

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

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

January 14, 2009  
As Advertised

Harvey Ruvin, Clerk  
Board of County Commissioners

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Clerk of the Board Division

Karen Leonard, Commission Reporter  
(305) 375-1296



**OFFICIAL MINUTES**  
**INTERIM METRO-MIAMI ACTION PLAN TRUST**  
**MEETING OF JANUARY 14, 2009**

The Interim 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 January 14, 2009 at 11:136 a.m., there being present: Members: Chairperson Robert Holland, Esq.; Vice Chair Reverend Dr. Walter Richardson; and Reverend Richard Dunn, who was late; (Father Canon Richard Marquess-Barry and Mr. Miguel De Grandy, Esq. were absent).

**I. Roll Call**

Staff members present were: Interim Executive Director John Dixon, Ms. Melba Gasque, Mr. William Simmons, Mr. Jose Gonzalez, Dr. Pamela Green, Mr. Eric Johnson, Mr. Anthony Williams, Mr. Joey Walker; Mr. Harold Young; Mr. H. T. Smith Esq., Chair of MMAP Oversight Review Board; Assistant County Attorney Terrence Smith; Ms. Tracie Auguste, Mayor's Office; and Deputy Clerk Karen Leonard.

Mr. Dixon presented a brief update regarding a follow-up to the discussion concerning the MMAP HAP loans at the last Interim MMAP meeting. He noted he spoke with staff in the Audit and Management Services Department (AMS), who agreed that each file should contain an amended checklist and staff needed to check that all documents were filed; however, they did not think an actual meeting was necessary. Mr. Dixon noted that he would request a written document reflecting this discussion.

Mr. Dixon commended MMAP staff for their work, but he pointed out the challenge staff had with backend work on the loan files. He noted that a division of the Office of Community and Economic Development (OCED) was responsible for monitoring loans and MMAP staff would be meeting with that division's staff on January 15, 2009. He noted an email would be sent to the Interim Trust members regarding the outcome of the meeting.

Chairperson Holland noted the Interim MMAP Trust's directive that while continuing to work with the community, MMAP's staff create an amended checklist in each loan file with approval from AMS and transfer to OCED the backend work of monitoring past loans with 10-20 years payment terms.

**II. MMAP Trust Teen Court Overview**

Chairperson Holland noted in the last Interim MMAP Trust meeting, direction was given to dedicate today's (1/14) meeting to reviewing the Teen Court program and making recommendations regarding any past issues.

Mr. Dixon presented an overview regarding the Teen Court program, noting that the program was designed as an intervention for teens who committed misdemeanor crimes. He also noted the history of Teen Court's program and that its mission was to train youth in a court environment to serve as jurors, defense attorneys, bailiffs, and prosecuting attorneys, which

included giving out sanctions. Mr. Dixon added that Teen Court budget was funded by a \$3.00 surcharge per traffic ticket. He also added that the Teen Court budget was currently over \$2 million and had 365 participating youth.

Mr. Dixon referred to the audit report and noted that MMAP staff had already kept attendance records of each Teen Court session in order to determine the overall program effectiveness, which he felt was high. He added that these sessions were held at the Gershwin Building, Hialeah and the North Dade Court Criminal Justice Center.

Mr. Dixon noted that the recruitment process for the Teen Court program was challenging due to the processing system of getting students Juvenile Assistant Center (JAC). He also noted that in an effort to improve enrollment, MMAP staff met with representatives of Miami Dade County Public Schools (MDCPS) and created a program called School Base Program, which was designed to take the Teen Court program into the schools.

Mr. Dixon added that MMAP staff had contacted ten (10) schools and created a list of senior high schools that were located in the targeted underserved areas. The following senior high schools were included: Homestead, Miami Edison, Miami North Western, and Norland. He spoke about the feedback that came from those schools and noted that by contacting those schools enrollment had increased within the last (6) six months with more help from JAC.

Mr. Dixon noted MMAP staff created a list of eighty (80) community based organizations (CBO) so that Teen Court staff could meet with those agencies to educate them regarding the Teen Court Program.

Mr. Williams pointed out that Teen Court was known for their recidivism rate, which was often less than 2% and above average in comparison to other programs. He added that a follow up of the students was done, as well as counseling sessions and training for approximately three (3) years to ensure minimum relapses.

Mr. Dixon noted if more counseling sessions were needed, Teen Court was able to go to other county agencies for assistance and monies were provided for those services.

In response to Reverend Richardson's inquiry regarding the limited level of counseling as well as the availability of marriage and family therapy, Dr. Green noted if there was a need for medication the individual would refer to a psychiatrist.

Mr. Dixon added that payment for that service was included in Teen Court's budget and some participants were not Dade County residents. He explained that although the student lived in another county, if the infraction occurred in Miami, it would be tracked there also. He mentioned MMAP's staff efforts to increase enrollment in the Teen Court program by meeting with court officials and restrictions that allowed only the parent to decide if the student would attend.

Mr. Williams continued to explain the restrictions of working with the JAC system and how

referrals were delayed because of the process.

Discussion ensued regarding the Teen Court Program and student requirements.

In terms of meeting programmatic needs, Chairperson Holland recommended that in order to market the program better, MMAP's staff needed to involve political leadership and invite them to some of the Teen Court sessions. He also suggested that MMAP staff request legal advice from the County Attorney's Office regarding access to the County or MDCPS media outlets in order to do a (30-45) minute segment with participants who signed a waiver and use the segments as marketing tools.

As it related to MMAP's mission statement, Teen Court fell under the criminal justice segment, noted Mr. Dixon. He also noted that MMAP staff had no issues with maintaining their budget for Teen Court, which was a dedicated source. Mr. Dixon added that the issue with Teen Court was related to how they could increase the number of participants.

Discussion ensued regarding how referrals from political leadership could help increase the number of participants in the Teen Court program.

Discussion further ensued regarding the importance of keeping attendance records of each program in order to monitor the programs' effectiveness and success.

In response to Chairperson Holland's question regarding whether the Martin Luther King Jr. Institute of Non-Violence (MLKI) was still in existence, Mr. Dixon noted that the institute still existed, but there was no current contract between MLKI and MMAP.

Discussion ensued regarding the fact that during the contract period between MLKI and MMAP, the chairperson of the MMAP Trust served on MLKI; however, this was cleared twice by the Ethics Commission in writing.

Regarding the reported issue on Florida International University, Chairperson Holland emphasized the importance of a system to track the number of youth from the Teen Court program that participated in those seminars.

In response to Chairperson Holland's inquiry regarding restrictions on allocating money from the Teen Court budget, Mr. Williams noted that those dollars were strictly tied to services related to that program, and MMAP staff would contact the County Attorney's office for legal advice.

Chairperson Holland recommended that MMAP staff create a list of elected officials of various municipalities and invite them to come to the Teen Court sessions. He also recommended that the Interim Trust members request the support of the Oversight Board members in order to push this program to the next level.

Reverend Dunn concurred with Chairperson Holland and asked whether MMAP staff had any testimony letters from parents or students regarding how the impact of the Teen Court program

assisted them.

Ms. Gasque noted that she had started the process of creating a list of local judicial and political officials to put in a database in order to do a mail out of the quarterly Teen Court newsletter that would be published.

Chairperson Holland concurred with Reverend Dunn's suggestion that testimonies should be received from students as they matriculated through the Teen Court program, and filed in order to substantially support the viability that Teen Court had in the community.

Discussion ensued regarding the importance of documenting success stories that once were at risk.

Chairperson Holland recalled discussion from the past Interim Trust meeting, and requested that MMAP staff help generate a report on both the MMAP HAP and Teen Court Programs by listing the program's successes, documentation or programmatic issues, etc., and recommendations made by the Interim Trust members. He noted that the report would be forwarded to the MMAP Oversight Board and hopefully would serve as a stimulus package to the new Trust members by assisting them to move forward and address these issues. Chairperson Holland noted that he also hoped this report would reach the political level and reflect the efforts of both the Interim Trust members and MMAP staff to resolve issues and move forward.

In response to Reverend Richardson's inquiry regarding whether the Interim Trust needed to vote on any items, Assistant County Attorney Smith noted that a vote should be taken regarding the directives given to the MMAP staff to prepare a report.

It was moved by Reverend Richardson that MMAP staff prepare a report on the various sectors of the audit report and include the response and recommendations made by the Interim Trust regarding both MMAP HAP and Teen Court programs. This motion was seconded by Reverend Dunn and upon being put to a vote, passed by a unanimous vote of those members present. (Father Canon Richard Marquess-Barry and Mr. Miguel De Grandy, Esq. were absent).

### **III. 3% Budget Reduction Plan**

Mr. Dixon noted that the Office of Strategic Business Management (OSBM) asked MMAP staff to review MMAP's budget for the 3% cost savings from funding through the General Fund. He referred to the memorandum from Ms. Jennifer Glazer - Moon, OSBM Director, dated January 9, 2009. Mr. Dixon added that MMAP's two allocations were from: (1) The General Fund for Administration that totaled \$668,000; (2) Replacement Budget dedicated for economic development, which totaled \$330,000.

Following review of the budget, Mr. Gonzalez noted the 3% budget cut was countywide and because MMAP's position of Assistant to the Director was vacant, savings were generated. He noted that the amount generated by the vacancy would cover the 3% reduction. Mr. Gonzalez added that it would not impact MMAP.

Reverend Dunn and Chairperson Holland supported the idea of applying the savings to the 3% budget reduction.

Concerning Chairperson Holland's inquiry regarding whether the motion made by the Interim Trust should be forwarded to the County Commission, County Manager, or MMAP Overview Board, Assistant County Attorney Smith noted that the Interim Trust should give a directive to MMAP staff to forward a copy of the minutes to the foregoing parties to indicate that a quorum voted and passed the motion.

It was moved by Reverend Dunn that the savings generated by the vacancy of MMAP's position of Assistant to the Director be applied to the 3% budget reduction. This motion was seconded by Reverend Richardson, and upon being put to a vote, passed by a unanimous vote of those members present. (Father Canon Richard Marquess-Barry and Mr. Miguel De Grandy, Esq. were absent).

#### **IV. Next Meeting**

Chairperson Holland suggested that the next Interim Trust meeting be focused on economic development and that the members commit to starting on time due to the timely subject.

Discussion ensued regarding the schedule of the next MMAP Oversight Board meeting.

Chairperson Holland noted that the focus in the next meeting on economic development should include status on outside loans, processes, etc.

Mr. Dixon asked whether the discussion would address issues noted in the audit report concerning economic development. He noted that currently, allocating the \$330,000, the policy was set by the Trust, in terms of direction. Mr. Dixon also noted the new Trust would come in and provide MMAP staff direction. He added that MMAP staff could share their ideas.

Chairperson Holland noted that he felt his position was not to get involved with the allocation of the \$330,000 in funding, but to address issues from the past in order to move forward and to ensure future funding would be on the right track.

Discussion ensued regarding the report, which it was noted would basically address issues from the audit report with the responses and recommendations from the Interim Trust.

In addition to the foregoing focus of the next Interim Trust meeting, Chairperson Holland noted grants and consultants would be included. He asked if any formal policies were in place on how to determine the process of deciding funding as it relates to economic development.

Mr. Dixon explained the process that had been in place regarding how the Trust members determined funding.

Chairperson Holland asked Mr. Dixon to give a brief overview of the last MMAP Oversight Review Board meeting.

Following discussion, Chairperson Holland noted that he wanted to ensure the Interim Trust was on the same page as the MMAP Oversight Review Board in addressing program issues.

Assistant County Attorney Smith noted the MMAP Oversight Review Board meeting did not address issues concerning the programs, but the desire was expressed to get a view or procure a prospective of the former directors who were board members.

**ADJOURNMENT**

Hearing no further business, the Interim Trust adjourned the meeting at 12:42 p.m.

A handwritten signature in cursive script that reads "Robert W. Holland". The signature is written in black ink and is positioned above a horizontal line.

Robert Holland., Chairperson  
Interim Metro Miami Action Plan Trust



**METRO-MIAMI ACTION TRUST  
INTERIM BOARD MEMBERS MEETING  
JANUARY 14, 2009  
11:00 a.m.  
AGENDA**

- I. Roll Call
- II. MMAP Trust Teen Court Overview
- III. 3% Budget Reduction Plan
- IV. Next Meeting

## Memorandum

April 23, 2008

To: Terrance Smith, Esq.

From: John Dixon  
Interim Executive Director of MMAP

RE: Request for a Legal opinion regarding feasibility of hosting a  
Teen Court Conference

### Introduction

In an effort to address the prevention and intervention of youth criminal behavior, the Metro Miami Action Plan Trust (MMAP) Teen Court is planning a conference entitled *Youth Speaking Out Against Violence*. The purpose of the conference is to increase the awareness of youth in their understanding of the legal process, to discuss their interaction with the legal system and to gain information about choices and decisions that can impact their lives. The conference is scheduled on May 6, 2008, at the Hilton Miami Downtown 1601 Biscayne Blvd, 8:00 am – 2:00 pm. This correspondence serves as a request for your office to provide a legal opinion regarding the feasibility of the MMAP Trust Teen Court to host the conference utilizing the funds from the Teen Court Program.

### Miami-Dade County Teen Court

The MMAP Trust Teen Court program is Miami-Dade County's only peer sanctioning initiative for youth offenders that commit first-time misdemeanors. The program helps to decrease juvenile delinquency by interrupting the beginning stages of criminal behavior.

### The following information concerns the participants of the conference

Participants that attend the conference are considered at risk and may have been involved in the Teen Court process and the criminal justice system. Teen Court has entered into an Affiliation Agreement with Miami-Dade County Public Schools to coordinate and implement a Restorative Justice Program along with Teen Court. Currently, a Teen Court Program is in place at Miami Carol City Senior High School. To date, Teen court has trained students at Miami Carol City High School as jurors, bailiffs, attorneys and clerks to operate court proceedings at the school. In addition, Teen Court has held court at the school to hear cases and sanction the students. Teen Court staff is in the beginning stages to coordinate the Teen Court program with Miami Edison Senior High School for the upcoming school year. The administration in these schools will utilize Teen court as an alternative to suspension for school rule violations, negative behavior, truancy, fighting and aggressive behavior.

In addition to the selected students from both high schools that have been identified as high risk students, another group of students that have been sanctioned as a result of their participation in the overall Teen Court program will participate in the conference.

Finally, the MMAP Trust operates the Martin Luther King Jr. Leadership Academy (MLK) which is an Alternative school. These students have already demonstrated behaviors that place them at high-risk for involvement in the legal system and were referred to MLK as a result of behavioral problems such as truancy, fighting, school rule violations, negative behavior and/or aggressive behavior towards peers. These students are being included to assist them with processing their decision making skills as related to demonstrated behaviors that might led to further involvement in the legal system.

**The following information concerns the goals and format of the conference**

This conference is a programmatic effort to meet three goals that address the needs of this targeted population:

1. An intervention/ prevention effort to facilitate diverting youth at high-risk of entering the criminal justice system through a structured discussion of the following topics:
  - a) Violence: How has it effected you at home, at school or your neighborhood?
  - b) How does technology help or hinder your future?: cellphones, text messaging, UTube, Myspace.com, etc.
  - c) Hiphop: Do you live by the message in the music?
  - d) Respect or Discipline: When is-the right time to give it or take it?
2. Better preparing those students who will serve as jurors, bailiffs, attorneys and clerks to advocate/make decisions on behalf of the client.
3. Assist participants who have been sanctioned through the Teen Court Program engage in a discussion that will help clarify their values thus leading to improved decision making in order to prevent future involvement in the legal system.

The format of this conference is an opening plenary session addressing the future implications of decisions program participants make on their future. The participants will then be broken down into small groups. A staff member from MMAP will facilitate the discussion to process the issues listed below:

We appreciate your attention to this matter and look forward to your response.

# Memorandum



**Date:** April 28, 2008  
**To:** John Dixon, Interim Executive Director of MMAP  
Honorable Members of MMAP  
**From:** Terrence A. Smith, Assistant County Attorney *TAS*  
**Subject:** Teen Court Conference and Use of Teen Court Funds

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I am in receipt of a request for legal opinion from Metro Miami Action Plan (MMAP), dated April 10, 2008, concerning the MMAP's desire to use funds received from the Teen Court Program operated by MMAP. Mr. Clarke's inquiry is twofold. First, MMAP has requested an opinion as to whether MMAP may combine the Teen Court program and the MLK Leadership Academy into a Teen Court Resource Center. Second, MMAP wants to know whether if Teen Court was the primary tenant of the Resource Center, would it be appropriate to utilize Teen Court funds for the operation of the MLK Learning Academy.

In my recent legal opinion, dated April 28, 2008, concerning the use of Teen Court funds to offset the costs of a conference I referenced two Attorney general opinions, which concluded that section 938.19 "requires that the funds received from the \$3 assessment be deposited into an account specifically for the operation and administration of the teen court and does not authorize the funds to be applied to other programs or to the county's general revenue fund. AGO 2001-40 (June 8, 2001) emphasis added; see also AGO 2002-09 (January 23, 2002). In that opinion, I concluded that the use of the funds were appropriate because the purpose of the conference is to provide an educational exposure to the judicial process for qualified participants, i.e. those who participate in the Teen Court Program. I cannot reach a similar conclusion in this instance.

Although I am able to conclude that the Teen Court Program and the MLK Leadership Academy can be combined into a Teen Court Resource Center and that MMAP can use Teen Court funds to operate and administer the Teen Court Program wherever it is located, I cannot conclude that MMAP is permitted to use Teen Court funds to operate the MLK Learning Academy. The Attorney General's opinion is clear that the funds can only be used to operate and administer the Teen Court Program, and cannot be used for other programs. The operation of the MLK Learning Academy clearly falls into the "other program" category. Therefore, MMAP is strictly prohibited from using the Teen Court funds for this purpose.

Please do not hesitate to call me at (305) 375-1322 should you have any questions about this opinion.

# Memorandum



**Date:** April 28, 2008  
**To:** John Dixon, Interim Executive Director of MMAP  
Honorable Members of MMAP  
**From:** Terrence A. Smith, Assistant County Attorney   
**Subject:** Teen Court Conference and Use of Teen Court Funds

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I am in receipt of your request for legal opinion, dated April 23, 2008, concerning the Metro Miami Action Plan Trust (MMAP) uses of the funds received from the Teen Court Program operated by MMAP. You would like to know whether the Teen Court funds that MMAP receives can be used to offset the cost of a conference to educate and train Teen Court participants. This opinion is solely limited to this question and does not address the uses of the Teen Court funds for any other purposes. With regard to the uses of these funds for any other purposes, the County Attorney's Office will render an opinion on a case-by-case basis.

## **Background:**

Historically, successful teen court programs in Florida have been used to divert juvenile offenders from traditional court processing to have their cases reviewed by a jury of their peers. Teen court is also designed to provide an educational exposure to the judicial process. See, 16 Fla. Prac., Sentencing § 9.10.5 (2008 ed.). In 1996, the Florida Legislature enacted section 938.19 of the Florida Statutes, which authorizes counties, which have established a teen court, to adopt a mandatory court cost not to exceed \$3.00, which can be imposed by the courts in criminal cases. This fee is assessed against "each person who pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, or adjudicated delinquent for a violation of a criminal law, a delinquent act, or a municipal or county ordinance, or who pays a fine or civil penalty for violation of chapter 316," or if there is an adjudication withheld pursuant to s. 318.14(9) or (10). On December 15, 1998, the Miami-Dade Board of County Commissioners adopted Ordinance No. 98-185, which authorizes the courts to impose a \$3.00 court cost upon every person who pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, or adjudicated delinquent for a violation of a criminal law, a delinquent act, or a municipal or county ordinance, or who pays a fine or civil penalty for violation of chapter 316. In addition, at the Commission meeting in which the ordinance was adopted it was agreed that County's Teen Court Program would be operated by MMAP.

Unfortunately, neither section 938.19 nor Ordinance No. 98-185 give any indication regarding the uses of the court cost imposed by the courts and allocated to the County's Teen Court Program. Notwithstanding this lack of guidance, the Florida Attorney General in two opinions has determined that section 938.19 "requires that the funds received from the \$3 assessment be deposited into an account specifically for the operation and administration of the teen court and does not authorize the funds to be applied to other programs or to the county's general revenue fund. AGO 2001-40 (June 8, 2001) emphasis added; see also AGO 2002-09 (January 23, 2002).

## **MMAP's Proposed Conference**

As stated by the Attorney general, the teen court funds can only be used for purposes of operation and administration. Here, MMAP proposes to use the funds for a conference "to increase the awareness of [at risk] youth in their understanding of the legal process, to discuss their interaction with the legal system and to gain information about choices and decisions that can impact their lives." In addition, it is proposed that the conference will prepare students who will serve as jurors, bailiffs, attorneys, clerks

to advocate and make decision on behalf of their clients and will further assist participants who have been sanctioned by Teen Court. In light of these parameters it is my opinion that the proposed uses of the Teen Court funds as outlined in your memorandum are for the operation and administration of the program to the extent that this conference is designed to provide educational exposure to the judicial process to at risk youth who participate in the Teen Court Program. Therefore, if the conference is solely being used as a tool to educate and train Teen Court participants **only and not the general public**, then the Teen Court funds can be used to offset the cost of the conference.

Please do not hesitate to call me at (305) 375-1322 should you have any questions about this opinion.

April 22, 2008



Office of the  
**Attorney General of Florida**  
Bill McCollum

**Advisory Legal Opinion - AGO 2001-40** [Print Version](#)

Number: AGO 2001-40

Date: June 8, 2001

Subject: Teen court, mandatory court cost assessment

Mr. Richard A. Mullaney  
General Counsel  
City of Jacksonville  
117 West Duval Street, Suite 480  
Jacksonville, Florida 32302

RE: COUNTIES--COURTS--COSTS--PUBLIC FUNDS--mandatory court cost assess  
for teen court; offenses for which cost will be imposed; use of funds.  
s. 938.19, Fla. Stat.

Dear Mr. Mullaney:

Your office has asked substantially the following questions:

1. May the county determine the offenses for which the \$3 assessment authorized by section 938.19, Florida Statutes, may be imposed?
2. May the funds received from the \$3 assessment pursuant to section 938.19, Florida Statutes, be applied to other programs or go into the county's general revenue fund?

In sum:

1. Section 938.19, Florida Statutes, does not authorize the county to choose the offenses for which the \$3 assessment authorized by section 938.19, Florida Statutes, may be imposed; rather, the statute specifies those offenses for which the assessment will be imposed.
2. Section 938.19, Florida Statutes, requires that funds received from the \$3 assessment be deposited into an account specifically for the operation and administration of the teen court and does not authorize application of the funds to other programs or to the county's general revenue fund.

*Question One*

Section 938.19, Florida Statutes, authorizes a county in which a teen court has been created to "adopt a mandatory cost to be assessed in specific cases as provided for in subsection (1) [of section 938.19] by incorporating by reference the provisions of this section in a county ordinance." [1]

Subsection (1) of section 938.19, Florida Statutes, provides:

"A sum of \$3, which shall be assessed as a court cost by both the circuit court and the county court in the county against every person who pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, a violation of a state criminal statute or a municipal ordinance or county ordinance or who pays a fine or civil penalty for any violation of chapter 316. Any person whose adjudication is withheld pursuant to the provisions of s. 318.14(9) or (10) shall also be assessed such cost. The \$3 assessment for court costs shall be assessed in addition to any fine, civil penalty, or other court cost and shall

not be deducted from the proceeds of that portion of any fine or civil penalty which is received by a municipality in the county or by the county in accordance with ss. 316.660 and 318.21. The \$3 assessment shall specifically be added to any civil penalty paid for a violation of chapter 316, whether such penalty is paid by mail, paid in person without request for a hearing, or paid after hearing and determination by the court. *However, the \$3 assessment shall not be made against a person for a violation of any state statutes, county ordinance, or municipal ordinance relating to the parking of vehicles, with the exception of a violation of the handicapped parking laws.* The clerk of the circuit court shall collect the respective \$3 assessments for court costs established in this subsection and shall remit the same to the teen court monthly, less 5 percent, which is to be retained as fee income of the office of the clerk of the circuit court." (e.s.)

Section 938.19(1), Florida Statutes, thus prescribes that the court "shall" assess and the clerk "shall" collect a sum of \$3 against every person who pleads guilty or nolo contendere to, or is convicted of, regardless of adjudication, a violation of a state criminal statute or a municipal ordinance or county ordinance or who pays a fine or civil penalty for any violation of Chapter 316, Florida Statutes (other than parking offenses except for handicapped parking violations).[2]

The word "shall" when used in a statute has, according to its normal usage, a mandatory connotation.[3] Nothing in the statute grants a county the discretion to decide the type of offenses for which the mandatory assessment may be imposed. The statute itself specifies the offenses for which the mandatory assessment will be imposed.

