



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

December 19, 2007

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Board of County Commissioners

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OFFICIAL MINUTES
METRO-MIAMI ACTION PLAN TRUST
MEETING OF DECEMBER 19, 2007

The Metro-Miami Action Plan Trust (MMAP) convened a meeting at the Office of MMAP Trust Board Room, 19 West Flagler Street, Mezzanine Room #106, on December 19, 2007 at 12:00 Noon, there being present: Chairperson John T. Jones, and Members: Mr. Arthur J. Barnes, Jr., Ms. Greicy Lovin, Mr. Herbert Robinson, and Dr. Marzell Smith (Members: Mr. Tony E. Crapp, Ms. Marie B. Hyppolite, Ms. Veldrin Freemon were absent).

ROLL CALL:

Staff members present were: Mr. Milton Vickers, Executive Director; Mr. John Dixon MMAP Trust Deputy Director; Mr. Clarke Brian, Ms. Melba Gasque, Mr. Jose Gonzalez, Ms. Bibi Fawzi Hack, Ms. Joann Hicks, Mr. Eric Johnson, Mr. William Simmons, and Mr. Anthony Williams; Mr. Frank Tarrau, Director, MLK Academy; Assistant County Attorney Shannon Summerset and Deputy Clerk Karen Leonard.

DISCLOSURE OF CONFLICTS OF INTEREST

QUERY FOR EARLY DEPARTURES

MOTION TO SET THE AGENDA:

Chairperson Jones called the meeting to order at 12:27 p.m. and noted non-agenda items III.A 7, West Perrine Dr. Martin Luther King, Jr. Holiday Celebration and III.A.8, Florida Financial Group would be added to today's (12/19) agenda. He also noted issues concerning the MLK Academy would be addressed with agenda item I.A.6.A

In response to Dr. Smith's request regarding the table of organization that the MMAP staff was instructed to present, Chairperson Jones noted he received a copy of the document.

Additionally, Chairperson Jones noted the deferred action regarding the Executive Director would be added to today's agenda as agenda item I.A.9.

I. TRUST ACTION ITEMS:

A. Committee Action Items

1. Housing

A. **Reduction of MMAP HAP down payment
and Closing Cost Assistance**

Chairperson Jones requested input from the Trust members regarding the foregoing item and noted due to lack of a quorum, that the item was only open for discussion.

Later in the meeting, Chairperson Jones explained that the foregoing item was discussed at the Executive Committee meeting to reduce the loan assistance to 4% rather than 6% because of the decrease in cash flow.

Ms. Lovin noted the closing cost assistance was done monthly and due to limited funding the disbursement would be based on availability.

It was moved by Dr. Marzell Smith to approve the reduction of the MMAP HAP down payment and closing cost loan assistance to (4%) percent of the purchase price with a maximum amount of \$7,500.00. This motion was seconded by Mr. Robinson and being put to a vote, passed by a vote of 5-0. (Members: Mr. Tony E. Crapp, Ms. Marie B. Hyppolite, Ms. Veldrin Freemon were absent).

B. MMAP HAP Funding Status

2. Education

A. MLK Academy Rent Increase

Chairperson Jones noted the foregoing item was addressed during agenda item 6.A.

Mr. Vickers noted MMAP could not pay the negotiated rent increase for the MLK Academy through County regulations because the negotiated amount totaling \$8,633.33 per month was different from the initial lease agreement and required approval from the Trust.

It was moved by Dr. Marzell Smith to retroactively approve an increase in the MLK Academy's rent by \$300.00, for a total amount of \$8,633.33 per month, effective August 2007. This motion was seconded by Mr. Barnes and being put to a vote, passed by a vote of 5-0. (Members: Mr. Tony E. Crapp, Ms. Marie B. Hyppolite, Ms. Veldrin Freemon were absent).

3. Criminal Justice

A. Teen Court South Offices Rent Increase

Mr. Vickers provided a brief overview of the Memorandum of Approval (MOA) that requested approval of the rent increase for Teen Court South Offices leased on a month to month basis. He noted the monthly increase would be \$319.09 totaling a monthly payment of \$3,541.67.

Discussion ensued among the Trust members regarding how to cut cost of rent and the feasibility of moving the north and south locations of Teen Court.

Mr. Vickers noted MMAP could back out of the Teen Court lease due to it being based on a month to month payment agreement. He noted he anticipated increased enrollment in the school base program at the Teen Court South location and he requested that location be maintained for another two months.

Mr. Vickers noted the MMAP staff met with a representative of the Dade County Public Schools and it was agreed that a list of schools in the South District that would participate would be provided in order to attempt to expand enrollment of the students. He also noted a number of volunteers at the Teen Court location were from that district.

