



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

Meeting Date:

November 15, 2006
As Advertised

Prepared by:

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Madry Sullivan, Director
Clerk of the Board Division

Reporter:

Mary Smith-York, Commission Reporter
(305) 375-1598



**CLERK'S SUMMARY AND OFFICIAL MINUTES
METRO-MIAMI ACTION PLAN TRUST
MEETING OF NOVEMBER 15, 2006**

The Metro-Miami Action Plan Trust (MMAP) convened a meeting at the Martin Luther King, Jr. Office Plaza, 2525 NW 62nd Street, 2nd Floor-Rms 3&4, on October 18, 2006 at 12:00 Noon, there being present: Chairperson John T. Jones, Jr., Mr. Tony E. Crapp, Jr., Ms. Beverly Kovach, Mr. Benedict P. Kuehne, Ms. Greicy Lovin-Meighan, Dr. Marty Pinkston, Mr. Herbert Robinson, and Dr. Marzell Smith (Trust member Mr. Daniel A. Wick, Jr. was late; Members: Mr. Arthur J. Barnes, Ms. Veldrin Freeman, Ms. Marie B. Hyppolite, Mr. Omar Malone, Ms. Cynthia Stafford, and Mr. Hannie L. Woodson were absent).

ROLL CALL:

Staff members present were: Mr. John Dixon, MMAP Trust Deputy Director; Mr. Brian Clarke, Mr. Jose Gonzalez; Ms. Fawzia Hack, Secretary to the Director; Ms. Joann Hicks; Mr. Caesar Phillips, Mr. William Simmons; Ms. Angela Vaughns; and Mr. Joey Walker; and Deputy Clerk Mary Smith-York.

Chairperson Jones called the meeting to order at 12:27 p.m. and during consideration of the day's agenda, the following changes were made:

Additions:

- 1) Sunset Revision as Item I.B.4;
- 2) Miami-Dade Chamber of Commerce as Item I.B.5; and
- 3) Legislative as Item I.B.6.

I. TRUST ACTION ITEMS

A. Committee Action Items

1. Housing

- a. Town Park**
- b. Sail Boat Cove Presentation**

c. Lafayette Square Commitment Letter

Ms. Joann Hicks, MMAP Housing and Economic Development, provided a brief overview of the purpose of the foregoing proposed item. She advised that the developer had revealed they would receive \$6.5 million from the Miami-Dade Housing Agency (MDHA) and \$2 million from the City of Miami. Ms. Hicks noted MDHA confirmed that the BCC had approved \$2.5 million for the project; the remaining \$4 million would be generated through a 2007 RFA process. Since the recommendation by MDHA staff for the additional \$4 million must be approved by the Commission, it could extend to March 2007. She stated the City of Miami had not yet provided confirmation of its funding commitment. Ms. Hicks stated staff recommended the Trust approve a loan to Lafayette Square, Ltd. in the amount of \$1.3 million subject to the following conditions: 1) firm commitment letter(s) from any other financing sources, 2) budget for project with source and use of funds, 3) satisfaction of the loan closing conditions by borrower specified in this letter at or prior to closing the loan, 4) MMAP Trust ratification of the commitment, 5) lender's Board approval of the final underwriting report, and 6) other conditions as outlined in

the commitment letter. In response to Chairperson Jones' inquiry as to whether groundbreaking had occurred for this project, Ms. Hicks stated ground had been broken; however, no ceremony had transpired yet.

Ms. Lovin-Meighan spoke in opposition to holding the funds for the length of time required for the approval process and noted staff's recommendation was for approval subject to conditions which would address this concern.

Mr. Kuehne asked that staff's recommendation be amended to include an additional condition requiring that individuals previously convicted of felony crimes, who were now law-abiding citizens be allowed to reside on this property.

In response to Mr. Kuehne's inquiry as to the amount of the "mortgage subordinate to the mortgage issued by borrower" under the collateral provision on page 2, Ms. Hicks noted the project cost was \$35 million. She stated she would research and bring back the requested information.

