and the following person(s) appeared:

Mr. Phillip Murray, 13248 SW 256<sup>th</sup> Terrace, Naranja, Florida, appeared before the CRA and noted the CRA members spent much time listening to the concerns and issues of residents from the Villages of Naranja and Hidden Grove Apartments regarding disagreements with the management companies. He questioned whether those issues had been resolved outside of a verbal agreement and whether follow-up action would be implemented to ensure the issues were not repeated. He advised that staff provided him with a copy of the June 21, 2008 minutes of the meeting that occurred between Commissioner Moss, County staff and the tenants.

Chairperson Betancourt questioned whether staff had any further communications with the new management companies for the Villages of Naranja and Hidden Groves Apartments regarding the status of the tenants' concerns.

Mr. Jason Rodriguez advised that the Office of Community Economic Development (OCED) continued to monitor the property and OCED's staff was working with the new management company to execute a new contract with the County. He noted once the contract was signed, the new management company would have access to surtax funds for needed improvements. Mr. Rodriguez also noted the new management team was cooperating and communicating with county staff and the tenants, and progress had been made.

Chairperson Betancourt noted the CRA would continue to monitor this situation as well.

#### **V. Old Business**

##### **Community Policing**

Chairperson Betancourt noted the community policing and enforcement reports, in tonight's meeting agenda package, were forwarded to CRA members via email prior to tonight's meeting.

It was moved by Mr. Forbes that the Miami-Dade Police Department's (MDPD) Naranja Lakes CRA Initiative Monthly Progress and Productivity Reports, dated August 20, 2008, be accepted. This motion was seconded by Ms. Volkert, and upon being put to a vote, passed unanimously by those members present.

Mr. Archer commended Sergeant Ozzie Hernandez, MDPD, and his staff for doing a superb job at actively working detail operations and reducing crime in the area. He stated he felt the CRA's efforts in ensuring the success of these programs should be publicized.

Chairperson Betancourt pointed out the police interaction with the community was important in carrying out their assigned tasks.

Mr. Archer suggested that during the upcoming budget process, MDPD submit its requests for any needed adjustments or increases to next fiscal year's budget. He stated he hoped that MDPD would carry out the same or similar activities/programs during the next fiscal year as it did last year.

Sergeant Ozzie Hernandez, MDPD, Cutler Ridge District, advised that he already submitted his budget requests and information for the next fiscal year to County staff for review.

### **Update on General Old Business**

#### **Current re-zoning applications in CRA**

Mr. Jorge Fernandez advised that currently no re-zoning applications had been submitted for properties located within the NLCRA district.

#### **Mandarin Lakes**

Mr. Jason Rodriguez noted he requested a report on Sales and Closings of Mandarin Lakes Homes from Mr. Karl Albertson, Land Acquisitions Manager for D.R. Horton, but had not received one yet. He noted he would email the report to CRA members once he received it.

#### **Infrastructure Construction**

Mr. Ignacio Serralta, SRS Engineering Construction Consultant for the CRA, provided a progress report on the infrastructure construction activities pertaining to the Redevelopment Agreement, and highlighted the following:

- Canal Street Bridge – construction work at the site was underway and progressing forward as scheduled. Three (3) of the four (4) piling caps had been completed; all reinforcement steel was in place on site, and the substructure rebar should be completed by the end of this month, August 2008.
- SW 140<sup>th</sup> Ave Plaza (Civic Building) and Entrance Features – the property site excavation and foundation form work were completed, with all plumbing and electrical conduits installed, and the site was ready for the concrete slab and footers to be poured.
- SW 140<sup>th</sup> Avenue, SW 143<sup>rd</sup> Avenue and SW 272<sup>nd</sup> Street roadway projects –conduit continued to be installed across the roadways. The irrigation plan was approved by the County, but the landscaping plans had issues with the sight visibility triangles, which might impact obtaining the landscaping permit. A meeting was held between the CRA's

Construction Consultant and the developer to discuss these issues, and another meeting was pending until the plan reviewer returned from vacation.

