



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

Board of County Commissioners

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

December 13, 2004
As Advertised

Harvey Ruvlin, Clerk
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)
DECEMBER 13, 2004**

The Naranja Lakes Community Redevelopment Agency (CRA) Board met in the South Dade Library – 2nd Floor Auditorium, 10710 S.W. 211 Street, Miami, Florida at 7:09 p.m., December 13, 2004, there being present upon roll call Mr. Rene Infante, Mr. Mario Espineira, Jr., Mr. Daniel Lipe, Ms. Joan Carter, and Mr. Kenneth Forbes; (Chairperson Nina Betancourt and Mr. Parsuram Ramkissoon were late); (Mr. Stuart Archer and Mr. Norm Kramer were absent); Mr. Jurgen Teintze, Tax Increment Financing (TIF) Coordinator, Office of Strategic Business Management; Mr. Steven Zerkowitz, Legal Counsel for NLCRA; and Deputy Clerks Judy Marsh and Jill Thornton.

I. Call to Order

Ms. Carter called the CRA Board meeting to order at 7:09 p.m.

II. Roll Call

Upon roll call, and a quorum being present, the Board proceeded to consider tonight's agenda.

III. Approval of the Minutes (November 15, 2004)

It was moved by Mr. Forbes that the minutes of the November 15, 2004 meeting be approved. This motion was seconded by Mr. Infante, and upon being put to a vote, passed unanimously by those members present.

IV. Approval of Agenda

Mr. Forbes reminded the Board of the Library's closing time and suggested that discussions be limited.

It was moved by Mr. Lipe that tonight's agenda be approved. This motion was seconded by Ms. Carter, and upon being put to a vote, passed unanimously by those members present.

V. Workshop on the Mandarin Lakes Plan of Improvements

Prior to discussions by Mr. George DeGuardiola, developer, concerning the Naranja Lakes Overall Plan of Improvements, Mr. Jurgen Teintze recapped the timeline of events relating to the Mandarin Lakes project.

Mr. Teintze noted that the original Developers Agreement, approved by the CRA Board, contained preliminary budget estimates. He stated that since the time of approval, bids were placed and changes were made to the agreement to include a major revision with Water & Sewer work, but no detailed budget or descriptions on the streets and plazas were presented to the Board. The developer, he noted, was asked to revise the contract to substitute the original draft with the desired scope of works and cost/budget estimates.

Mr. Teintze and Mr. John Ritsema, Project Coordinator, reviewed with the Board, a comparison of the 2003 Developers Agreement with the November 15, 2004 proposed Overall Plan of Improvements that described the changes between them.

Mr. Ritsema discussed the differences between the old and new parcel identifications and the associated cost estimates as well as the developer and engineering fees for a total cost of approximately \$18 million.

Mr. Teintze noted that staff tried to reconcile the differences and that the original plan had two green areas and five plazas but now there were three green areas and two plazas. He also noted that there were major cost differences that could not be determined until all bid prices were in and that roadway lighting was removed from the estimate to be funded by a taxing district.

Mr. Teintze suggested the Board decide on the Civic Plaza and its use.

Mr. Infante stated he would like to hear from Mr. DeGuardiola regarding the changes.

Mr. George DeGuardiola, developer, stated the plan of improvements presented in February 2004 was an interim plan and the original Developers Agreement, approved in 2003, was a "concept" that evolved into a plan but did not reflect any improvements. He noted that from the beginning it was known that adjustments would have to be made to the roads and plazas. Mr. DeGuardiola further noted that during the implementation of the concept plan, changes were made to accommodate the master site plan which resulted in a regional Water & Sewer system that would serve in future redevelopment projects of adjacent areas.

Mr. DeGuardiola stated the changes to the plan were a combination of deletions and additions but the concept remained intact. He noted Public Works contributed to the largest shift in the plan. Mr. DeGuardiola explained that changes were presented before the Board and approved in February 2004 and that an exhibit was created and presented at last months meeting (11/15) to identify those improvements, however, the Board realized for the first time there were pools in the civic plazas and common use buildings. He suggested the focus of tonight's workshop be on the use of the civic plazas and common use buildings.

Discussion ensued among the members of the Board and Mr. DeGuardiola regarding the plazas.

In response to Mr. Infante's inquiry whether the pools were important, Mr. DeGuardiola stated that from a marketing standpoint, the pools were essential in order to compete with surrounding developments offering pools as amenities.

Ms. Carter asked if the Board had the authority to eliminate the pools.

Mr. Zelkowitz advised that the Board had the authority to approve or amend the plan of improvements offered by Mr. DeGuardiola as long as the plan was for a public purpose. He noted that all the plazas in the agreement were going to be deeded to the CRA at time of platting and the Board had full authority to approve the public pools.

In response to Mr. Zelkowitz' inquiry whether the linear park and the two areas around project "D" were also to be deeded to the CRA as public areas, Mr. DeGuardiola confirmed that was his intent.