It was moved by Ms. Lovin-Meighan that the Trust approve an allocation in the amount of \$1,300,000 to Lafayette Square, Ltd. from the Documentary Surtax budget for preconstruction/development of the Lafayette Square Apartments project subject to the conditions outlined in the agenda package, and as amended to include the condition that individuals previously convicted of felony crimes who were currently law-abiding citizens be allowed to reside on this property. This motion was seconded by Dr. Pinkston, and upon being put to a vote, passed by a vote of 9-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

d. Zamora Corporation Development Project

Ms. Joann Hicks, MMAP Housing and Economic Development, provided a brief overview of the foregoing proposed item. She noted staff's recommendation was for the Trust to authorize staff to negotiate the purchase price of the 25 single-family affordable housing units. Staff also recommended authorization to approve a special waiver to increase the MMAP HAP maximum loan assistance to ten percent (10%) of the purchase price to address the financial shortfall for qualified homebuyers seeking to purchase homes within the Zamora Corp project. Ms. Hicks explained that this would be a one-time pilot program and noted the total cost would be \$550,000.

Mr. Crapp stated that the Executive Committee determined this to be a good workforce housing initiative since the developer would not receive any monies to subsidize the construction costs. If this pilot program proved successful, he recommended it be replicated in other areas of the County.

Mr. Kuehne pointed out that this could generate criticism from the community in that it appeared the Trust was partnering with the developer rather than assisting the 25 residents who would ultimately benefit from this initiative. He emphasized the need for proof that the workforce building the development were from the Trust's client base. Mr. Kuehne requested the motion

be amended to include language requiring the developer to provide job opportunities for MMAP Trust constituents.

It was moved by Mr. Crapp that the Trust approve the authorization of staff to negotiate the purchase of 25 single-family affordable housing units located within the Zamora Corporation (Zamora) housing development and to include a special waiver to increase the maximum amount of the MMAP Housing Assistance Program's loan assistance to ten percent (10%) of the purchase price; and with the condition that Zamora provide job opportunities for other MMAP Trust constituents. This motion was seconded by Dr. Pinkston, and upon being put to a vote, passed by a vote of 9-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

e. Breeze at Ficus Creek Housing Development

2. Education

a. MLK Institute Grant

Chairperson Jones relinquished the Chair to Mr. Robinson.

Vice Chairperson Robinson provided a brief overview of the foregoing proposed item. He explained that this proposal was necessary to ensure the Kingian Nonviolence training continued at the MLK Leadership Academy.

It was moved by Mr. Crapp that the Trust authorize staff to enter into an agreement with the Florida Martin Luther King, Jr. Institute for Nonviolence for a period of one year, commencing at agreement execution; and to allocate an amount not-to-exceed \$45,000.00 from the Teen Court budget to fund the continued teaching of Kingian principles of nonviolent management of social change. This motion was seconded by Ms. Lovin-Meighan, and upon being put to a vote, passed by a vote of 8-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

In response to Mr. Crapp's inquiry as to when the comprehensive report would be provided, Mr. Dixon stated the report would be submitted at the next meeting.

3. Criminal Justice

4. Community and Economic Development

a. Miami Marine Project

5. Legislative

6. Budget

B. Additional Action Items

1. Approval Ballot Quorum

Chairperson Jones advised that the motion and approval ballots cast during the June 21, 2006 and July 7, 2006 meetings were invalid due to the County Attorney's determination that they lacked a quorum of members. He noted each ballot would be reconsidered individually and voted on. The following actions were made:

