



MIAMI-DADE COUNTY FINAL OFFICIAL MINUTES Metro Miami Action Plan Trust

Office of the Metro Miami Action Plan Trust
19 West Flagler Street
Mezzanine Room 106
Miami, Florida 33128

September 17, 2003
As Advertised

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**METRO-MIAMI ACTION PLAN TRUST
MEETING OF SEPTEMBER 17, 2003**

The Metro-Miami Action Plan (MMAP) Trust convened at 12:22 p.m., on September 17, 2003, at the Office of Metro-Miami Action Plan, 19 West Flagler Street, Mezzanine - Room 106, there being present Chairperson John T. Jones, Jr.; Trust members: Mr. Arthur J. Barnes, Mr. Tony Crapp, Jr., Mr. Robert Holland, Ms. Marie B. Hyppolite, Ms. Greicy Lovin-Meighan, Mr. Omar Malone, Ms. Ruth Page, Dr. Marty Pinkston, Mr. Herbert Robinson, Dr. Marzell Smith, and Mr. Daniel A. Wick; (The following Trust members were absent:, Mr. Torris Cooper, Mr. Thomas B. Donaldson, Ms. Beverly Kovach, Mr. Benedict P. Kuehne, Mr. Andre McAden, Ms. Cynthia A. Stafford and Dr. Richard Williams); MMAP President/CEO Vincent Brown; Staff members: Ms. Cindy Campbell, Mr. Randall Carr, Ms. Rachel Fredericq, Mr. Jose Gonzalez, Ms. Joann Hicks, Mr. Caesar Phillips, Ms. Traci Pollock, Ms. Natelege Powell and Ms. Rashada Simmons and Mr. Jeffrey Watson; Mr. Gary Hartfield, Assistant to the Assistant County Manager Tony Crapp, Sr.; and Deputy Clerk Jovel Shaw.

First Vice Chairperson Barnes called the meeting to order and requested that agenda item III-C entitled, "Old Business" be added to today's agenda.

In response to Dr. Smith's request to add a report from the Education Committee, Dr. Pinkston noted the Education Action Committee was listed on today's agenda and Dr. Smith could present his report at that time.

Mr. Brown requested that agenda item II-J entitled, "County Manager's FY 2003-04 Analysis of Economic Development Reorganization Options and Potential Savings be added to the agenda.

In response to Mr. Malone's request to present the Teen Police Council Pilot Program, Mr. Barnes indicated the foregoing issue could be presented as part of the Criminal Justice Sensitivity Action Committee report.

Dr. Pinkston stated due to lack of quorum being present, the foregoing changes should be accepted as information until a quorum was present.

APPROVAL OF MINUTES

I MONTHLY STATUS REPORTS

Mr. Brown stated the following reports were submitted for informational purposes.

- A. **Action Committees**
 - 1. **Criminal Justice Sensitivity Action Committee**

Chairperson Jones announced there were guests present to make a presentation to the Trust.

Mr. Malone introduced Miami-Dade Police Department Lieutenant Richard Holton and City of Miami Police Department Chief Gerald Darling along with the assistance of Ms. Cindy Campbell. He presented and provided an overview of the Teen Police Council (TPC) pilot program that would expose approximately 60 at risk teens countywide to fundamental aspects of our legal, political, financial and higher education system.

Dr. Pinkston suggested that Florida Memorial College (FMC) be the location of the graduation ceremony for those participants who successful complete the program.

Chairperson Jones noted discussed held last week pertaining to MMAP and FMC conducting a program outside of the Entrepreneurial Institute to give FMC publicity and to enhance MMAP's program with FMC.

Mr. Malone indicated with the assistance of the Chairperson Jones he would meet with the appropriate person at FMC to discuss the foregoing TPC.

Following Chairperson Jones' comments that Dr. Smith would be scheduling a meeting with the FMC Board of Trustees, Dr. Smith noted a meeting with the Executive Council for FMC.

Ms. Page discussed her experience in the area of criminal justice.

Chief Darling thanked the Trust for the opportunity to discuss the TPC and noted the need for the Council.

Lieutenant Holton discussed the concept of the program and agreed with the involvement of colleges in this pilot program.

Mr. Malone indicated 30 students would be recruited from the south and the north for 60 students.

Mr. Barnes volunteered his services and time through the economic development awareness component of the program.

In response to Ms. Campbell's comments regarding the MLK Academy students who attend the College and History Tour, Mr. Malone stated that in addition to the MLK Academy students, the participants in the TPC would attend the MMAP's Annual College and History Tour for 120 students.

