



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

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

Meeting Date:

May 18, 2005
12:30 P.M.

Prepared by:

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Madry Sullivan, Director
Clerk of the Board Division

Reporter:

Mary Smith-York, Commission Reporter
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**METRO-MIAMI ACTION PLAN TRUST
MEETING OF May 18, 2005**

The Metro-Miami Action Plan (MMAP) Trust convened at 12:28 p.m., on May 18, 2005, at the Office of the Metro-Miami Action Plan, 19 West Flagler Street, Mezzanine – Room 106. Present were: Chairperson John T. Jones, Jr.; Trust members: Mr. Arthur Barnes, Ms. Marie B. Hyppolite, Ms. Beverly Kovach, Mr. Benedict P. Kuehne, Ms. Greicy Lovin-Meighan, Dr. Marty Pinkston, Mr. Herbert Robinson, Dr. Marzell Smith, Ms. Cynthia Stafford and Mr. Daniel A. Wick, Jr.; (The following members were excused absences: Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams).

ROLL CALL:

Vice Chairperson Barnes called the meeting to order at 12:28 p.m.

The following staff members were present: MMAP Interim President/CEO Randall Carr; Staff members: Mr. Jose Gonzalez, Ms. Joann Hicks, Mr. Caesar Phillips, Ms. Traci Pollock, Ms. Natelege Powell, Mr. William Simmons, Ms. Gloria Taylor, and Mr. Joey Walker; and Deputy Clerk Mary Smith-York.

MMAP Trust staff member Ms. Gloria Taylor provided the absentee report as received from members of the Trust.

Ms. Ruth Page, former Trust member, attended as a special invited guest.

MOTION TO SET AGENDA:

Chairman Jones requested an item be added to today's meeting agenda regarding the Miami-Dade Chamber of Commerce proposal for funding to sponsor community program development.

The Trust by motion duly made, seconded, and carried by unanimous vote, adopted today's agenda with the additional item.

APPROVAL OF MINUTES:

March 16, 2005 Minutes

Dr. Smith noted that Mr. Jeffrey Watson should be correctly identified as a MMAP Trust Consultant rather than staff member in the March 16, 2005 minutes.

It was moved by Ms. Kovach that the Trust approve the March 16, 2005, minutes as amended. This motion was seconded by Ms. Hyppolite, and upon being put to a vote, passed unanimously by those members present.

April 20, 2005 Minutes

It was moved by Dr. Smith that consideration of the April 20, 2005 Trust minutes be deferred to the June 15, 2005 meeting. This motion was seconded by Dr. Pinkston, and upon being put to a vote, passed by a unanimous vote.

Dr. Pinkston noted that the “late” designation should be eliminated from the attendance report in future minutes and that members be listed only as present or absent.

CITIZENS PRESENTATIONS

Vice Chairperson Barnes announced that presentations on today’s agenda would be made at the start of the meeting.

Mr. Jose Perez de Corcho, Project Director of The Mirage at Sailboat Cove, appeared before the Trust and provided a brief overview of his proposal. He highlighted the following points regarding the proposed homeownership project:

- its location was on NW 143 Street, between 17th and 19th Avenues;
- it consisted of 171 townhouses; phase one would consist of 73 units;
- the average price of units was \$185,000;
- it met parameters set by Miami-Dade for affordable housing;
- nearly 73 units of phase one sold;
- \$1 million gap funding loan requested from MMAP Trust;
- funding was needed within 15 days;
- total cost of the project was \$25,000,000; revenues at sell out was \$32,145,000;
- the infrastructure would be completed within approximately three months;
- construction to commence on the first building in eight weeks; and
- the first closing would be done in approximately six months.

Discussion ensued among Trust members regarding financing issues related to the project. Trust members discussed the proposal review process and whether the deadline of 15 days for a decision could be realized. Members informed Mr. Perez that the proposal would be reviewed by the Underwriting staff and forwarded to the Executive Committee for its recommendation.

Upon conclusion of the foregoing presentation and having obtained a quorum, the Trust proceeded to consider the day’s agenda.

I. MONTHLY STATUS REPORTS

A. Action Committees

- 1. Criminal Justice Sensitivity Action Committee**
- 2. Education Action Committee****
- 3. Community Economic Development Action Committee**
- 4. International Trade Committee****
- 5. Action Committee – Staff Liaison Assignments**
- 6. Legislative Action Committee****

B. Units/Sections/Divisions

1. Fiscal Management

2. MLK Academy

a. Monthly Report

Dr. Smith provided a brief overview of the Martin Luther King, Jr. Academy (MLK) Monthly Report and mentioned the following upcoming events:

- May 20, 2005 – Field Day at Morningside Park from 9:00 a.m. to 1:30 p.m. (Free)
- May 26, 2005 – Awards Banquet/Prom at Miami Shores Country Club from 7:00 p.m. to 10:00 p.m. (Price \$25/person)

b. School Board Audit

Dr. Smith briefly discussed the School Board Audit and advised that the results were outlined on page 54 of the meeting package.

c. Cancellation of MLK, Jr. Lease Agreement

In response to Dr. Smith's reference to the MLK, Jr. Academy's lease agreement, staff member Mr. Simmons stated that the lease was currently at the County Attorney's Office awaiting legal opinion regarding its cancellation.