- Request for Payment No. 25 – the developer submitted an application requesting Payment No. 25 in the amount of \$379,988.08, which was reviewed by SRS Engineering and found to be acceptable pursuant to the Schedule of Values.

Mr. Archer asked for clarification on the issues pertaining to sight visibility triangles in the landscaping plans.

Mr. Serralta noted the original landscaping plans prepared by the developer and submitted to the County, did not reflect comments on the sight visibility triangles. He noted the plans were now being reviewed by the Public Works Department using Green Building standards and an overlay, and a conflict existed between the Zoning Code and the Urban Design concerning the sight visibility triangles.

Chairperson Betancourt noted the developers continued to run into problems with the Planning and Zoning Department's review and interpretation of the Traditional Neighborhood Development (TND) design compared with the Zoning's code and guidelines, and the County Commissioners needed to understand these conflicts, which had been an issue since the inception of the TND plan. She noted one reason the CRA hired a construction consultant was to facilitate the coordination between the County departments concerning the TND design. Chairperson Betancourt stated that if the TND design continued to be diluted, the CRA District could end up looking like a conventional neighborhood.

Mr. Serralta noted the TND design favored a denser, pedestrian friendly zoning, but the Public Works Department (PWD) had issues with this design concerning turning radiuses, landscaping requirements and the Fire Department's access to alleyways.

Mr. Infante noted those issues were the very same as with the Urban Centers, and were brought to the attention of Commissioner Sorenson at a public hearing. He noted those issues needed to be addressed by the Department heads as well.

Chairperson Betancourt noted several Charrettes were created and community input was gathered to develop a TND model, but the developer continued to run into obstacles when the Planning Departments reviewed the design. She pointed out that investors and developers find it easier to develop something common rather than battle the Planning and Zoning and the Building Departments to implement something innovative and as beautiful as the TND.

Mr. Scott Hedge, Vice-President-Architecture and Planning, DeGuardiola Properties, appeared before the CRA on behalf of the developer, Naranja Lakes Construction (NLC) LLC, and noted NLC had been involved in building TNDs before and knew the standards. He noted the difficulty was that PWD applied a different set of criteria than what was conceptualized as the TND. He stated he tried pointing out those issues to the PWD, and met with Director Esther Calas, who said she would sit with staff and the developer to seek mediation for resolving some of the issues.

Chairperson Betancourt noted the issues involved every County department related to building. She also noted the TND design had been approved for many years, conceptually, and should the CRA end up with something less than a true TND, the CRA's entire focus would be derailed throughout the CRA District and the Urban Centers. She pointed out the developers and investors could not risk losing their investment while the PWD, Zoning and Building Departments tried to decide how to deal with the new TND design.

Mr. Hedge advised that the developers requested a meeting with the PWD, and he would inform the CRA of the outcome of their efforts before requesting the plans be modified.

In response to Mr. Hakssa's question regarding the status of the entrance features, Mr. Hedge noted the permits were still in the PWD's permitting process and should be approved soon. He stated the contractor, hired to build the Civic Center, would also build the entrance features for phase I of the project. He noted the entrance feature on US 1 was part of phase II construction. Mr. Hedge further noted the entry feature on SW 137<sup>th</sup> Avenue had not been permitted yet because it needed to be relocated somewhere out of the roadway medium.

Mr. Archer questioned whether staff had checked to see if the property conveyed to the CRA by D.R. Horton, for the Civic Center Plaza, had been properly insured.

Mr. Steven Zelkowitz, Legal Counsel for the CRA, advised he reviewed all of the insurance certificates provided by the developer and a liability and umbrella policy were in place that met or exceeded the coverages required by the Redevelopment Agreement. He noted the only issue he perceived was the CRA and the County was currently named as additional insured on the General Liability Insurance Coverage only, and needed to be listed as additional insured on the Umbrella and Automobile Insurance policies as well.

### **Heritage Village Report**

Mr. Jorge Fernandez noted a new oversight administrator was assigned by U.S. Housing and Urban Development (HUD) Agency to represent the local area. He noted HUD advised that the seventeen (17) finished Heritage Village units still remained unoccupied and that a HUD representative would be present at the next CRA meeting to provide specific information regarding this project.