It was moved by Dr. Smith that the Trust accept the report from the Criminal Justice Sensitivity Action Committee regarding the Teen Police Council pilot program and approval for implementation of the program; subject to letters being sent to the Chiefs for the City of Miami Police Department and Miami-Dade Police Department thanking the department for their assistance and use of office space. Mr. Crapp seconded this motion.

In response to Mr. Robinson's request regarding the funding source for the TPC, Ms. Lovin-Meighan pointed out the Teen Court funding would cease June 1, 2004 and would have to apply for those funds. She indicated the Juvenile Assessment Center would eventually be closed and distributed throughout the system. Ms. Lovin-Meighan further indicated the TPC was an alternative because it was based upon the same premises meaning the TPC would work with the police department. She noted the involvement of the various police departments in this initiative. Ms. Lovin-Meighan expressed the need to expend the Teen Court Fund completely.

Mr. Holland expressed concern with the balance of the Teen Court Fund and if the CJSAC would comeback with a proposal on how the programs funded through Teen Court would be monitored.

Ms. Lovin-Meighan indicated the Budget Committee would be reviewing the projected budgets for all action committees.

Chairperson Jones discussed the recommitment of the Trust partnership and relationship.

Upon being put to a vote, the motion passed by a vote of 12-0, (Trust members: Mr. Cooper, Mr. Donaldson, Ms. Kovach, Mr. Kuehne, Mr. McAden, Ms. Stafford and Dr. Williams were absent).

Chairperson Jones thanked Lieutenant Holton and Chief Darling for their support.

2. Education Action Committee

Dr. Smith presented an oral status report that included recommendations from the Committee pertaining to the MLK Academy. He noted his concern with the 9th grade pilot program.

Mr. Holland expressed concern with obtaining this report at today's meeting that was not a part of the meeting agenda package. He suggested that the pros and cons along with the budgetary impact be presented as well.

Mr. Crapp suggested that the Trust accept the report that was relative to the contracting issues for the MLK Academy staff. He indicated the Trust must decide if the MLK Academy would be a program administered by the Trust, and then consultants should be hired to administer the program. Mr. Crapp concluded by stating that the Budget Committee should review this issue.

Dr. Smith moved that the Trust accept the foregoing report.

In response to Dr. Pinkston's question regarding if the acceptance of the report include the acceptance of the recommendations outlined in the report, Chairperson Jones pointed out the foregoing was a report with recommendations unless it was put in the form of a motion.

Dr. Smith moved that the Trust accept the recommendations contained in the foregoing report.

Following further discussion ensued among members of the Trust regarding the recommendations listed in the report and Chairperson Jones suggestion that the recommendations need further review by the Budget Committee, Dr. Smith accepted the Chairperson Jones' recommendation.

The motion died due to the lack of a second.

Mr. Holland stated the MLK Academy consultant agreement with teachers need to reviewed along with other issues of concerns. He further stated the Trust needs to determine if the Trust would facilitate the policies to operate and manage or micromanage the Academy. Mr. Holland suggested that benchmarks or parameters be set for the MLK Academy staff to operate the academy.

Mr. Crapp concurred with Mr. Holland and indicated that currently the Trust could only set criteria for consultants.

Dr. Pinkston stated each recommendation from the Committee should contain a rationale, therefore staff could be direct appropriately.

3. Community Economic Development Action Committee

The foregoing item was not presented.

4. International Trade Committee

No report.

B. Units/Sections/Divisions

1. Fiscal Management

In response to Dr. Smith's inquiry regarding the budgeted line item in the Teen Court budget for the MMAP Foundation for \$405,640, Mr. Brown noted that funding was allocated and utilized by the Foundation for the MLK Academy. He further stated there was no funding budgeted in the beginning of this fiscal year when MMAP submitted its budget to the County, no item was budgeted for that amount. The funding would be used for rent and other expenses at the 5220 Biscayne Boulevard location for the MLK Academy.

Discussion ensued among members of the Trust and staff regarding the funding allocation for the MMAP Foundation.

Dr. Smith discussed the large sum of funding being paid to consultant for various services on MMAP's behalf.

In response to Dr. Smith's comments, Mr. Brown stated there was a pool of consultants utilized who performed a scope of services for the following: the conference, the MLK Academy staff, the Teen Court staff, the Housing Assistance Program (HAP), Ms. Donna Ginn for the MMAP Retreat and the Florida Memorial College Entrepreneurial Institute.

Mr. Gonzalez provided an overview of payments for consultant services.

Mr. Brown indicated the funding allocated for consultant services was approved in the overall MMAP budget by the County Commissioners in September 2002 and approved by the Trust.