In response to Mr. Robinson's question regarding whether the initial referral of students for Teen Court had changed from the Juvenile Assessment Center (JAC), Mr. Vickers noted that was an issue, and both the JAC and the State Attorney referred the students; however, the majority of referrals only came from the State Attorney's Office.

Mr. Vickers noted MMAP staff had identified a school based program which was a preventive program that addressed disciplinary actions that would initially suspend students.

Chairperson Jones recommended that a timeline be identified in the attempt to increase enrollment of students for the Teen Court South location because of the high cost of \$4,000.00 a month to lease the facility.

Discussion ensued among the Trust members regarding the need to increase the number of students and the fact that a majority of the referrals came from the public schools.

Following the discussion, Chairperson Jones recommended that the timeline for the MMAP staff to identify additional students for the Teen Court South location be 60 days.

In response to Ms. Lovin's question regarding the Trust's actual expected number of increased students for the Teen Court South location, Mr. Vickers noted the minimum number of enrolled students should be 25.

It was moved by Mr. Barnes to retroactively approve an increase of \$319.09 in the South Teen Court Office's rent, for a total of \$3,541.67 per month, effective October 2007. This motion was seconded by Ms. Greicy Lovin and being put to a vote, passed by a vote of 5-0. (Members: Mr. Tony E. Crapp, Ms. Marie B. Hyppolite, Ms. Veldrin Freemon were absent).

Dr. Smith noted for the record his concern regarding the Executive Director's effort to put Teen Court students in the MLK Academy using MMAP's resources

4. Community and Economic Development
5. Legislative
6. Budget

A. MLK Leadership Academy School Budget

Mr. Vickers provided a brief overview of the foregoing item and noted the financial status of the Martin Luther King Jr. (MLK) Alternative School. He read the memorandum from the MMAP agenda package noting as of November 30, 2007, the school had a deficit of \$36,841.12 and if that trend continued, it would increase by approximately \$150,000 by May 2008. Mr. Vickers noted the reduction would eliminate (3) three teacher positions including one teacher assistant position; however, the remaining year end deficit would be approximately \$114,000.00.

In response to Chairperson Jones' question regarding the required number of student enrollments needed to remove the school deficit, Mr. Vickers noted MLK Academy would need 200 enrolled students and presently, 86 students were registered.

Mr. Frank Tarrau, Director, MLK Academy, advised the Trust there were (4) four Opportunity Schools with programs that assisted students who were potential drop-outs, and MLK Academy was an alternative school.

Mr. Tarrau noted he met with the principal of Drew Middle School and was advised that students

would no longer be transferred. He was also advised that students would no longer be referred to alternative schools, but would be assigned by the Office of Alternative Programs in the Dade County Public School Board, he noted. Mr. Tarrau expressed concern that a majority of MLK Academy students came from Drew Middle School.

Mr. Vickers provided a brief update of his meeting with Dr. Gallon, Director of the Alternative Program, which no longer referred those students who were leaving individual schools. He noted Dr. Gallon was informed of the issue regarding MLK Academy's financial status that was due to the lack of enrolled students. Dr. Gallon noted he and the program coordinators would work with MMAP in an effort to enroll more students in MLK Academy, Mr. Vickers noted. He noted there were 200 students eligible for enrollment; however, transportation was an issue.

Dr. Smith noted if the Trust could not determine how MLK Academy would be funded, the community groups, as well as the school staff, should be notified that the school would not be in operation by January 18, 2008.

Discussion ensued among the Trust members regarding how to increase student enrollment or reduce faculty staff as another option to cover the school expenses.

Mr. Tarrau noted the appropriate time to make reductions would be the middle of the school year, January 18, 2008. He noted he had submitted the paperwork to Mr. Vickers regarding the request to reduce the staff by two teachers, an assistant teacher and the security guard.

Mr. Vickers noted waiting until January 2008 gave school staff time to make necessary adjustments to the classrooms.

Mr. Tarrau noted the contract stipulated an established ratio in terms of the number of students to a teacher and limited the student enrollment to 100 without needing additional staff.

Discussion ensued among the Trust members and Mr. Tarrau regarding alternatives that would resolve the issue of needing more students and having enough staff to meet State regulations.

Dr. Smith recommended that the MMAP staff meet with Dr. Gallon again to ensure he was aware of MLK Academy's urgent need of additional students.

Mr. Vickers noted he would attempt to meet with Dr. Gallon by December 21, 2007 before the holidays. He noted Dr. Gallon expressed his commitment to work with MMAP. Mr. Vickers noted if it was determined by the first of the year that MLK Academy was unable to meet the quota of students and teachers, he was asking the Trust to arrange a special meeting to address the issue.

In response to Ms. Lovin's question regarding whether the MLK Academy needed to make a payment to the School Board on money owed, Mr. Vickers noted the MMAP staff received a letter from the School Board which was sent to all alternative schools referring back to the year 2003 through 2006. He noted a copy of the letter was emailed to the Trust members and a meeting was scheduled with the auditors.