Following discussion, it was moved by Mr. Archer that the CRA's Legal Counsel be directed to notify the proper authorities of the CRA's displeasure with the progress of the Heritage Village Project and notify the Inspector General that action was needed to complete this project.

Mr. Fernandez noted the Inspector General (IG) was involved in the investigations of the Miami-Dade Housing Agency (MDHA) prior to HUD taking over its jurisdiction, and he was unsure whether a letter to the IG would accomplish anything. He also noted HUD was looking to transition the MDHA back to the County.

Mr. Infante stated he felt that a HUD representative should be invited to attend a CRA workshop to study the possibility of the CRA assuming the Heritage Village Project from HUD.

Chairperson Betancourt noted this project had been ongoing for seventeen (17) years, and would probably be run more efficiently by the CRA.

Mr. Archer stated he felt the appropriate parties should be notified, in writing, of what had transpired with this project, its inefficiencies and the waste of taxpayers' monies. He clarified his motion was to direct the CRA's Legal Counsel to send a letter notifying HUD of the CRA's displeasure with the status of the Heritage Village Project, with copies of the CRA meeting minutes attached, if necessary, and to send a letter notifying the Inspector General that action was needed to complete this project.

Chairperson Betancourt called for a second to the foregoing motion, and hearing none, the motion died for a lack of a second.

## **VI. New Business**

### **Government in the Sunshine Review**

Chairperson Betancourt noted it was brought to her attention that comments made to staff led individuals to believe that discussions between some CRA board members about CRA matters might be occurring outside of the CRA meetings. She stated even a perception of this was unsettling, since many of the CRA members worked together in the community or in other organizations together, and needed to be reminded of the importance of the Sunshine Law guidelines. She noted for these reasons, Mr. Meyers was invited to review the Sunshine Law with the CRA.

Mr. Robert Meyers, Executive Director, Miami-Dade Commission on Ethics and Public Trust, provided an overview of the Government in the Sunshine Law. He noted the Sunshine Law was a state law, part of the Florida Constitution, and must be complied with by all public boards. He also noted the Sunshine Law covered two areas: Public Meetings and Public Records. Mr. Meyers advised that two or more members of the same board could not discuss that board's current or prospective business outside of a board meeting unless it was done in the sunshine, which meant a public hearing with proper notice given to the public and the public provided an opportunity to participate. Potential penalties imposed for violating the Sunshine Law, he noted, ranged from assessed fines, actions voided that the board had already taken, and criminal penalties. Mr. Meyers noted board members were permitted to discuss general matters outside of a board meeting, but not items the board was considering or would likely be contemplating.

Mr. Meyers noted another issue the Ethics Commission had dealt with was that of board members corresponding among each other, and noted various interpretations of this activity. He suggested the best way for board members to correspond with each other would be to send the communication directly to staff and let staff circulate the correspondence to other members, and discuss it at the next board meeting, if a discussion was desired. Mr. Meyers advised that board members sending correspondence to each other could trigger a violation of the sunshine law.

Regarding Special Meetings, Mr. Meyers noted public board members should not hold out-of-town meetings or private inspections, but were permitted to call a special meeting as long as the

public was given notice of it. He also noted a board member refraining from voting on an item requiring a vote was prohibited unless that board member had a conflict of interest; that if a board member was in the room, he/she must vote. Mr. Meyers further noted votes by ballot were permitted as long as they were recorded and retained, and a mechanism was in place to allow the public to know clearly how a board member voted. He noted secret ballots were prohibited.

Mr. Meyers noted if two or more board members served together on other boards, and a subject matter came up that involved the business of the public board, the board member(s) participating in the discussion could be in violation of the Sunshine Law. He noted board members were prohibited from participating in the discussion unless it was a public meeting, and the public was given notice of it.

Chairperson Betancourt asked for clarification regarding two public board members serving on a private board together, such as a the Chamber of Commerce or the Rotary Club, and a discussion came up on an item regarding a public board matter.