Mr. Barnes requested in response to Dr. Smith, a breakdown for payments made to consultants be provided to the Trust.

Dr. Smith discussed and noted Ms. Donna Ginn was being paid as though she was an employee, and questioned if the each of the funding paid to the Donna Ginn and Associates (DGA) was approved by the Trust.

Dr. Pinkston stated Ms. Ginn was hired to conduct the MMAP Trust Retreat and other related services to conduct a follow-up pertaining to the Retreat.

Mr. Brown clarified noted at the Retreat during discussion of the MMAP Trust Five-Year Strategic Plan and staff requested the authority to allow Ms. Donna Ginn and Associates (DGA) to continue to work staff to complete the work required under the Strategic Plan.

Dr. Smith discussed the President/CEO authority to expend up to the amount of \$2,500 without Trust approval.

Discussion ensued among members of the Trust regarding the terms of the contract with DGA and it was the Budget Committee's determination that DGA was paid without authorization.

Dr. Smith indicated a vote was taken to authorize the President/CEO TO hire DGA to conduct the Retreat. He further indicated it was unacceptable for a series of payment exceeding the amount the President/CEO could expend without Trust approval.

Mr. Holland suggested that language may be added to the authorization which indicated the President/CEO had the authority to expend in an amount not to exceed \$2,500, if those services being render could be paid in full for that amount; and if it the amount exceeded the \$2,500 to any individual or entity it would need the Trust approval. He indicated this policy would avoid the President/CEO from being in this position in the future.

Dr. Pinkston stated the foregoing suggestion by Mr. Holland should be a recommendation from the Executive Committee to the full Trust for consideration and approval.

Chairperson Jones asked that staff review the present policy and amend the existing policy pertaining to the President/CEO authority to expend \$2,500. He requested that the Budget Committee review the policy, and if it needs to be amended, a recommendation should be submitted at the next Executive Committee meeting.

Mr. Crapp noted a motion by him at the Executive Committee meeting that all expenditures over \$2,500 would require approval by the Trust.

Discussion ensued among members of the Trust regarding the policy for the President/CEO authority to expend \$2,500 to any individual or entity.

Mr. Holland discussed the policy for payments and the use of change order for teachers as consultants at the MLK Academy.

Mr. Barnes informed the Trust that discussion occurred during the Executive Committee meeting regarding payment to the teachers on an annual basis and eliminate the bi-weekly payment system.

Following further extensive discussion in connection with policy pertaining to the President/CEO authority to expend \$2,500, it was moved by Mr. Malone that the President/CEO delegated authority to expend \$2,500 be referred to the Budget Committee and present a recommendation to the Trust along with the policy for payments to consultant. Mr. Holland seconded this motion for discussion.

Chairperson Jones indicated the Trust might be premature in doing this until we get to the part of contracts for MLK teachers, which he felt, should be addressed separately. He clarified the intent of the Trust was to review the Trust policy overall for payment of services.

Mr. Crapp asked that staff provide a copy of the existing policy for payment of services.

Dr. Smith requested that staff provide the Budget Committee with documentation for staff in each area and named the following: MLK Academy, Teen Court, HAP and South Florida Board of Realtists.

Upon being put to a vote, the motion passed by a majority of those members present with Dr. Pinkston abstaining.

Dr. Smith questioned the Education Action Committee figures outlined in the MMAP Budget for fiscal year 2002-2003.

Mr. Crapp noted discussion occurred at the Budget Committee meeting regarding pay offs and referenced the Fiscal Management – MMAP Budget Report budgeted line item

Loan Payments under the Revenues. He further noted the Committee requested a list of those loan payments for this fiscal year.

Mr. Crapp indicated at the Executive Committee he questioned the process utilized by staff if a mortgage recipient sold their property within the 10-year period, indicated he was informed the monies would be returned to the Trust, and paid in full. Mr. Crapp requested an explanation of what policies were in place for staff to mitigate the original loan amount.

In response to Mr. Crapp's comments, Mr. Brown responded in the mortgage industry a short sale meant a house has gone into foreclosure and therefore, the balance owed on the mortgage was insufficient equity or proceeds from the sale in order to recoup the entire amount that was due according to the terms of the program. He further explained when the amount of the original loan was higher than the actual amount repaid to the organization. He noted in those situations, the parties agree to a mortgage short sale. He indicated any Federal or State regulations did not govern this program.

Dr. Pinkston recommended that a request for information by the Executive Committee should be included in the agenda item package and the Trust member who requested should follow-up with staff. She reiterated the information requested should be part of the next Trust meeting following the Executive Committee meeting.