In response to Chairperson Jones' inquiry regarding the property in Opa Locka, Dr. Smith stated that the Opa Locka site was being considered as a new location for the MLK, Jr. Academy.

3. Teen Court

4. Housing

5. Economic Development

II. PRESIDENT ITEMS

A. President Action Items

B. President Information Items

III. TRUST ITEMS

A. Trust Action Items

1. BCJ Development LLC Grant Approval - Memorandum of Approval

Mr. Simmons provided an overview of the foregoing Memorandum of Approval requesting that a grant award in the amount of \$175,000.00 be issued to BCJ Development LLC. He noted that the funding was required for the development of several business enterprises in the Overtown area as part of the Overtown Revitalization Plan initiative.

It was moved by Dr. Smith that the Trust approve allocation of grant funds in the amount of \$175,000.00 from RFP No. MMAP EDI 0604 budget funds to BCJ Development for the development of several business enterprises in the Overtown area as part of the Overtown Revitalization Plan initiative. This motion was seconded by Ms. Stafford, and upon being put to a vote, passed by a vote of 10-0, (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Ms. Greicy Lovin-Meighan, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

2. Housing Lottery Initiative – Memorandum of Approval

Mr. Carr provided a brief overview of the foregoing proposed item. He advised the Trust that the 27th Avenue corridor and the 183rd Street corridor would be removed from the targeted areas since they were business districts. Mr. Carr stated that an accounting firm would be hired to facilitate the financial aspect and that the particulars on the lottery process would be worked out with Northern Trust Bank by July 2005.

Trust members accepted Mr. Wick's recommendation that the City of Homestead be added to the proposed targeted urban areas.

Discussion ensued among Trust members regarding the costs for hiring an accounting firm in addition to the cost to fund the lottery. Members asked that staff bring back a cost effective proposal for the lottery initiative for review at the next Trust meeting on June 15, 2005 meeting.

It was moved by Dr. Smith that the Trust approve authorization for MMAP Trust President/CEO to allocate an amount of \$1,000,000 from the Documentary Surtax Budget fund for the development implementation of the homeownership lottery initiative. This motion was seconded by Dr. Pinkston, and upon being put to a vote, passed by a vote of 10-0, (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Ms. Greicy Lovin-Meighan, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

3. New Hope Project – Memorandum of Approval

In response to Dr. Smith's inquiry regarding the conditions for approval of the foregoing proposed item, Ms. Joann Hicks stated that approval of the loan was contingent upon the Borrower gaining site control and securing gap financing by May 26, 2005.

Mr. Kuehne noted that in delaying the authorization of funds, MMAP Trust might have lost the opportunity to fund the project. He expressed concern with a letter dated May 18, 2005, from the City of Miami (City) which stated that the delay in funding had resulted in the City's negotiation with the Meek Foundation for this project. Mr. Kuehne requested that the Trust approve funding for the project and ask that the City allow the project to go through with the developer as proposed with MMAP funds.

Discussion ensued among Trust members regarding the restriction of disbursement of funds pending the developer's compliance with all conditions for approval. Members agreed that upon today's approval, the Trust would deliver a commitment letter so the

applicant could gain title to the property. Mr. Kuehne stated approval by the Trust today would mean the funds were committed, but continuation of this development would need approval from the City of Miami.

Chairperson Jones asked that MMAP Trust Interim President/CEO Mr. Carr schedule a meeting during the coming week with representatives from the MMAP Trust, the Meek Foundation, and the developer to discuss the issue involving the New Hope Project.