Moreover, where the Legislature has directed how a thing is to be done, the statutorily prescribed manner operates to preclude its being done in any other way.[4] Thus, while a county in which a teen court has been established is authorized by section 938.19, Florida Statutes, to enact an ordinance adopting the provisions of section 938.19(1), Florida Statutes, to impose a mandatory court cost of \$3, section 938.19 prescribes the offenses for which the mandatory cost may be imposed.

Accordingly, I am of the opinion that section 938.19, Florida Statutes, does not authorize the county to choose the offenses for which the \$3 assessment authorized by section 938.19, Florida Statutes, may be imposed; rather, the statute specifies those offenses for which the assessment will be imposed.

#### Question Two

Section 938.19, Florida Statutes, also governs the expenditure of the mandatory assessment collected under its terms. The statute requires that assessments collected by the clerk of the circuit court pursuant to section 938.19 "shall be deposited into an account specifically for the operation and administration of the teen court." Section 938.19 thus directs the use of the funds collected.

As the Supreme Court of Florida stated in *Dickinson v. Stone*, [5] "[i]t is a violation of an elemental principle in the administration of public funds for one who is charged with the trust of their proper expenditure not to apply those funds to the purposes for which they are raised." Moreover, as discussed in Question One, when the controlling law directs how a thing is to be done, that is, in effect, a prohibition against its being done in any other way.[6]

Accordingly, I am of the opinion that section 938.19, Florida Statutes, requires that the funds received from the \$3 assessment be deposited into an account specifically for the operation and administration of the teen court and does not authorize the funds to be applied to other programs or to the county's general revenue fund.

Sincerely,

Robert A. Butterworth  
Attorney General

RAB/tjw

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[1] Teen courts may also be funded by such other moneys as become available for establishing and operating teen courts under the provisions of Florida law. See, s. 938.19(2), Fla. Stat.

[2] Cf., Op. Att'y Gen. Fla. 97-71 (1997) in which this office concluded that after October 1, 1996, s. 318.121, Fla. Stat. (1996 Supp.), prohibited the addition of the court cost for teen court to civil traffic penalties imposed under Ch. 318, Fla. Stat. Section 938.19, Fla. Stat., however, was subsequently amended to provide for the imposition of such cost "[n]otwithstanding s. 318.121[.]" See, s. 2, Ch. 98-207, Laws of Fla.

[3] See, e.g., *Drury v. Harding*, 461 So. 2d 104 (Fla. 1984); *Holloway v. State*, 342 So. 2d 966 (Fla. 1977); *Concerned Citizens of Putnam County for Responsive Government, Inc. v. St. Johns River Water Management District*, 622 So. 2d 520 (Fla. 5th DCA 1993) (although not fixed, construction of word "shall," it is normally meant to be mandatory in nature); Ops. Att'y Gen. Fla. 98-43 (1998) and 95-20 (1995).

[4] See, *Alsop v. Pierce*, 19 So. 2d 799 (Fla. 1944) (express statutory direction as to how a thing is to be done is implied prohibition of its being done in any contrary manner).

[5] 251 So. 2d 268, 273 (Fla. 1971) (unless otherwise expressly provided by law, appropriated money must be expended only for the purpose for which it was appropriated). And see, *Taylor v. Williams*, 196 So. 214 (Fla. 1940); *Supreme Forest Woodmen Circle v. Hobe Sound Co.*, 189 So. 249 (Fla. 1939) (funds raised by taxation for one purpose cannot be diverted to another without legislative authority and it is a violation of official duty in handling public funds for those charged by law with the lawful payment thereof to divert the funds to a purpose contrary to that for which they were raised).

[6] See, *Alsop v. Pierce*, *supra*; *Thayer v. State*, 335 So. 2d 815 (Fla. 1976) (a legislative direction as to how a thing is to be done is, in effect, a prohibition against it being done in any other way). And see, Ops. Att'y Gen. Fla. 00-37 (2000) (expenditure of funds strictly limited to those purposes and projects recognized by the statute), and 00-25 (2000) (specific enumeration in statute of those projects for which tourist development tax revenues may be spent implies the exclusion of others).



# Memorandum



**Date:** January 9, 2009

**To:** Jennifer Glazer-Moon, Director  
Office of Strategic Management

**From:** John Dixon, Interim Executive Director  
MMAP Trust

**Subject:** 3% Budget Reduction Plan

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The MMAP Trust has two allocations from the General Fund. The first allocation is for administration in the amount of \$668,000.00. The second allocation is \$330,000.00 dedicated to economic development. We request the second allocation not be subject to the 3% budget reduction plan.

To reduce our General Fund \$668,000.00 allocation by 3% (\$20,040.00), we are requesting to use the savings generated by the vacancy of the Assistant to the Director position. The savings generated by this vacancy will be approximately \$27,000.00. This will cover the 3% requested by the County Manager's Office.

C: H.T. Smith, Esq., Chairman, MMAP Trust Oversight Review Board  
Robert Holland, Esq., Chairman Interim MMAP Trust  
Cynthia Curry, CEO Senior Advisor, Asst. County Manager  
Rowena Henry, Senior Budget Analyst



# **METRO-MIAMI ACTION PLAN TRUST**

## **BOARD OF TRUSTEES MEETING**

**OCTOBER 15, 2008**

**Agenda**



## **MEETING NOTICE**

**METRO-MIAMI ACTION PLAN TRUST**

**BOARD OF TRUSTEES MEETING**

**DATE: WEDNESDAY, OCTOBER 15, 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  
OCTOBER 15, 2008  
AGENDA**

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**Roll Call**

**DISCLOSURE OF CONFLICTS OF INTEREST**

**QUERY FOR EARLY DEPARTURES**

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

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**Adjourn**

**\* Submitted at Board Meeting**

**\*\*Not submitted**

**\*\*\*Submitted Under Separate Cover**

**MOA – Memorandum of Approval**



# **MMAP BOARD MINUTES**

## **APRIL 16 2008**

**OFFICIAL MINUTES  
METRO-MIAMI ACTION PLAN TRUST  
MEETING OF APRIL 16, 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 April 16, 2008 at 12:00 Noon, there being present: Chairperson John T. Jones, and Members: Ms. Marie B. Hyppolite, and Mr. Herbert Robinson; (Mr. Arthur J. Barnes Ms., Ms. Greicy Lovin, Ms. Veldrin Freemon and Dr. Marzell Smith were absent).

**ROLL CALL:**

Staff members present were: Mr. John Dixon, MMAP Trust Interim Executive Director; Ms. Marlene Blanco, Mr. Clarke Brian, Ms. Melba Gasque, Mr. Jose Gonzalez, Mr. William Simmons, Mr. Joey Walker and Mr. Anthony Williams, Mr. Frank Tarrau; Assistant County Attorney Terrance Smith; and Deputy Clerk Karen Leonard.

**MOTION TO SET THE AGENDA:**

Chairperson Jones called the meeting to order at 12:59 p.m. and introduced Assistant County Attorney Terrance Smith, whom he noted would now be assigned to MMAP in place of Assistant County Attorney Shannon Summerset.

Chairperson Jones noted the Trust members would discuss Agenda Items I.B1 and I.B2 in the Agenda package until a quorum was present at today's meeting.

**DISCLOSURE OF CONFLICTS OF INTEREST**

**QUERY FOR EARLY DEPARTURES**

**Approval of Previous Minutes**

(September 19, 2007, October 9, 2007, October 17, 2007, November 14, 2007, December 19, 2007)

I. Trust Action Items

A. Committee Action Items

- 1. Housing
- 2. Education
  - A. Black History Tour**
- 3. Criminal Justice
- 4. Community and Economic Development
- 5. Legislative
  - A. Becker and Poliakoff Renewal**
- 6. Budget
  - A. Budget Reduction Request (3%) Current Fiscal Year**

Mr. Dixon noted that MMAP staff was instructed by the Trust to respond to the budget reduction request in writing. He noted the concern was that the 3% reduction would carry over into 2009

and MMAP would lose the total budget. Mr. Dixon referred to the memorandum from the Chair to the County Manager, dated April 3, 2008, noting that no correspondence had been received in return.

B. Additional Trust Action Items:

1. **Score Card Strategy Map**

Mr. Dixon noted MMAP's staff had met and discussed with County staff MMAP's score card objectives, which were to look at its mission and to include the action committee process under each project that MMAP serviced within the community. He added that this item was presented at the Executive Committee meeting and he wanted to provide more detailed information.

Ms. Blanco noted that the score card entailed information regarding the customer's internal financial status and learning/growth prospective. The information section of the customer's portion of the score card was based on the Trust's role in the different programs, but MMAP staff added the advocacy role to this section and needed the approval of the Trust, she noted.

Chairperson Jones responded that the Action Committees were automatically advocacies.

Ms. Blanco noted that this added information had not been placed on the current score card, but needed to be implemented in order to move forward and to track the accountability of the action committees. She noted that the score card information only included Teen Court, Housing, Economic Development, and the MLK Academy.

Mr. Dixon added that rating measures would be attached to the various committees and that this item may not need approval from the Trust, but was more for informational purposes, and MMAP staff felt it was important that the Trust be informed in order to move forward. He noted that the Trust had already approved the action committee process.

Discussion ensued regarding the action committee did the basic framework of the MMAP Trust which should automatically made the outcome part of the score card.

Mr. Simmons noted for clarification MMAP's staff's request was for the Trust to approve staff moving the score card forward to the County Manager's Office.

Ms. Blanco noted that the Office of Strategic Business Management suggested that MMAP's staff bring the score card before the Trust for approval.

Chairperson Jones noted that he felt the action committee process was already a part of the score card procedure, approval was automatically granted to include it in the score card, and this was not an action item.

2. **MMAP Media Forum**

Mr. Dixon noted MMAP staff's effort to develop the program by using the local media regarding MMAP's mission to address disparity within the targeted areas, and to present the idea of implementing a MMAP media roundtable to the Executive Committee to discuss social economic issues. He added that this event would be held at the Joseph Caleb Center (JCC).

Mr. Walker added that he had an updated schedule for the forum and the input from the Trust regarding changing the setup of the roundtable. He noted that MMAP's staff needed approval of a budget for this item from the Trust in order to move forward. Mr. Walker informed the Trust's members that Mr. Dixon submitted to the Commissioners' offices a letter that was approved by Chairperson Jones requesting that the JCC be reserved for June 7, 2008 from 10:00 am to 2:00 p.m.

Chairperson Jones noted that the Trust had previously discussed inviting Mr. Michael Baisden, Hot105 radio host, to participate in the forum because he had good contact with youth and it was time to infuse other young people into the MMAP mission.

Discussion ensued regarding contacting Mr. Baisden and mailing an invitation to participate in the forum to the following organizations: NAACP, Collective Banking Group of Greater Miami, Miami Chamber of Commerce, and all fraternities and sororities as well as elected officials.

Mr. Dixon noted he had already begun scheduling meetings with those organizations.

Chairperson Jones recommended that MMAP's staff include the Miami Dade Teachers Union due to MMAP's collaborative efforts with them on a project. Additionally, he recommended that MMAP staff ask Mr. Carlos Martinez from Public Defender's office and Ms. Marie Osborne, Chief of the Youth Division, to participate as well.

In response to Ms. Hyppolite question regarding as to whether Commissioner Edmonson had responded to the letter dated April 2, 2008 that was included in the Agenda package, Mr. Dixon noted a response was still pending since Commissioner Edmonson had been out of town.

In response to Chairperson Jones inquiry as to whether the forum would be broadcast live on both AM and FM radio stations, Mr. Walker noted that a meeting was scheduled with the telephone company to ensure connections were possible with the multiple stations. He noted this was part of the budget process that was requested, along with having the telephone lines secured. Mr. Walker advised that the cost for the telephone line connections would be approximately \$285.00, which included a monthly charge of \$25.00.

Chairperson Jones recommended to include the \$25.00 monthly fee in the MMAP budget and to identify the resources. He noted he had hoped that if the monthly charge was covered, the Commissioners in those areas would support MMAP on this project and possibly use the services in the future.

Discussion ensued regarding the agenda for the forum and the number of participants that would attend.

Chairperson Jones noted that the community participation would be most effective and noted the need to have youth representatives that were knowledgeable of this subject sit on this panel.

Mr. Walker advised that MMAP's staff had planned to include students from all the local

colleges and universities, including Florida Memorial, Miami Dade Community College, and University of Miami.

Discussion ensued among the Trust members regarding the need to include those students that dropped out of school in the forum in order to get additional input.

Chairperson Jones recommended inviting the student presidents at those colleges, including Florida International University, to participate.

Ms. Hyppolite suggested inviting representatives from the Minority Business Government Center to address any business-related issue.

Additionally, Chairperson Jones recommended that entities that offered job opportunities and elections be participants as well.

## II. Trust Information Items

### A. Committee Information Items

#### 1. Housing

##### A. Zamora Homes Meeting

Mr. Eric Johnson noted that he attended a meeting with representatives from Zamora Homes regarding the development projects. The sale of properties in the housing market had slowed down and the intent of the meeting was to discuss feasible strategies, which included staging an event involving realtors that would showcase a range of houses for sale starting at pre-construction, he also noted. Mr. Johnson added that a consultant who specialized in affordable housing and worked with a number of developers in locating funds through the Florida Housing Corporation (HOP) Program attended the meeting.

Mr. Johnson referred to the HOP Program application process for funding, which he noted could total \$70,000.00 or 25% of the property sales price to assist homebuyers with low income. He noted that he had someone who was familiar with the application process accompany him to the meeting to make a presentation.

Ms. Hicks noted that an inventory of 20 available properties was currently online and their sale prices were reduced from \$280,000.00 to a price range of \$180,000.00 to \$200,000.00 in order to adapt to the drop in the market for competitive purposes.

Discussion ensued among the Trust members regarding the various sizes and price range of available housing in the Zamora Homes development.

Mr. Johnson noted that the representatives of Zamora Homes wanted to identify what direction would the market move in and the building cost before the sale date. He added the need to find financing resources in order to reach the targeted audience of borrowers because they would need subsidy funds within the next 18 months.

Mr. Johnson noted that the representatives of Zamora Homes appeared to be receptive to participating in the event and MMAP staff would follow-up with them as well as the marketing

efforts, including the planning for the event. He stated he was aware of the communication with the consultant regarding the applications requesting subsidy funds for housing through the State of Florida (HOP) Program.

In response to Mr. Robinson's request regarding the address of those housing units, Mr. Johnson noted that he would provide the addresses of the actual housing units, which he noted were located in the Homestead area.

2. Education

**A. Overpayment to Miami-Dade County Public Schools Update**

**B. MLK Academy Community Outreach**

Mr. Dixon provided a brief overview of the MMAP MLK Academy Community Outreach efforts made by MMAP's staff to find a building to accommodate Teen Court as well as the school. He noted meetings with several people, included with Representative Wilbert "Tee" Holloway, with Commissioner Audrey Edmonson regarding funding and supplemental funding and with Commissioner Barbara Jordan, etc. Dr. Smith had been overseeing this project and MMAP staff hoped that through the Superintendent's restructuring process, MMAP would gain one of the closing schools or share a facility that was under enrolled, Mr. Dixon noted.

Mr. Dixon spoke of MMAP staff's efforts to outreach and a letter that was sent to no avail to Mr. Freddie Woodson, who was over the facilities in the school system. He noted he received a call from Dr. Gallon, who advised him to contact Mr. Jamie Torrance regarding an available building and the possibility of having some information about the program after today's school board meeting. He also noted that Dr. Gallon pointed out if a facility was provided to MMAP, other entities would be afforded this opportunity, which would require another process including a process loan. Mr. Dixon said he would continue trying to contact Mr. Torrance.

Chairperson Jones recommended that MMAP staff monitor today's School Board meeting because this would probably be an item on the agenda due to State budget cuts and some facilities may be made available. He added that MMAP's focus had been on the Carol City Middle School facility.

Discussion ensued regarding a letter that would be sent to Mr. Torrance explaining MMAP's goal on this project and the meeting to inform the School Board of MMAP's need for a facility to house the Teen Court program and the school.

**C. Teen Court Relocation**

3. Criminal Justice

4. Community and Economic Development

**A. Occupational License Funding Status**

Mr. Dixon noted that the Trust's members developed a plan regarding the 8% Surtax Dollar Funding and the partners that MMAP worked with over the years. He advised that the plan was approved by the County Attorney's Office and the money from that funding remained in escrow at the Office of Community Economic Development (OCED). Mr. Dixon noted his several

conversations with the County Manager regarding the release of those funds.

Recently Ms. Cynthia Curry, Senior Advisor to the County Manager, proposed reconvening a meeting on April 28, 2008 regarding those monies, in lieu of the Manager asking the Director of OCED to make the plan that was approved by the County Attorney available for review by applicable individuals at a meeting, noted Mr. Dixon. He pointed out that Ms. Curry also proposed releasing the money and following that meeting, the plan go before the Economic Development and Human Services Committee (EDHSC). Subsequently, upon approval, and then at the Chairman's approval, it would go before the Board of County Commissioners. Mr. Dixon indicated that those actions seemed appropriate since MMAP reported to the Board.

Discussion ensued regarding the process of going before the other individuals involved rather than move directly forward to the Board.

Mr. Dixon noted that Ms. Curry's proposal entailed a Sunshine meeting on May 30, 2008.

Mr. Dixon noted for the record, that he felt it was not useful to meet with those entities after the plan had been approved, except in that it afforded the Finance and Budget departments an opportunity to meet and see the plan. He added that his understanding was the plan had already been approved by the Board and was emailed to all those individuals and the Finance and Budget departments had no say-so once it was approved.

Further discussion ensued regarding the process for having the plan approved.

Mr. Robinson expressed concern that the meeting with the other entities may involve another agenda and the plan should move directly to the Board.

In response to Mr. Dixon noting that April 30, 2008 had been a proposed meeting date, Assistant County Attorney Summerset stated that this proposal was for a sunshine meeting for the ordinance amendment and did not address any of the business tax issues.

Mr. Dixon noted if the plan went before the Board, the filing would be on May 20, 2008 at the next meeting.

Further discussion ensued among the Trust members as to why the additional committee that was established needed to review the plan if it was approved by the Board.

Assistant County Attorney (ACA) Shannon Summerset advised that the added committee was organized based on concerns from the Beacon Council, and the other past meetings did not involve the Beacon Council. She noted, however, that it appeared the intent of that committee's members was for them to be able to appear before the Beacon Council and present a report of any action taken.

ACA Summerset noted it was appropriate for the Beacon Council to be informed of any financial request concerning MMAP and this would give the Beacon Council an opportunity to provide input before the item was placed on an agenda. She added this would minimize any conflicts.

Discussion ensued regarding the need for MMAP's staff to prepare for the meeting scheduled on April 28, 2008.

In response to Ms. Hyppolite's question regarding MMAP only receiving 8% of surtax dollars and the Beacon Council receiving 92% of that funding, Chairperson Jones noted that the community needed to understand why a large difference in distributed funds existed between both entities.

- 5. Legislative
- 6. Budget

- III. Executive Director's Information Items
  - A. **South Dade Community Forum**
  - B. **Teen Court Monthly Report**
  - C. **Housing Monthly Report**
  - D. **Fiscal Management Report**
  - E. **Public Information**
  - F. **Criminal Justice Report**
  - G. **MLK Academy Monthly Report**

Mr. Frank Tarrau reported that MLK Academy recently completed the FCAT Exam and the rate of participation was 95% for Miami Dade County Public Schools, but MLK Academy rated 100% in the 6<sup>th</sup> through 8<sup>th</sup> grades and 95% in the 9<sup>th</sup> grade. Those ratings would have to be validated by the alternative education department, he noted.

Mr. Tarrau noted that MLK Academy received an excellent evaluation and he commended Mr. Dixon and MMAP's staff for their support. He noted the school facility was reported to meet the criteria and only had three items that needed improvement.

Mr. Tarrau added that the Miami Herald newspaper published an article regarding MLK Academy students that were selected by various colleges and universities as well as in the Gospel Truth newspaper.

He spoke of the current events that would take place at the MLK Academy, including the school prom, which would be held on May 22, 2008, as well as a dual enrollment for 2009 in Miami-Dade College North Campus (MDC) for 9<sup>th</sup> grade students on May 30, 2008. He added that this agreement between MMAP and MDC was negotiated to also motivate the 8<sup>th</sup> graders that had grade point averages (GPA's) of 3.0.

Mr. Dixon emphasized that the program with MLK Academy students and Miami Dade College was newsworthy.

In response to Chairperson Jones requesting a written report, Mr. Tarrau noted that the report was documented in the media future section of the MLK Academy Report and would be featured in the main section next month with photographs.

Further discussion ensued regarding chaperones and sponsors for the 2008 MLK Academy prom.

#### **Add-on Item**

In response to Chairperson Jones' inquiry regarding an update on the Sunset of the Surtax ordinance, Ms. Hicks noted the latest negotiation would be an extension of (23) twenty-three years rather than a repeal, and a hearing would be scheduled.

Assistant County Attorney (ACA) Summerset added that the legislature was looking into extending the Sunset to the year of 2031 and putting additional safeguards in place that would require an independent annual financial audit, as well as limiting administrative costs to 10%. She added that neither the 10% administrative cost nor the Surtax dollars could be used to pay for that audit. ACA Summerset noted until that legislation had passed, she was uncertain how the County would work with MMAP to perform the annual financial audit.

Discussion ensued regarding Legislation and the facts that MMAP did not have a representative under contract and it would be an issue to pay a bill through County regulations.

Further discussion ensued among the Trust members regarding a bill of outstanding expenses that had been itemized and which were in process, and certain pending projects like 'The status of black men and boys' along with several economic development projects.

In an effort to address teen violence, Mr. Dixon noted the Teen Court staff would like to arrange a conference on May 6, 2008, had established a working relationship with the Restorative Justice Program through Miami Carol City Senior High, and had hoped to work with Miami Edison. He noted this would allow both schools to participate in this non violence program.

Mr. Anthony Williams explained the process of developing the non violence program to address teen violence through MLK Academy's collaborative effort with those schools and inviting Mr. Michael Baisden and others to participate. This event would be a preview to the conference by Mr. Baisden that would be held in June, 2008, he added.

In response to Ms. Hyppolite's question as to why other schools were not invited, Mr. Williams noted the only reason was because of the existing working relationship with those schools, which afforded easier access to those students in this late period of the school year.

Mr. Dixon added that MMAP staff met with Mr. Mark Zeyer, Student Services at Miami Dade Public Schools (MDPS), to discuss establishing the Restorative Justice Program throughout the school system. He expressed concern that MMAP's staff would not make a premature move involving a number of schools and both Miami Carol City and Miami Edison Senior High was workable and open to participate in the program. Mr. Dixon noted that he hoped other Miami-Dade County schools would participate in this program that would eventually be an annual event. He also added the half day event would entail continental meals and MMAP staff requested a written opinion and approval from the County Finance Department for MMAP to provide lunch at this event. Mr. Dixon noted that MMAP staff received written approval to provide lunch to those students.

Discussion ensued regarding how MMAP staff had negotiated with the hotel to accommodate the number of students that would be attending and how to use other resources through the School Board.

Although Carol City Senior High had a Law Magnet Program and Miami Edison had a Law Academy, Chairperson Jones noted, he recommended that MMAP staff to invite some students from Miami Northwestern Senior High since the school was located in the vicinity of the event.

Further discussion ensued regarding inviting more students from schools throughout Miami Dade in the future and the issue of transporting students.

Chairperson Jones recommended that the Trust's members be called for a special meeting since this event was scheduled for May 6, 2008, and in order to address the agenda items that needed to be acted on by the Trust members.

### **ADJOURNMENT**

There being no further business to come before the Trust, the meeting was adjourned at 2:39 p.m.

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



# **MMAP BOARD MINUTES**

**APRIL 22 2008**

**OFFICIAL MINUTES**  
**METRO-MIAMI ACTION PLAN TRUST**  
**MEETING OF APRIL 22, 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 April 22, 2008 at 12:00 Noon, there being present: Chairperson John T. Jones, and Members: Mr. Arthur J. Barnes, Ms. Marie B. Hyppolite, and Mr. Herbert Robinson; (Ms. Greicy Lovin, Ms. Veldrin Freemon, and Dr. Marzell Smith were absent).

**ROLL CALL:**

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

**MOTION TO SET THE AGENDA:**

Chairperson Jones called the meeting to order at 12:31 p.m.

**DISCLOSURE OF CONFLICTS OF INTEREST**

**QUERY FOR EARLY DEPARTURES**

**Approval of Previous Minutes**

**(September 19, 2007, October 9, 2007, October 17, 2007, November 14, 2007, December 19, 2007)**

It was moved by Ms. Marie Hyppolite to approve the September 19, 2007 MMAP minutes with the corrected spelling of Assistant County Attorney Terrence Smith's name. This motion was seconded by Mr. Barnes, and upon being put to a vote, passed by a unanimous vote of those members present.