Mr. Meyers noted two members of the same public board involved in the discussion of a private board would probably be in violation of the sunshine law. He stated, however, that if the board members were just listening and not participating, it would not be a violation. Mr. Meyers explained that two members of the same public board, present at a private meeting and only one contributing, could create a situation where two board members directly or indirectly communicated about a public boards' business in a non-public arena.

Mr. Forbes stated he understood that if two members of the same public board were attending a private meeting, one could participate if the other member excused himself/herself from the room.

Mr. Meyers noted that if both board members were just listening or one excused himself/herself from the room while the other participated in the discussion, it would not be a violation, but if both were in the same room and one or both were participating in the discussions, it would be a violation. He noted public board members were not permitted to talk about the business of the public board at a private meeting unless it was opened to the public, the meeting was recorded, and the public was given reasonable notice and an opportunity to participate.

In response to Mr. Hakssa's question whether public board members participating in a private meeting would be in violation of the sunshine law if minutes were taken at that meeting, Mr. Meyers noted recording minutes at a meeting was not sufficient; rather it had to be an open public meeting with proper notice to the public.

Regarding the Public Records Law, Mr. Meyers noted the public had a right to see, inspect and receive copies of anything received and sent out by a public board. He noted items received by board members from the public should be shared with staff, who should serve as the custodians of the records. Mr. Meyers noted documents or agenda items doodled on by board members could be considered public records, depending upon the purpose of the writings and whether the writings helped in making a decision, otherwise, anything received by the board was a public record. He advised that the Commission on Ethics and Public Trust was not charged with

enforcing the State's Sunshine Law or the Public Records Law, but was charged with enforcing the Citizen's Bill of Rights. He also advised that the CRA was not required to comply with the County's Code of Ethics Ordinance, since it was not a County board, but was required to comply with the State's Code of Ethics. Mr. Meyers said he would be happy to come back and provide CRA members with training on the State of Florida's Code of Ethics, if desired, and he invited members to call or e-mail him with any questions concerning the Sunshine Law.

Mr. Steven Zelkowitz, Legal Counsel for the CRA, concurred with Mr. Meyers' comment on the CRA being governed by State Law, which required more of a CRA, such as filing financial disclosures on a yearly basis. He agreed the CRA should invite Mr. Meyers back to discuss the State's Code of Ethics.

### **Discussion regarding News Articles**

Mr. Ramkissoon noted he perceived a lack of commitment to this community by some CRA members and no redevelopment activity had occurred in the CRA District over the past five years, other than the Mandarin Lakes project. He expressed concern with CRA meetings being postponed or canceled based on a decision that an insufficient amount of important issues would be presented. He referenced a news article regarding the demise of a gentleman (in bankruptcy) who came before the CRA requesting assistance, but could not get any because a business grants program had not been implemented, and his business failed. Mr. Ramkissoon pointed out this CRA had the same power to implement programs, as other city governments had done to help their citizens' businesses, but, he felt, this CRA had failed this community by not doing so. He expressed his concern with an article on the internet that revealed the CRA's Chair owned a Real Estate business in the State of Georgia and that she had relocated there.

Chairperson Betancourt assured CRA members that she did not reside in the State of Georgia, but resided in South Florida, where she bought property sixteen years ago. She noted she owned a vacation home in Georgia, which was currently being rented out and she rarely traveled there. She also noted she had a Georgia Real Estate License with a broker, and an internet page designed to attract prospective buyers wanting to purchase property in the State of Georgia. She further noted that both she and her husband were active citizens in the South Florida community; that her husband was president of Business Networking International (BNI), Homestead Chapter and she was a board member of the Florida Association of Realtors Board of Directors.

Regarding cancelled meetings, Mr. Archer clarified he had contacted staff regarding the need to hold a meeting if there was no worthy business to discuss, which was how the June 24, 2008 meeting got canceled.

Mr. Ramkissoon noted he felt there was no real commitment by CRA members if board meetings could be cancelled because members could not be present.

Chairperson Betancourt noted everyone could agree that the process of dealing with the County had been frustrating, and, at times, the CRA had very little business to discuss; however, she noted board meetings were not cancelled because a board member was unable to attend. She suggested, rather than distributing information alluding to or insinuating that board members

lacked dedication to this community, the proper action might have been to make a motion requesting that no future meetings be cancelled.