Mr. Brown noted staff responded to the Budget Committee's request and the follow-up information could not be a part of today's agenda due to the Committee meeting held on Friday, September 12, 2003, and the agenda package were already delivered.

In response to Mr. Crapp's inquiry regarding who empowered staff to mitigate mortgage short sales without the Trust approval, Mr. Brown responded he was not aware of the exact policy or procedure but staff was empowered to move forward. He pointed some one in the organization had to be in the position to authorize those mortgage short sales. Mr. Brown concluded that the practice was already in place when he became MMAP's Executive Director.

Ms. Lovin-Meighan noted her concern has always been being that this issue has never occurred because the Trust has not done those types of loans after the approval. She hopes that when the Budget Committee reconfigures how budgets are presented to the full Trust. She indicated her concern would be ultimately no matter which staff person had the delegated authority, the process would still be the same. The matter would go to the MMAP Executive Director and then forwarded to the Trust for ratification. She further indicated the Housing Assistance Program and Surtax Committee would review the foregoing issue to develop a procedure and asked that the staff be allowed to deal with it accordingly in order to ensure that the Trust was responsible. She indicated the concern with information and having a full disclosure of the information requested.

Mr. Brown discussed his concern with foreclosure and the opportunity for a mortgage short sale. Therefore, the \$2,000 the Trust would have gained due to the short sale would

be a loss to the Trust. He noted this was the first instance and if the Trust continued this program, the Trust would have empower someone to make those decisions in order to facilitate the expedite resolution of the issue.

Later in the meeting, Mr. Crapp discussed a loan for \$63,000 for a property as part of the Housing Assistance Program and the property being sold at \$60,000 through a foreclosure sale. Mr. Crapp recommended that staff review the subject property in question and provide a report to the Trust. He also recommended that the President/CEO bring this matter to the attention of the auditor. Mr. Crapp provided the location of the subject property as 550 N.W. 214 Street, Unit 202.

Following discussion in connection with the discrepancy in the original amount, the amount the property was sold for and the County's tax records that reflect the property being sold at \$80,000, Mr. Brown indicated staff would review Mr. Crapp's concern.

Mr. Crapp requested a detail explanation of the rationale used by staff to determine that \$2,000 was sufficient to pay off the original loan amount for \$10,000.

2. MLK Academy

The foregoing item was not presented.

3. Teen Court

The foregoing item was not presented.

4. Housing

The foregoing item was not presented.

5. Economic Development

The foregoing item was not presented.

II. PRESIDENT ITEMS

A. MLK/Teen Court Comprehensive Report

The foregoing item was not presented.

B. Continuation Proposal for the Entrepreneurial Institute

Chairperson Jones indicated the Executive Committee recommended the same level of funding to the Florida Memorial College Entrepreneurial Institute as of last year with a possible 3% increase.

It was moved by Dr. Smith that the Trust approve the same level of funding to the Florida Memorial College Entrepreneurial Institute for fiscal year October 1, 2003 – September 30, 2004, subject to a 3% increase. This motion was seconded by Mr. Malone, and upon being put to a vote, passed by a vote of 11-0, (Trust members: Mr. Cooper, Mr. Donaldson, Ms. Hyppolite, Ms. Kovach, Mr. Kuehne, Mr. McAden, Ms. Stafford and Dr. Williams were absent).

C. Lease for Teen Court South

Mr. Brown noted the foregoing Memorandum of Approval entitled “Lease Agreement for Teen Court South was recommended for approval by the Trust.

It was moved by Dr. Smith that the Trust grant authorization of the President/CEO to enter into a lease agreement for the Teen Court South located at 17753 Homestead Avenue, Perrine, Florida for \$38,671.00. This motion was seconded by Dr. Pinkston, and upon being put to a vote, passed by a vote of 11-0, (Trust member Mr. Malone abstained) (Trust members: Mr. Cooper, Mr. Donaldson, Ms. Hyppolite, Ms. Kovach, Mr. Kuehne, Mr. McAden, Ms. Stafford and Dr. Williams were absent).

D. Northside Metrorail Station Joint Development Project Status Report

The foregoing item was not presented.

E. 5220 Repair Update

Mr. Barnes noted he attended the Foundation meeting held which discussed efforts to seek a new facility for the relocation of the MLK Academy. He referenced a \$300,000 funding allocation that was transferred to the Foundation at the July 23, 2003, Trust meeting. Mr. Barnes informed the Trust that the lease agreement was in default because the lease was terminated and the lease payments for \$17,000. He indicated essentially the payments were for \$25,000 due to the 1.5% for a month-to-month agreement.