Discussion ensued among the Trust members regarding the possible deficit amount of \$43,000.00 owed by the MLK Academy, the increase in rent, and adjustments regarding the number of students in order to function appropriately.

Mr. Vickers noted the 200 students that Dr. Gallon referred to had not been designated to an alternative school. He noted all referrals would come from Dr. Gallon's office and MLK Academy would have access to those students; however, the issue would be providing transportation.

Mr. Vickers explained the available programs were at the high school and elementary school level for students who wanted to voluntarily leave their home school and those students that met the alternative school criteria. He noted the School Board did not have a program for the middle schools and MLK Academy was primarily a middle school-based program.

Discussion ensued among the Trust members regarding the feasibility to provide transportation for additional students that needed to be enrolled by January 2008 in order to receive funds from the FTE program.

Chairperson Jones recommended that the MMAP staff form a committee to review the item and identify workable alternatives. He also noted if the issue remained, the Trust would schedule a special meeting to review all the information.

Discussion ensued among the Trust regarding the \$41,000.00 overpayment by the School Board to alternative schools and the need to review records of students that attended MLK Academy in order to address the issue.

In response to Mr. Barnes' question regarding whether the County would provide transportation if a number of students wanted to attend MLK Academy, Mr. Vickers noted if the students were not on an existing route the County system would not provide transportation.

Following the discussion, Chairperson Jones noted the School Board would amend its policy to provide transportation if accurate information was provided. He noted the MMAP staff needed to research the information and meet with the School Board in order for the Trust to address the transportation issue properly.

In response to Mr. Barnes' question regarding a timeline for the MMAP staff to bring back the information, Chairperson Jones noted the information should be presented by January 9, 2008 during the Executive Committee meeting.

Dr. Smith noted for the record that he had been with the MLK Academy for ten years and he felt someone needed to be responsible if the appropriate answers were not provided.

Discussion ensued among the Trust members regarding efforts that would be made to ensure MMAP provided services for students in the community in order to minimize the number of students entering the Teen Court program.

Further discussion ensued among the Trust members regarding past efforts made to keep the Teen Court program and the need to have accurate numbers in terms of students, in order to prevent the program from being removed.

Discussion ensued among the Trust members regarding the report in the agenda package that indicated a total of 19 students for the Teen Court program.

Dr. Smith expressed concern regarding the foregoing number of Teen Court students.

In response to Chairperson Jones' question regarding why the central part of Miami Dade was not included in the program, Mr. Vickers noted the assigned areas were in place prior to his appointment; however, the court hearings were held at the Gerstein Center rather than in North Dade Court. He noted MMAP received a number of referrals from the Juvenile Assessment Center (JAC). Subsequently, the MMAP staff was in negotiations with Carol City and Miami Edison High School that could provide an average of 25 caseloads per month and the agreement was close to being finalized.

Mr. Vickers noted the Dade County Public Schools agreed to expand the Teen Court program and was forwarding a list by January 2008 recommending schools to participate in the program.

In response to Mr. Barnes' question regarding the optimum number needed to operate on a monthly basis, Mr. Vickers noted Teen Court had four (4) case workers with 25 cases each per month in order to monitor the caseload appropriately. There were two case worker vacancies pending if additional students enrolled, which could increase the caseload to 150, he added.

Discussion ensued among the Trust members regarding the present number of cases per case worker and the need to increase the number of students.

Chairperson Jones advised the MMAP staff to keep the Trust informed of the Teen Court status because the members could assist in getting some referrals. He noted that North Miami had a new Police Chief whom he would be meeting and would recommend to the Chief that he contact Teen Court.

Additionally, Ms. Lovin recommended that the MMAP staff contact Dr. White from North Miami, who was amenable and who would support the program.

Discussion ensued among the Trust members and the Executive Director regarding the separate locations of the Teen Court program and the requirements to obtain transportation.

In response to Mr. Vickers' question regarding making a transportation system part of the plan for the MLK Academy, Chairperson Jones noted it should be an alternative since transportation was an issue.

Mr. Barnes requested to be advised of the contact person who would be working on the transportation because he could refer a potential vendor that was on the County's vendor's list.

7. West Perrine Dr. Martin Luther King, Jr. Holiday Celebration

It was moved by Mr. Barnes to approve an allocation in the amount of \$2,000.00 from the MMAP Trust account for sponsorship of the 2008 West Perrine Dr. Martin Luther King, Jr. Parade and Festivities. This motion was seconded by Dr. Marzell Smith and being put to a vote, passed by a vote of 5-0. (Members: Mr. Tony E. Crapp, Ms. Marie B. Hyppolite, Ms. Veldrin Freemon were absent).