Mr. Forbes read, into the record, a portion of the Code of Ethics pertaining to the authority and governing of a board, and stated monthly scheduled meetings should never be canceled due to the lack of important matters to discuss. He noted when he read the articles, his concern, like Mr. Ramkissoon's, was that the Chair might have moved away from the South Florida area. He stated he, at times, had questioned the dedication of some CRA members to this community.

In response to Mr. Infante's concern, Chairperson Betancourt stated she would submit to the CRA board, a copy of the deed to the property she owned in Georgia, and she would modify her website.

Following a discussion regarding the CRA's desire to implement a grants program and proceed with hiring an individual, independent of the County, to help achieve the CRA's goals, it was moved by Mr. Archer that this discussion be concluded in order to move forward with the next order of business on tonight's agenda. This motion was seconded, and upon being put to a vote, passed by a vote of 7-1. (Mr. Forbes voted No)

#### **Approval of Award of Contract to Rachel Bach, AICP for Economic Development Coordinator Services**

Mr. Steven Zelkowitz, Legal Counsel for the CRA, noted he previously circulated to the CRA members, a draft of the agreement awarding the contract for the services of the Economic Development Coordinator to Ms. Rachel Bach. He noted this proposed agreement was before the CRA board tonight for approval, along with a red-lined version of the original draft reflecting the changes.

Mr. Infante asked if the CRA would pay Ms. Bach a lump sum of \$22,000 to review the same items that the CRA had already reviewed. He asked how that amount was arrived at if the hourly rate was \$110 at 20 to 30 hours per week. He stated it was his desire to hire someone at an annual fixed salary, ranging from \$60,000 to \$70,000.

Mr. Zelkowitz noted the scope of work for developing an Action Plan at a lump sum was outlined in Exhibit C of the proposed contract, and would be Ms. Bach's first task. He also noted the hourly rate was provided by Ms. Bach, and the figure he calculated for this contract was approximately \$104,000.

In response to Mr. Archer's question regarding how much of that amount was allocated in this fiscal year's budget, Mr. Rodriguez answered \$100,000, but noted the CRA would not spend any of it this year.

Chairperson Betancourt questioned when the expenditures would be made for the fixed lump sum, and whether a mechanism existed to disperse that amount indirectly of its purpose, by holding it in an escrow account to be paid out in next fiscal year's budget.

Ms. Rachel Bach suggested a requisition could be done to encumber the funds from this fiscal year's budget to be carried forward into next fiscal year's budget.

Mr. Forbes expressed concerns with the CRA paying someone a \$22,000 lump sum to review and inventory existing planning documents, and to perform the same tasks already performed by the Department of Human Services and Office of Community Economic Development. He noted those departments already generated annual reports updating information regarding current services and organizations serving this community, which was published on their websites. Mr. Forbes stated the foregoing contract agreement was not acceptable to him.

Ms. Rachel Bach explained the scope of services she submitted in this proposal was based on the scope of services defined in the Request for Qualifications (RFQ). She noted this board needed to develop and implement an action plan, but the problem was this CRA did not have planning information documented in one location, and its Slum and Blight study was outdated. She also noted any program or project the CRA wanted to expend funds for would require an amendment to the Redevelopment Agreement, which currently focused on the CRA's primary project, Mandarin Lakes, and did not allow for outside projects.

Mr. Ramkissoon pointed out that based on the proposed fee schedule and his calculations, this contract would add up to approximately \$192,000 if it was extended for an additional six months. He stated he felt the CRA could hire an Executive Director at that amount to perform the community outreach tasks and to identify funding sources to implement programs rather than prepare an action plan. He urged the CRA Board to make a decision to hire an Executive Director.

Mr. Hakssa noted the issue was possibly with the RFQ and not the contract itself. He noted the monies negotiated were for the forty (40) hours requested in the RFQ and the type of services the CRA wanted. He noted the RFQ that went out was presented to this board and approved.

Mr. Infante noted he questioned the \$22,000 lump sum because he felt 40 hours at a rate of \$110 per hour was sufficient for a study and more acceptable to him.