Hearing no objection or comment, it was moved by Mr. Barnes that the MMAP minutes for the meetings of October 9, 2007, October 17, 2007, and November 14, 2007 be approved as presented. This motion was seconded by Ms. Hyppolite, and upon being put to a vote, passed by a unanimous vote of those members present.

Hearing no objection or comment, it was moved by Ms. Marie Hyppolite to approve December 19, 2007 MMAP minutes. This motion was seconded by Mr. Barnes and upon being put to a vote, passed by a unanimous vote of those members present.

- I. Trust Action Items
  - A. Committee Action Items
    - 1. Housing
    - 2. Education
      - A. **Black History Tour**

Mr. Dixon noted that MMAP's staff was asked by the Trust to review this year's tour because several sites were discussed that needed to be modified. He noted the itinerary in the agenda package reflected what was approved by the Trust in order for the staff to move forward with the invoice. Mr. Dixon added that the event would be held on June 8<sup>th</sup> – 14<sup>th</sup> 2008.

In response to Mr. Barnes' request for clarification regarding the final cost of the trip, Mr. Dixon noted the final cost of the Black History Tour would be \$30,200.00.

It was moved by Mr. Robinson to approve the invoice in the amount of \$30,200.00 from the General Fund Budget for the Black History Tours event and the sites to be visited by the MLK Academy students which were based on 40 attendees and nine (9) chaperones on June 8<sup>th</sup> through June 14, 2008. This motion was seconded by Mr. Barnes and being put to a vote, passed 4-0. (Members: Ms. Veldrin Freemon, Ms. Greicy Lovin, and Dr. Marzell Smith were absent.)

3. Criminal Justice
4. Community and Economic Development
5. Legislative

**A. Becker and Poliakoff Renewal**

Mr. Simmons provided a brief update on the Becker and Poliakoff renewal contract that was proposed for renewal during the period of December 2007 through December 2008. He noted that MMAP could make a recommendation on the closeout of the contract.

In response to Assistant County Attorney Terrence Smith's question regarding the use of Teen Court funds, Mr. Simmons noted this item would use Teen Court funds for the Request for Proposal (RFP). Once the contract was initiated, the services would cover all those areas; this was a legislative issue related to Teen Court, noted Mr. Simmons.

Discussion ensued regarding local issues of the State Legislature that pertained to Teen Court and the concern of reduced funding of the ticket surcharge.

Mr. Simmons noted the representative from Becker and Poliakoff (BP) had looked into the surtax on housing that was proposed in order to extend its sunset. He noted the service from BP would be procured for \$6,000.00 and payment would not come from the Teen Court budget unless it specifically impacted that program.

Assistant County Attorney (ACA) Smith noted that he spoke with Assistant County Attorney Summerset regarding an opinion on Teen Court. He also noted during his independent research he found two opinions from the Attorney General regarding the use of Teen Court funding. ACA Smith read into the record the conclusion of the Attorney General's opinion, which was based on a Supreme Court decision.

ACA Smith inquired as to whether the funds would be applied to the operation and administration of Teen Court. He emphasized that the mission of Teen Court was to operate as a court system and teach juveniles the process of the system. ACA Smith said he felt MMAP needed to ensure that Teen Court funding was applied appropriately without crossing the line during involvement with other events. He asked that Trust members take time to discuss those items concerning Teen Court funding.

Assistant County Attorney Smith expressed concern about inappropriate use of those funds because the use of those funds was to procure services of an attorney to perform legislative activities rather than cover administration and operating costs of the Teen Court program.

Further discussion ensued regarding the appropriate use of Teen Court funding and other resources that could be used for the renewal of the Becker and Poliakoff contract.

Regarding Housing Surtax, ACA Smith noted MMAP could not use those funds for this item because their use was limited to construction, financing, and rehabilitation of affordable housing. He added there was a new legislation that could make changes in terms of using funds for administration.

Chairperson Jones recommended allocating money from the Trust account for the renewal contract with Becker and Poliakoff as a safer route if the members agreed.

Discussion ensued regarding the purpose of this item being to further the program legislatively and to keep it within the framework.

Assistant County Attorney Smith advised the Trust not to use those funds a question existed regarding whether the event met the requirements. He expressed concern due to the fact that MMAP had been audited and regarding the importance of ensuring funding was not jeopardized.

It was moved by Mr. Barnes to approve an allocation in an amount not-to-exceed \$6,000.00 from either the General Revenue Fund or the Trust Fund Account in order to secure MMAP's contract agreement with Becker and Poliakoff for services as a Governmental Representative and to advertise the Request for Proposal (RFP) process at the end of that contract with recommendations. This motion was seconded by Ms. Hyppolite, and being put to a vote, passed 4-0. (Members: Ms. Veldrin Freemon, Ms. Greicy Lovin, and Dr. Marzell Smith were absent.)

6. Budget

A. **Budget Reduction Request (3%) Current Fiscal Year**

B. Additional Trust Action Items:

1. **Score Card Strategy Map**
2. **MMAP Media Forum**

Chairperson Jones noted that due to a lack of quorum at the April 16, 2008 Trust meeting, Trust members discussed the MMAP Media Forum that would be held at the Joseph Caleb Center (JCC). He added that MMAP had received a response letter from Commissioner Edmonson that the lease amount not-to-exceed \$7,500.00 for JCC would be covered.

Mr. Dixon explained that the \$7,500.00 funding would come from the General Revenue Fund. Chairperson Jones recommended that the Trust send a written request for support from Districts 1, 2, and 3 to offset the cost of leasing the JCC auditorium.

In response to Chairperson Jones' inquiry as to whether the media had been sent an invite letter, Mr. Walker noted the letters addressed to Cox Radio, WMBM, Hot 105, and Mr. Baisden would be ready tomorrow.

Chairperson Jones noted the request for support letters regarding the rental of the JCC addressed to the Commissioners should also be prepared and mailed out tomorrow in order to allow for sufficient time to receive funds.

Discussion ensued regarding the MMAP Media Forum that would be held at the JCC on June 7, 2008 from 10:00 a.m. to 1:00 p.m.

Chairperson Jones noted this event would be broadcasted on AM and FM radio stations that had the potential of three million listeners.

Discussion ensued among Trust members regarding the moderators for that event and the topics of discussion which would stay within the framework of the action committee.

Chairperson Jones requested that MMAP staff provide an agenda package of that event to the County Attorney's Office for review.

It was moved by Mr. Barnes to approve an allocation in an amount not-to-exceed \$7,500.00 from the General Fund Budget for the Community MMAP Media Forum to address socio-economic issues and to be held on June 7, 2008 at the Joseph Caleb Center. This motion was seconded by Ms. Hyppolite, and being put to a vote, passed 4-0. (Members: Ms. Veldrin Freeman, Ms. Greicy Lovin, and Dr. Marzell Smith were absent.)

Chairperson Jones recommended that MMAP staff provide the framework of each project to the Commissioners when requesting support in order to ensure clarification of how the media and other aspects of the event connected. He also noted the possibility that the Commissioners may want to include information on other events from their district.

Chairperson Jones requested that Mr. Walker set up a meeting by sending a letter for him to meet with Commissioners Edmonson, Jordan, and Rolle concerning this event.

Mr. Barnes advised Trust members that an Economic Development Committee meeting would be held on June 14, 2008 in the South Dade Government Center and Mr. Barnes would be communicating with the Commissioners regarding this meeting.

#### **Add On**

#### **Teen Court Youth to Develop Responsible Citizen's Conference**

Chairperson Jones reviewed the intent of the Memorandum of Approval (MOA) that proposed a resolution be passed to permit MMAP's Miami Dade Teen Court program to host a Youth to Develop Responsible Citizen's Conference on an annual basis. He noted that the Trust should focus on implementing this first conference and decide whether it was feasible.

In response to Chairperson Jones' question as to whether there would be Teen Court participants involved in this conference, Mr. Dixon indicated the answer was "yes."

Assistant County Attorney (ACA) Smith expressed concern that the MOA crossed the line because the conference would be accessible to the public rather than only participants in the Teen Court program. He pointed out that approximately \$40,000.00 would be used from the Teen Court Budget and suggested limiting the scope of the program to the participants in Teen Court to minimize questions as to whether this included the operation or administration of the Teen Court program. ACA Smith added that those dollars should be restricted to the traditional Teen Court program.

Discussion ensued regarding Trust members' review of the Florida Practice and MMAP's collaborative efforts with the Florida State Teen Court and other entities.

In response to Chairperson Jones' recommendation to submit a letter requesting a legal opinion, Assistant County Attorney Smith said he was prepared to write the legal opinion in time for the next Trust meeting.

Additionally, Chairperson Jones noted that the MMAP staff should research background information on other local Teen Court programs due to the various activities that were based on crime prevention.

Assistant County Attorney (ACA) Smith noted he would provide copies of the Attorney General's two opinions related to Teen Court programs. He also noted due to the urgency to move forward with this event, he would provide a legal opinion by next week, followed by receiving the scope of the program from MMAP staff.

In response to Mr. Simmons' comment that the hotel hosting the event wanted a commitment from MMAP by tomorrow, Chairperson Jones recommended that the hotel representative be advised of MMAP's legal status regarding this matter.

Further discussion ensued regarding limiting the scope of the event and the intent of the program initially being crime prevention.

ACA Smith noted he needed more time to discuss the item with his colleague today in order to assist MMAP staff in developing an acceptable framework of the program for Teen Court.

Mr. Dixon pointed out that MLK Academy was listed as an alternative school and the emphasis was on crime prevention as well as intervention, and all participants appeared to be compatible.

Discussion ensued regarding how to ensure that the participants from the other schools qualified to be in that type of program and how to expand the number of Teen Court program students.

Chairperson Jones recommended that MMAP staff provide a detailed document listing how the students from the other participating schools were involved in the Teen Court program to Assistant County Attorney Smith.

Assistant County Attorney Smith requested that MMAP staff provide the same information that was initially submitted to Assistant County Attorney Summerset requesting a legal opinion.

Chairperson Jones noted that details regarding the students from Carol City Senior High School Law Magnet program who were participants in Teen Court program also should be provided.

Discussion ensued regarding the Trust meeting again in order to approve this item.

In response to Mr. Robinson's question regarding whether MMAP had received a response from the County Manager's Office regarding the 3% reduction, Mr. Dixon noted that MMAP staff had submitted a letter on April 3, 2008, but had only received a verbal approval by the analyst.

Chairperson Jones noted that MMAP staff needed to ensure Trust members reviewed the budget related to the General Revenue Fund in order for the members to be aware of the adjusted changes.

Chairperson Jones advised the Trust that another meeting may have to be called in order to address the one item concerning the Teen Court Youth to Develop Responsible Citizens Conference.

#### **ADJOURNMENT**

There being no further business to come before the Trust, the meeting was adjourned at 2:21 p.m.

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



# **MMAP BOARD MINUTES**

## **APRIL 30 2008**

**OFFICIAL MINUTES**  
**METRO-MIAMI ACTION PLAN TRUST**  
**MEETING OF APRIL 30, 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 April 30, 2008 at 12:00 Noon, there being present: Chairperson John T. Jones, and Members: Mr. Arthur J. Barnes, Ms. Marie B. Hyppolite, and Mr. Herbert Robinson; (Ms. Greicy Lovin, Ms. Veldrin Freeman, and Dr. Marzell Smith 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. Joey Walker and Mr. Anthony Williams; Assistant County Attorney Terrence Smith; and Deputy Clerk Karen Leonard.

**MOTION TO SET THE AGENDA:**

Chairperson Jones called the meeting to order at 12:47 p.m. He expressed appreciation to the Trust members for attending today's (4/30) special meeting to address the item regarding a Teen Court Conference that needed funding from the Teen Court Budget.

**DISCLOSURE OF CONFLICTS OF INTEREST**

**QUERY FOR EARLY DEPARTURES**

**Special Meeting Item:**

**Criminal Justice – Teen Court Youth Conference**

Chairperson Jones referred to the memorandum from Assistant County Attorney Smith and he asked that Trust members provide some input.

Mr. Robinson noted the question was whether or not the students that would attend the Teen Court Youth Conference were a part of the Teen Court program.

Mr. Dixon advised that the 8<sup>th</sup> and 9<sup>th</sup> grade students from MLK Academy were attending a training session regarding Teen Court as well as students from Miami Edison Senior High. He added that MMAP had cases of students and participants from Carol City Senior High being in the Teen Court program.

Assistant County Attorney Smith noted that the legal opinion was not based solely on April 15, 2008 Memorandum of Approval (MOA), but was also based on another memorandum submitted on April 23, 2008 from Mr. Dixon. He also noted that based on the summary in that memorandum, he was able to conclude that MMAP could use the Teen Court Budget funding in an amount not to exceed \$40,000.00.

Chairperson Jones recommended that the April 15, 2008 MOA from Mr. Dixon be amended by

removing the word "annual," which preceded the word, "conference," under the "Purpose of Item" and address this event as a single youth conference to be held on May 6, 2008. He added that after the conference, an evaluation should be performed to determine whether the event should be annual. Chairperson Jones also added that the event would need approval from the Trust each year due to the expenditures involved.

Additionally, Mr. Barnes pointed out an amendment to the April 15, 2008 MOA was needed under the section entitled "Background Information" to remove "the first of several annual" from before the word, "conferences".

Assistant County Attorney Smith also suggested combining both the April 15, 2008 and April 23, 2008 memorandums with the recommended amendments because his legal opinion was based on the April 23<sup>rd</sup> memo.

Discussion ensued regarding the April 23, 2008 MOA.

Assistant County Attorney Smith read into the record from the April 23, 2008 MOA the list of goals and format of the Teen Court Youth Conference. He added that based on that list he concluded that the use of monies from the Teen Court Budget for this event was appropriate, those goals and the format should be the parameters used, and the benefits should be noted.

Chairperson Jones requested that the Trust members receive a copy of the amended MOA.

Discussion ensued regarding the fact that all those invited participants for the event had been contacted and others needed to be informed about MLK Academy and the Teen Court program.

Chairperson Jones recommended that MMAP's staff schedule some radio talk shows in order to educate the community regarding the process of MMAP's programs, like Teen Court and Occupational License Tax. He noted the intent would be to explain the scope of each program, the development, and the purpose.

It was moved by Mr. Barnes to approve the MOA as amended to authorize an allocation in an amount not to exceed \$40,000 from Teen Court Budget for MMAP's staff to host a Teen Court Youth Conference entitled, "Youth Speaking Out Against Violence;" and to be based on the three goals outlined in the memorandum dated April 23, 2008 from the Interim Executive Director, John Dixon, regarding the request for a County Attorney's legal opinion. This motion was seconded by Mr. Robinson and upon being put to a vote, passed 4-0. (Members: Ms. Veldrin Freemon, Ms. Greicy Lovin, and Dr. Marzell Smith were absent.)

**ADJOURNMENT**

There being no further business to come before the Trust, the meeting was adjourned at 12:58 p.m.

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



# **MMAP BOARD MINUTES**

## **MAY 21 2008**

**OFFICIAL MINUTES**  
**METRO-MIAMI ACTION PLAN TRUST**  
**MEETING OF MAY 21 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 May 21, 2008 at 12:00 Noon, there being present: Chairperson John T. Jones, and Members: Mr. Arthur J. Barnes, Ms. Marie B. Hyppolite, and Mr. Herbert Robinson; (Ms. Greicy Lovin, Ms. Veldrin Freeman, and Dr. Marzell Smith 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, Mr. Joey Walker, Mr. Eric Johnson and Mr. Anthony Williams; Mr. Frank Tarrau; and Assistant County Attorney Terrence Smith and Deputy Clerk Karen Leonard.

**MOTION TO SET THE AGENDA:**

Chairperson Jones called the meeting to order at 12:25 p.m.

Chairperson Jones noted that the following changes would be made to today's (5/21) MMAP Trust meeting agenda: Agenda Item IIIA- South Dade Community Forum under the Executive Director's Information Items would be moved to the Trust Action Items and listed as IA7 with the corrected name that should read "MMAP Speaks Media Community Roundtable."

**DISCLOSURE OF CONFLICTS OF INTEREST**

**QUERY FOR EARLY DEPARTURES**

**Approval of Previous Minutes**

- I. Trust Action Items
  - A. Committee Action Items
    - 1. Housing
      - A. **Teacher's Housing Opportunity Fair**

Ms. Hicks provided a brief update and a revised copy of the May 5, 2008 Memorandum of Approval (MOA) that was in today's agenda package. She noted the fiscal impact of the set up cost for this event would be \$2,500.00 rather than \$5,000.00 from the Surtax Dollars that was presented at the Executive Committee meeting.

Ms. Hicks explained that the event was for a School Teacher's Housing Initiative Ceremony and a teacher who closed on the purchase of her home would host the event on her property located in the Little River area on May 31, 2008. The event would require a tent set-up, chairs, and tables, which would cost a total of \$2,500.00, she noted. Ms. Hicks added that Commissioner Edmonson would be present and possibly Commissioner Rolle, since the house was purchased in District 2 and the School Board would participate.

It was moved by Mr. Barnes to approve the May 21, 2008 Memorandum of Approval in the amount of \$2,500.00 from the Documentary Surtax Dollars for the School Teacher's Housing Initiative Ceremony event to be held on May 31, 2008 with the MMAP Housing Assistant Program. This motion was seconded by Ms. Hyppolite and upon being put to a vote, passed 4-0. (Members: Ms. Veldrin Freemon, Ms. Greicy Lovin, and Dr. Marzell Smith were absent).

2. Education
3. Criminal Justice

**A. Lease Space Opa-Locka -- Teen Court**

Mr. Dixon provided a brief update and noted that MMAP staff received a legal opinion from the County Attorney's Office regarding what events were permitted to receive funding related to Teen Court and MLK Academy. He noted that MMAP's staff looked into getting a larger facility that could house the Teen Court program at a lesser expense. Mr. Dixon advised that space was available at the Opa Locka Neighborhood Center at a 50% decreased rental fees.

Discussion ensued regarding the type and size of the Opa Locka Neighborhood Center facility and its location.

It was moved by Mr. Barnes to approve Memorandum of Approval to lease the Opa-Locka Neighborhood Service Center for the Teen Court North location reducing the monthly lease amount from \$1,333.34 to \$628.51 from the Teen Court Budget. This motion was seconded by Ms. Hyppolite and upon being put to a vote, passed 4-0. (Members: Ms. Veldrin Freemon, Ms. Greicy Lovin, and Dr. Marzell Smith were absent).

In response to Assistant County Attorney (ACA) Smith's question regarding the preparation of a lease agreement for that facility, Mr. Dixon noted that MMAP staff was in the process of preparing the lease and would provide the draft to ACA Smith.

Further discussion ensued regarding the Opa Locka Neighborhood Center facility and the new lease agreement.

4. Community and Economic Development
5. Legislative

**A. Becker and Poliakoff Renewal (Expenditure Approval)**

Mr. Simmons noted that at the Executive Committee meeting permission was requested to renew the contract with Becker and Poliakoff, but authorization to expend the monies was not requested. He added that the funding request totaled \$30,000.00.

Discussion ensued regarding the cost, which was the same as last year.

It was moved by Mr. Barnes to approve Memorandum of Approval authorizing an expenditure of \$30,000.00 for the continuation of the agreement between MMAP and Becker and Poliakoff as a Governmental Representative, as authorized at the April 22, 2008 special meeting as agenda item I.A.5.A. This motion was seconded by Ms. Hyppolite and upon being put to a vote, passed 4-0. (Members: Ms. Veldrin Freemon, Ms. Greicy Lovin, and Dr. Marzell Smith were absent).

Later in the meeting, Chairperson Jones recommended that MMAP's staff be prepared and arrange a meeting with Becker and Poliakoff regarding how to take action before the Dade Delegation meetings began in September 2008.

Ms. Hicks advised the Trust that MMAP's staff had established a subcommittee of MMAP's Housing Action Committee that would get involved in this action.

## 6. Budget

### B. Additional Trust Action Items:

#### **MMAP Speaks Media Community Roundtable**

Chairperson Jones noted that the Trust had initially authorized an expenditure of \$7,000.00 for the MMAP Speaks Media Community Roundtable; however, since then, two more radio stations were added. He advised that he met with the vice president of both radio stations WEDR and HOT.105. He added that the cost decreased for the two stations and now totaled \$7,000.00, but he did not know the cost for radio station WMBM.

Chairperson Jones noted that the Memorandum of Approval (MOA) requesting authorization of expenditure not to exceed \$20,000.00 was to cover any unforeseen cost. He commended WEDR for its support in lowering the cost of this event that would be held on June 7, 2008. Chairperson Jones noted that he met with representatives from Children's Trust regarding representatives being present at this forum in order to address any questions that pertained to the Trust.

Chairperson Jones noted that MMAP staff would look at resources from the Housing Department because discussions would be held regarding housing, economic development, and criminal justice. He added that he hoped funds would be released from the Occupational Business Tax Receipts in order to provide a reimbursement.

Mr. Dixon added that in terms of a budget, MMAP's staff discussed resources for those needed funds and MMAP's Finance Director indicated that the Housing Department held several other events throughout the year and could only make a contribution. He noted MMAP needed to look for other resources.

Discussion ensued regarding MMAP's budget and the feasibility that this event's total cost would not reach \$20,000.00 and would be allocated from the General Revenue Funds.

It was moved by Mr. Robinson to approve Memorandum of Approval the expenditure not-to-exceed \$20,000.00 for MMAP to host and broadcast MMAP Speaks Community Media Roundtable radio talk show on June 7, 2008 at 10.00 a.m. This motion was seconded by Mr. Barnes and upon being put to a vote, passed 4-0. (Members: Ms. Veldrin Freemon, Ms. Greicy Lovin, and Dr. Marzell Smith were absent).

At the request of Chairperson Jones, Mr. Walker presented an update on the progress in printing materials for the event. Mr. Walker noted that other media outlets had contacted him requesting to participate in this event.

Chairperson Jones recommended MMAP's staff meet with the other media outlets that were interested in participating.

Discussion ensued regarding the distribution of flyers for the MMAP Speaks Community Media Roundtable involving the PULSE, UPACK, and the Credit Union.

Further discussion ensued regarding the need to receive information from radio station WMBM in order to move forward with the promotion material as well as other competing radio stations.

Mr. Walker advised the Trust that MMAP's staff also worked with Commissioner Martinez's initiative "Dial a Life Program" and a booth would be set up to collect telephones. He added that 100 telephones would be provided for distribution to participants that met the qualifications.

Following discussion, Chairperson Jones recommended MMAP's staff also send an invitation letter to Becker and Poliakoff to attend this event.

## II. Trust Information Items

### A. Committee Information Items

1. Housing
  - A. **Commission on Ethics HAP Lottery Report**
2. Education
3. Criminal Justice
  - A. **Teen Court – Legal Opinion – Resource Center**
  - B. **Teen Court – Legal Opinion – Youth Conference**

In response to Assistant County Attorney Smith's question regarding a response from the hotel to his comments on the contract, Ms. Green noted the hotel responded to ACA Smith's comments and the changes were documented on the final contract. She added that she would provide ACA Smith with a copy of the contract agreement between the hotel and MMAP that already was in effect.

- C. **White Paper Regarding Teen Court Resource Center**
- D. **White Paper Regarding Restorative Justice Program**
4. Community and Economic Development
  - A. **Business Tax Meeting Summary**

Mr. Dixon provided an update on the process of the business tax meeting summary that went through the Budget and Finance Committee (BFC) as well as the Economic Development Human Services Committee (EDHSC). He noted that the BFC invoked a three day rule at the last meeting and the item was moved to June 10, 2008. Although the business tax summary had been passed on to the County commissioners, Commissioner Edmonson notified MMAP that it was appropriate for the business tax summary to go back to EDHSC. Mr. Dixon added that the EDHSC meeting would be on June 11, 2008 and would give the Beacon Council an opportunity to speak.

Discussion ensued regarding the process of moving this item and the fact that due to limited time during the public meeting the Beacon Council did not have an opportunity to speak.

Chairperson Jones recommended that MMAP's staff ensure the community was educated during the June 7, 2008 MMAP Speaks Community Media Roundtable radio talk show and informed about the meeting on June 10, 2008 concerning this item in order to get the community's participation. He added that the BFC should be able to answer any questions that the community had during the radio talk show.

In response to Chairperson Jones' question as to whether MMAP could request to change the meeting date of the BFC, Assistant County Attorney (ACA) Smith advised that the BFC had a standard monthly meeting.

Further discussion ensued regarding the process of moving the foregoing item forward.