Mr. Espineira asked about the difference between the liability concerning the surrounding lakes and the liability of the pools.

Mr. Zelkowitz noted that the CRA did not own the lakes and could not be held responsible for any accidents relating to them. He suggested that the plazas be divided so that the developer could provide a gated pool for private use by residents and the CRA could use the remainder of the plaza for public events.

Mr. DeGuardiola stated that he envisioned the CRA owning the pools and entering into a management/maintenance agreement with the property owner association to charge fees for both public and private use of the pools.

Ms. Betancourt stated members of the Board had expressed concern regarding liability to the Board if the CRA owned the pools. She noted the CRA would fail in its mission to create a greater purpose for the area if the amenities were misinterpreted to be for the exclusive use of private residents. Ms. Betancourt stated the bottom line was how the CRA wanted to promote the area and she felt the band shell would serve a better purpose with regards to the CRA's civic role. She asked if public use could be limited to residents of the CRA district only.

Mr. Zelkowitz stated his understanding of Miami-Dade County's policy for municipalities receiving county funding for projects, was that these projects needed to be open to residents of the county at large, and this policy might apply to the CRA's as well.

Assistant County Attorney Glenn Saks stated that he would research the law in regard to this matter.

Discussion continued among Board members and staff regarding the use of the Civic Facilities.

Mr. Forbes noted the Board had agreed to be partners with the developers and builders and had invested the funds and should not be reneging on their partners.

Mr. Zelkowitz advised that tonight's meeting was a workshop for the Board to come to some consensus in deciding to accept, reject or modify the plan of improvements and that they could take a straw vote.

It was moved by Mr. Espineira to accept the pools and plazas as presented by the developer, as a general consensus of the Board. The motion was seconded by Mr. Infante, and upon being put to a vote, passed unanimously by those members present.

Mr. DeGuardiola discussed the maintenance of the facilities and asked the Board to consider entering into a Management/Maintenance Agreement with the property homeowners association for a period of 5 years.

It was moved by Mr. Espineira that the Board accept the Management Agreement in concept for a period of five years with a generated agreement by the County Attorney's Office to include renewable terms. This motion was seconded by Mr. Forbes, and upon being put to a vote, passed unanimously by those members present.

Mr. Teintze stated that County staff would have recommended a different option of not having the pools and using those funds for other items such as lighting and cost-overruns to help market the properties. He noted the pools could be built by the developer.

Mr. Infante noted he did not want to save \$1 million and risk the entire project by not having the pools.

Mr. DeGuardiola noted that the original plan of improvements had approximately \$8 million devoted to private improvements (plazas), however, the CRA had taken the majority of the funds and created a regional facility and reduced what could be perceived as a private facility.

Mr. DeGuardiola discussed the open air band shell and described venues and special events that could be held at the band shell. He offered to provide a list of possible events at the next Board meeting.

Ms. Betancourt noted that enhancements would create value to surrounding properties or other less desirable properties nearby.

In response to Mr. Espineira's inquiry regarding homes that were backed up against the lakes and whether potential buyers could have access to those lakes, Mr. DeGuardiola noted that the property lines extended well into the lakes and were owned by the developer, except for the big lakes which were owned by private mining companies.

VI. Open Forum for Public Comments

Not presented.

VII. Setting of next Meeting Date

Before setting the next meeting date, Mr. Zelkowitz advised that the new plan needed to be incorporated as an amendment to the Developers Agreement. He suggested that the Board allow him time to prepare the amendment and to bring it back to the Board for approval.

The Board concurred with Mr. Zelkowitz preparing the amendment and with setting the next meeting for the second Monday in January.

Ms. Carter announced that the next CRA Board meeting would be January 10, 2005 at 7:00 p.m. and asked Mr. Teintze to notify the Board members by e-mail of the location.

Mr. Forbes asked that security issues be included on the agenda for the next meeting.

Mr. DeGuardiola noted that Ms. Rose Coleman had prepared a proposal and that the findings of her study would have to be discussed with the Board of County Commissioners.

Mr. Forbes noted that the Greater Miami Neighborhood Association, which owns two adjacent properties to the NLCRA, had met with Commissioner Moss concerning security issues in the area and that they would like to partner with the NLCRA in developing an overall strategy to address security.

Responding to Mr. Lipe's question whether the Greater Miami Neighborhood Association had any funding, Mr. Forbes noted he would provide the Board with all the information.

Ms. Carter asked Mr. Teintze to place Security Strategy on the next Board meeting agenda.

VIII. Adjournment

There being no further business to come before them, by motion duly made, seconded and carried, the Naranja Lakes Community Redevelopment Agency meeting was adjourned at 8:40 p.m.

Joan Carter, Acting Chairperson
Naranja Lakes Community Redevelopment Agency