Mr. Brown informed the Trust that the Foundation was reviewing three potential sites for the MLK Academy and noted the following sites: a three-acre site that had an existing school building with portables and the NOVA Southeastern University Charter School in which the charter was not obtained.

In response to Ms. Lovin-Meighan comments regarding if the foregoing sites would be for lease or purchase, Mr. Barnes indicated it would be a lease with the intent for a lease purchase.

Following further discussion on the issue of location of MLK Academy, Chairperson Jones reiterated the need for the Foundation to operate the MLK Academy.

Mr. Brown noted the Foundation appointed a committee that comprise of Mr. Barnes, Mr. Holland, Ms. Anna Ward and himself to review the 5220 Biscayne Boulevard and the relocation to an alternate site for the MLK Academy.

Chairperson Jones requested Mr. Brown to forward the recommendation to the Committee pertaining to the Foundation operating the MLK Academy.

Trust members asked that the Committee review the pros and cons of operating the MLK Academy and present a recommendation to the Trust.

F. Emergency Response Initiative (ERI)

Ms. Lovin-Meighan presented the foregoing Memorandum of Approval (MOA) entitled, "Emergency Response Initiative (ERI) Program Budget" which recommended the approval of an allocation for \$70,000 from the existing ERI budget of \$600,000 for administrative and rehabilitate inspection costs. She indicated this recommendation would amend the contract with M-CAR Consultant and Associates, Inc. to expand the scope of services to include the coordination, administration and rehabilitate inspection of ERI. She indicated at the Executive Committee meeting the documents approved by the Trust (Agenda Item II-G) were attached to the ERI. Ms. Lovin-Meighan stated this MOA outlined how the \$600,000 funding would be utilized that was approved by the Trust on April 16, 2003.

In response to Chairperson Jones' statement if there was a motion to recommend, Dr. Smith made a brief comment.

Ms. Lovin-Meighan reiterated the funding was approved and today's recommendation would outline how those funds would be utilized.

Dr. Smith raised an issue regarding the approval of the \$600,000 grant and questioned today's recommendation.

In response to Dr. Smith's comments pertaining to a \$600,000 grant, Ms. Lovin-Meighan indicated it was a \$600,000 loan.

Dr. Smith stated the foregoing item was forwarded by the Executive Committee and noted the \$70,000 outlined in the recommendation.

In response to comments made by Dr. Smith and Chairperson Jones regarding the \$70,000, Ms. Lovin-Meighan clarified that the \$70,000 was part of the \$600,000. She further clarified that approximately \$70,000 or 11% would be used for administering the ERI program.

In response to Chairperson Jones comments regarding if there was a motion to recommend, Mr. Barnes questioned the motion was floor and if there was a second to the motion.

Ms. Lovin-Meighan stated the Trust would grant approval of the MOA for expenditure of funds to implement all the MMAP Homeownership Assistance Program (HAP).

It was moved by Dr. Smith that the Trust grant approval of the funding to implement and administer the ERI through the MMAP Homeownership Assistance Program. Mr. Holland seconded this motion.

In response to comments made by the Chairperson Jones regarding if the motion would approve an expenditure of funds, Ms. Lovin-Meighan indicated it was a Memorandum of Understanding on how the Trust was expending pre-encumbered funds.

Following comments by Chairperson Jones, President/CEO and members of the Trust that the funding was previously approved, the motion upon being put to a vote, passed by a vote of 11-0, (Trust members: Mr. Cooper, Mr. Donaldson, Ms. Hyppolite, Ms. Kovach, Mr. Kuehne, Mr. McAden, Ms. Stafford and Dr. Williams were absent).

G. MMAP Homeownership Assistance Program (HAP)

Ms. Lovin-Meighan provided a brief overview of the foregoing Memorandum of Approval entitled, "Revise MMAP Homeownership Assistance Program Mortgage and Note" that was being recommended for approval by the Trust. She noted the Assistant County Attorney Shannon Summerset had reviewed the foregoing and questioned the maturity date for the loan.

In response to Mr. Crapp's inquiry regarding if the foregoing item was approved by the Executive Committee, Ms. Lovin-Meighan indicated the Executive Committee recommended that the foregoing item be forwarded to the full Trust along with the County Attorney's Legal Opinion.

Discussion ensued among members of the Trust regarding the County Attorney's Legal Opinion on the foregoing matter.