In response to ACA Smith's comments regarding the fact that the County Attorney's Office had already provided a legal opinion that this item was an appropriate use of funds, Mr. Dixon added that the opinion was provided along with the plan.

Further discussion ensued regarding the process of this item.

- B. South Dade Small Business Forum**
- 5. Legislative
  - A. Summary of State Legislative Action Housing Surtax**
- 6. Budget

- III. Executive Director's Information Items
  - A. South Dade Community Forum**
  - B. Teen Court Monthly Report**
  - C. Housing Monthly Report**
  - D. Fiscal Management Report**
  - E. Public Information**
  - F. Criminal Justice Report**
  - G. MLK Academy Monthly Report**

Mr. Frank Tarrau provided a brief presentation and noted that this would be the last report this year because the school would be closed in June 2008. He emphasized the fact that the School Board was presently discussing the status of MLK Academy for the next four years. The School Board would review a budget today that excluded 12<sup>th</sup> grade students who failed the FCAT exam, Mr. Tarrau noted. He added that this budget would impact 99% of the schools, causing MLK Academy to be closed for the summer.

Mr. Tarrau expressed concern that the School Board's budget was \$285 million less than last year, and effective next week, the State of Florida required classrooms with over 25 students to hire additional teachers. He added that this law would affect the alternative educational system and the impact would be a loss professional staff. Mr. Tarrau noted the impact on MLK Academy if additional resources were not found.

Chairperson Jones noted that the concern was the number of alternative students in Miami Dade Public Schools (MDPS) and that the State of Florida was trying to identify ways to assist due to

this recent budget issue. He noted that a number of schools would be closed and the outcome of this decision would be known after today's School Board meeting. He added that MLK Academy had requested one of those facilities and he had hoped the cost would be \$1.00 a year with the terms of MLK Academy being responsible for the maintenance of the facility and its utilities.

Mr. Tarrau spoke of the MLK Academy fieldtrip to Miami Dade Community College (MDCC) to educate those students in the different schools' departments and the dual enrollment program for alternative education.

Chairperson Jones spoke in favor of the MDCC's dual enrollment program for alternative education and how it helped MLK Academy to excel. He spoke of the responsibility of the Department of Education to provide assistance. Chairperson Jones added that he also met with the Children's Trust in an attempt to implement a summer work program that would connect to industries in order to help students identify different type of careers. He also added that this summer program could be considered a summer school program.

Discussion ensued regarding the type of violent incidents that took place in schools, which included issues with the parents and the importance of how those situations were handled.

Mr. Tarrau spoke of the various educational events that MLK Academy provided like Youth Speaks against Violence and the Black History Tour, which involved 40 students. He also noted a final meeting was held with the parents and he advised the Trust of the remaining school schedule. Mr. Tarrau pointed out that approximately 70% of MLK Academy students passed the FCAT writing exam with a 3.0 grade.

Chairperson Jones asked that MAPP's staff create a one page fact sheet with the information that Mr. Tarrau reported today that was related to MLK Academy.

Discussion ensued regarding MLK Academy becoming a model school and out of state visitors who came to evaluate the school.

Chairperson Jones advised the Trust members that Dr. Gallon would be leaving the School Board and relocating to New Jersey and on June 18, 2008 a ceremony of appreciation would be held at the School Board meeting. He asked that the Trust members attend the ceremony to express appreciation for his support towards MMAP and the results of the program should be known by the entire community.

Chairperson Jones noted that during the media roundtable radio talk show, an educational component should be a subject matter and suggested that a representative from the School Board be invited.

Mr. Tarrau announced the MLK Academy 2008 Prom would be held on May 22, 2008. He noted other incidents that occurred at the school concerning vandalism and abuse of the facility as well as animal control issues.

Discussion ensued among Trust members regarding a meeting that was held by the NAACP and the discussion concerning how to address school budget issues and a way to eliminate the requirement that students must take the FCAT exam statewide

Mr. Tarrau noted that the list of MLK Academy's accomplishments would be sent by mail and followed by the report from the MDCC dual enrollment program.

Discussion ensued regarding a segment in the MMAP Speaks Media Roundtable on June 7, 2008 that would feature presentations in appreciation of supporters of this program, including Dr. Gallon.

Assistant County Attorney Smith asked to review the lease agreement from Solid Foundation and the letter that needed to be sent to landlord regarding issues with the MLK Academy facility.

Discussion ensued regarding the need for a legal opinion concerning the landlord's responsibility concerning a defective air conditioning system.

Assistant County Attorney Smith noted that based on the complaints noted by Mr. Tarrau in this report, the landlord had defaulted the lease agreement and there was a provision in the contract indicating payment could be withheld if MLK Academy spent money to repair the facility. He noted that MMAP needed to start making some demands.

Mr. Walker noted that Mr. Dixon had directed the staff to visit MLK Academy and write an article regarding the dual enrollment program. He added that efforts had been made to hold a meeting, but he had to reschedule the meeting. He noted he would ensure that Mr. Robinson was involved and he would report back to the Trust.

#### **ADJOURNMENT**

There being no further business to come before the Trust, the meeting was adjourned at 1:23 p.m.

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



# **MMAP BOARD MINUTES**

**JUNE 18 2008**

**OFFICIAL MINUTES  
METRO-MIAMI ACTION PLAN TRUST  
MEETING OF JUNE 18, 2008**

The Metro-Miami Action Plan Trust (MMA) convened a meeting at the Office of MMA Trust Board Room, 19 West Flagler Street, Mezzanine Room #106, on June 18, 2008 at 12:00 Noon, there being present: Chairperson John T. Jones and Members: Ms. Marie B. Hyppolite, Ms. Greicy Lovin, and Dr. Marzell Smith (Mr. Arthur J. Barnes, Ms. Veldrin Freeman, and Mr. Herbert Robinson were absent).

**ROLL CALL:**

Staff members present were: Mr. John Dixon, MMA Trust Interim Executive Director; Ms. Marlene Blanco, Ms. Melba Gasque, Mr. William Simmons, Mr. Jose Gonzalez, Ms. Joann Hicks, Mr. Joey Walker, Mr. Anthony Williams and Mr. Frank Tarrau, Director, MLK Academy; Ms. Cindy Campbell, Certified Instructor, Florida MLK, Jr. Institute for Non-Violence; Assistant County Attorney Terrence Smith; and Deputy Clerk Karen Leonard.

**MOTION TO SET THE AGENDA:**

Chairperson Jones called the meeting to order at 12:07 p.m.

In response to Dr. Smith's inquiry regarding the continued absence of Trust member Ms. Veldrin Freeman, Chairperson Jones noted that he had asked Mr. Dixon to send Ms. Freeman a letter in reference to the by-laws of being a Trust Board member.

**DISCLOSURE OF CONFLICTS OF INTEREST**

**QUERY FOR EARLY DEPARTURES**

**Approval of Previous Minutes (January 16, 2008)**

Chairperson Jones noted that a phrase in the MMA January 16, 2008 minutes on page 5 should read "Mr. Gerald Rudolph, Chief of Police Youth Crime Watch regarding a National Crime Watch".

It was moved by Ms. Hyppolite that the MMA January 16, 2008 minutes be approved as amended. This motion was seconded by Dr. Smith and upon being put to a vote, passed by a unanimous vote of those members present.

**I. Trust Action Items**

**A. Committee Action Items**

1. Housing
2. Education

**A. MLK Academy Personnel Contracts**

Mr. Dixon provided a brief update regarding the Memorandum of Approval of revision of MLK Academy personnel contracts.

Assistant County Attorney Smith requested that MMA's staff email or send him a copy of the revised drafted contract in advance.

Ms. Lovin expressed concern regarding the approval of both requests in the Memorandum of Approval (MOA). She noted that she would prefer to look at the request to authorize the expenditure of funds separately from the request to revise the personnel contracts.

Assistant County Attorney Smith advised the Trust members that the appropriate way to handle the MOA was to bifurcate the two items requested and review them separately.

Chairperson Jones noted that a vote could not be taken regarding the approval to authorize expenditure of funds until it was further reviewed and that the issue, regarding authorizing expenditure of funds, would be deferred until the next meeting.

Discussion ensued regarding the review process needed before the Trust could take action.

It was moved by Mr. Smith that the proposed contract agreement be approved to be used for the MLK Academy staff. This motion was seconded by Ms. Lovin and being put to a vote, passed 4-0. (Members Mr. Arthur J. Barnes, Ms. Veldrin Freeman, and Mr. Herbert Robinson were absent).

3. Criminal Justice
4. Community and Economic Development
5. Legislative

**A. Tallahassee Legislative Trip**

Mr. Dixon presented a brief update of the Memorandum of Approval (MOA) regarding the request to authorize an allocation not to exceed \$6,000.00 for Trust members Mr. Robinson, Chairperson Jones, and Mr. Dixon to meet with the Secretary of the Juvenile Justice in Tallahassee. He added that the purpose of the trip was to request assistance in securing funds to address the deficit at MLK Academy.

Discussion ensued regarding whether the secured funds would be for the new fiscal year.

Dr. Smith noted that he would meet with MLK Academy faculty on creating an outline of use of funding along with objectives, goals, and outcome of its pilot tutoring program.

Ms. Lovin advised that MMAP's staff should have a list of information regarding the pilot tutoring program.

Assistant County Attorney (ACA) Smith expressed concern that if more than two members of the Trust were attending the meeting, it would be a sunshine violation.

In response to Chairperson Jones comment that he would be attending another departmental meeting while Mr. Dixon and Dr. Smith met with the Secretary of Juvenile Justice, ACA Smith noted that based on the Chair's comment, meeting of these individuals would not be a violation.

Additionally, ACA Smith noted that he needed to review the regulations and he would provide an answer today; however, he cautioned Dr. Smith and Chairperson Jones not to attend the same meeting because it would become a sunshine meeting which required the public to have access.

In response to Dr. Smith's inquiry as to whether the Teen Court's budget could be spent for operational purposes, ACA Smith noted that the budget could not overlap with non Teen Court expenditures. He added that Florida Legislation would have to pass the appropriate law in order to change the language.

Discussion ensued regarding the intent to explore all possibilities and identify what approach would work for this program.

Further discussion ensued regarding rental expenses being taken from the Teen Court budget as long as the Teen Court program occupied 50% of the building.

Assistant County Attorney Smith reminded the Trust that there were two legal opinions concerning the use of the Teen Court Budget which indicated the budget should be used for programs specifically related to the Teen Court program. He advised Trust members to be prepared for challenges while this program moved to another location and that it would be monitored closely.

Discussion ensued regarding the resources for this trip coming from the General Revenue Fund.

Assistant County Attorney Smith expressed concern regarding the use of funds from the General Revenue Funds for the Teen Court Program, noting that it would be an issue of crossing the line because of the restricted use of those funds.

Chairperson Jones recommended that money be allocated from the Trust account to provide funding for the trip that Dr. Smith, Mr. Dixon, and Chairperson Jones would take to visit the Secretary of the Department of Juvenile Justice concerning the school's deficit.

Assistant County Attorney added that MMAP's staff needed to explore its options with the Finance Department to determine what was allowed regarding expenditures from the Trust Account.

It was moved by Ms. Lovin an expenditure not-to-exceed \$6,000.00 from the Trust account for the cost of the Legislative Meeting between the Interim Executive Director, Chairperson of the Trust and Trust member Dr. Robinson, with the Secretary of the Department of Juvenile Justice in Tallahassee, Florida be approved. This motion was seconded by Ms. Hyppolite and upon being put to a vote, passed 4-0. (Members Mr. Arthur J. Barnes, Ms. Veldrin Freeman, and Mr. Herbert Robinson were absent).

## 6. Budget

### B. Additional Trust Action Items

#### 1. Executive Director Search

Chairperson Jones noted that the Office of the County Manager had inquired about creating a permanent position for the MMAP Director because an interim position could be eliminated. He asked that MMAP's staff create an outline and a Request for Proposal (RFP) and assign a selection committee.

Discussion ensued regarding the level of advertisement that would be needed.

Assistant County Attorney Smith suggested that the Trust members consult the County regulations regarding the process of having a selection committee publicly noticed and regarding whether outside participants needed to appoint the five members for the selection committee.

It was moved by Dr. Smith that five (5) members be appointed to a selection committee to fill the permanent position of the MMAP Executive Director. This motion was seconded by Chairperson Jones and upon being put to a vote, passed by a unanimous vote of those members present.

Members Ms. Hyppolite, Ms. Lovin, and Mr. Barnes volunteered for the selection committee. By Chairperson Jones' recommendation, MMAP staff members Ms. Joann Hicks and Mr. William Simmons also agreed to volunteer for the selection committee.

Following discussion, Assistant County Attorney Smith suggested that MMAP's staff wait until the selection committee met before they voted on expenditures.

## **2. National Association of Real Estate Brokers (NAREB) Convention**

Ms. Hicks provided a brief update regarding the National Association of Real Estate Brokers Convention and noted MMAP needed to have Chairperson Jones and some of MMAP's staff attend in order to provide input.

Chairperson Jones added that the data from the Disparity Study would be used during the convention to reflect why the program was needed. He also added that the funding for this event would come from the Housing Budget.

It was moved by Ms. Loving that an expenditure not-to-exceed \$2,500.00 from the Housing budget for MMAP's participation, including staff attendance of the National Association of Real Estate Brokers, Inc. to be held on August 8-11, 2008 be approved. This motion was seconded by Ms. Hyppolite and upon being put to a vote, passed 4-0. (Members Mr. Arthur J. Barnes, Ms. Veldrin Freeman, and Mr. Herbert Robinson were absent).

## **II. Trust Information Items**

### **A. Committee Information Items**

1. Housing
2. Education
3. Criminal Justice
4. Community and Economic Development
5. Legislative
6. Budget

## **III. Executive Director's Information Items**

- A. Zamora Housing Showcase**
- B. Foreclosure Roundtable**
- C. MLK School Board Contract Update**

- D. MMAP Speaks Update**
- E. Miami-Dade County Commission Committee Rules**
- F. EDHS and Finance & Budget Committee Meeting Update**
- G. Teen Court Monthly Report**
- H. Housing Monthly Report**
- I. Fiscal Management Report**
- J. Public Information**
- K. Criminal Justice Report**
- L. MLK Academy Monthly Report**

Ms. Cindy Campbell provided a brief presentation regarding the annual Black History Tour that included participation by members of MMAP, the Miami Police Department, and the Kingian Non-Violence Institute. She expressed appreciation for the Trust's support. She noted the sites visited by students who went on the Black History Tour included Kennedy Space Center, Tuskegee Institute, and Hayneville, Alabama and the intent of this trip was to educate MLK Academy students on contributions to civil rights. Ms. Campbell continued to review the itinerary for the Black History Tour and noted emails were received complimenting the student's behavior.

Discussion ensued regarding the student's good behavior and how the students took interest.

#### **Add-On**

Mr. Dixon provided a brief update of MMAP's response to a memorandum dated June 12, 2008 from Commissioner Sosa requesting MMAP to submit a full accounting report on the use of 8% Surtax Dollars funding. He noted that Commissioner Edmondson also requested by memorandum that those reports be submitted to the Economic Development and Human Services Committee (EDHSC). He referred to a copy of the memorandum for the Trust members to review.

Additionally, Chairperson Jones read the letter from Mayor Carlos Alvarez concerning the memorandum from Commissioner Sosa. He noted that he would like to attend the EDHSC meeting and he wanted a MMAP staff person to attend as well.

Discussion ensued regarding the Budget and Finance Committee meeting on June 10, 2008 and the discussion on the requirements of MMAP to provide a budget.

Assistant County Attorney Smith advised the Trust members that if Commissioner Sosa requested MMAP to produce certain information, it should be done.

#### **ADJOURNMENT**

Hearing no further business, the Trust adjourned the meeting at 1:23 p.m.

---

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



**TRUST ACTION ITEM**

**ADDITIONAL TRUST ITEMS**

**ITEM I.B.1**

**SUNSET REVIEW**



## **TRUST ACTION ITEM**

### **ADDITIONAL TRUST ITEMS**

#### **ITEM I.B.2**

### **NOMINATION AND ELECTION OF CHAIR ELECT**

**BY-LAWS  
OF THE  
METRO-MIAMI  
ACTION PLAN  
TRUST**

BY-LAWS  
OF THE  
METRO-MIAMI ACTION PLAN TRUST

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**BY-LAWS OF THE METRO-MIAMI ACTION PLAN TRUST**

**ARTICLE I.  
IDENTIFICATION**

- 1.1 Name. The name of the organization shall be the METRO-MIAMI ACTION PLAN TRUST.
- 1.2 Fiscal year. The fiscal year of the Trust shall be determined by appropriate resolution of the Board of Trustees (hereinafter referred to as the "Trust") and may be changed from time to time by the Trust.
- 1.3 Place of Business. The principal place of business of the Trust shall be in Dade County, Florida. Other offices for the transaction of business shall be located in such other places as may be determined by the Board.

**ARTICLE 11.  
BOARD OF TRUSTEES**

2.1 Number, Tenure and Qualifications.

- 2.1.1 The business and affairs of the Trust shall be managed by the Trust. The Trust shall consist of twenty-one (21) Trustees appointed by the Board of County Commissioners.
- 2.1.2 The Trust must be comprised of representatives from the following areas of expertise: (1) economic and business development; (2) criminal justice; (3) community based organizations; (4) educational organizations; (5) banking and finance; and (6) health organizations. In addition the Trust shall have at least one (1) voting member from the Dade County School Board and one (1) voting member from state or local government and a majority of the membership of the Board shall be members of the African American community.
- 2.1.3 Each member of the Trust shall be a United States citizen, a permanent resident and duly qualified elector of Dade County. No person shall be qualified to sit as a member of the Trust if that person is an officer, representative, administrator or employee of any consultant, contractor or agency contracting with or receiving funding from the trust except if such person is employed by or serving on the Trust as a representative of state or local government.

- 2.2 Number and Classes. The initial Board of Trustees shall be divided into three classes of equal number: Class A, Class B and Class C. Each trustee, whether a Class A trustee,  
a Class B trustee, a Class C trustee, shall be entitled to one vote on all matters under

deliberation by the Board, and no distinction with respect to duties and powers as trustees shall be made among Class A trustees, Class B trustees or Class C trustees. However, trustees who are serving on the Board as or who are employed by state or local governments may not vote on matters affecting the governmental agency by which they are employed or whom they represent.

### 2.3 Election and Term of Office

2.3.1 The first Board of Trustees shall be appointed by the Board of County Commissioners of Dade County, Florida.

2.3.2 The term of office of the initial trustees shall expire on such date as the trustees are elected and qualified as hereinafter provided. The terms of office for each class shall commence upon appointment and shall expire (i) in 1993 in the case of Class A. trustees, (ii) in 1994 in the case of Class B trustees, and (iii) in 1995 in the case of Class C trustees. Thereafter, each successive trustee of each class shall be elected for a term of three years, so that each year a different class of trustees shall be elected for a three-year term. Each trustee shall continue in office until his successor has been elected and qualified, or until his death, resignation or removal. No person shall serve as a trustee for more than three terms in succession and no person shall concurrently serve as a trustee in more than one class.

### 2.4 Place, Call and Adjournment of Trustees' Meetings.

2.4.1 Meetings of the Trust shall be held within the state of Florida.

2.4.2 Twelve (12) regular meetings of the Trust shall be held each year at regular intervals throughout the year. The Trust may dispense with a regular meeting of the Trust in the manner, described herein, in which any action of the Trust may be taken.

2.5 Annual Meeting. The annual meeting of the Board shall be held in sixty (60) days prior to the annual conference each year at a time and place fixed by the Chairperson (hereinafter referred to as the "Chair") of the Board.

2.6 Special Meetings. Special meetings with specified purposes may be called at any time by the Chairperson or other officer or by written demand of any three trustees at a time and place agreed upon by the board.

2.7 Notice of Meeting. Written or printed notice stating the place, day and hour of the meeting shall be delivered personally or by mail no less than ten (10) days nor more than sixty (60) days before the date of the meeting. Notice shall be given to each trustee by or at the direction of the Chairperson or the persons calling the meeting. However, in the event a special meeting is called, notice of the special meeting may be provided not less

than twenty-four hours prior to the time for holding such meeting. If mailed, all notices shall be deemed to have been delivered when deposited in the United States mail addressed to the trustee at the address reflected on the records of the Trust with postage thereon prepaid.

- 2.7.1 All items must be placed on the agenda ten (10) days prior to the scheduled meeting.
- 2.7.2 All proposals, requests, supporting documents, etc. shall be provided to trust members five (5) days before meetings.
- 2.7.3 It will require a two-thirds vote of the Trust membership present to hear emergency items.

## 2.8 Quorum and Acts.

- 2.8.1 One-third (1/3) of the trustees of the Trust then in office shall constitute a quorum for the transaction of business. The act of a majority of the trustees present at a meeting at which a quorum is present shall be the act of the trust except that any action required or permitted to be taken at any meeting of the Trust may be taken without a meeting if a consent in writing, setting forth the action so to be taken, signed by all of the trustees of Trust, is filed in the minutes of the proceedings of the Trust. If a quorum is not present when a meeting starts, then a majority of the trustees at the meeting may adjourn the meeting from time to time without further notice until a quorum is present.
- 2.8.2 Members of the Trust or any committee thereof shall be deemed present at any meeting of the Trust or the committee if a conference telephone or other similar communications equipment by means of which all persons participating in the meeting can hear each other is used.

2.9 Votes. Each trustee shall be entitled to one vote on each matter submitted to a vote at a meeting of trustees.

2.10 Action by the Trust. At any meeting of the Trust at which a quorum is present, the vote of a majority of the trustees present at the time of the vote shall be the act of the Board.

## 2.11 Removal

2.11.1 Any Trustee shall be automatically removed if absent for three (3) consecutive meetings without a satisfactory excuse or if absent from more than one-half of the Board's meetings in a given fiscal year. A trustee shall be deemed absent from a meeting if not present at the meeting at least seventy-five (75) percent of the time. However, the above-described attendance requirements may be waived by two-thirds vote

of the full Board of County Commissioners of Dade County.

- 2.11.2 Any trustee may be removed by two-thirds vote the entire membership of the Trust of county Commissioners of Dade County.
- 2.12 Resignation. Any trustee may resign at any time by delivering a written resignation to the chair of the Trust or the Clerk of the Board of County Commissioners. Such resignation shall take effect at the time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
- 2.13 Vacancies. Any vacancies occurring on the Trust shall be filled by the Trust of County Commissioners of Dade County, Florida. A trustee elected to fill a vacancy shall be elected for the unexpired term of his/her predecessor.
- 2.14 Rules of Order The order of business at all meetings of the Trust shall be under the control of the presiding officer and such meetings shall generally conform to Mason's Rules of Order, as revised from time to time.
- 2.15 Compensation. Unless provided otherwise by an appropriate resolution of the Trust, the trustees shall serve without compensation, but may be reimbursed for ordinary and necessary expenses incurred in furtherance of the Trust.

### **ARTICLE III. THE COMMITTEES**

- 3.1 Authority of Committees. (a) The Trust, by resolution adopted by a majority of the entire Trust, may designate the members of an Executive Committee and any such other committees as the Trust deems reasonable and necessary, each of which shall have at least three members and all the authority as provided herein or as provided by the resolution of the Trust. However, no committee shall have authority to fill vacancies on the Trust or fill vacancies in the position of any chair on any committee. (b) The Board or the Chair of any committee may designate one or more persons as alternate members of any such committee, who may replace any absent trustee or trustees at any meeting of such committee, provided such alternate member has been approved by the Board.
- 3.2 Executive Committee. The Executive Committee shall consist of at least three members and shall be composed of trustees who are officers and such other trustees as the Trust may determine. The Chairperson of the Trust shall serve as the Chairperson of the Executive Committee. During the intervals between the meetings of the Trust, the Executive Committee shall possess and may exercise all the powers and functions of the Trust in the management and direction of the affairs of the Trust in all cases in which specific directions shall not have been given by the Trust.
- 3.3 Standing Committees.