It was moved by Dr. Pinkston that the Trust approve **Agenda Item II-A1 dated June 21, 2006** for an expenditure in an amount not-to-exceed \$15,000 from the Trust Fund budget for the MMAP Trust Annual Board Retreat to be held at the Doral Golf Resort and Spa on July 6 – 8, 2006. This motion was seconded by Mr. Crapp, and upon being put to a vote, passed by a vote of 8-0 (Trust members Mr. Wick, Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Dr. Pinkston that the Trust approve **Agenda Item II-A2 dated June 21, 2006** for a waiver of the competitive bid requirements and award a predevelopment loan in an amount not-to-exceed \$100,000 from the Housing budget contingent upon the fees, underwriting and closing cost associated with the loan to New Way Community Development Corporation. This motion was seconded by Ms. Kovach, and upon being put to a vote, passed by a vote of 7-1 (Trust member Dr. Smith voted no; Trust Members Mr. Wick, Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Dr. Pinkston that the Trust approve **Agenda Item II-A7 dated June 21, 2006**, to support the hiring of a MMAP Housing and Economic Development Division Director with a fiscal impact in the approximate amount of \$27,690.00 to fund the difference in the salary of the current Administrative Officer 3. This motion was seconded by Mr. Crapp, and upon being put to a vote, passed by a vote of 9-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Ms. Kovach that the Trust approve **Agenda Item III-A1 dated June 21, 2006**, for an expenditure in the amount of \$10,000 from MMAP's General Fund to the Albert Moss Foundation, Inc. for the Peace in the Hood Festival scheduled for August 19, 2006, to be used for the City of Miami Police Department Special Events Detail. This motion was seconded by Mr. Crapp, and upon being put to a vote, passed by a vote of 9-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Mr. Wick that the Trust approve **Agenda Item III-A2 dated June 21, 2006**, as amended for an expenditure not to exceed an amount of \$2,500 from the Trust's Fund to the Model City N.E.T. Office of a donation for the 5th Annual JUNETEENTH Cultural Celebration scheduled for June 19, 2006, at the Lyric Theatre. This motion was seconded by Ms. Kovach, and upon being put to a vote, passed by a vote of 6-1 (Trust members Mr. Crapp and Ms. Lovin-Meighan abstained due to a conflict of interest; Trust member Mr. Kuehne voted no; Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Ms. Kovach that the Trust approve **Agenda Item I.A.2 dated July 7, 2006**, for an expenditure in the amount of \$23,000 from the Documentary Surtax budget to purchase the professional services of an In-House Mortgage Consultant for a period of six months to provide administrative support to the Homeownership Assistance Program. This motion was seconded by Mr. Crapp, and upon being put to a vote, passed by a vote of 9-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Dr. Pinkston that the Trust approve **Agenda Item I.A.3 dated July 7, 2006**, for the reallocation of Documentary Surtax funds in the amount of \$1,350,000 to the Housing Assistance Program Lottery Program to assist the 54 participants of the initial lottery drawing on June 30, 2006 who were not selected to receive financial assistance. This motion was seconded by Ms. Kovach, and upon being put to a vote, passed by a vote of 9-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Dr. Smith that the Trust approve **Agenda Item I.A.4 dated July 7, 2006**, authorizing the MMAP Trust President/CEO to enter into an agreement with the Miami-Dade Chamber of Commerce for the period August 18, 2006 to August 17, 2007, in an amount not-to-exceed \$75,000.00 from the Economic Development budget to promote the building of economic wealth in the Black Business community. This motion was seconded by Mr. Crapp, and upon being put to a vote, passed by a vote of 8-0 (Trust member Dr. Pinkston abstained due to a conflict of interest; Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

It was moved by Mr. Crapp that the Trust approve **Agenda Item II.B.1.a dated July 7, 2006**, to accept the MMAP Trust President/CEO's proposed FY 2006/07 budget recommendations. This motion was seconded by Dr. Pinkston, and upon being put to a vote, passed by a vote of 9-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, and Mr. Woodson were absent).

2. Election of MMAP Board Officers

Dr. Pinkston distributed to Trust members a slate of officers selected by the Nominating Committee and provided a brief overview of the Committee's decision-making process. In response to Mr. Kuehne's inquiry regarding revising the By-laws to allow the creation of new Trust Board positions, she advised that this was no longer being considered.

It was moved by Dr. Pinkston that the Trust accept the recommendations of the Nominating Committee as presented. This motion was seconded by Ms. Lovin-Meighan, and upon being put to a vote, passed by a unanimous vote of those members present.

Upon Chairperson Jones' request for a volunteer to serve as the Trust Parliamentarian, Mr. Kuehne nominated Mr. Tony Crapp, Jr. for this position. This nomination was seconded by Dr. Pinkston, which Mr. Crapp accepted. Upon being put to a vote, this nomination passed by a unanimous vote of those members present.

3. Board Appointments – Vacancies

Chairperson Jones noted staff was in the process of addressing the member vacancies issue with Honorable Mayor Alvarez. In response to Dr. Pinkston's inquiry regarding members with excessive absences, Chairperson Jones advised that letters were being prepared to request their resignation.

4. Sunset Revisions (Add-on)

Chairperson Jones provided a brief overview of the foregoing item and noted it was presented at the previous meeting but no action was taken due to lack of a quorum. He advised that there had been no changes made and requested a motion be made.

It was moved by Ms. Kovach that the Sunset Revisions be approved as presented. This motion was seconded by Dr. Smith, and upon being put to a vote, passed by a unanimous vote of those members present.

Responding to Mr. Crapp's inquiry as to how the By-laws Committee would be appointed, Chairperson Jones explained that the Parliamentarian would recommend members to serve and the Trust would follow with correspondence requesting their response.

