



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

July 31, 2008
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Madry Sullivan, Director
Clerk of the Board Division

Karen Leonard, Commission Reporter
(305) 375-1296



OFFICIAL MINUTES
METRO-MIAMI ACTION PLAN TRUST
MEETING OF JULY 31, 2008

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 July 31, 2008 at 12:00 Noon, there being present: 1st Vice Chairperson Arthur J. Barnes, and Members: Ms. Marie B. Hyppolite, Mr. Herbert Robinson, and Dr. Marzell Smith; (Chairperson John T. Jones, Ms. Veldrin Freeman, and Ms. Greicy Lovin were absent).

ROLL CALL:

Staff members present were: Mr. John Dixon, MMAP Trust Interim Executive Director; Ms. Marlene Blanco, Ms. Melba Gasque, Mr. William Simmons, Mr. Jose Gonzalez, Ms. Joann Hicks, and Mr. Anthony Williams; Assistant County Attorney Terrence Smith and Deputy Clerk Karen Leonard.

MOTION TO SET THE AGENDA:

Vice Chairperson Barnes called the meeting to order at 12:40 p.m.

DISCLOSURE OF CONFLICTS OF INTEREST

QUERY FOR EARLY DEPARTURES

Consideration of the Selection and Recruitment Committee Recommendation regarding the Executive Director Position

Ms Hyppolite provided an update of the Selection and Recruitment Committee (SRC) meeting that was held on July 28, 2008 regarding the recommended Executive Director position. She noted that the committee members voted to submit Mr. John Dixon as the nominated Executive Director, who was presently serving as Interim Executive Director.

Ms. Hyppolite noted that the SRC members agreed on Mr. Dixon's well performance. She also noted his commitment as well as his attendance to all community meetings. Ms. Hyppolite added that Mr. Dixon was familiar with the process while MMAP had been without a director for some length of time. Ms. Hyppolite further noted MMAP's need for stability and that the SRC members wanted to recommend Mr. Dixon for the position as the Executive Director of MMAP.

Vice Chairperson Barnes added that he was present at the SRC meeting and an overview of the process was performed to determine whether to put out a bid or retain the current Interim Director. He commended Mr. Dixon's job performance when MMAP experienced some challenges as well as his knowledge of the tradition of MMAP which eliminated the lost of stability. According to the SRC member's observation, Vice Chairperson Barnes noted that Mr. Dixon's hesitancy in the position was due to him holding the title of Interim.

Ms. Hicks added that the SRC looked at the consistency of Mr. Dixon's performance and the ability to transition into the position without the need for an orientation of MMAP's past

activities, which a new employee would require.

Mr. Simmons noted for the record, there were two possible processes and MMAP's staff received a legal opinion from the County Attorney's Office that the selection process was not necessary. The ordinance provided the MMAP Trust to make a recommendation for the Executive Director position to the County Manager's Office.

Assistant County Attorney Smith explained that the process consisted of the Trust's recommendation that would be submitted to the County Manger, and then forwarded to the Board of County Commissioner which had the authority to appoint the elected person to the Execution Director position.

Vice Chairperson Barnes noted that this item was time sensitive and the SRC did not want to delay the process because of some upcoming matters concerning the Commissioners.

It was moved by Dr. Smith that the Trust approve the recommendation to the County Manager that Mr. John Dixon be appointed as the Executive Director of MMAP and to have that recommendation forwarded to the Board of County Commissioners for approval. This motion was seconded by Mr. Robinson and upon being put to a vote, passed 4-0. (Chairperson John T. Jones, Ms. Veldrin Freeman, and Ms. Greicy Lovin were absent).

Vice Chairperson Barnes requested that MMAP's staff complete all the documents that were needed and submit that paperwork to the County Manager in order to move forward in the process that had to be approved by the County Commission.

Dr. Smith noted for the record the need to have a nominating council and more Trust members and those items should be on the next Trust agenda meeting in September 2008.

Assistant County Attorney (ACA) Smith noted that as it relates to the ordinance, two members of the Trust were already known to be the Chair of MMAP and the Chair of the Economic Development of Human Services Committee (EDHSC) and the (3) remaining members would be appointed by Board of County Commissioners.

ACA Smith suggested that Commissioner Edmonson be invited to attend the next MMAP Sunshine meeting in September 2008 in order to discuss the nominating process that included advertising for the position. ACA Smith noted that the names of the nominated candidates would be submitted to the Chair of the County Commission who would then sponsor a resolution to be approved by the Board of County Commissioners.

Discussion ensued among the Trust members regarding the process of nominating an Executive Director.

Assistant County Attorney Smith advised the Trust members that the Board of County Commissioners had the sole authority to appoint the Executive Director for MMAP. He reiterated the process called for by the ordinance and he explained the difference from the old ordinance that only required the Mayor to give the appointment.

Discussion further ensued regarding the next step in going through the process of obtaining additional members of the Trust.

Assistant County Attorney Smith advised the Trust that until a nominating council was appointed the Trust could not move forward regarding additional members.

Vice Chairperson Barnes noted that the Trust members had determined the number of members for MMAP Trust would be fifteen (15) and currently have twelve names submitted into the application process.

ADJOURNMENT

Hearing no further business, the Trust adjourned the meeting at 12:52 p.m.

Arthur J. Barnes, 1st Vice Chairperson
Metro Miami Action Plan Trust



MEMORANDUM OF APPROVAL

TO: Metro Miami Action Plan Trust

FROM: The Selection and Recruitment Committee

DATE: July 28, 2008

SUBJECT: Selection and Recruitment Committee

PURPOSE OF ITEM

The purpose of the item is forward the recommendation of the Selection and Recruitment Committee to the Full Board of the Metro-Miami Action Plan Trust.