- 3.3.1 By resolution adopted by a majority of the entire Trust, the Trust may designate various committees of persons to counsel with the Trust with respect to the affairs of the Trust. The committees may make recommendations to the Trust on matters pertaining to the objects and purposes for which the committee was formed, but shall not have or exercise any of the authority of the Trust except under such authority as may be granted specifically to such standing committee by resolution of the Trust. There shall be at least the following three (3) standing committees: fundraising, By-laws and public relations.
- 3.4 Committee Chairperson. Each committee shall have a Committee Chairperson who shall be appointed by the Chairperson of the Trust or by the Executive Committee and approved by the Trust. The Committee Chairperson shall serve until the earlier of the dissolution of the Trust or resignation, removal or replacement by the Chairperson of the trust or by the Executive Committee. Each Committee Chairperson may appoint a secretary or other officers as such Committee Chairperson deems necessary to carry out the functions of such committee.
- 3.5 Operation of the Committees. Unless a greater proportion is required by the resolution designating a committee, a majority of the entire authorized number of members of such committee shall constitute a quorum for the transaction of business. If a quorum is then present, the vote of a majority of the members present at a meeting at the time of such vote shall be the act of such committee.
- 3.6 Rules of Order. The order of business at all meetings of the committees shall be under the control of the presiding officer and such meetings shall generally conform to Mason's Rules of Order, as revised from time to time.
- 3.7 Term of Office. Each member of a committee shall continue as such until the next annual meeting of the Trust, unless the committee shall be sooner terminated, or unless such member shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.
- 3.8 Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.
- 3.9 Quorum. Unless otherwise provided by the resolution designating a committee or at the direction of the Executive Committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.
- 3.10 Compensation. Unless provided otherwise by an appropriate resolution of the Trust, the members of any of the various committees shall serve without compensation, but may be furtherance of the purposes of the Trust.

**ARTICLE VI.**  
**THE OFFICERS**

- 4.1 Officers. The officers of the Trust and their terms of service shall be as follows:
- 4.1.1 Chairperson. The Chair shall be elected by a majority vote of the Trust. The term of the Chairperson shall be (1) year. The Chairperson shall not serve more than three consecutive terms.
- 4.1.2 Vice Chairperson. There shall be two Vice Chairpersons which shall be elected by a majority vote of the Trust.
- 4.1.3 Executive Director. There shall be an Executive Director appointed by the County Manager of Dade County, Florida.
- 4.1.4 The Trust may appoint or elect any such other officers and assistant officers and agents as may be deemed necessary by the Trust.
- 4.2 Vacancies. Whenever any vacancies shall occur in any office by death, resignation, removal, increase in the number of officers of the Trust, or otherwise, the vacancy shall be filled in the same manner as provided in the case of the original appointments.
- 4.3 Duties of the Officers. The officers shall have the following described duties and responsibilities, except that by appropriate resolution, the Trust shall determine or amend the respective duties of each officer or the Trust:
- 4.3.1 Chairperson of the Trust. The Chairperson of the Trust shall preside at all meetings of the Trust and shall have the responsibility of guiding the Board in effectively discharging its responsibilities; including, but not limited to, providing for the execution of the Trust's objectives, safeguarding and furthering the Trust's interests, and appraising the adequacy of overall results as reported by the Executive Director. The Chairperson shall furnish advice and counsel to the Executive Director and shall see that all orders and resolutions of the Trust are carried into effect and shall report to the Trust from time to time on matters within his/her knowledge which the interests of the Trust may require to be brought to the attention of the Board.
- 4.3.2 Executive Director. The Executive Director shall be the principal executive officer of the Trust. He/she shall be in charge of the business and affairs of the Trust. He or she shall see that the resolutions and directives of the Board are carried into effect except in those instances in which that responsibility is assigned to some other person by the Trust and, in general, shall discharge all duties incident to the office of Executive Director and such other duties as may be prescribed by the Trust.

- 4.3.3 Vice Chairperson. Each Vice Chairperson shall assist the Chairperson in the discharge of the Chairperson's duties as the Chairperson may direct and shall perform such other duties as from time to time may be assigned by the Board or, subject to the authority of the Trust, by the Chairperson of the Board. In the Chairperson's absence, the Vice Chairperson shall preside at all meetings of the Board. If there is more than one Vice Chairperson, the Chairperson shall determine which Vice Chairperson shall so preside; if the Chairperson does not so determine, a majority vote of the trustees present at such meeting shall determine which Vice Chairperson shall preside.
- 4.4 Elections, Appointments and Term of Office. Appointments, elections, and the ratification of the officers of the Trust shall be held at the first regular meeting of the Board following the adoption of these by-laws. Thereafter, the officers of the Trust shall be elected annually by the Board at the annual meeting of the Board or as soon thereafter as may be convenient. Each officer shall hold office until the next annual meeting of trustees and until his/her successor is duly elected and qualified or until the trustee has resigned or been removed in the manner provided herein.
- 4.5 Compensation. The officers of the Trust shall serve without compensation. However, any officer of the Trust may be reimbursed for ordinary and necessary expenses incurred in furtherance of the purposes of the Trust.
- 4.6 Resignation. Any officer of the Trust may resign at any time by giving written notice to the Board, the Chair or the Clerk of the Board of County Commissioners of Dade County. Such resignation shall take effect at the time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

## ARTICLE V. AMENDMENTS AND DISSOLUTION

- 5.1 Amendment of By-Laws. The Trust by majority vote of the entire Trust, shall have the exclusive power to alter, amend or repeal these By-Laws or adopt new By-Laws, except that any amendment which increases the quorum requirement or the proportion of votes necessary for the transaction of business or changes any other matter inconsistent with or varying from Ordinance 92-12 of the Code of Metropolitan Dade County must be authorized by a vote of the Board of County Commissioners of Dade County.

**ARTICLE VI.**  
**BOOKS AND RECORDS**

- 6.1 Maintaining Books and Records. The Trust will maintain complete and accurate books and records. The Trust will keep at its principal place of business a membership register listing the names, addresses, and other details of the membership and the original or a copy of the Board of County Commissioners of Dade County.
- 6.2 Inspection. All books and records of the Trust may be inspected by any trustee for any proper purpose at any reasonable time on written demand stating such purpose.
- 6.3 Inspection and Audit by the Board of Trustees. Every Trustee, or any agent appointed by the MMAP Board of Trustee, or any agent appointed by the MMAP Board of Trustees, will have the absolute right, at any reasonable time, to inspect and copy all books, records, documents of every kind and to inspect the physical properties of the MMAP Trust or any recipients of funds allocated by the MMAP Trust. No MMAP Trust funds may be disbursed to any recipient without a written acknowledgment and consent of this inspection and audit possibility.

**ARTICLE VII.**  
**FISCAL YEAR**

- 7.1 The Fiscal Year. The fiscal year of the Trust shall be from October 1st - September 30th.

Approved and adopted as the By-Laws of the Trust this 18<sup>th</sup> day of November, 1992.

Samuel G. DeBore  
Executive Director

Marzell Smith  
Chairman



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV.A.**

**LOBBYIST REGISTRATION  
REQUIREMENT / UNSOLICITED  
PROPOSALS**

Section 2-11.1(s)  
Lobbying

(1) (a) As used in this section, "County personnel" means those County officers and employees specified in Section 2-11.1(i)(2) of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance.

(b) As used in this section, "Lobbyist" means all persons, firms, or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the County Commission; (2) any action, decision, recommendation of the County Manager or any County board or committee; or (3) any action, decision or recommendation of County personnel during the time period of the entire decision-making process on such action, decision or recommendation which foresee ably will be heard or reviewed by the County Commission, or a County board or committee. "Lobbyist" specifically includes the principal as well as any employee whose normal scope of employment includes lobbying activities. The term "Lobbyist" specifically excludes the following persons: attorneys or other representatives retained or employed solely for the purpose of representing individuals, corporations or other entities during publicly noticed quasi-judicial proceedings where the law prohibits ex-parte communications; expert witnesses who provide only scientific, technical or other specialized information or testimony in public meetings; any person who only appears as a representative of a neighborhood association without compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item; any person who only appears as a representative of a not-for-profit community based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and employees of a principal whose normal scope of employment does not include lobbying activities.

(2) All lobbyists shall register with the Clerk of the Board of County Commissioners within five (5) business days of being retained as a lobbyist or before engaging in any lobbying activities, whichever shall come first. Every person required to so register shall:

(a) Register on forms prepared by the Clerk;

(b) State under oath his or her name, business address and the name and business address of each person or entity which has employed said registrant to lobby. If the lobbyist represents a corporation, the corporation shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five (5) percent or more ownership interest in such corporation, partnership, or trust. Registration of all lobbyists shall be required prior to January 15 of each year and each person who withdraws as a lobbyist for a particular client shall file an appropriate notice of withdrawal. The fee for annual registration shall be four hundred and ninety dollars (\$490.00). Every registrant shall be required to state the extent of any business or professional relationship with any current person described in subsection (b)(1). The registration fees required by this subsection shall be deposited by the Clerk into a separate account and shall be expended for the purpose of recording, transcribing, administration and other costs incurred in maintaining these records for availability to the public. There shall be no fee required for filing a notice of withdrawal and the Board of County Commissioners may, in its discretion, waive the registration fee upon a finding of financial hardship.

(c) Prior to conducting any lobbying, all principals must file a form with the Clerk of the Board of County Commissioners, signed by the principal or the principal's representative, stating that the lobbyist is authorized to represent the principal. Failure of a principal to file the form required by the preceding sentence may be considered in the evaluation of a bid or proposal as evidence that a proposer or bidder is not a responsible contractor. Each principal shall file a form with the Clerk of the Board at the point in time at which a lobbyist is no longer authorized to represent the principal.

(3) (a) Any public officer, employee or appointee who only appears in his or her official capacity shall not be required to register as a lobbyist.

(b) Any person who only appears in his or her individual capacity for the purpose of self-representation without compensation or reimbursement, whether direct, indirect or contingent, to express support of or opposition to any item, shall not be required to register as a lobbyist.

(4) Any person who only appears as a representative of a not-for-profit corporation or entity (such as a charitable organization, or a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, shall register with the Clerk as required by this subsection, but, upon request, shall not be required to pay any registration fees.

(5) Any person who appears as a representative for an individual or firm for an oral presentation before a county certification, evaluation, selection, technical review or similar committee, shall list on an affidavit provided by the County, all individuals who may make a presentation. The affidavit shall be filed by staff with the Clerk's office at the time the proposal is submitted. For the purpose of this subsection only, the listed members of the presentation team shall not be required to pay any registration fees. No person shall appear before any committee on behalf of an individual or firm unless he or she has been listed as part of the firm's presentation team pursuant to this paragraph or unless he or she is registered with the Clerk's office and has paid all applicable fees.

(6) (a) Commencing July 1, 1986, and on July 1 of each year thereafter, the lobbyist shall submit to the Clerk of the Board of County Commissioners a signed statement under oath, as provided herein, listing all lobbying expenditures in excess of twenty-five dollars (\$25.00) for the preceding calendar year. A statement shall be filed even if there have been no expenditures during the reporting period. The statement shall list in detail each expenditure by category, including food and beverage, entertainment, research, communication, media advertising, publications, travel, lodging and special events.

(b) The Clerk of the Board of County Commissioners shall notify any lobbyist who fails to timely file an expenditure report. In addition to any other penalties which may be imposed as provided in subsection (s)(9), a fine of fifty dollars (\$50.00) per day shall be assessed for reports filed after the due date. Where a fine of fifty dollars (\$50.00) per day is assessed, the Ethics Commission shall not impose a fine as provided in subsection (z). Any lobbyist who fails to file the required expenditure report by September 1st shall be automatically suspended from lobbying until all fines are paid unless the fine has been appealed to the Ethics Commission.

(c) The Clerk of the Board of County Commissioners shall notify the Commission on Ethics and Public Trust of the failure of a lobbyist or principal to file a report and/or pay the assessed fines after notification.

(d) A lobbyist or principal may appeal a fine and may request a hearing before the Commission on Ethics and Public Trust. A request for a hearing on the fine must be filed with the Commission on Ethics and Public Trust within fifteen (15) calendar days of receipt of the notification of the failure to file the required disclosure form. The Commission on Ethics and Public Trust shall have the authority to waive the fine, in whole or part, based on good cause shown. The Commission on Ethics and Public Trust shall have the authority to adopt rules of procedure regarding appeals from the Clerk of the Board of County Commissioners.

(7) No person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee. As used herein, "contingency fee" means a fee, bonus, commission, or nonmonetary benefit as compensation which is dependent on or in any way contingent on the passage, defeat, or modification of: (1) an ordinance, resolution, action or decision of the County Commission; (2) any action, decision or recommendation of the County Manager or any County board or committee; or (3) any action, decision or recommendation of County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission, or a County board or committee.

(8) The Clerk shall publish logs on a quarterly and an annual basis reflecting the lobbyist registrations which have been filed in accordance with this subsection (s). All logs required by this ordinance shall be prepared in a manner substantially similar to the logs prepared for the Florida Legislature pursuant to Section 11.045, Florida Statutes.

(9) The Ethics Commission shall investigate any person engaged in lobbying activities who may be in violation of this subsection (s). In the event that a violation is found to have been committed the Ethics Commission may, in addition to the penalties set forth in subsection (z), prohibit such person from lobbying before the County Commission or any committee, board or personnel of the County as provided herein. Every lobbyist who is found to be in violation of this section shall be prohibited from registering as a lobbyist or lobbying in accordance with the following schedule:

1 st violation for a period of 90 days from the date of determination of violation;

2 nd violation for a period of one (1) year from the date of determination of violation;

3 rd violation for a period of five (5) years from the date of determination of violation;

A bidder or proposer shall be subject to the debarment provisions of Section 10-38 of the Code of Miami-Dade County as if the bidder or proposer were a contractor where the bidder or proposer has violated this section, either directly or indirectly or any combination thereof, on three (3) or more occasions. As used herein, a "direct violation" shall mean a violation committed by the bidder or proposer and an "indirect violation" shall mean a violation committed by a lobbyist representing said bidder or proposer. A contract entered into in violation of this section shall also render the contract voidable. The County Manager shall include the provisions of this subsection in all County bid documents, RFP, RFQ, CBO and CDBG applications; provided, however, the failure to do so shall not render any contract entered into as the result of such failure illegal per se.

(10) All members of the County Commission, and all County personnel, shall be diligent to ascertain whether persons required to register pursuant to this subsection have been complied. Commissioners or County personnel may not knowingly permit a person who is not registered pursuant to this subsection to lobby the Commissioner, or the relevant committee, board or County personnel.

(11) Except as otherwise provided in subsection (s)(9), the validity of any action or determination of the Board of County Commissioners or County personnel, board or committee shall not be affected by the failure of any person to comply with the provisions of this subsection(s).

(Ord. No. 00-19, § 1, 2-8-00; Ord. No. 01-93, § 1, 5-22-01; Ord. No. 01-162, § 1, 10-23-01; Ord. No. 03-107, § 1, 5-6-03)



# MIAMI-DADE COUNTY 2008 ANNUAL LOBBYIST REGISTRATION

Section 2-11.1(s) - Code of Miami-Dade County, Florida

Please Type or Print in Ink

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Mr/Ms Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Mi. \_\_\_\_\_

Business/Firm Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**Note:** It is the responsibility of the lobbyist to notify the Clerk of the Board of County Commissioners of any changes in address.

Business Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail \_\_\_\_\_

## OATH

I do solemnly swear that all facts contained on this Annual Lobbyist Registration form are true and correct; and that I have read and am familiar with the provisions contained in Section 2-11.1(s) of the Code of Miami-Dade County.

\_\_\_\_\_  
Signature of Lobbyist

State of \_\_\_\_\_, County of \_\_\_\_\_  
Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_ at Large  
My commission expires:

(Notary Seal)

\_\_\_\_\_  
Deputy Clerk

**PLEASE NOTE:**

ON OR BEFORE JULY 1<sup>ST</sup> OF EACH YEAR, EVERY LOBBYIST MUST FILE AN EXPENDITURE STATEMENT WITH THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS FOR THE PRECEDING CALENDAR YEAR, REGARDLESS OF THE LEVEL OF ACTIVITY OF THE LOBBYIST, AND WHETHER OR NOT THE LOBBYIST HAS INCURRED ANY EXPENSES DURING THE REPORTING PERIOD.

**For Office Use Only**

Annual Registration Fee: \$490.00 effective through 12/31/2008

Fee Paid:  Yes  No  Cash  Check # \_\_\_\_\_

Date Entry Date \_\_\_\_\_

20\_\_\_\_\_

Entered By \_\_\_\_\_

(Form Revision Date: 1/1/02)

Clerk of the Board of County Commissioners, 111 NW First Street, Suite 17-202, Miami, FL 33128

Office: 305 375-5137 - Fax 305 375-2484

www.miami-dadeclerk.com/dadecoc/Clerk\_Board.asp





# MIAMI-DADE COUNTY LOBBYIST ACTIVITY AUTHORIZATION

Section 2-11.1(s) - Code of Miami-Dade County Florida

Please Type or Print in Ink

Principal's Name	
Principal's Contact Person	
Principal's Trade Name	
Mailing Address	
Telephone Number	
Other Principal(s) of Interest holding directly or indirectly a 5% or more ownership interest.	
Name Of Lobbyist(s)	
Lobbyist's Address <b>Note: It is the responsibility of the lobbyist to notify the Clerk of the Board of County Commissioners of any changes in address.</b>	
Telephone Number	
Date Employed	
<b>Note: On or before July 1<sup>st</sup> of each year, every lobbyist must file an expenditure statement with the Clerk of the Board of County Commissioners for the preceding calendar year, regardless of the level of activity of the lobbyist, and whether or not the lobbyist has incurred any expenses during the reporting period.</b>	
<input type="checkbox"/> Please check here if the lobbyist is employed for a specific issue.	
<b>Specific Issue:</b>	
I swear under penalty of perjury that the information on this form is true and accurate.	
Principal's Signature:	Date: / /
Pursuant to Section 2-11.1(s)(9) of the Code of Miami-Dade County, misrepresentation on this form may subject a person to prohibition from lobbying before the County Commission or any committee, board or county personnel for a period not to exceed five years.	

For Office Use Only  
Data Entry Date

20

Entered By

(Form Revision Date: 11/1/05)



Clerk of the Board of County Commissioners, 111 NW First Street, Suite 17-202, Miami, FL 33128

Office: 305 375-5137 - Fax 305 375-2484

[www.miami-dadeclerk.com/dadecoc/Clerk\\_Board.asp](http://www.miami-dadeclerk.com/dadecoc/Clerk_Board.asp)



**MIAMI-DADE COUNTY  
LOBBYIST EXPENDITURE REPORT  
CALENDAR YEAR – 20\_\_**

Section 2-11.1(s) - Code of Miami-Dade County, Florida

*Please Type or Print in Ink*

--

Lobbyist Name (Please type or print clearly.)

--

Principal Name (Please type or print clearly.)

--

**CATEGORIES OF EXPENDITURES**

Food & Beverage	
Entertainment	
Research	
Communications	
Media / Advertising	
Publications	
Travel	
Lodging	
Special Events	
Other	

## OATH

I do solemnly swear that all facts contained on this Lobbyist Expenditure Report form are true and correct; and that I have read and am familiar with the provisions contained in Section 2-11.1(s) (6) (b) of the Code of Miami-Dade County.

\_\_\_\_\_  
Signature of Lobbyist

\_\_\_\_\_  
Date

<small>For Office Use Only</small>	
<small>Data Entry Date</small> _____	<small>Entered By</small> _____
<small>Form Revision Date: 11/8/05</small>	



**I. WHO MUST FILE**

a. Any lobbyist who has registered must file an expenditure form detailing any expenditures related to lobbying for each principal in the period from January 1, through December 31.

**II. WHAT MUST BE FILED**

a. Each lobbyist must file the attached lobbyist expenditure form for each principal for which he or she was authorized to lobby. In preparing the form, the following definitions should be used:

1. **Expenditures-** An expenditure is a payment, distribution, loan, advance or reimbursement made or controlled directly or indirectly, by a lobbyist or a principal for the purpose of lobbying. Expenses should be reported if they were incurred during the reporting period regardless of when they were actually paid.
2. **Communications-** Communications is the dissemination of information, including, but not limited to, by means of the following:
  - a. Audio-visual materials; and
  - b. Signs, placards, banners, buttons, promotional materials and other display materials; together with any associated production services.
3. **Entertainment-** Entertainment is amusement or recreation, including but not limited to sporting, hunting, fishing, theatrical, artistic, cultural and musical activities or events.
4. **Food and Beverages-** Food and Beverages are meals, snacks or other edible substances, or liquids for drinking, including services associated therewith.
5. **Lodging-** Lodging is sleeping or living accommodations for an individual for one or more nights.
6. **Media Advertising-** Media Advertising is newspaper and magazine advertising, radio and television advertising, and outdoor advertising, including production services and copywriting services.
7. **Other-** Other is any item or service that is not included within one of the specified categories, but does not include any item or service that is not required by law to be reported.
8. **Publications -** Publications are mass-produced, printed materials including, but not limited to magazines, newsletters, brochures or pamphlets, which expressly encourage persons to communicate with county employees or officials in an attempt to influence the official actions of employees or officials or which are designed to communicate with employees or officials.
9. **Research-** Research is the procurement of information relating to a specific issue, regardless of the form or medium in which that information is provided, including but not limited to surveys, bill tracking services, information services, periodicals and consultants or consultant services to gather data or statistics.
10. **Special Events-** Special Events mean large-scale occurrences, including but not limited to receptions, banquets or dinners to which 200 or more persons are invited and for which the expenditures associated with hosting the occurrence are negotiated with a single catering service or facility at a set price or which include multiple expenditure categories.
11. **Travel-** Travel is the transporting of an individual from one place to another, regardless of the means used.

**III. WHAT IS EXCLUDED**

- a. Political contributions and expenditures which are reported under election laws as well as campaign-related personal services provided without compensation.
- b. A lobbyist's or principal's salary, office expenses and personal expenses for lodging, meals and travel. Communications, publications and research are office expenses unless they are performed by independent contractors rather than staff of the principal or the lobbyist.

**IV. PENALTIES**

a. A late fine of fifty dollars per day per report shall be assessed for each report filed after the due date. Lobbyists who fail to pay the fine on a timely basis will be reported by the Clerk of the Board of County Commissioners to the Commission of Ethics and Public Trust.

b. The Commission on Ethics and Public Trust may also assess any other penalties provided for in the Conflict of Interest and Code of Ethics ordinance including reprimand, censure or suspension from lobbying for a period not to exceed two years.

**V. APPEALS**

a. A lobbyist may appeal a late fine and request a hearing for failing to file a timely report by filing an appeal with the Commission on Ethics and Public Trust within fifteen days of receiving notification of the late filing from the Clerk of the Board of County Commissioners.

b. The appeal should be forwarded to Robert Myers, Executive Director, Commission on Ethics and Public Trust, 19 West Flagler Street, Suite 220, Miami, Florida 33130.

**VI. MORE INFORMATION**

Any questions regarding the revised expenditure form should be addressed to:

Ardyth Walker  
Staff General Counsel  
Commission on Ethics and Public Trust  
19 West Flagler Street,  
Suite 220,  
Miami, Florida 33130.  
(305) 579-2594 or (305) 579-2656 (fax)

Submit Reports to:

Clerk of the Board  
111 N.W. 1st Street  
Suite 17-202  
Miami FL 33128



# MIAMI-DADE COUNTY NOTICE OF WITHDRAWAL OF LOBBYIST REGISTRATION

Section 2-11.1(s) - Code of Miami-Dade County, Florida

*Please Type or Print in Ink*

**Note:** On or before July 1<sup>st</sup> of each year, every lobbyist must file an expenditure statement with the Clerk of the Board of County Commissioners for the preceding calendar year, regardless of the level of activity of the lobbyist, and whether or not the lobbyist has incurred any expenses during the reporting period.

Lobbyist Name:

Mr/Ms Last Name First Name Mi.

Business/Firm Name

Address

City State Zip

Principal Represented:

Business/Firm Name

Address

City State Zip

Date Representation Ended: \_\_\_\_\_

Subject Matter:  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Lobbyist \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

For Office Use Only  
Data Entry Date \_\_\_\_\_ Entered By \_\_\_\_\_  
(Form Revision: Date: 07/05/05)

Clerk of the Board of County Commissioners, 111 NW First Street, Suite 17-202, Miami, FL 33128  
Office: 305 375-5137 - Fax 305 375-2484  
[www.miami-dadeclerk.com/dadecoc/Clerk\\_Board.asp](http://www.miami-dadeclerk.com/dadecoc/Clerk_Board.asp)





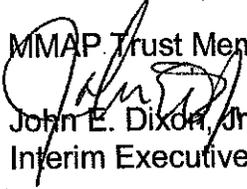
**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV.B.**

**GRANT ACTIVITY UPDATE (501 C 3)**



TRUST INFORMATION ITEM

**Date:** October 8, 2008  
**To:** MMAP Trust Members  
**From:**   
John E. Dixon, Jr.  
Interim Executive Director  
**Subject:** Grant Activity Update 501(c)(3)

---

MMAP staff requested information regarding the ability to apply for grants as a governmental entity. In our research some grants are available for governmental entities, however, in most cases a 501(c)(3) status is required to be eligible to apply.

At the request of the Board, we have been working with the Office of Strategic Business Management, Revenue Maximization and Grants Analyst Division to research available grants.

Attached is a response from the Revenue Maximization and Grants Analyst Division as to MMAP's eligibility to apply for grants as a governmental entity.