Ms. Lovin-Meighan indicated the motion would be an approval of the Revised MMAP Homeownership Assistance Program Mortgage and Note contingent upon a written County Attorney's Legal Opinion.

Assistant County Attorney Summerset indicated she review documents for legal sufficiency but a legal opinion was not needed. She pointed out she made written comments on certain items and if those changes were made along with a maturity date; she would then send back a written statement indicating that these documents had been approved and reviewed by the County Attorney.

Discussion ensued among members of the Trust regarding the process of reviewing legal documents by the County Attorney's Office for legal sufficiency.

In response to Chairperson Jones' inquiry pertaining to what was being requested of the Trust today, Ms. Lovin-Meighan pointed out based upon the County Attorney's opinion that all corrections noted had been modified for legal sufficiency; and the only outstanding issue was the loan agreement which the Trust must determine the maturity date for the loan. She indicated the Housing Committee recommended 30-year loan as the maturity date. Ms. Lovin-Meighan concluded that upon the Trust approval the documents would be executed. She stated the documents were reviewed based upon the recommended changes by County Attorney's Office and the final draft could be presented at the next Trust or Executive Committee meeting.

It was moved by Mr. Holland that the Trust approve the Revised MMAP Homeownership Assistance Program pertaining to the mortgage provisions relating to a due on sale, transfer, rental or lease mortgage at zero percent interest with a 30-year maturity date for the mortgage. Dr. Pinkston seconded this motion for discussion.

Dr. Smith requested that in the future the County Attorney's review for legal sufficiency be noted in all action items.

In response to Chairperson Jones' inquiry regarding if the foregoing item was an expenditure of funds, Ms. Lovin-Meighan pointed out the funding was previously allocated and approved by the Trust.

Upon being put to a vote, the motion to approved the foregoing item, passed by a vote of 11-0, (Trust members: Mr. Cooper, Mr. Donaldson, Ms. Hyppolite, Ms. Kovach, Mr. Kuehne, Mr. McAden, Ms. Stafford and Dr. Williams were absent).

H. Investment Criteria – Draft

The foregoing item was not presented.

I. MLK Professional Agreement with attachments

In response to Mr. Crapp's concern regarding the draft of the agreement included in today's meeting agenda package, Mr. Brown pointed out the document went to the County Attorney's Office for review in concept for legal sufficiency.

Assistant County Attorney Shannon Summerset indicated the foregoing agreement was a standard document and the only issue was the payment structure as it pertained to payment to the consultant in the event the consultant did not have sufficient accumulated leave time.

In response to Dr. Smith's concern with the different terminology used for the consultant or provider, Assistant County Attorney Summerset indicated the appropriate reference would be made for the original agreement and it would be consistent throughout the agreement.

Discussion ensued among members of the Trust regarding the type of employees for the MLK Academy staff such as consultants versus County employees and the terms of the agreement.

Mr. Holland requested a County Attorney Legal Opinion regarding the options that were available to the Trust pertaining to the operation of the MLK Academy.

Chairperson Jones announced the foregoing MLK Professional Agreement would be deferred.

Dr. Smith suggested that the foregoing item be tabled until the Trust obtained the County Attorney Legal Opinion.

Following further discussion regarding the MLK Academy liability insurance coverage, Chairperson Jones stated the liability insurance coverage issue should be included in the County Attorney Legal Opinion.

Mr. Brown noted discussions were held with Miami-Dade County General Services Administration, Risk Management Division regarding the liability insurance.

Assistant County Attorney Summerset noted that the Academy was a County program because it was administered through MMAP; therefore, it was covered under the County's liability insurance.

In response to the Mr. Crapp's question regarding the transfer of \$300,000 to the MMAP Foundation to operate the MLK Academy and if the Foundation could use those funds to hire a firm to work at the academy through a competitive process, Assistant County Attorney Summerset advised the Trust that she must review the contract with the Foundation.

Discussion ensued among members of the Trust regarding the transfer of the \$300,000 to the Foundation and the terms of the agreement pertaining to the transfer.

Mr. Holland asked that staff compile a list of the issues raised by members of the Trust to be addressed in the County Attorney's Legal Opinion.

Following this discussion, Assistant County Attorney Summerset asked that the issues raised be forward to the County Attorney's Office with the appropriate background information in order to provide an opinion based on the facts.

Mr. Crapp asked that the attorney review the proposed sublease agreement between the MMAP Trust and Foundation.

J. County Manager's FY 2003-04 Analysis of Economic Development Reorganization Options and Potential Savings

Mr. Hartfield provided an overview of the Assistant County Manager Tony Crapp, Sr. Memorandum entitled, "FY 2003-04 Analysis of Economic Development Reorganization Options and Potential Savings".