BACKGROUND

The Selection and Recruitment Committee convened a meeting on Monday, July 28, 2008, 10:30 A.M. The Committee reviewed a written legal opinion from the County Attorney that stated that the board has the authority to forward the interim director's name to the County Manager for submission to the Board of County Commissioners for official appointment (see attached County Attorney Opinion).

The Committee discussed the pros and cons of directly appointing the Interim Executive Director. There was a general consensus that the Interim Executive Director has performed very well. Specific comments about his performance were his high level community involvement. One of the committee members pointed out that he has been visible at community events, whereas she does not recall seeing many of the more recent directors as often at community events. Additionally, his previous work experience as a Chief of staff for a County Commissioner enhances his ability to represent MMAP Trust interests. It was pointed out that this experience has been valuable during the recent challenges that MMAP has experienced during his tenure. The committee was comfortable that he has a good working relationship with his staff and MMAP Trust Board.

Committee members expressed concern regarding the lack of consistency of leadership in the organization over the last seven years. Thus, they feel that the appointment of the interim Executive Director will provide much needed stability to the organization. In the role of Interim Executive Director, Mr. Dixon has hands on experience with MMAP's current issues i.e. the audit, 8% business tax receipts, MMAP Trust ordinance, South Dade Initiative and the MLK Leadership Academy. Basically, these efforts will allow for an easier transition into the roles and responsibilities of the Executive Director.



METRO-MIAMI ACTION PLAN TRUST

BOARD OF TRUSTEES SPECIAL CALL MEETING

JULY 31, 2008

Agenda



MEETING NOTICE

METRO-MIAMI ACTION PLAN TRUST

BOARD OF TRUSTEES SPECIAL CALL MEETING

DATE: THURSDAY, JULY 31, 2008

TIME: 12:00 PM

**LOCATION: BISCAYNE BUILDING
19 WEST FLAGLER STREET – SUITE M106
MIAMI, FLORIDA 33130**



**METRO-MIAMI ACTION PLAN TRUST
TRUST BOARD MEETING
JULY 31, 2008
AGENDA**

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Roll Call

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QUERY FOR EARLY DEPARTURES

Consideration of the Selection and Recruitment Committee Recommendation Regarding the Executive Director Position

Adjourn

* Submitted at Board Meeting

**Not submitted

MOA – Memorandum of Approval

FISCAL IMPACT TO AGENCY

TBD

RECOMMENDATION

The Selection and Recruitment committee recommended that the Board of Trustees of the Metro-Miami Action Plan Trust take the MMAP Ordinance option as provided by the County Attorney of submitting the name of the current Interim Director to the County Manager who will forward that name to the Board of Commissioners for official appointment.



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FISCAL IMPACT TO AGENCY

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RECOMMENDATION

The Selection and Recruitment committee recommended that the Board of Trustees of the Metro-Miami Action Plan Trust take the MMAP Ordinance option as provided by the County Attorney of submitting the name of the current Interim Director to the County Manager who will forward that name to the Board of Commissioners for official appointment.

From: Smith, Terrence (CAO)
Sent: Monday, July 21, 2008 1:45 PM
To: Hicks, Joann (MMAP)
Cc: Dixon, John (MMAP); 'caridadsdaughter@yahoo.com'; Catarineau, Deborah L. (CAO)
Subject: RE: Selection process for MMAP Trust Executive Director
Good afternoon Joann:

Section 2-505 of the Code of Miami-Dade County provides, in pertinent part:

The Board of Trustees shall submit the names of nominee(s) for the position of Executive Director to the County Manager. The Manager shall make a recommendation from the nominee(s) proposed by the Trust to the Board of County Commissioners for its approval. The Trust shall have the power to remove the Executive Director.

First, this provision does not delegate unto the Trust the authority to hire the Executive Director. It only delegates to the Trust the right to remove the Executive Director. The responsibility of hiring the Executive Director is vested in the Board of County Commissioners upon the receipt of a recommendation from the County Manager. Second, the provision does not require the Trust to provide for a formal selection process for the Executive Director and nor does it prohibit such a process. Therefore, it is my opinion that the Trust can either provide for a formal selection process or simply submit the name of the current Interim Director to the County Manager who will forward that name to the Board. Although not required, you may wish to review this process with the County Manager's Office and the County's Personnel Department.

Please let me know if I can be of further assistance.

Terrence A. Smith
Assistant County Attorney
Miami-Dade County Attorney's Office
111 N.W. 1st Street, Ste. 2810
Miami, Florida 33128
(305) 375-1322
(305) 375-5634 (Fax)
ASMITH2@miamidade.gov

From: Hicks, Joann (MMAP)
Sent: Monday, July 21, 2008 1:33 PM
To: Smith, Terrence (CAO)
Cc: Dixon, John (MMAP); 'caridadsdaughter@yahoo.com'
Subject: Selection process for MMAP Trust Executive Director

As per our conversation, please forward a written legal opinion regarding the inquiry below on the procedure for the MMAP Trust to hire the current MMAP Trust Interim Executive Director without a formal selection and recruitment process. Thanks.

From: Hicks, Joann (MMAP)
Sent: Wednesday, July 16, 2008 10:40 AM
To: Smith, Terrence (CAO)
Cc: Dixon, John (MMAP); 'caridadsdaughter@yahoo.com'
Subject: Selection process for MMAP Trust Executive Director

This is to follow up with you regarding your discussion with Greicy Lovin, MMAP Trust Board member to find out if it is possible for the MMAP Trust to hire the current MMAP Trust Interim Executive Director without a formal selection and recruitment process. Please advise MMAP if this is possible and what will be the process to make an appointment in this manner. Thanks.