**Blanco, Marlene (MMAP)**

---

**From:** Parker, Terry (OSBM)  
**Sent:** Tuesday, September 23, 2008 3:19 PM  
**To:** Blanco, Marlene (MMAP)  
**Cc:** (OSBM) Grants Staff  
**Subject:** RE: Gmail; September 8, 2008

Marlene, MMAP may apply for grants in which the County (local government) is eligible as the applicant. If the funder indicates that a 501 (c)3 organization is eligible and not local governments, you would need to have your non-profit entity apply (if they have a 501 (c)3). We will look to target some opportunities for your ED unit.

Terry

Terry C. Parker  
 Revenue Maximization & Grants Analyst  
 Office of Grants Coordination (OGC)  
 111 NW 1st Street, 22nd Floor  
 Miami, Florida 33128-1835  
 (305) 375-1459  
 (305) 375-5168 Fax  
<http://www.miamidade.gov/grants/>  
 "Delivering Excellence Every Day"

*Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All E-mail sent and received is captured by our servers and kept as a public record.*

---

**From:** Blanco, Marlene (MMAP)  
**Sent:** Tuesday, September 23, 2008 2:22 PM  
**To:** Parker, Terry (OSBM)  
**Subject:** FW: Gmail; September 8, 2008

Hello Terry,

I spoke with Odell in regards to MMAP applying for grants and we have some concerns. We need to clarify if MMAP is able to apply without the Foundation or 501(C) 3 status.

Please call me at your earliest convenience.

Marlene Blanco, Coordinator  
 Community and Economic Development  
 Metro-Miami Action Plan Trust  
 19 West Flagler Street, M-106  
 Miami, Florida 33130  
 Tel: 305-372-7600 Ext. 238  
 Fax: 305-579-3699  
[mblanco@miamidade.gov](mailto:mblanco@miamidade.gov)

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

---

**From:** Blanco, Marlene (MMAP)  
**Sent:** Thursday, September 18, 2008 12:17 PM  
**To:** Ford, Odell (OSBM)  
**Subject:** RE: Gmail; September 8, 2008

Hello Odell,

Last year you were assisting MMAP with grants for the MLK Leadership Academy. I wanted to know if you could assist me to leverage funding for our Economic Development Unit.

Please contact me so that we may discuss this further.

10/8/2008



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV.C.**

**MLK ACADEMY LEASE LATE CHARGE**



# Memorandum



**Date:** October 9, 2008  
**To:** Members of the MMAP Trust  
**From:** *John Dixon*  
John Dixon, Interim Executive Director  
**Subject:** Solid Foundation Learning Center Late Payment

---

A payment of \$416.67 will be paid to address a late rent fee for the MLK leadership Academy for July 2008. This fee will end all financial obligations that are associated with the Trust and the Solid Foundation Learning Center.



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV.D.**

**MIAMI FOOTBALL CLASSIC 2008**



## EXECUTIVE DIRECTOR'S INFORMATION ITEM

**TO:** Metro-Miami Action Plan (MMAP) Trust Board  
**THRU:** John Dixon, Interim Executive Director  
**DATE:** October 1, 2008  
**SUBJECT:** Miami Football Classic

---

The purpose of this item is to follow-up on the information item dated October 3<sup>rd</sup>, 2007 discussing The Miami Football Classic. The Miami Football Class is a collaborative amongst various community organizations, public schools, and other government agencies.

The Miami Football Classic was born from the former Orange Blossom Classic held in Miami over 25 years ago. The last one was held in 1984 at the Orange Bowl Stadium. The Classic used to be an event where old friends, classmates, and business connections were made in our community. Due to this importance, Mr. A.K. Williams wanted to bring this back to Miami and did so this year. The Football Classic was a two day event that included the football game on Saturday, September 27<sup>th</sup>, where Howard University played Savannah State at the Traz Powell Stadium located on the Miami Dade College – North Campus. For further detail, please see the attached documents.

Metro-Miami Action Plan Trust (MMAP) was originally asked to sponsor and /or participate in this event. MMAP did not fund the event; however, did volunteer time to assist with the setting up of the event and the day of Football Classic. MMAP staff volunteered to assist at the Football Classic held on Saturday, September 27<sup>th</sup>, 2008. The festivities provided an upbeat message to our African American Community and were beneficial in bringing out-of-towners to Miami-Dade County giving them a positive tourism experience in Miami.

# 2008 MIAMI

FOOTBALL CLASSIC

- HOME
- ABOUT US
- HOST HOTELS
- EVENTS SCHEDULE
- FANS/MIAMI, FL
- MEDIA
- CONTACT US

## EVENTS / SCHEDULE



September 26, 2008

5:00pm (Invitation Only)



September 26, 2008

8:00pm



September 27, 2008

2:00pm - 6:00pm



September 27, 2008

6:45pm



September 27, 2008

10:00pm - 3:00am

OFFICIAL WEBSITE OF THE 2008 MIAMI FOOTBALL CLASSIC © 2007-2008  
 ALL LOGOS AND TRADEMARKS IN THIS SITE ARE PROPERTY OF THEIR RESPECTIVE OWNERS



INFORMATION ITEM

**Date:** October 3, 2007  
**To:** MMAP Trust Members  
**From:** John E. Dixon, Jr., Interim Executive Director  
**Subject:** 2008 Miami Football Classic Sponsorship Partnership Program

---

The purpose of this item is to inform the Board Trust that the Williams & Stayton, LLC Sports has contacted our office via email/letter to discuss the possible sponsorship for the 2008 Miami Football Classic Sponsorship Partnership Program.

The Miami Football Classic Kick-off Festival is where the battle of the University bands will be held along with the fraternity and sorority step show and the Miami Flare Fashion show. This year's classic will be between Howard University and Savannah State University. The classic will be held at Traz Powell stadium with a 14,000 seat setup.

The sponsorship levels are from \$35,000 to \$7,500. The sponsorship provides everything from 33% of revenue collected from parking to food concessions grandstands at Traz Powell Stadium.

The classic will be an event where families can attend and provide a positive message of what the African American Community is and be a financial and tourism engine in Miami-Dade County.

# THE CLASSIC IS BACK

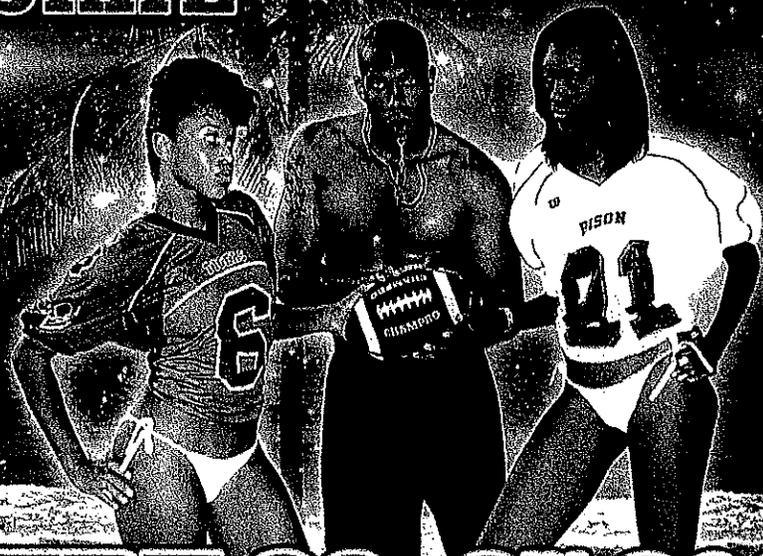
## 2008

# MIAMI

### FOOTBALL CLASSIC

## WEEKEND

# SAVANNAH vs. HOWARD STATE



# SEPT. 26 - 27, 2008

## MIAMI DADE COMMUNITY COLLEGE - NORTH CAMPUS TRAZ POWELL STADIUM

[WWW.MIAFOOTBALLCLASSIC.COM](http://WWW.MIAFOOTBALLCLASSIC.COM)



2008  
**MIAMI**  
FOOTBALL CLASSIC  
WEEKEND  
**SCHEDULE**

- 09/26/08** MIAMI FOOTBALL CLASSIC COACHES PRESS CONFERENCE & VIP SPONSORS COCKTAIL PARTY 5PM (INVITATION ONLY EVENT)
- 09/26/08** MIAMI FOOTBALL CLASSIC KICK-OFF FESTIVAL  
COLLEGE STEP SHOW / FASHION SHOW, & SCHEDULED  
COLLEGE BAND PERFORMANCE  
BAYFRONT PARK / TINA HILLS PAVILION 8:00PM  
**TICKETS: \$20.00**
- 09/26/08** MIAMI FOOTBALL CLASSIC KICK-OFF FESTIVAL AFTER PARTY  
90 DEGREE NIGHT CLUB  
90 NE 11ST, DOWNTOWN MIAMI  
DOORS OPEN AT 10:30
- 09/27/08** MIAMI FOOTBALL CLASSIC OLD SCHOOL TAILGATE  
MIAMI DADE COMMUNITY COLLEGE NORTH  
TRAZ POWELL STADIUM / 2PM - 6PM  
**ADMISSION: FREE**
- 09/27/08** MIAMI FOOTBALL CLASSIC FOOTBALL GAME  
SAVANNAH STATE VS. HOWARD UNIVERSITY  
MIAMI DADE COMMUNITY COLLEGE NORTH  
TRAZ POWELL STADIUM / KICK-OFF 6:45PM  
**TICKETS: ADULTS: \$35 AND YOUTH (5 TO 17) \$25**
- 09/27/08** MIAMI FOOTBALL CLASSIC AFTER GAME PARTY  
HOSTED BY MARK HIGGS, FORMER MIAMI DOLPHIN RB  
GULFSTREAM PARK RACETRACK & CASINO 10PM UNTIL 3AM  
**ADMISSION: \$25 PER PERSON VIP: IS AVAILABLE**

**TICKETS AVAILABLE AT:**

- MIAMI CAROL CITY HIGH BAND BOOSTERS - MIAMI NORLAND HIGH BOOSTERS
- MIAMI CENTRAL HIGH BOOSTERS - HIALEAH HIGH BOOSTERS
- METRO MIAMI ACTION PLAN - NORTH MIAMI POLICE ATHLETIC LEAGUE
- HOMESTEAD POLICE ATHLETIC LEAGUE
- FLORIDA CITY POLICE ATHLETIC LEAGUE

[WWW.DAHAPS.COM](http://WWW.DAHAPS.COM)

MAGIC CITY TICKETS.COM (305) 538 - 7530 5096 41 STREET, MIAMI BEACH

**[WWW.MIAFOOTBALLCLASSIC.COM](http://WWW.MIAFOOTBALLCLASSIC.COM)**

*The Official*  
**FRIDAY** **2008** **DOORS**  
**SEPT.** **MIAMI** **OPEN**  
**26TH** **FOOTBALL CLASSIC** **AT 10:30**

**KICK OFF FESTIVAL**  
*After Party*

**Special Invited Guests include:**



**HU ALUM, LANCE GROSS**  
**ACTOR "HOUSE OF PAYNE"**



**LUTHER CAMPBELL**



**HU ALUM,**  
**ANTHONY ANDERSON**  
**ACTOR, WRITER, PRODUCER**  
**& COMEDIAN**



**HU ALUM,**  
**WENDY RAQUEL ROBINSON**  
**ACTRESS IN THE HIT**  
**CW TV SHOW "THE GAME"**

**allure** 950 N.E. 2ND AVENUE-MIAMI, FL  
 night club FOR TABLE RESV CALL -305 316-6894 MORE INFO- 786 587-6205

Eggs.com 094-592-4000

*The Official* **2008** **MIAMI** **FOOTBALL CLASSIC**

**KICK OFF FESTIVAL**  
*After Party*

**A RED CARPET CELEBRITY-STYLE EVENT**

*Special Invited Guests include:*

**HU ALUM, LANCE GROSS**  
**ACTOR "HOUSE OF PAYNE"**

**LUTHER CAMPBELL**

**HU ALUM,**  
**ANTHONY ANDERSON**  
**ACTOR, WRITER, PRODUCER**  
**& COMEDIAN**

**HU ALUM,**  
**WENDY RAQUEL ROBINSON**  
**ACTRESS IN THE HIT**  
**CW TV SHOW "THE GAME"**

**FRIDAY SEPTEMBER 26TH**  
**DOORS OPEN AT 10:30**

**allure** 950 N.E. 2ND AVENUE-MIAMI, FL  
 night club FOR TABLE RESV CALL -305 316-6894 MORE INFO- 786 587-6205



**Host Committee  
Member  
EVENT ALL ACCESS  
PASS**

**Miami, Florida  
September 26 – 27, 2008  
Name: \_\_\_\_\_**



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV.E.**

**HOUSING BUDGET**

**MMAP HAP FILE SUBMISSIONS (Re-Opened - April 15, 2008)**  
**MONTHLY FUNDING ANALYSIS AS OF SEPTEMBER 30, 2008**

Report date 9/30/2008

	* Includes Surtax revenue for August 2008 in the amount of \$162,311.77 (posted on 9/04/08)
* CASH POSITION - 9/30/08 =	<u>\$1,552,156.04</u>
minus PENDING TOTAL ** =	<u>\$275,482.00</u> (** 38 Files - In Process, not funded and w/ reservations combined total as of 9/26/2008)
REMAINING \$ BASED ON 9/30/08 CASH ANALYSIS (Sub-Total) =	<u>\$1,276,674.04</u>
AVERAGE MONTHLY ADMINISTRATIVE CHARGES =	<u>\$71,314.00</u> (Based on FY07-08 Budget Calculation from MMAP Fiscal Mgr.)
TOTAL NET REMAINING CASH POSITION AS OF 9/30/08 =	<u>\$1,205,360.04</u>

<b>\$1,205,360.04</b>	<b>Net Cash Position as of 9/30/08</b>
<b>\$325,000.00</b>	<b>District 3 Teachers (Includes 1 file in-Process - not funded)</b>
<b>\$400,000.00</b>	<b>Reserves</b>
<b>\$480,360.04</b>	<b>Net Cash (Uncommitted Funds)</b>



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

---

**ITEM IV.F.**

**SUBMITTAL TO  
COMMISSIONER JORDAN**



Metro Miami Action Plan Trust  
Biscayne Building  
19 West Flagler Street • Mezzanine -106  
Miami, Florida 33130  
T 305-372-7600  
F 305-579-3699

Carlos Alvarez, Mayor

miamidade.gov

September 22, 2008



The Honorable Barbara J. Jordan  
Vice Chairperson  
Commissioner – District 1  
Miami-Dade County  
111 NW 1<sup>st</sup> Street, 2<sup>nd</sup> Floor  
Miami, Florida 33128

Chairperson  
John T. Jones, Jr.

1st Vice Chairperson  
Arthur J. Barnes

2nd Vice Chairperson  
Cecily Lovin

Members  
Veldrin Freeman  
Marie B. Hyppolite  
Herbert Robinson  
Marzell Smith, Esq.

Interim Executive Director  
John E. Dixon, Jr.

Dear Commissioner Jordan:

The 1995 Occupational License Surtax Campaign was an extremely hard fought venture to secure a dedicated revenue source for the Metro-Miami Action Plan Trust (MMAP) to assist businesses who pay into the Occupational License Surtax, currently called the Local Business Tax Receipts, and virtually receive nothing in return. Reciprocity is the key; funds that are collected necessitate some benefit to its customer. This historic crusade became the passion of a number of elected officials and citizens from a cross-section of this community especially the Miami-Dade Board of County Commissioners (as Commissioner Javier Soto mentioned during a recent County Commission meeting).

Commissioner Jordan as you know, dedicated funding sources are extremely difficult to acquire. The exchange of the 8% Local Business Tax Receipts for General Fund dollars is a compromise. The proposed allocation from the General Fund does not guarantee a permanent annual recurring revenue source, as the 8% represented, that MMAP can disburse to entrepreneurs in order to empower neighborhoods and fuel the tax base during these turbulent economic times. Small business is the backbone that helps drive the free enterprise system. MMAP wants to do all it can to develop new businesses and help current businesses remain operational.

Providing a toolkit for changing economic conditions and delivering technical assistance as well as resources to businesses in need, is precisely what MMAP intended and are constantly challenged to accomplish. MMAP partnerships have helped create and/or provide assistance to many businesses seeking to empower their neighborhoods and become successful entrepreneurs. These community economic development icons are visible and still stand as a portrait of this *Community's Commitment to Itself* (see attached accomplishments). Over the decades, MMAP has been the catalyst for many other spring ups that are still operating today.

The MMAP Trust understands that as Miami-Dade County, local municipalities

*W. Anthony Padgett, Esq., Trustee*

September 22, 2008  
The Honorable Barbara Jordan  
County Commissioner  
Page 2

and the nation must restructure themselves because of financial shortfalls, MMAP must too. We have complied with the audits, the police investigations, multiple public record requests, media investigations, implementing the new ordinance, and moving the process to recruit new board members.

Commissioner Jordan, please find pursuant to your request a snapshot of the \$2.9 million disbursed by MMAP from 1997 - 2006. This reflects 8% of the funds from the \$43 million that was captured by the Beacon Council during the same time period. Community conditions which dictated the creation of the agency in 1983 still exist and it will take a primary lead authority and/or governmental body with the influence and authority to correct systemic disparate community conditions. This conveys that MMAP, along with the administrative leadership of Miami-Dade County, is needed now more than ever to continue the mission of empowering targeted neighborhoods. We did not and can not do it alone.

We applaud your representation and look forward to moving the agency to a level of increasing investments in major commercial and industrial endeavors that will create and/or expand business opportunities within the Black community; increase the number of jobs; and foremost to increase the acquisition, development and control of commercial/industrial projects by black entrepreneurs.

As we progress into our third decade of achievement and continue to promote national and local relationships for this community, we envision your support, commitment, and advocacy to lessen socio-economic disparities as outlined in the MMAP mission.

I look forward to having a discussion with you regarding this issue. If you have any questions, please feel free to contact me at 305-632-8279.

Sincerely,

***John T. Jones, Jr.***

John T. Jones, Jr.

Chairperson

Metro-Miami Action Plan Trust

Attachments

Pc: MMAP Trust Board

September 22, 2008  
 The Honorable Barbara Jordan  
 County Commissioner  
 Page 3

### Accomplishments

- **TECO Power Plant (2006-2007)**

MMAP and Overtown Civic Partnership (OCP) formed a collaborative to fund an environmental study to help with the revitalization efforts in Overtown. Florida International University (FIU) was commissioned to conduct an assessment through its engineering division to provide documentation on the fiscal impact the power plant might have for future community development. It was the first step in determining if the county-owned power plant can produce a financial surplus to develop attainable housing and other ventures for residents of Overtown.

- **Opa-Locka Flightline (2006-2007)**

Opa-Locka Flightline is a major accomplishment as this new business operates a jet refueling facility and terminal at Opa-Locka Airport Building 121. OLF provides the necessary ground service equipment for private, military and commercial jets that land at the airport. OLF used additional MMAP funding to market and advertise their business in Miami-Dade County and was highlighted in various local, regional, and national airline industry magazines, newsletters, and websites as the first fixed based operation in the United States owned and operated by African Americans.

- **Entrepreneurial Institute at Florida Memorial University (1985(2006)**

One of these innovative projects is the Mobile Economic Development Unit, a retrofitted tractor trailer used as a mobile office. Recognized in 2006 by the National Association of County Organizations (NACO), the Mobile Unit illuminates the power and strength of public-private partnerships.

This collaborative effort between MMAP and Florida Memorial University came to fruition with corporate assistance from Bank United, Commercebank, Corporate Express, The Home Depot and Ryder Systems, Inc. It signifies that a concerted effort can improve the conditions to assist individual who want to empower themselves and become entrepreneurs. During its first year of operation, the popularity of the Mobile Unit was instantly realized across Miami-Dade County with more than 300 visitors and nearly 400 in 2005-06 seeking the convenience of the mobile assistance service in areas such as, Miami Gardens, Opa-Locka, Liberty City, Overtown, Coconut Grove, South Miami, Naranja, West Perrine, Homestead, and Florida City.

September 22, 2008  
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From one-on-one counseling to business-related seminars, the Institute continues to serve as an invaluable resource for entrepreneurs. In 2005-06 alone, the Entrepreneurial Institute assisted 342 people in business plan development; 232 people in business counseling; 225 people in business expansions; and 178 people in new start-up businesses.

The Institute has been a MMAP partner for almost three decades and has helped entrepreneurs with business and marketing plan development, technical assistance, and loan acquisitions for both start-ups and business expansions.

• **Miami Dade Chamber of Commerce (2005-2006)**

MMAP partnered with the Miami-Dade Chamber of Commerce and created the "Business Empowerment Network Series" to host several empowerment seminars. The goal of these seminars was to promote the building of economic wealth in the Black Business community through various motivational initiatives such as access to business capital, information clearing house and the use of effective marketing tools. Through these seminars, MMAP and the Chamber provided valuable information for entrepreneurs to increase their business sales utilizing proven industry tools. The following is a list of seminars that businesses attended:

- Real Estate: The Game
- Access to Capital
- How to Write A Business Plan
- Marketing Your Company and Creating Your Own Brand

Companies and individuals learned how to: identify resources and opportunities; expand business procurement opportunities with corporate and government entities; utilize marketing tools that assisted them in increasing sales; and identify potential corporate mentors and/or partners.

• **The Collective Banking Group of Miami-Dade County and Vicinity (2006-2007)**

In an effort to capitalize on the economic power within faith-based enterprises, over 50 ministers representing church congregations, community groups, and businesses have established the Collective Banking Group of Miami-Dade County and Vicinity (CBG). This collaborative agreement has developed relationships with several financial institutions to

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assist church members with receiving banking products that were not generally offered to these same members that have bank accounts at the targeted financial institutions. This initiative will provide economic empowerment to these families and their future generations. The participating banks include: CitiBank, Wachovia, One-United, Washington Mutual, Bank of America, and Great Florida Bank.

• **Karym Ventures, Inc. – Yellow Moon Salon & Day Spa (2004-2005)**

MMAF funds were utilized to develop the Yellow Moon Salon and Day Spa. The full hair salon and day spa offers personal one-on-one full body care, full body massages, foot care, nail care, skin care, and health products. Additional upgrades included stylish stations, painting, installation of drop ceilings, furniture and fixtures, and the parking lot. Also included in the upgrades was the renovation of three rental apartments that included; air conditioning, new plumbing, electrical, flooring, new kitchen cabinets, appliances, windows, window treatment, door, and paint.

• **Carrie P. Meek Foundation, Inc. (2004-2005)**

This collaborative between MMAF and the Carrie P. Meek Foundation was formed to create Joint Venture Development Projects. The agreement utilized a loaned executive to monitor and implement the following: a) coordinate real estate initiatives; b) Advise the Foundation and Board on selection and engagement of professional services; c) monitor the progress of real estate development initiatives; d) provide quarterly reports to the Board and Foundation; and, e) successfully achieve all initiatives surrounding the Joint Venture Development Projects.

• **Soul on Seventh Avenue Festival**

The Soul on Seventh Avenue Festival was created to attract people into Liberty City on the last Friday of each month. This monthly community event provided networking opportunities, entertainment and attracted potential customers that would purchase merchandise from businesses located along the 7<sup>th</sup> Avenue corridor.

• **Denron, Inc. (2002-2003)**

The purpose of the loan, funded through MMAF's Revolving Loan Fund, was for the acquisition of capital equipment to be used to expand the business.

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• **College Throw Back USA, Inc. (2002-2003)**

College Throw Back USA, Inc. created and distributed sports apparel. The purpose of the loan, funded through MMAP's Revolving Loan Fund, was for the acquisition of capital equipment to be used to expand the business.

• **Peace of Mind Pest Control (2001-2002)**

With funding through MMAP's Revolving Loan Fund, Peace of Mind Pest Control was able to purchase the necessary equipment and supplies to service its clients and operate a successful business.

• **Black Resource Directory (2001-2002)**

The Black Resource Directory established the template for a comprehensive listing of Black-owned businesses, professionals and companies serving Miami-Dade County. A resource acknowledging where to patronize Black-owned business was essential to fuel the circulation of wealth within these neighborhoods. Requests for the directory were overwhelming and far exceeded expectations for its demand.

• **Pak Accessories, Inc. (2000-2001)**

Pak Accessories is a communications company dedicated to sales and services of voice stream products. The company also provides pager sales and service. With funding from MMAP, Pak Accessories expanded and increased its operations to the Overtown area. Initially, the company hired twelve employees and operations were reduced to three employees.

• **WKL II & Associates (Denny's Restaurant) (2000-2001)**

The restaurant is the first Black-owned Denny's within the Southeastern United States and represents a milestone for the local Black community. Located in South Dade County's Coco Walk community, 80 people are employed and the restaurant injects \$22,500 weekly into the local economy.