Chairperson Jones volunteered to serve on the By-laws Committee.

5. Miami-Dade Chamber of Commerce (Add-on)

Mr. Crapp distributed copies of an Invoice dated November 14, 2006 for the Miami-Dade Chamber of Commerce Annual gala at the Sheraton Miami Mart Hotel scheduled for December 1, 2006. He recommended the Trust purchase a Corporate Table package at a cost of \$1,250.00.

Mr. Kuehne spoke in opposition to the foregoing item and noted his preference would be to collaborate with the Chamber on its \$75,000.00 project which would stimulate wealth in the community. He suggested that the Trust commit to not funding further dinner programs pending the development of a policy governing this type of expenditure.

Dr. Smith expressed concern with the lack of attendance at the events once the Trust purchased the tables and recommended that students from Trust-funded schools be allowed to fill the vacant seats.

Mr. Wick reminded members that the Trust decided at its last meeting to invite MMAP Trust staff members to fill any vacant seats at tables purchased by the Trust.

Chairperson Jones advised that staff would be invited to fill any vacant seats once all Trust members have been given the opportunity to attend.

Mr. Crapp recommended assembling a group to develop the policy recommended by Mr. Kuehne within thirty (30) days.

It was moved by Mr. Kuehne that the Trust deny approval of the foregoing proposed item. This motion was seconded by Ms. Lovin-Meighan, and upon being put to a vote, passed by a majority vote of those members present.

6. Legislative (Add-on)

Mr. Robinson provided a brief overview of the foregoing proposed item.

It was moved by Mr. Kuehne that the Trust approve a maximum budget of \$1,500.00 for the Trust's Chair and the Legislative Committee's Chair, with no substitutes, to appear at the

swearing-in ceremony for Speaker of the House on November 21, 2006, with an overnight stay if necessary.

Discussion ensued among Trust members regarding the exclusion of substitutes in the event the designated persons were unable to attend. Following this discussion, Mr. Kuehne amended his motion.

It was then moved by Mr. Kuehne that the Trust approve a budget in an amount not-to-exceed \$1,500.00 to cover expenses incurred by the MMAP Trust Chairperson and the Legislative Committee Chairperson, or designee(s), during travel and attendance at the Swearing-In ceremony of State Representative, Marco Rubio, on November 21, 2007, in Tallahassee, Florida. This motion was seconded by Ms. Lovin-Meighan, and upon being put to a vote, passed by a vote of 8-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Dr. Smith, Ms. Stafford, and Mr. Woodson were absent).

Further discussion ensued among members regarding the financial process extending past the date of this event. Chairperson Jones requested Mr. Dixon, MMAP Trust Deputy Director, to contact Senior Advisor to the County Manager Cynthia Curry for assistance with the funding process. He advised that this expenditure would generate from the Trust Account Budget rather than the General Fund budget.

II. PRESIDENT ACTION ITEMS

A. Lottery Adjustment

Ms. Joann Hicks, Housing and Economic Development, provided a brief overview of the foregoing proposed item. She noted that staff recommended approval of a \$550,000.00 increase for the Documentary Surtax Budget to the \$1 million MMAP HAP housing lottery fund. Ms. Hicks introduced Mr. Eric Johnson who would provide additional information regarding this proposal.

Mr. Eric Johnson, Housing Division Consultant, appeared before the Trust and explained that the number of lottery winners was reduced from ten to eight due to one purchasing a home and the other moving out of South Florida. He noted the additional funds were needed to meet the cost of approximately \$200,000.00 per person. In response to Mr. Kuehne's inquiry as to the total amount requested for this housing lottery initiative and the Zamora project, Mr. Johnson stated approximately \$2.8 million.

Discussion ensued among Trust members regarding whether the lottery initiative was the best use of Trust dollars and what steps could be taken to protect against clients defaulting on the loans. Mr. Johnson noted that each client would sign an "Early Default Intervention" form vowing to enter into counseling at the earliest sign of payment problems.

It was moved by Mr. Crapp that the Trust approve an allocation in the amount of \$550,000.00 from the Documentary Surtax Budget to the MMAP Housing Assistance Program's (HAP) housing lottery initiative to increase the amount from \$1,000,000.00 to \$1,550,000.00, to meet the increased commitment and funding levels. This motion was seconded by Dr. Pinkston, and

upon being put to a vote, passed by a vote of 8-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, Mr. Wick, and Mr. Woodson were absent).