It was moved by Mr. Kuehne that the Trust approve allocation of a predevelopment/construction loan in the amount of \$1.9 million from the Documentary Surtax Budget funds to the New Hope Overtown project. This motion was seconded by Mr. Robinson, and upon being put to a vote, passed by a vote of 7-0 (Trust Members Dr. Pinkston, Ms. Stafford, and Mr. Wick abstained due to conflict; Trust Members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Ms. Greicy Lovin-Meighan, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

Later in the meeting, Mr. Vincent Brown appeared before the Trust and provided a detailed overview concerning the Carrie Meek Foundation's (Foundation) involvement in the New Hope Project. He explained that the City of Miami approached the Foundation with a proposal to develop 40 lots in Overtown because financing for the project had not materialized. Mr. Brown stated that no unresolved issues existed prior to transfer of the project from MMAP Trust Consultant Mr. Jeffrey Watson to the Meek Foundation. He indicated that Mr. Watson had declined to consider a joint development concept. Mr. Brown referenced a letter dated May 18, 2005, from the City of Miami that outlined how and why the "BAME 40" properties had come to be offered to the Foundation after Mr. Watson failed to assemble financing after five months. He emphasized the Foundation's noncompetitive position with the Trust and stated the relationship was more a partnership. Mr. Brown noted that based on the Agreement between the Trust and the Foundation, the Trust had a share in whatever profits were generated from the development. He stated that at this point, the City of Miami had committed conveyance of the lots to the Foundation.

Mr. Kuehne emphasized the importance of conducting a joint meeting to work out issues related to this project. He reiterated the \$1.9 million that MMAP Trust had approved today for the New Hope Project. He recommended that a Trust representative approach City of Miami Commissioner Allen with a request that this project be allowed to continue with the MMAP Trust.

Mr. Brown pointed out that Congresswoman Meek on yesterday, May 17, 2005, had executed the final documents on the Foundation's behalf to initiate conveyance of the project.

In response to Chairperson Jones' inquiry pertaining to a collaborative, Mr. Watson stated that based on the project's setup, he would be opposed to a partnership concept for the project.

Chairperson Jones advised staff that the meeting between Trust representatives and Foundation representatives should be scheduled and advertised.

4. South Florida Board of Realists Contract Option Amendment - Memorandum of Approval

Ms. Joann Hicks provided a brief overview of the foregoing proposal for a partnership between MMAP Trust and the South Florida Board of Realists (SFBOR). Ms. Hicks highlighted the following functions that the SFBOR would perform:

- facilitate a centralized referral source for prospective homebuyers;
- provide marketing support;
- provide community outreach coordination;
- implement a complaint/referral tracking system to measure program success;
- assist MMAP HAP buyers select housing properties; and
- provide three full-time positions: Outreach Coordinator, Data Processor, and Receptionist at a cost of \$120,000.

Discussion ensued among Trust members on whether the contract was new or extended and why it was being presented in the last quarter of the fiscal year. After determining that the previous contract had expired in 2003, members agreed that the contract would be new. Chairperson Jones recommended that the item be referred back to staff for revisions.

It was moved by Dr. Smith that staff correct the language in the foregoing proposed item to state that the contract was new.

Mr. Kuehne amended the motion to request that staff include a provision in the contract that provided for a representative of the SFBOR to periodically make presentations at MMAP Trust meetings as scheduled by the Chairperson.

This motion, as amended, was seconded by Ms. Kovach, and upon being put to a vote, passed by a vote of 11-0 (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

5. Dr. Kunjufu's Student Forum – Retroactive Memorandum of Approval

It was moved by Mr. Kuehne that the Trust retroactively approve authorization for the President/CEO to expend an amount of up to \$10,000 from the Education Action Committee Budget for a student forum held on May 11, 2005 at the Joseph Caleb Center Auditorium, 5400 NW 22 Avenue, Miami (retroactive to May 4, 2005). This motion was seconded by Ms. Stafford, and upon being put to a vote, carried by a vote of 11-0 (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

6. WKL Associates Resumption of Reduced Payments

– Memorandum of Approval

Mr. Barnes provided a brief overview of the foregoing proposed memorandum of approval, explaining that Dr. Willie Robinson had requested approval to pay half the required loan payment for a six-month period.

It was moved by Dr. Smith that the Trust approve staff's recommendation to allow WKL & Associates to make loan payments in the amount of \$1,400.00 per month for the next six months. This motion was seconded by Ms. Hyppolite, and upon being put to a vote, passed by a vote of 11-0 (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

7. Miami-Dade Chamber of Commerce

Staff member Mr. Phillips provided a detailed overview of the foregoing proposed item. He stated that an analysis of the Miami-Dade Chamber of Commerce showed that it would be mutually beneficial to both organizations to enter into the proposed collaboration.

It was moved by Mr. Barnes that the Trust approve an allocation in the amount of \$75,000 to the Miami-Dade Chamber of Commerce for sponsorship of the proposed community economic development programs. This motion was seconded by Ms. Hyppolite, and upon being put to a vote, passed by a vote of 10-0 (Trust member Dr. Marty Pinkston abstained; Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

B. Trust Informational Items

1. Action Committees – Community Participants

2. Global USA, Inc. – Governmental Relations Washington, DC

The Trust by motion duly made, seconded, and carried by unanimous vote, approved the Executive Committee's recommendation to explore the feasibility of Global USA, Inc. representing the Trust in Washington, D.C.