Mr. Zelkowitz clarified the contract was for forty (40) hours per week for one month.

It was moved by Mr. Archer that the foregoing proposed contract be approved as amended to modify the fee schedule in Exhibit C to provide that Task 1: Naranja Lakes CRA Action Plan be completed within the first thirty days at a rate of \$110 per hour, rather than the proposed lump sum of \$22,000. This motion was seconded by Mr. Hakssa for discussion.

Discussion ensued among CRA members and Mr. Zelkowitz regarding what the Selection Subcommittee was tasked to do.

Mr. Lipe questioned whether the CRA had come to some resolution at last month's CRA meeting regarding this contract. He asked to hear from Ms. Rachael Bach regarding what she proposed to do in developing the action plan and what benefit the CRA would receive by spending the amount in the proposed agreement for this plan.

Ms. Bach explained the purpose of listing the scope of services and fee schedule in the proposed contract before the CRA for approval tonight was the RFQ asked for an action plan but did not specify it. She noted she heard the outcry of CRA members for community outreach, but pointed out that coordinating public meetings could be difficult and time consuming. She concurred with Mr. Forbes' comments regarding the existence of several planning documents with recommendations, but noted those documents had not been consolidated into one report and the Slum and Blight study might be considered moot since the market had changed. She further noted a CRA was about implementation and action, and needed a solid action plan in place to help in setting a budget and identifying programs with dollar amounts attached.

Responding to Mr. Lipe's question as to what she would be doing on an ongoing basis to provide value to the CRA once an action plan was in place, Ms. Bach noted, contingent upon this board's direction, she would be coordinating with county staff to implement programs, and might be able to assist with the TND's design, based on her experience in running redevelopment areas.

Ms. Volkert inquired whether Ms. Bach would be identifying specific funding sources for other programs, and applying for grants on behalf of the CRA. She stated she felt it was important that funding sources be identified for community and economic development.

Ms. Bach noted the action plan would allow her to explore programs and identify potential funding sources in order to move programs forward into action. She also noted she would coordinate with County staff to prepare agenda items and apply for grants. Ms. Bach stated that once the programs were identified, a second step in the action plan would be to explore and develop a financing plan for future years.

By motion duly made, seconded and carried, the Board agreed to extend tonight's meeting to complete the balance of the agenda.

In response to Mr. Infante's question whether part of the action plan to be developed by Ms. Bach would include a written recommendation for a modification to the Redevelopment Agreement, Mr. Zelkowitz noted Ms. Bach had not yet read the Redevelopment Agreement between the County and the CRA, but essentially that agreement stated the CRA had pledged all of its TIF Revenues to repay the County for funding the infrastructure program.

Ms. Bach noted the action plan would first require laying out the programs, followed by developing a sound financing plan, which was something she could assist with. She noted she had vast experience in building a CRA from the ground up, and was familiar with CRA budgeting, bonding, and loans.

Mr. Infante noted he was looking for an action plan that had solid recommendations, and could support this contract as long as the CRA would be implementing viable plans.

Chairperson Betancourt pointed out that Mr. Infante raised a question at the last CRA meeting regarding whether Ms. Bach would entertain becoming the CRA's full-time Executive Director in the future. She noted, whether Ms. Bach would be interested in the Executive Director's position or not, she felt that proceeding with the hiring of Ms. Bach as the Economic

Development Coordinator would put the CRA in a better position to move forward with hiring an Executive Director. She called the question for the motion on the floor.

Mr. Forbes requested, since Ms. Bach justified her fees, the foregoing proposed contract be approved as presented, without the original fee schedule modified as motioned by Mr. Archer.

Mr. Archer accepted Mr. Forbes' request, and revised his motion to approve the proposed contract as presented.

Mr. Zelkowitz noted the following resolution encompassed the foregoing proposed agreement as presented, and he read the resolution title into the record:

**Resolution of the Commissioners of the Naranja Lakes Community Redevelopment Agency approving the Agreement by and between the Naranja Lakes Community Redevelopment Agency and Rachael Bach, AICP for Services of an Economic Development Coordinator; Authorizing the Chairperson and Secretary of the Naranja Lakes Community Redevelopment Agency to Execute the Agreement; and Providing an Effective Date.**

The CRA proceeded to vote on the foregoing proposed resolution approving the foregoing proposed agreement between the CRA and Ms. Bach, as presented. Upon being put to a vote, the motion passed unanimously by those members present.