Discussion ensued in connection with the potential cost savings to the County, the enhancement of County services through the reorganization of economic development, job positions in the departments to be impacted and the implementation of reorganization.

Following extensive discussion among members of the Trust, Chairperson Jones stated additional information would be provided at the County's Budget Hearing scheduled today at 5:01p.m. He indicated a workshop of this item would be scheduled to discuss this issue.

III. TRUST ITEMS

A. Performance Evaluation for the President/CEO

Mr. Barnes presented the foregoing item regarding the performance evaluation for the current MMAP President/CEO. He noted he requested Mr. Brown to provide a list of his accomplishments for the evaluation period.

In response to Dr. Pinkston's comments regarding the evaluation period, Mr. Barnes noted it was from October 2002 to present.

Dr. Pinkston pointed out she should conduct the performance evaluation of the President/CEO because she served as Chairperson of the Trust for a majority of the time noted in the evaluation.

Mr. Barnes noted a concern with the last evaluation that was a one-page document.

Dr. Pinkston provided a brief overview of the last process to evaluate the MMAP President/CEO.

Chairperson Jones informed members of the Trust that copies of the evaluation forms would be provided to each member.

Following discussion among members of the Trust pertaining to the documentation to use in evaluating the President/CEO, Mr. Barnes advised the Trust that he asked Mr. Brown to provide a list of his accomplishment since the last evaluation period. He indicated Mr. Brown provided him with a five-page document.

In response to Mr. Robinson's request that copies of that documentation be provided to members of the Trust, Mr. Brown indicated copies would be provided to each member of the Trust.

Chairperson Jones indicated the performance evaluation was due September 25, 2003.

In response to Dr. Pinkston's question regarding the original performance evaluation, Chairperson Jones indicated each member of the Trust would evaluate the President/CEO and sign their copy; and those copies would be submitted to the County.

Discussion ensued among members of the Trust regarding the process to follow in submitting the President/CEO performance evaluation.

Dr. Pinkston expressed concern with the submittal of each Trust member evaluation form of the President/CEO. She suggested that one performance evaluation be submitted and the other evaluation forms submitted by members of the Trust should be use to compile the evaluation to be submitted to Miami-Dade County Employee Relations Department.

Chairperson Jones agreed with Dr. Pinkston that the evaluation forms be submitted to her, as the past MMAP Trust Chairperson due to her tenure for a majority of the performance evaluation period for Mr. Brown.

Discussion ensued in connection with submittal of each evaluation form by Trust members and the attachment of those forms to the original performance evaluation to be submitted to Miami-Dade County Employee Relations Department as supplemental information.

In response to Mr. Crapp inquiry regarding a copy of the performance evaluation submitted submitted to Employee Relations Department, Chairperson Jones announced that each member of the Trust would receive a copy of the final performance evaluation.

Mr. Barnes supported the setting of benchmarks to assist members of the Trust in the future evaluation of the MMAP President/CEO.

B. Peace in the Hood Festival 2003 Event and Media Correspondence

Dr. Smith advised the Trust that the City of Miami Commission invited the Trust to receive a proclamation from the City regarding the Trust participation in the Peace in Da Hood Street Festival 2003.

It was moved by Mr. Crapp that the Trust retroactively approve an allocation for \$147.00 to cover the remaining expenses associated with the Peace in the Hood Festival. This motion was seconded by Mr. Holland, and upon being put to a vote, passed by a vote of 11-0, (Trust members: Mr. Cooper, Mr. Donaldson, Ms. Hyppolite, Ms. Kovach, Mr. Kuehne, Ms. Stafford and Dr. Williams were absent).

In connection with the foregoing item, Dr. Smith noted City of Miami Commissioner Arthur E. Teele, Jr. suggested that the City Manager should meet with the Trust.

Chairperson Jones stated that efforts should be made by the Trust to renew its partnerships and relationships with other entities in Miami-Dade County. He pointed out it would be very conducive to MMAP survival for future assistance.

C. Old Business

Mr. Barnes requested that the agenda reflect action items which required follow-up from a previous meeting be listed on the meeting agenda for discussion.

Mr. Brown responded a section would be created on the Trust meeting agenda entitled, "Old Business" that would list items, which required follow-up by staff.