It was moved by Mr. Kuehne that the Trust approve authorization for the Executive Committee to approve, as appropriate, an expenditure of amount not to exceed \$10,000.00 to fund the Trust's commitment to explore Global USA, Inc.'s proposal to provide legislative representation in Washington, DC and consulting services to the MMAP Trust, and to report such determination at the June 15, 2005 Trust meeting. This motion was seconded by Dr. Pinkston, and upon being put to a vote, carried by a vote of 11-0 (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

3. Newly Created Juvenile Services Department

4. 54th Street Proposed Retail Center Update

5. Ralph McCloud Compensation Request

Mr. Ralph McCloud provided a brief overview of his compensation request. He outlined the details regarding the request for payment from the MMAP Trust for work he performed at the Trust during the Employee Interchange Interlocal Agreement initiative while employed by the City of Miami. During his presentation, Mr. McCloud highlighted the following issues:

- MMAP Trust approved the request to provide funding compensation to supplement the salary paid to Mr. McCloud by the City of Miami;
- He served as Program Director of Miami-Dade Teen Court from the program's inception in 2000 until January 2002;
- November 2000, an audit resulted in the determination that his job classification was not commensurate with his responsibilities;
- MMAP Trust President/CEO recommended he be reassigned to the City of Miami upon an investigation of the Teen Court Program;
- He received notice from the City of Miami that there were no positions available for unclassified employees;
- He attended court proceedings in January 2005 on charges of "unlawful compensation" and was found not guilty;
- January 2001 MMAP Trust approved additional compensation of \$75,000 reclassified the position;
- His salary was never increased
- He requested that MMAP Trust approve compensation for unpaid salary with funds appropriated through the Teen Court Program in the amount of \$75,000.

Discussion ensued among Trust members concerning appropriate procedure to address this matter. Chairman Jones stated that the matter should be referred to the Miami-Dade County Employee Relations Department and/or County Attorney's office for review and recommendation.

It was moved by Ms. Stafford that the foregoing proposed request be deferred and referred to the County Attorney's Office for review. This motion was seconded by Dr. Pinkston, and upon being put to a vote, passed by a vote of 11-0.

6. Forfeiture of EDI Grant Remainder

Chairperson Jones reminded Trust members of the approaching deadline of September 23, 2005 for disbursement or forfeiture of remaining funds from the EDI Grant No. B-98-SP-FL-0052. He stated that it would be staff's responsibility to ensure that the funds were distributed appropriately.

In response to Ms. Kovach's inquiry, Chairperson Jones advised that the balance of funds totaling \$175,000 were committed to the Scala Construction, but the actual distribution would be made based upon their meeting proposed conditions, which could be modified if necessary to expedite distribution.

NON-AGENDA ITEMS:

1. Dr. Smith distributed copies of a memorandum entitled "Education Action Committee Program Expenditures" for Trust members' review and approval.

It was moved by Mr. Kuehne that the Trust authorize the MMAP Trust President/CEO to expend an amount up to \$14,000 from the Education Action Committee Budget for workshops and program sponsorships in collaboration with the Education Action Committee. This motion was seconded by Ms. Hyppolite, and upon being put to a vote, passed by a vote of 11-0 (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams were absent).

2. Dr. Pinkston commended staff on the preparation of the MMAP Trust Current and Proposed Projects spreadsheet and recommended that some type of distinction be made to distinguish current from proposed projects. She also asked that staff add Bank United and Home Depot to the list of partners for the Economic Development Mobil Unit.
3. Chairman Jones asked that the Public Relations Committee begin preparations for the MMAP 2005 Annual Retreat. He asked Ms. Stafford and Dr. Pinkston to meet with the other Committee members to identify a time and place for the Retreat and inform staff member, Mr. Walker, so that he might schedule the annual retreat.
4. It was moved by Dr. Smith that a new category be added to the MMAP Trust Board Member Display entitled "Past Chairman's Council" to maintain a record of former Chairs of the MMAP Trust Board. This motion was seconded by Mr. Barnes, and upon being put to a vote, passed by a vote of 11-0 (Trust members Mr. Tony E. Crapp, Jr., Mr. Thomas B. Donaldson, Ms. Velderin Freemon, Mr. Robert Holland, Mr. Omar Malone, and Dr. Richard E. Williams were absent).
5. Trust members held a farewell reception in honor of Ms. Ruth Page, upon her resignation after many years of loyal service and dedication to the MMAP Trust. Members expressed sentiments of gratitude and appreciation and wished her well in her future endeavors.

ADJOURNMENT

There being no further business to come before the Trust, the meeting adjourned at 2:57 p.m.

Chairperson John T. Jones, Jr.