• **Torvell, Inc. (2000-2001)**

The purpose of the loan was to establish a new retail business to sell specialty shoes. These shoes are knock-off designs of high fashion shoes. With funding from MMAP, Torvell, Inc. was able to increase their customer base. This was possible by establishing marketing efforts such as newspaper ads, radio announcements, and distribution of printed materials.

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In addition, Torvell received funding from BAC Funding Corp., in newspaper ads (Miami-Dade and Broward County) radio placing commercials, and distributing flyers in targeted neighborhoods.

- **Miller Trophies (2000-2001)**

Miller Trophies is a company that manufactures trophies and awards. Since receiving funds from MMAP, Miller Trophies has purchased the following equipment: an engraving machine, two computers, and a copy machine. In addition, Miller Trophies utilized funds for marketing, radio promotions, and purchasing newspaper ads. This campaign provided three to five additional calls per day from potential customers and sales were increased by 30% to 40%.

- **North Dade Federal Credit Union (1998-1999)**

With funding from MMAP, this partnership was nurtured and opened in the North Dade Community and established 1029 accounts. The North Dade Federal Credit Union has nearly doubled its customer based since its relocation in 1998. Customers receive a wide range of services including savings accounts, certificates of deposits, holiday accounts, personal loans, and auto loans. The credit union serves residents who live, worship, work, and/or attend school north of northwest 36 Street to County Line Road.

- **Globetrotters Rent a Car (1997-1998)**

MMAP assisted Globetrotters Rent-A-Car to establish the first Black owned car rental facility located in the Miami International Airport empowerment zone. Globetrotter's goal was to create 30 jobs with its four stations and become a major player in the car rental industry with corporate assistance from Ford Motor Company.



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV.G.**

**SAILBOAT COVE AGREEMENT UPDATE**



## EXECUTIVE DIRECTOR'S INFORMATION ITEM

**Date:** October 9, 2008  
**To:** MMAP Trust Members  
**From:** John Dixon, Interim Executive Director  
**Subject:** Sailboat Cove MMAP Mortgage Update

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The Sailboat Cove Ventures, LLC (Sailboat Cove) Development Loan matured again on October 1, 2008. Based on current project status, there are not sufficient funds to make the balloon MMAP payment of \$1MM (the Mercantile/CommerceBank first mortgage is still in repayment).

- The interest payments of \$7,500 per quarter for the 1-year extension period from October 1, 2007 to September 30, 2008 have been received. The total payments for this 1-year period of \$30,000 have been sent to Finance and posted in FAMIS.
- MMAP Staff met with the County Attorney again to discuss the situation and review options. The recommended steps to proceed based on non-receipt of the now due Balloon Payment is as follows:
  - A *Notice of Default* letter has been drafted and is being reviewed for execution and mailing, per written provisions in section 4 and 5 of the Note, and sections 8 and 9 of the Mortgage
  - Assuming no suitable reply or remedy is offered by Sailboat Cove, potential workout solutions will be set forth in coordination with OCED Servicing Dept. practices and processes
- Previous preliminary and subsequent discussions with the OCED Servicing Dept. staff (Leyani Guaraz, Zafar Ahmed and Tangie White) will be updated with a strategic plan to be implemented. A meeting with OCED staff is being scheduled which could entail one or all of the following considerations:
  - Evaluation and rating of the project by the OCED Loan Committee
  - Determination of repayment options (e.g., Principal and Interest payback vs. execution of buy-down mortgage with end-loan borrowers)
  - Pros and cons of any other viable options with consideration of 1<sup>st</sup> mortgage repercussions
  - Collection of additional interest payments and/ or fees associated with extension and/ or re-structure of loan

The Notice of Default Letter will have been mailed by the time of the full Trust Board October Meeting. Staff will update Trust Board at that time with regards measures determined at that time and solicit Trust Board input.

# THE MIRAGE AT SAILBOAT COVE

PHASE ONE

9/30/2008 Rev-EJ

	Building	Unit		Status	Account	CLIENT	Closing Date
Street Address	Number	Number	Price			AVAILABLE	
1795 NW 142 Lane	24	1	\$185,000	AVAILABLE			
1791 NW 142 Lane	24	2	\$185,000	HFC/HFA	MMAP Prdgs	Marthe Aristide/Joseph Gustave	10/5/2007
1787 NW 142 Lane	24	3	\$194,000	CLOSED		Jean Monestine	
1783 NW 142 Lane	24	4	\$185,000	CLOSED		Alberta Hannah	
1779 NW 142 Lane	24	5	\$185,000	CLOSED		Rodrigue Bazile/Nancy Utile	
Street Address	Building	Unit	Price	Status			
1775 NW 142 Lane	25	1	\$185,000	CLOSED		Innocent Alisca	7/25/2008
1771 NW 142 Lane	25	2	\$229,900	CLOSED		Kimberly Ann Smith	1/10/2008
1767 NW 142 Lane	25	3	\$225,000	CLOSED		Chauncey Gurrier	11/20/2007
1763 NW 142 Lane	25	4	\$220,000	CLOSED		Bonte DeTemps	1/7/2008
1759 NW 142 Lane	25	5	\$185,000	HFC/HFA	at MMAP	Marie Estiverne	
Street Address	Building	Unit	Price	Status			
14292 NW 17 CT	27	1	\$196,500	CLOSED		Michelle D. Edwards	3/7/2008
14288 NW 17 CT	27	2	\$210,000	CLOSED		Octavia Harper	10/25/2007
14284 NW 17 CT	27	3	\$235,000	CLOSED		Valencia Brown	10/31/2007
14280 NW 17 CT	27	4	\$200,000	CLOSED		Annie D. Davis	3/28/2008
14276 NW 17 CT	27	5	\$207,000	CLOSED		Jean Marc Bassette	10/16/2007
Street Address	Building	Unit	Price	Status			
1746 NW 142 Lane	28	1	\$249,900	CLOSED		Janeen White	10/1/2007
1750 NW 142 Lane	28	2	\$185,000	CLOSED		Linda Stevens	
1754 NW 142 Lane	28	3	\$185,000	COLONIAL		Constance Hunter	10/16/2007
1758 NW 142 Lane	28	4	\$245,000	CLOSED		Ibimina Irisonga	

Street Address	Building Number	Unit Number	Price	Status		
1762 NW 142 Lane	29	1	\$209,000	CLOSED		Ellie Bellune
1766 NW 142 Lane	29	2	\$185,000	AVAILABLE		AVAILABLE
1770 NW 142 Lane	29	3	\$225,000	CLOSED		Solomon Consuegra
1774 NW 142 Lane	29	4	\$185,000	COLONIAL		Clara Jones
1778 NW 142 Lane	29	5	\$185,000	COLONIAL		(MOSES) Henry-Howell

10/3/2007

10/17/2007

Street Address	Building Number	Unit Number	Price	Status		
1782 NW 142 Lane	30	1	\$204,000	CLOSED		Linda Brown
1786 NW 142 Lane	30	2	\$185,000	LITTLE HAITI	at MMAP	Justlane Pierre
1790 NW 142 Lane	30	3	\$185,000	CLOSED		Marie Francois
1794 NW 142 Lane	30	4	\$225,000	CLOSED		Marc Docteur
1798 NW 142 Lane	30	5	\$185,000	CLOSED		Christopher Stephens

10/18/2007

5/23/2008

Street Address	Building Number	Unit Number	Price	Status		
1802 NW 142 Lane	31	1	\$185,000	COLONIAL	at MMAP	Annie Roberson
1806 NW 142 Lane	31	2	\$185,000	COLONIAL		Thadrin Shelton
1810 NW 142 Lane	31	3	\$215,000	CLOSED		Jereil Dardy
1814 NW 142 Lane	31	4	\$225,000	CLOSED		Joyce McIntyre
1818 NW 142 Lane	31	5	\$210,000	CLOSED		Kevin Hawkins

5/6/2008

11/9/2007

4/2/2008

Street Address	Building Number	Unit Number	Price	Status		
1822 NW 142 Lane	32	1	\$225,000	CLOSED		Marie Guinard
1826 NW 142 Lane	32	2	\$185,000	CLOSED		Samuel Belidor
1830 NW 142 Lane	32	3	\$235,000	CLOSED		Lisa & DeAngelo Jackson
1834 NW 142 Lane	32	4	\$185,000	COLONIAL	at MMAP	Jesus Mendez
1838 NW 142 Lane	32	5	\$185,000	CLOSED		Alfred Harris Jr

11/21/2007

10/12/2007

39 total units

28 Units Closed (Eric as of 9/30/08)

4 of 11 Pending Closed are at MMAP In-Process



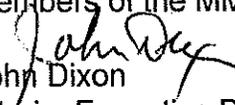
**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV.H.**

**TEEN COURT MONTHLY REPORT**



## EXECUTIVE DIRECTOR'S INFORMATION ITEM

**TO:** Members of the MMAP Trust  
**FROM:**   
 John Dixon  
 Interim Executive Director  
**DATE:** October 7, 2008  
**SUBJECT:** Comprehensive Report for September 2008

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### PURPOSE OF ITEM

The purpose is to inform the Board of Miami-Dade County Teen Court (M-DCTC) activities for the month of September.

### BACKGROUND INFORMATION

#### Program Activities

**Ongoing:** As a result of Dr. Pendleton's promotion and departure on May 9, 2008, Teen Court south operations are being conducted by Teen Court North Office staff, resulting in both north and south operations being overseen by Ms. LaVerne Carlile, Teen Court North Office Administrator. Despite the reduction in staff, youth residing in the southern end of the county are still afforded similar levels of service, as Teen Court cases continue to be processed at the South Dade Government Center on Tuesday nights.

**September 2<sup>nd</sup> and 4<sup>th</sup> 2008:** M-DCTC staff conducted *Victim's Awareness Panel Workshop*-an interactive workshop that sparks dialogue between participants, parents and/or guardians. Fifteen (15) individuals comprised of both program participants and their parents discussed the value of forgiveness, restoration, and repair of lost trust as well as how various crimes committed impact the family and community.

**September 17, 2008:** M-DCTC in collaboration with Miami-Dade County Corrections and Rehabilitation—Boot Camp program afforded twenty-seven (27) Teen Court youth a chance to attend the Boot Camp Tour held at the Corrections' Boot Camp facility. The Boot Camp Tour serves as a crime prevention and intervention tool, providing participants with an understanding of the Boot Camp Program, and the consequences of negative actions.

**Program Performance**

**Referrals:** M-DCTC received a combined total of forty-five **(45)** referrals from the Juvenile Services Department (JSD) and the Miami-Dade County State Attorney's Office on behalf of Broward County Teen Court (BCTC). M-DCTC assists BCTC with co-monitoring cases involving youth who have committed crimes in Miami-Dade County although residing in Broward County.

**Community Service:** During the month of September M-DCTC program youth and volunteers gave back to the Miami-Dade County community through serving as jurors, bailiffs, clerks, and judges in the M-DCTC process, as well as provided their services to various outside organizations. Community service hours provided totaled six hundred forty-four **(644)**, which included three hundred twenty **(320)** performed by defendants, two hundred nineteen **(219)** generated by youth volunteers, and one hundred five **(105)** community service hours were provided by adults from the legal community serving as jury monitors and/or judges presiding over Teen Court hearings.

**Marketing**

**Ongoing:** MMAP's Office of Public Information and Marketing division collaborates with Teen Court staff to formulate media strategy.

**Offender Information for September 2008**

**Referrals per fiscal year:**

12/31/98 – 09/30/99	334	Carried Over	2,909
10/01/99 – 09/30/00	506	10/01/07 – 03/31/08	149
10/01/00 – 09/30/01	323	04/01/08 – 04/30/08	25
10/01/01 – 09/30/02	336	05/01/08 – 05/31/08	28
10/01/02 – 09/30/03	293	06/01/08 – 06/30/08	26
10/01/03 – 09/30/04	390	07/01/08 – 07/31/08	42
10/01/04 – 09/30/05	267	08/01/08 – 08/31/08	41
10/01/05 – 09/30/06	215	09/01/08 – 09/30/08	45
10/01/06 – 09/30/07	245		
	2,909	<b>Total Referrals</b>	<b>3,265</b>

**2008 Sanctions**

Anti-Theft Class	25	Jail Tour	27
Curfew		Jury Duties	325
Declined referrals		Letter of Apology	18
Educational Workshops		Peer Circle	6
(Substance Abuse)	37	Restitution	
Essay	18	Victim Awareness Panel	
Ethics Workshops	48	Workshop	15
Hours of Community Service	320	Verbal Apology to Parent	31

**Offenses and Number of Charges:**

Note: Some defendants have multiple charges

Affray	
Battery	3
Burglary	
Criminal Mischief	6
Disorderly Conduct	
Disruption of School Function	
Fighting/battery	
Domestic Assault	
Fraud/Forgery/False ID	
Grand Theft	
Loitering/prowling	1
Obstruction of Justice	
Petit Theft	
Possession of Alcohol	
Possession of Drugs	2
Possession of Weapons	
Resisting Arrest w/o Violence	
Retail Theft	31
Soliciting	
Theft (not grand)	
Trespassing	3
Trespassing in Conveyance	
Traffic Offense	
Other	

**Referral Sources:**

Department of Juvenile Justice	0
Metro-Dade School Board	
School Based Referral	0
Civil Citation Program	43
State Attorney's Office	2
Other Agencies	0

**Age:**

Eight	0
Nine	0
Ten	0
Eleven	0
Twelve	0
Thirteen	0
Fourteen	10
Fifteen	5
Sixteen	18
Seventeen	11
Eighteen	1

**Race:**

African American	19
Caucasian	7
Hispanic	19
Oriental	0

**Gender:**

Female	22
Male	23

Unknown \_\_\_\_\_ 0

**Commission Districts August:**

1	<u>7</u>
2	<u>7</u>
3	<u>4</u>
4	<u>5</u>
5	<u>5</u>
6	<u>0</u>

7	<u>7</u>
8	<u>2</u>
9	<u>1</u>
10	<u>1</u>
11	<u>3</u>
12	<u>0</u>

13	<u>1</u>
Broward	<u>2</u>

**Commission Districts for Fiscal Year 10/01/07 – 08/31/08:**

1	<u>43</u>
2	<u>44</u>
3	<u>37</u>
4	<u>35</u>
5	<u>26</u>
6	<u>8</u>

7	<u>24</u>
8	<u>6</u>
9	<u>15</u>
10	<u>8</u>
11	<u>14</u>
12	<u>5</u>

13	<u>10</u>
Broward	<u>79</u>



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV. I.**

**HOUSING MONTHLY REPORT**



## **METRO MIAMI ACTION PLAN TRUST HOMEOWNERSHIP ASSISTANCE PLAN PROGRAM**

**SEPTEMBER 2008**

### **HOMEOWNERSHIP ASSISTANCE PROGRAM**

During the period of September 1, 2008 thru September 30, 2008, thirteen (13) families purchased homes resulting in a total of \$106,280.00 in MMAP HAP mortgages. During the period from September 1, 2008 thru September 30, 2008, \$2,683,242.00 in first mortgages, \$961,704.00 in Miami Dade County administered subsidy program mortgages and \$306,197.00 in other subsidy program mortgages were submitted. The HAP program has thereby increased Miami Dade County's property tax roll by an estimated \$40,000.00 for September 2008 (see Attachment for statistical details). For Fiscal Year ending September 30, 2008 there were 112 file submissions and 93 funded loans for \$841,347.00, which thereby increased Miami Dade County's property tax roll by an estimated \$232,500.00.

### **HAP TRAINING SEMINARS**

The HAP resumed funding reservations and file submissions in April. Funds are allocated based on a monthly cash position analysis. Reservations and new submissions are taken from the 15<sup>th</sup> through the end of every month. Funding analysis is conducted during the first half of every month. The last Certification Workshop was held on August 14, at the Universal Truth Center – 21310 NW 37 Ave. in Miami Gardens. Eighty-Nine (89) attended this Workshop and nearly 700 real estate agents/ brokers, developers, mortgage lenders, mortgage brokers and title/ closing agents attended these Workshops to become certified for participation in MMAP HAP. Application/ Agreements are completed, plus individual and/ or company licensing information is gathered for better monitoring and tracking purposes.

### **MMAP HAP SPECIAL INITIATIVES**

#### **District 3 Teachers Initiative**

- Since the ceremony was held at the home of the first teacher to close under this initiative in May 2008, there has been a steady number of inquiries weekly.
- There have been two (2) loan closed to date, one (1) currently in-process at the MMAP office, and five (5) borrowers in various stages of processing or qualification with their selected lender.
- There are a total of sixteen (16) teachers that will be funded on a first-come, first-serve basis for this initiative provides up to \$25,000 to full-time teachers who currently teach at a Miami Dade County Public School located in Commission District 3 and commit to teaching at a District 3 school for at least five (5) years after they close .

### **Step-Up Initiative**

- MMAP has partnered with the Miami Dade County Housing Finance Authority (HFA) and Miami Dade Affordable Housing Foundation (MDAHFI) to form "A STEP-UP" to assist low-income families impacted by the disparate economic conditions which exist in their community.
- A referral must be made by the HFA or MDAHFI prior to MMAP file submission, and the lender/ broker must not only be MMAP approved, but must also be a HFA Bond Program lender or a MDAHFI Homebuyers Club Participating Lender.
- MMAP will set aside up to \$25,000 for down payment and closing costs assistance based on availability of HAP funds.
- The subject property must be a single-family dwelling (new or existing) located in one of seventeen (17) Targeted Urban Areas (TUA)

### **HOMEOWNERSHIP EDUCATION & OUTREACH**

- MMAP staff is participated in the mayor's Mortgage Fraud and Foreclosure Prevention Task Force, coordinated by Dr. Robert Cruz (Mayor Alvarez's Chief Economist). Staff attended five (5) Task Force meetings during August and September in anticipation of HUD's release of billions of dollars in foreclosure bailout funds. Staff will continue participation via subcommittees for implementation of chosen actions.
- Presenter at the Universal Truth CDC August and September Homebuyer Education Workshop held at their facility in Miami Gardens. The presentation topic was on the MMAP HAP and MMAP's role and usage with other subsidy program funds in the mortgage process to approximately thirty-five (35) attendees in August and forty-five (45) attendees in September.
- Attended BAC Funding Corp. Loan Committee (LC member) meeting held at BAC Funding in Liberty City in August. Reviewed submitted loan requests and current loan portfolio.
- Presenter to the Northside Brokers Association in September. The topic was on the MMAP HAP and MMAP's role and usage with other subsidy program funds in Miami Dade County and the general spectrum of subsidy program funding sources to approximately thirty (30) attendees.
- Presenter at the Universal Truth Center monthly First-Time Homebuyer Education Seminar held at their Miami Gardens complex. The presentation topic was on the MMAP HAP and MMAP's role and usage with other subsidy program funds in the mortgage process to approximately forty-five (45) attendees.

**METRO-MIAMI ACTION PLAN TRUST  
HOMEOWNERSHIP ASSISTANCE PROGRAM  
September 2008**

<b>General Statistics</b>	<b>Sep-08</b>	<b>YTD Sep. 2008</b>
Total Applicants	23	112
Total Loans	16	93
<b>Total MMAP Funding</b>	<b>\$106,280.00</b>	<b>\$841,347.00</b>
Total Purchase Price (applicants)	\$4,074,400.00	\$18,465,023.00
Average Sales Price (applicants)	\$177,147.83	\$164,866.28
Total amount in 1st Mortgages(applicants)	\$2,683,242.00	\$12,461,054.00
Average 1st Mortgage (applicants)	\$116,662.70	\$111,259.41
Total Amt SURTAX Funding(applicants)	\$961,704.00	\$3,813,684.00
Other Loans (applicants)	\$306,197.00	\$1,511,084.00
Estimated Increase to Tax Base(funded)	\$40,000.00	\$232,500.00
<b>Head of Household Loans (Funded)</b>		
Female	12	59
Male	4	34
Total	16	93
<b>Ethnicity Loans (Funded)</b>		
Black	9	56
Hispanic	7	33
White	0	1
Other	0	3
Total	16	93
<b>Median Income Level Loans (Funded)</b>		
Very Low	5	31
Low	4	30
Median Moderate	7	32
Total	16	93
<b>Commission District Loans (Funded)</b>		
District 1	5	33
District 2	4	23
District 3	2	15
District 4	0	1
District 5	0	1
District 6	1	1
District 7	0	1
District 8	1	6
District 9	0	3
District 10	1	4
District 11	2	3
District 12	0	0
District 13	0	2
<b>Total</b>	<b>16</b>	<b>93</b>



**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV. J.**

**FISCAL MANAGEMENT REPORT**

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**FISCAL YEAR 2007-08  
MONTH ENDING  
SEPTEMBER 30, 2008**

ORIGINAL ITEM	General Fund		
	BUDGET	YEAR-TO- DATE	ACTUAL VS BUDGET
<b>REVENUES</b>			
General Fund Transfer	774,000	-	774,000
2006-2007 Carryover			
Projected surcharge			
Interest			
Loan Payments			
<b>TOTAL REVENUES:</b>	<b>774,000</b>	<b>-</b>	<b>970,000</b>
<b>EXPENDITURES</b>			
Salaries & Fringes	886,200	727,098	159,102
Temporary Help			
FIU	56,000	40,895	
Becker & Pollakoff	30,000	7,000	23,000
Dubose Consultant		10,000	
FMU	26,000	31,174	(5,174)
Auditing	200	939	(739)
In-House Meetings/Training			
Insurance	13,900	13,900	-
Maintenance Equipment	4,000	10,231	(6,231)
Rent Expenses	154,000	121,497	32,503
GSA Charges	14,000	23,694	(9,694)
Communication Equipment	5,000	6,528	(1,528)
Telecommunications	38,900	31,758	7,142
Publications/Photo Services	2,300	1,262	1,038
Travel Expenses	6,000	5,943	57
Auto Expense Reimb	-	360	(360)
Ads & Printing	29,000	15,592	13,408
Mailing Services	3,000	23	2,977
Party Cash	1,000	849	579
Indirect Cost	-		
Training	1,000	1,530	(530)
Office Supplies	12,500	6,990	5,510
Miscellaneous Expenses		2,465	(2,465)
<b>Programs</b>	<b>174,000</b>	<b>93,800</b>	<b>80,200</b>
<b>Loans</b>			
<b>Action Committees</b>			
Criminal Justice			
Education			
Legislative			
Technology Incubator			
Economic Development			
Social Justice			
Taen Police Academy			
<b>Sponsorships</b>			
Capital Equipment	7,000		7,000
<b>TOTAL EXPENSES</b>	<b>1,408,000</b>	<b>1,153,548</b>	<b>305,775</b>
Administrative Charges	(634,000)	(472,500)	(634,000)
<b>TOTAL ADM CGS AND EXPS</b>	<b>774,000</b>	<b>681,048</b>	<b>92,953</b>
<b>TOTAL REVENUE MINUS EXPS</b>	<b>-</b>	<b>(681,048)</b>	<b>681,048</b>
<b>REVENUES -MINUS EXPENSES</b>			

**FISCAL YEAR 2007-08**  
**MONTH ENDING SEPTEMBER 30, 2008**

ORIGINAL ITEM	Housing Assistance Program (HAP)		
	BUDGET	YEAR-TO- DATE	ACTUAL VS BUDGET
<b>REVENUES</b>			
General Fund Transfer			
2006-2007 Carryover	1,209,000	909,826	299,174
Projected surcharge	3,000,000	1,824,537	1,175,463
Interest	60,000	77,763	(17,763)
Loan Payments	1,000,000	331,374	668,626
<b>TOTAL REVENUES:</b>	<b>5,269,000</b>	<b>3,143,500</b>	<b>2,125,500</b>
<b>EXPENDITURES</b>			
Salaries & Fringes	352,000	391,261	(39,261)
Temporary Help			
Consultant	70,000		70,000
Auditing	2,700		2,700
In-House Meetings/Training			
Insurance			
Maintenance Equipment			
Rent Expenses			
GSA Charges			
Communication Equipment			
Telecommunications			
Publications/Photo Services			
Travel Expenses			
Auto Expense Reimb			
Ads & Printing	13,500	4,365	9,135
Mailing Services	1,000		1,000
Petty Cash			
Indirect Cost			
Training	2,000	875	1,125
Office Supplies		1,264	(1,264)
Miscellaneous Expenses		2,612	
<b>Programs</b>	<b>4,473,800</b>	<b>920,717</b>	<b>3,553,083</b>
Loans			
<b>Action Committees</b>			
Criminal Justice			
Education			
Legislative			
Technology Incubator			
Economic Development			
Social Justice			
Teen Police Academy			
<b>Sponsorships</b>			
Capital Equipment	2,000	1,442	558
<b>TOTAL EXPENSES</b>	<b>4,917,000</b>	<b>1,322,536</b>	<b>3,597,076</b>
Administrative Charges	352,000	262,500	352,000
<b>TOTAL ADM CGS AND EXPS</b>	<b>5,269,000</b>	<b>1,585,036</b>	<b>3,949,076</b>
<b>TOTAL REVENUE MINUS EXPS</b>	<b>-</b>	<b>1,558,464</b>	<b>(1,823,576)</b>