NON-AGENDA ITEMS:

1. Mr. Jeffrey Watson presented an oral status report regarding the Carrie Meek Fund. He noted all of the grantees received funding based upon submittal of documentation required to file with application. Mr. Watson briefly discussed the Overtown Manufacturing Company (OMC) status in which the property owner increased the rent for the leasing space. He noted the owner of OMC could not afford the increased rent payment. Mr. Watson indicated the purpose of the status report was to inform the Trust that an application had to be submitted to the Department of Housing and Urban Development. He indicated the funding could be allocated in the form of a grant to be considered and approved by the Trust, which he would submit next week to the President/CEO. Mr. Watson noted a list of recommendations that may serve as a guide to assist the Trust in deciding who should be funded through the Carrie Meek Fund.

In response to comments regarding the balance of the Carrie Meek Fund, Mr. Watson indicated that there was an approximate remaining balance for \$500,000 in the Carrie Meek Fund.

Discussion ensued among Mr. Watson and members of the Trust regarding the expansion of Jackson Soul Food and the need for a submission of a formal proposal by the owners of Jackson Soul Food to the Trust.

Mr. Watson indicated that Chairperson Jones would prepare a letter to send to the Jackson Soul Food informing them to submit a formal proposal.

In response to Dr. Pinkston's inquiry regarding the amount Jackson Soul Food may be seeking, Chairperson Jones indicated Jackson Soul Food was seeking approximately \$300,000. He further indicated the City of Miami was contributing in the approximate amount of \$760,000 and Miami-Dade County intends to make-up the difference.

Further discussion took place among members of the Trust regarding a recommendation to be provided to the Trust for consideration in connection with the Carrie P. Meek Fund.

Mr. Watson discussed a potential development of property located at the Overtown Metrorail Station. He suggested MMAP participate in a franchise opportunity at this subject property.

In response to Dr. Pinkston's comments pertaining to job creation for the expansion of Jackson Soul Food, Mr. Watson indicated that approximately 19 to 20 jobs would be created.

Following Dr. Smith's comments regarding funding in the approximate amount of \$800,000 for the Overtown Grant, Mr. Watson informed the Trust that approximately \$360,000 would be reimbursed to the County.

Dr. Smith urged Mr. Watson to present a recommendation for the remaining balance in the Carrie P. Meek Fund. He suggested that consideration be given to develop a restaurant similar to Ruby and Jean's Cuisine located in North Dade in Overtown. Dr. Smith indicated that the City of Miami was prepared to assist in this effort.

Chairperson Jones pointed out the City of Miami has committed funding for this initiative. He indicated once Mr. Watson present a proposal from Jackson Soul Food the Trust could move forward. Mr. Jones informed the Trust that MMAP should put for effort to ensure the only African American restaurant remain in Overtown. Furthermore, the City and Miami-Dade County would like to collaborate with MMAP.

Discussion ensued among members of the Trust regarding the trend of Overtown and the three projects that were currently being developed in Overtown.

Mr. Watson concluded his report and informed the Trust that his contract would expire as of September 30, 2003.

Chairperson Jones stated if the Trust support the expansion of Jackson Soul Food the Trust need to retain the services of Mr. Watson to carry out and seek other projects of interest in order to expend the balance of the Carrie P. Meek Fund, the Overtown Grant.

2. Ms. Lovin-Meighan discussed sample draft forms developed by the Budget Committee to be used by staff to provide monthly or quarterly year to date expenditure report for each action committee. Therefore, the Committees would be kept abreast of the status of its budget. She indicated copies of these forms would be provided to each member of the Trust.

3. Chairperson Jones announced the appointment of Mr. Crapp as the Trust parliamentarian. He further noted he was seeking a volunteer from a Trust member to serve as Chairperson of the International Trade Action Committee.

In response to Dr. Smith's inquiry regarding the current Chairperson of the International Trade Action Committee, Mr. Barnes informed the Trust that Mr. Miguel Amion, the former Chairperson was not reappointed to the Trust.

4. In response to Mr. Crapp's inquiry regarding a contract with the MMAP Foundation, Chairperson Jones responded there was an agreement with Foundation.

Mr. Crapp requested a copy of the agreement between the Trust and the Foundation.

5. In connection with the MLK Academy, Chairperson Jones expressed his concern with being in the business of operating a school. He stated a discussion with the Foundation should occur regarding the Foundation operating and managing the MLK Academy. Mr. Jones expressed that a committee should be established to address this issue.

6. Ms. Page made brief comments regarding MMAP funding to the Beacon Council and to Dr. Philip Mann for the Entrepreneurial Institute over the years. She noted the need for a return on MMAP's investment to organizations who received funding from MMAP.

ADJOURNMENT

There being no further business to come before the Trust, the meeting adjourned at 3:49 p.m.

Chairperson John T. Jones, Jr.