### **Budget Committee and General FY 08-09 Budget Discussion**

Mr. Forbes suggested the CRA re-appoint the same members who served on last year's CRA Budget Subcommittee to this year's CRA Budget Subcommittee. He noted that group consisted of Mr. Lipe, Ms. Volkert, and himself.

It was moved by Mr. Archer that the CRA approve the appointments of Mr. Forbes, Mr. Lipe and Ms. Volkert to serve on this year's CRA Budget Subcommittee. This motion was seconded by Mr. Ramkissoon, and upon being put to a vote, passed unanimously by those members present.

Mr. Jason Rodriguez advised that he, along with Mr. Lipe, arranged to set aside each Wednesday in the Month of September 2008 for the scheduling of Budget Subcommittee meetings, beginning with September 3, 2008.

Mr. Lipe explained that those dates were set aside in case the Budget Subcommittee needed to call more than one meeting or a member had a conflicting schedule.

Ms. Volkert advised that she had a scheduling conflict on September 3, 2008 and would not be able to attend that meeting.

Mr. Rodriguez announced the first Budget Subcommittee meeting would be held on September 10, 2008 at 10:00 a.m., at the Community Bank of Florida, 28801 SW 157<sup>th</sup> Avenue, Homestead, Florida.

Mr. Forbes suggested the Budget Subcommittee discuss additional budget requests for community policing programs.

Mr. Rodriguez advised that the Miami-Dade Police Department, Cutler Ridge District, had submitted their budget requests to staff for consideration by the Budget Subcommittee.

Mr. Archer suggested the Budget Subcommittee discuss how funds allocated in the current fiscal year budget for hiring an Economic Development Coordinator could be recaptured in next fiscal year's budget. He stated he felt it would be important for the Budget Subcommittee to meet with Ms. Bach to discuss how the CRA could implement a Business Grants program.

Chairperson Betancourt noted monies were available that could be requisitioned, but a fixed lump sum would be paid to Ms. Bach.

Mr. Fernandez reiterated that the CRA probably would not be able to pay Ms. Bach until sometime in October of the next fiscal year, when the budget was approved.

Mr. Zelkowitz advised that he would not seek an increase of the allocation for legal services in next fiscal year's budget. He noted that allocation would remain the same as last year; however, his hourly rates had increased.

Mr. Hedge advised that in last fiscal year's budget process, the developers provided Mr. Iturrey with an estimate of what they felt the expenses would be for the primary Redevelopment Project, which, he noted, was more than what was being budgeted this year due to a \$400,000 per month limitation. He noted last year's budget was more in line with completing the project quicker, and Naranja Lakes Construction (NLC) would be requesting the monthly draw be increased above the \$400,000.

Responding to Mr. Archer's question regarding TIF funds pledged in the Redevelopment Agreement between the CRA and the County, and TIF funds generated that exceeded what was projected, Mr. Zelkowitz noted he met with the developer and the County staff to request that condition be revisited to see what benefit the CRA and the developer could obtain, since the TIF revenues generated had exceeded the projections.

Assistant County Attorney Mandana Dashtaki advised that the issue was not a legal issue, but a business decision, which would be made by the County Manager.

Mr. Zelkowitz suggested the CRA work with Ms. Bach and County staff to figure out the actual amount needed to pay back the debt service, and to see if any surplus existed to support an argument that those funds could be used for other projects.

#### **VIII. Next Meeting Dates:**

##### **September 29, 2008, Regular Board Meeting**

The next NLCRA Regular Board Meeting was scheduled for September 29, 2008 at 6:00 p.m.

## **IX. Adjournment**

There being no further business to come before this Board, the Naranja Lakes Community Redevelopment Agency meeting was adjourned at 8:19 p.m.

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Chairperson Nina Betancourt  
Naranja Lakes Community Redevelopment Agency