8. Florida Financial Group

Dr. Smith inquired about the financial status of Florida Financial LLC (FFLLC) and the allocation of \$40,000.00 that was approved by the Trust to provide funds for FFLLC to operate its program.

Mr. Simmons explained there were financial issues with FFLLC and other MMAP projects and additional information was needed by the Finance Department. He noted FFLLC and MMAP also had issues regarding non payment. In terms of FFLLC, he noted MMAP was notified that the Finance Department was recently prepared to pay the original billing that totaled \$18,000.00; however, the Trust approved an amendment to that agreement that allowed 45 days for FFLLC to send in documented expenditures after billing. Mr. Simmons noted with that process he felt the issue had been resolved.

Discussion ensued among the Trust members regarding a contract arrangement of payments up to three months in advance within the County system.

Chairperson Jones noted there was no action required on the foregoing item.

9. DEFERRED ACTION ITEM

Mr. Barnes noted the deferred item from the previous Trust meeting involved his motion to terminate the Executive Director's tenure and the motion was seconded by Dr. Smith. He added that the motion was deferred until this meeting and he would like to put the motion back on the table.

Chairperson Jones recommended that Mr. Vickers submit a resignation letter that would allow him to enter the County pipeline for 60 days and allow him to be on MMAP's payroll in order to provide him the opportunity to be appointed to another position with the County.

In response to Mr. Vickers' request for his leave of absence to start January 2, 2008 because during the holidays it would be difficult to contact County staff that worked with placements in the pipeline.

Chairperson Jones recommended calculating 60 working days from today (12/19) unless the County requested additional time for Mr. Vickers to be placed in the pipeline.

In response to Dr. Smith's question regarding who would perform the Executive Director's duties, Chairperson Jones noted the Trust would have to appoint an interim Executive Director following this motion.

Mr. Vickers noted for the record the terms given by the Trust were acceptable and he wanted to move through the process as quickly as possible. He also requested that he be given the opportunity to address the MMAP staff before the Trust concerning this matter.

Chairperson Jones noted the Trust needed to vote before Mr. Vickers could request to speak to the MMAP staff.

It was moved by Mr. Barnes to accept Mr. Milton Vickers' letter of resignation as the Executive Director of MMAP, and to approve the official termination date of his employment with MMAP to be effective sixty (60) working days from today, December 19, 2007. This motion was seconded by Dr. Smith and being put to a vote, passed by a vote of 5-0. (Members: Mr. Tony E. Crapp, Ms. Marie B. Hyppolite, Ms. Veldrin Freemon were absent).

Chairperson Jones noted the Trust members did not have to be present during Mr. Vickers' meeting with the MMAP staff but the Trust meeting needed to be adjourned.

Chairperson Jones called for a motion to appoint an interim Executive Director until someone was appointed to the position of Executive Director.

It was moved by Dr. Smith to approve the appointment of Mr. John Dixon as the Interim Executive Director of MMAP, effective December 19, 2007. This motion was seconded by Mr. Barnes and being put to a vote, passed by a vote of 5-0. (Members: Mr. Tony E. Crapp, Ms. Marie B. Hyppolite, Ms. Veldrin Freemon were absent).

B. Additional Action Items

1. **MMAP Business Plan**

Mr. Vickers noted a draft of the foregoing item was forwarded to the Trust by email. This was followed by submittal of the MMAP Business Plan to the County Manager's Office before November 30, 2007 which was documented that it was still pending approval by the Trust. He noted input was not received from the Trust members regarding the MMAP Business Plan and the MMAP staff was presenting it for approval.

Mr. Barnes noted he had not received the emails due to an error in the address and the corrections were addressed at the Executive Committee meeting on December 5, 2007.

Discussion ensued among the Trust members regarding the need to approve the foregoing item which was required by the ordinance.

Mr. Barnes requested that the foregoing item be deferred and a copy emailed to him today.

Chairperson Jones noted the Trust members would review the drafted MMAP Business Plan and provide some feedback in order to make any corrections.

In response to Mr. Robinson's question regarding the deadline for the final MMAP Business Plan, Mr. Vickers noted every County department was required to create a business plan which was to be separate from the Economic Strategic Plan.

Ms. Lovin noted the foregoing item was significantly revised and simplified from the initial document she received. She requested to move forward with this item.

Mr. Barnes requested to defer the foregoing item to the next Trust meeting because after reviewing the MMAP Business Plan, he noted some recommendations and wanted to forward the information to the Trust members.

II. Executive Director's Items

III. Trust Information Items

A. Committee Information Items

1. Housing
2. Education
 - A. **MLK Academy Community Outreach**
3. Criminal Justice
4. Community and Economic development
5. Legislative
6. Budget

ADJOURNMENT

There being no further business to come before the Trust, the meeting was adjourned at 2:12 p.m.

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