B. Contract Extension for Housing Consultant

Mr. Kuehne recommended that staff fully utilize the expertise of the consultant to provide better estimates of proposed funding to the Trust for approval.

It was moved by Dr. Smith that the Trust approve an allocation in an amount not to exceed \$23,000.00 from the Documentary Surtax budget to extend the in-house consultant professional services agreement for an additional six month period. This motion was seconded by Mr. Crapp, and upon being put to a vote, passed by a vote of 8-0 (Trust members Mr. Barnes, Ms. Freemon, Ms. Hyppolite, Mr. Malone, Ms. Stafford, Mr. Wick, and Mr. Woodson were absent).

C. Carrie P. Meek Foundation Invoice

Mr. Crapp explained that funds were not allocated in the FY 05-06 budget for the agreement with the Meek Foundation which resulted in a budget shortfall. He advised that the foregoing proposed request for funds in the amount of \$7,083.34, would allow fulfillment of the current agreement to the end of the 2006 calendar year. He noted this was a temporary solution pending a new agreement based on a new initiative with the Meek Foundation.

There being a loss of quorum upon Dr. Pinkston's absence due to a conflict of interest, the Trust terminated further action on this item.

D. West Perrine MLK Celebration

Mr. Joey Walker, MMAP Trust staff, provided a brief overview of the foregoing proposed request and noted staff's recommendation was for approval of the Executive Committee's recommendation of \$2,500.00 for a Silver sponsorship for this event.

Chairperson Jones referred the foregoing item back to staff for review and approval since the amount requested was within the President/CEO's authority.

III. TRUST INFORMATION ITEMS

A. Committee Information Items

1. Housing

2. Education

a. MLK, Jr. Academy Monthly Report

Mr. Frank Tarrau, Principal, MLK, Jr. Leadership Academy provided a brief overview of the monthly report highlighting the following points:

- Ranked in top three schools during school site visitation;
- Equipped with 'Edusoft' technology component to obtain instant test results; and
- Unsuccessful in reaching the level of enrollment desired.

Mr. Kuehne suggested Trust members work with Mr. Tarrau to increase the number of students enrolled and asked that members be provided information regarding this issue.

- 3. Criminal Justice**
- 4. Community and Economic Development**
- 5. Legislative**
- 6. Budget**

IV. PRESIDENT INFORMATION ITEMS

- A. Teen Court Monthly Report**
- B. Housing Monthly Report**
- C. Fiscal Management Report**
- D. Criminal Justice Monthly Report**
- E. Public Information**

NON-AGENDA ITEMS

1. Dr. Pinkston's Resignation:

Dr. Pinkston announced that she was resigning from the Trust effective today (11/15/06) and would be relocating to Atlanta, Georgia. She proclaimed that with pleasure she had served 18 years on the MMAP Trust Board.

Mr. Crapp recommended Trust members assemble some type of farewell/appreciation event in honor of Dr. Pinkston.

Mr. Kuehne recommended naming one of the Trust-funded projects after Dr. Pinkston.

2. Mr. Keaton's Landscaping and Mr. Charles Jordan's Landscaping:

Mr. Ken Knight, Overall Tenant Advisory Council (OTAC), appeared before the Trust and carried out a presentation regarding the Mr. Keaton's and Mr. Jordan's landscaping businesses. He stated the two business owners were seeking to hire residents from the community, particularly public housing residents. Mr. Knight indicated that Mr. Keaton and Mr. Jordan were requesting funding assistance to purchase equipment for their businesses.

Mr. Jacob Berry, MMAP Trust staff, advised that he would provide the foregoing presenters with appropriate information and directions to initiate development of their proposal.

3. Open Discussion:

Mr. Kuehne asked that the Trust Committees' budgets be placed on the agenda of the next Trust meeting. He also asked staff to develop a checklist for the Trust's review, listing those points recommended today for incorporation into the housing agreements. Mr. Kuehne asked that an item relating to the changes to the By-laws be placed on the next agenda.

Mr. Crapp asked that issues regarding Committee Budgets and Policy on Funding Events be discussed at the next Executive Committee meeting on December 6, 2006. He suggested staff solicit recommendations from individual Committee Chairpersons for their respective budgets prior to the meeting.

ADJOURNMENT

There being no further business to come before the Trust, the meeting was adjourned at 3:39 p.m.

John T. Jones, Jr., Chairperson
Metro Miami Action Plan Trust