**FISCAL YEAR 2007-08**  
**MONTH ENDING SEPTEMBER**  
**30,2008**

ORIGINAL ITEM	Teen Court		
	BUDGET	YEAR-TO- DATE	ACTUAL VS BUDGET
<b>REVENUES</b>			
General Fund Transfer			
2006-2007 Carryover	923,700	809,568	114,132
Projected surcharge	1,000,000	1,227,922	(227,922)
Interest	-	26,931	(26,931)
Loan Payments			
<b>TOTAL REVENUES:</b>	<b>1,923,700</b>	<b>2,064,421</b>	<b>(140,721)</b>
<b>EXPENDITURES</b>			
Salaries & Fringes	599,800	641,489	(41,689)
Temporary Help	2,000		2,000
Consultant	3,500	71,106	(67,606)
Auditing			
In-House Meetings/Training	3,800	9,326	1,408
Insurance			
Maintenance Equipment	5,000	6,061	(1,061)
Rent Expenses	42,000	32,711	9,289
GSA Charges	3,600	15,689	3,535
Communication Equipment		4,465	(4,465)
Telecommunications	2,000	21,645	(19,645)
Publications/Photo Services	200		200
Travel Expenses	3,500		3,500
Auto Expense Reimb			
Ads & Printing	3,000	6,949	(3,949)
Mailing Services	1,600		1,600
Petty Cash			
Indirect Cost	3,200		3,200
Training	2,500		2,500
Office Supplies	5,000	6,693	(1,693)
Miscellaneous Expenses		2,511	
<b>Programs</b>	<b>955,000</b>		<b>955,000</b>
<b>Loans</b>			
<b>Action Committees</b>			
Criminal Justice			
Education			
Legislative			
Technology Incubator			
Economic Development			
Social Justice			
Teen Police Academy			
<b>Sponsorships</b>			
Capital Equipment	6,000	913	5,087
<b>TOTAL EXPENSES</b>	<b>1,641,700</b>	<b>819,558</b>	<b>847,211</b>
Administrative Charges	282,000	210,000	282,000
<b>TOTAL ADM CGS AND EXPS</b>	<b>1,923,700</b>	<b>1,029,558</b>	<b>1,129,211</b>
<b>TOTAL REVENUE MINUS EXPS</b>	<b>-</b>	<b>1,034,863</b>	<b>(1,269,932)</b>

**FISCAL YEAR 2007-08**  
**MONTH ENDING SEPTEMBER 30, 2008**

ORIGINAL ITEM	MLK Academy		
	BUDGET	YEAR-TO- DATE	ACTUAL VS BUDGET
<b>REVENUES</b>			
General Fund Transfer			
2006-2007 Carryover			-
Projected surcharge	950,000	318,029	631,971
Interest			
Loan Payments			
<b>TOTAL REVENUES:</b>	<b>950,000</b>	<b>318,029</b>	<b>631,971</b>
<b>EXPENDITURES</b>			
Salaries & Fringes	148,598	82,580	66,018
Temporary Help			
Staff	450,000	340,404	109,596
Auditing			
In-House Meetings/Training			
Insurance			
Maintenance Equipment	28,200	36,886	(8,686)
Rent Expenses	105,000	99,767	5,233
GSA Charges		17	(17)
Communication Equipment	7,000	4,617	2,383
Telecommunications	1,000	2,580	(1,580)
Publications/Photo Services		64	(64)
Travel Expenses			
Auto Expense Reimb			
Ads & Printing	7,000	5,996	1,004
Mailing Services	500	276	224
Petty Cash			
Indirect Cost			
Training	10,000		10,000
Office Supplies	7,500	3,057	4,443
Miscellaneous Expenses	1,000	4,384	(3,384)
<b>Programs</b>	<b>182,202</b>		<b>182,202</b>
<b>Loans</b>			
<b>Action Committees</b>			
Criminal Justice			
Education			
Legislative			
Technology Incubator			
Economic Development			
Social Justice			
Teen Police Academy			
<b>Sponsorships</b>			
Capital Equipment	2,000		2,000
<b>TOTAL EXPENSES</b>	<b>950,000</b>	<b>580,628</b>	<b>369,372</b>
Administrative Charges			-
<b>TOTAL ADM CGS AND EXPS</b>	<b>950,000</b>	<b>580,628</b>	<b>369,372</b>
<b>TOTAL REVENUE MINUS EXPS</b>	<b>-</b>	<b>(262,599)</b>	<b>262,599</b>

**FISCAL YEAR 2007-08**  
**MONTH ENDING SEPTEMBER 30, 2008**

ORIGINAL ITEM	Total		
	BUDGET	YEAR-TO- DATE	ACTUAL VS BUDGET
<b>REVENUES</b>			
General Fund Transfer	774,000	-	774,000
2006-2007 Carryover	2,132,700	1,719,394	413,306
Projected surcharge	4,950,000	3,370,488	1,579,512
Interest	60,000	104,694	(44,694)
Loan Payments	1,000,000	331,374	668,626
<b>TOTAL REVENUES:</b>	<b>8,916,700</b>	<b>5,525,950</b>	<b>3,390,750</b>
<b>EXPENDITURES</b>			
Salaries & Fringes	1,986,598	1,842,428	144,170
Temporary Help	2,000	-	2,000
Consultant	579,500	452,405	127,095
Auditing	32,700	7,000	25,700
In-House Meetings/Training	3,800	19,326	(15,526)
Insurance	26,000	31,174	(5,174)
Maintenance Equipment	33,400	43,886	(10,486)
Rent Expenses	147,000	132,478	14,522
GSA Charges	17,500	29,606	(12,106)
Communication Equipment	11,000	19,313	(8,313)
Telecommunications	157,000	145,722	11,278
Publications/Photo Services	14,200	23,758	(9,558)
Travel Expenses	8,500	6,528	1,972
Auto Expense Reimb	38,900	31,758	7,142
Ads & Printing	25,800	18,572	7,228
Mailing Services	9,100	6,219	2,881
Petty Cash	-	360	(360)
Indirect Cost	32,200	15,592	16,608
Training	17,500	898	16,602
Office Supplies	13,500	11,863	1,637
Miscellaneous Expenses	1,000	9,507	(8,507)
<b>Programs</b>	<b>5,612,002</b>	<b>922,247</b>	<b>4,689,755</b>
Loans	12,500	6,990	5,510
<b>Action Committees</b>	<b>-</b>	<b>2,485</b>	<b>(2,485)</b>
Criminal Justice	174,000	93,800	80,200
Education	-	-	-
Legislative	-	-	-
Technology Incubator	-	-	-
Economic Development	-	-	-
Social Justice	-	-	-
Teen Police Academy	-	-	-
<b>Sponsorships</b>	<b>-</b>	<b>-</b>	<b>-</b>
Capital Equipment	10,000	2,355	7,645
<b>TOTAL EXPENSES</b>	<b>9,314,700</b>	<b>3,876,270</b>	<b>5,089,431</b>
Administrative Charges	-	-	-
<b>TOTAL ADM CGS AND EXPS</b>	<b>9,314,700</b>	<b>3,876,270</b>	<b>5,089,431</b>
<b>TOTAL REVENUE MINUS EXPS</b>	<b>-</b>	<b>1,649,681</b>	<b>(1,698,681)</b>



# **EXECUTIVE DIRECTOR'S INFORMATION ITEM**

## **ITEM IV. K.**

### **PUBLIC INFORMATION**



**TO:** Metro-Miami Action Plan (MMAP) Trust Board  
**THRU:** John Dixon, *John Dixon* Interim Executive Director  
**DATE:** October 7, 2008  
**SUBJECT:** Marketing and Office of Public Information Report

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For your review please find below the resources that were implemented to help the agency reach its audience via visual communications and printed information during the months of August, September, and October.

Offices of Marketing and Public Information provided assistance to the MMAP Trust, action committees, CBO's, and to residents announcing MMAP programs and initiatives created for community empowerment. A multi-mix of collateral materials and promotional information were utilized to deliver the MMAP message including: letters, flyers, placement for radio and newspaper advertising, news articles, press releases, photos, website event placement and updates, email listings, and other functions. All are available for your review and comply with county branding.

- A. Finalizing Annual Report 2006-2007. Meeting with GSA second week in October.
- B. Booked two segments for taping on MDTV in October. The first segment will center on initiatives in Economic Development and Action Committee Chair, Arthur Barnes. The second segment will address the MMAP HAP Lottery Initiative with MMAP Housing Chairperson, Greicy Lovin and the show will focus on homeowners that purchased their first home one year ago via the program.
- C. Miami-Dade County Audit
  1. Provided historical data, assisted with layout, checked grammar, and assisted with packaging the document.
- D. MMAP Business Tax Receipt – Requests for information from Miami-Dade County Commissioners and various periodicals.
  1. Assisted with team effort to respond, prepare, and deliver package regarding information requested by Commissioner Barbara Jordan.
  2. Received request from South Florida Business Journal Reporter, Brian Bandell addressing the October 7<sup>th</sup> County Commission agenda item regarding the “funding encounter with Beacon Council.”
- E. Miami-Dade County Teen Court Program
  1. Provided support for the Educational Basketball Tournament which has been rescheduled program. Developed and printed flyer along with media packages.

2. Provided support for the School-Based Referral Program. Developed and printed flyer in three languages to assist with the launch of the new initiative at Edison, and Carol City Senior High Schools.
3. Additional assistance was provided with the printing of various collateral materials, promotional items and marketing for the program.

F. MMAP Housing Assistance Program

1. Finalizing MMAP HAP Brochure
2. Created a version of MMAP HAP News Flash with lottery home photos.
3. Compiling information to place a newspaper story on MMAP HAP Lottery Winners and how the purchase of their home has affected the life of their family year later.
4. In planning stages to assist with host a MMAP HAP workshop.

G. MMAP Webpage Additions and Updates

1. Miami-Dade County Teen Court Youth Speaking Out Against Violence Conference.
2. MMAP Launches Homeowner Assistance Workshops.
3. Agency Updates: Press releases; contact names; and phone numbers.
4. Volunteer Training sessions for the month of July with Flyer.
5. Posted MMAP HAP events, meetings, and updates on the web.
6. New section on MMAP web site: Disparity Study. Disparity Study PDF is downloadable.
7. Updated contact information for MMAP on other web pages, such as Government Leadership Directory listings.

H. Health Action Committee

1. Presented information to the MMAP Health Action Committee from a newspaper ad regarding the request from Health Foundation of South Florida (HFSF) to select a candidate for their Concern Awards 2008. The committee selected Annie Neisman, and collaborated with The Family Health Center, Inc. to submit the HFSF grant. Thanks to the partnership, two winners of the Concern Award could receive a \$25,000 grant and four runners-up will each receive a \$10,000 grant.

I. Miami Football Classic

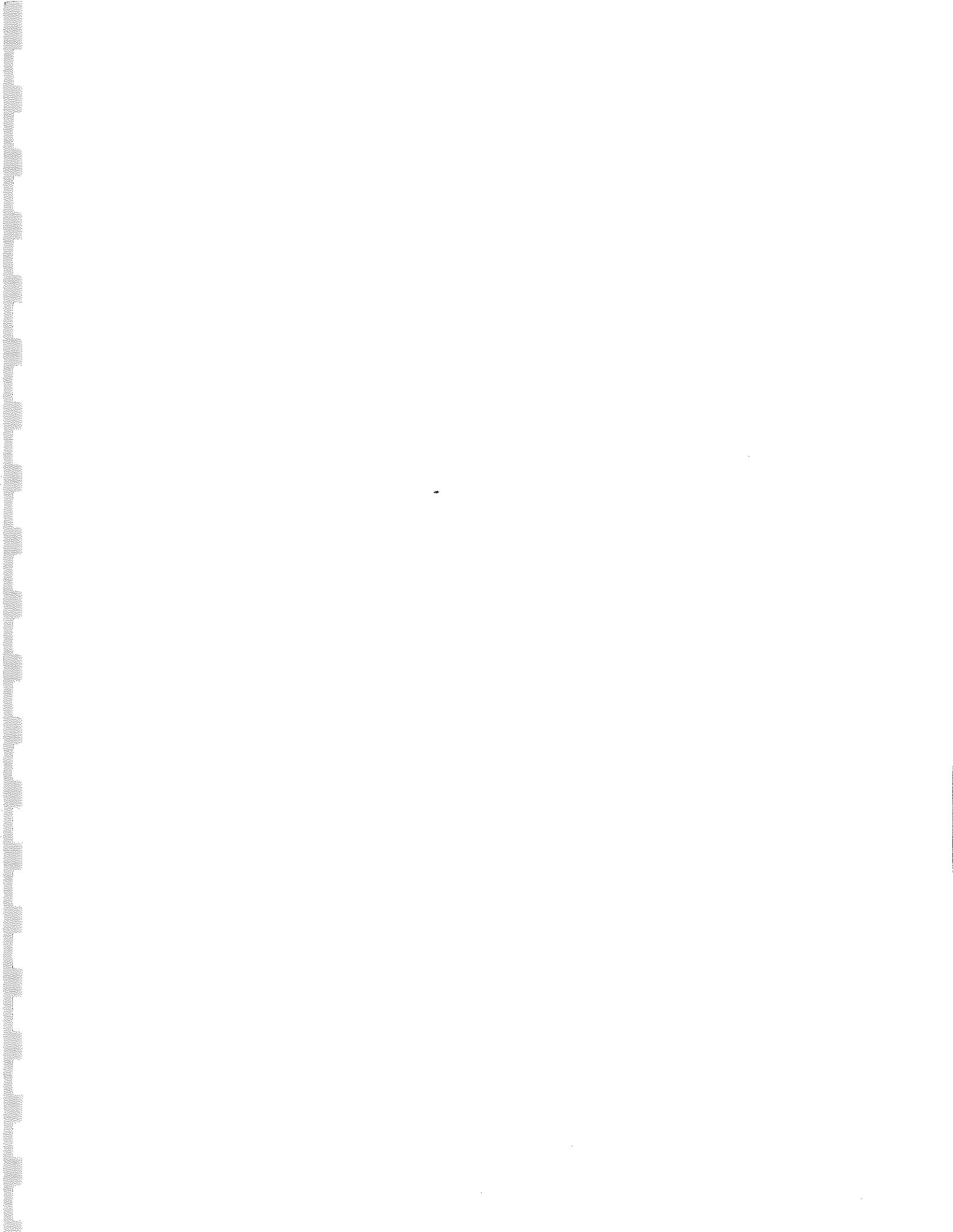
1. The agency participated in this First Annual Event held at Traz Powell Stadium which hosted teams from Howard and Savannah State University's. MMAP staff worked the ticket gates; placed banners around the stadium escorted the Savannah State Band; attended the Press Conference; attended the Kick-off event at Bayside; and, provided other logistical assistance to the Host Committee.
2. MMAP was mentioned on many of the radio spots announcing the Football Classic. A MMAP banner was also placed inside the stadium displaying the agency's support for the event.

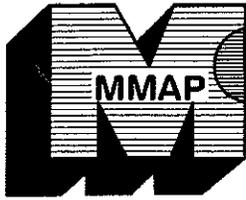


**EXECUTIVE DIRECTOR'S  
INFORMATION ITEM**

**ITEM IV. L.**

**CRIMINAL JUSTICE REPORT**





# **Metro-Miami Action Plan Trust**

## **Sunset Review Draft**

**Jan. 1, 2006 through December 31, 2007**

# Memorandum

MIAMI-DADE  
COUNTY

**Date:**

**To:** Honorable Chairman Bruno A. Barreiro and  
Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Sunset Review of County Boards for 2008 - Metro Miami Action Plan and Trust

---

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2008 Sunset Review of County Boards Report for the Metro Miami Action Plan Trust. The Board approved the attached report at its meeting of October 15, 2008 and has recommended the continuation of its board.

---

Cynthia W. Curry, Senior Advisor  
Assistant County Manager

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2008**

**I. GENERAL INFORMATION**

**Name of Board reporting:** Metro Miami Action Plan Trust (hereinafter referred to as the "Trust")

- 1. Indicate number of board members, terms of office, and number of vacancies:**  
See Attachment A
- 2. Identify number of meetings and members' attendance (Attach records reflecting activity from Jan. 1, 2006 through December 31, 2007):**  
See Attachment B
- 3. What is the source of your funding?** General Fund, Occupational License Surtax, Documentary Stamp Surtax, and Moving Violations Surcharge
- 4. Date of Board Creation:** The Board was created in 1983.
- 5. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments).**  
See Attachment C
- 6. Include the Board's Mission Statement or state its purpose:**  
See Attachment D
- 7. Attach the Board's standard operating procedures, if any.**  
The Board is governed by the MMAP Trust By-laws.
- 8. Attach a copy of the Board's By-Laws, if any.**  
See Attachment E
- 9. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership.**  
See Attachment F

**II. EVALUATION CRITERIA**

- 1. Is the Board serving the purpose for which it was created? (Please provide detailed information)**

The MMAP Trust has been meeting at least once every month since its creation.

Action Committees in the area of Education, Housing Community and Economic Development, Criminal Justice, Health and Welfare have been organized to work on specific subjects that are known to be areas of disparity for the African-American Community and make recommendations to the Trust.

Those recommendations will address the goals and objectives of MMAP's mission and the concerns expressed by community residents.

It is the opinion of the members of MMAP that the Trust has fulfilled its duties as defined in Chapter 2, Section 2-501 of the Code of Metropolitan Dade County and Ordinance 92-12 and Ordinance 01-01.

**SUNSET REVIEW QUESTIONNAIRE  
MIAMI-DADE COUNTY BOARDS  
2008**

- 8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.**

Stated goals for the MMAP Trust are given by Ordinance 92-12 which created the Trust which was included in Section 2-501 of Chapter 2 of the code of Metropolitan Dade County.

In order to better assess the Trust's effectiveness in achieving its stated goals the MMAP Trust retained the consulting services of the Metropolitan Center at Florida International University (FIU) to prepare and completed an Assessment of the Black Community with the goal to examine and undated these indices in order to determine the existing disparities within Miami-Dade County's Black communities. This 2007 FIU study updated the 1993 baseline analysis.

The MMAP Trust has been efficiently addressing all issues that have been brought for its consideration by the public/private sector, community residents and community organizations, staff, Trust members and the County Commissioners.

- 9. Also: Include a diskette, saved as ASCII or Rich Text Format (RTF), of the County Manager's transmittal memorandum to the Board of County Commissioners with the Board's recommendation.**

Included - See Attachment I

**ATTACHMENT A**

**Number of Board Members, Terms of Office and Number of Vacancies**



**Clerk of the Board**  
**COUNTY BOARDS AND APPOINTMENTS**  
 Miami-Dade County, Florida



Printed On : 10/2/2008 12:05:30 PM

Printed By : ADMINISTRATOR: MOORE, SHANIA

**METRO MIAMI ACTION PLAN TRUST NOMINATING COUNCIL**

**AUTHORITY** SEC 2-503, MIAMI-DADE COUNTY CODE

**DESCRIPTION** TO SELECT QUALIFIED CANDIDATES TO SERVE AS MEMBERS OF THE METRO MIAMI ACTION PLAN TRUST.

**COMPOSITION** FIVE (5) VOTING MEMBERS, ONE (1) OF WHOM SHALL BE THE CHAIRPERSON OF THE BOARD OF TRUSTEES OF THE TRUST AND FOUR (4) OF WHOM SHALL BE APPOINTED BY THE MAYOR.

**QUALIFICATION** RESIDENTS AND ELECTORS OF MIAMI-DADE COUNTY.

MEMBER NAME	TERM	CATEGORY	APPOINTED/NOMINATED BY
-------------	------	----------	------------------------

WILLIAM E. CLARK III  
 7365 NORTH AUGUSTA  
 DRIVE  
 MIAMI, FL 33015

5/17/2007 TO 5/17/2010

MAYOR- CARLOS  
 ALVAREZ

BILL DIGGS  
 11380 NW 27TH AVENUE  
 1328  
 MIAMI, FL 33167

5/17/2007 TO 5/17/2010

MAYOR- CARLOS  
 ALVAREZ

JOHN T. JONES, JR.  
 3550 BISCAYNE BLVD.  
 SUITE 402  
 MIAMI, FL 33128

TENURE

DESIGNATED SEAT-  
 CHAIRPERSON, METRO-  
 MIAMI ACTION PLAN  
 TRUST

WALTER THOMAS  
 RICHARDSON

5/17/2007 TO 5/17/2010

MAYOR- CARLOS  
 ALVAREZ

BETTINA RODRIGUEZ-  
 AGUILERA

5/17/2007 TO 5/17/2010

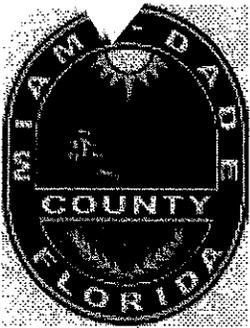
MAYOR- CARLOS  
 ALVAREZ

VACANCY	APPOINTED/NOMINATED BY	CATEGORY	MEMBER STATUS	VACANT SINCE
---------	------------------------	----------	---------------	--------------

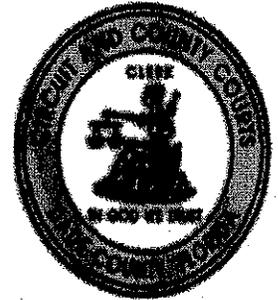
JONES, JR., JOHN  
 T.

DESIGNATED SEAT-  
 CHAIRPERSON, METRO-  
 MIAMI ACTION PLAN TRUST

TERM  
 EXPIRATION 9/23/2006(740)  
 DATE HAS BEEN days  
 MET (9/23/2006)



**Clerk of the Board**  
**COUNTY BOARDS AND APPOINTMENTS**  
 Miami-Dade County, Florida



Printed On : 10/2/2008 12:04:08 PM

Printed By : ADMINISTRATOR: MOORE, SHANIA

**METRO MIAMI ACTION PLAN TRUST**

**AUTHORITY** SEC - 501, MIAMI-DADE COUNTY CODE

**DESCRIPTION** TO EASE THE RACIAL DISPARITIES BETWEEN MEMBERS OF THE AFRICAN AMERICAN COMMUNITY AND MEMBERS OF OTHER ETHNIC COMMUNITIES BY THE DEVELOPMENT OF AN ACTION PLAN FOR THE SOCIAL AND ECONOMIC DEVELOPMENT OF THE AFRICAN AMERICAN COMMUNITY.

**COMPOSITION** TWENTY-ONE (21) MEMBERS NOMINATED BY THE METRO-MIAMI ACTION PLAN TRUST NOMINATING COMMITTEE AND APPOINTED BY THE COUNTY COMMISSION TO INCLUDE: ECONOMIC AND BUSINESS AND FINANCE, EDUCATIONAL ORGANIZATIONS AND HEALTH ORGANIZATIONS.

**QUALIFICATION** RESIDENTS AND ELECTORS OF MIAMI-DADE COUNTY WHO HAVE OUTSTANDING REPUTATIONS FOR INTEGRITY, RESPONSIBILITY, AND COMMITMENT TO SERVING THE COMMUNITY.

MEMBER NAME	TERM	CATEGORY	APPOINTED/NOMINATED BY
BARNES J. ARTHUR 6003 S.W. 154TH COURT MIAMI, FL 33193	9/23/2003 TO 9/23/2006		ORGANIZATION- MMAP NOMINATING COMMITTEE
VELDERIN FREEMON 3050 BISCAYNE BLVD. #100 MIAMI, FL 33137	9/23/2006 TO 9/23/2006		ORGANIZATION- MMAP NOMINATING COMMITTEE
MARIE B. HYPOLITE	6/7/2005 TO 6/30/2008		ORGANIZATION- MMAP NOMINATING COMMITTEE
JOHN T. JONES, JR. 3550 BISCAYNE BLVD SUITE 402 MIAMI, FL 33128	9/23/2003 TO 9/23/2006		ORGANIZATION- MMAP NOMINATING COMMITTEE
GREICY LOVIN-MEIGHAN 400 NW 2ND AVENUE MIAMI, FL 33128	9/23/2003 TO 9/23/2006		ORGANIZATION- MMAP NOMINATING COMMITTEE
HERBERT ROBINSON 300 N E 2ND AVENUE ROOM 1201 MIAMI, FL 33132	9/23/2003 TO 9/23/2006		ORGANIZATION- MMAP NOMINATING COMMITTEE

MARZELL SMITH

7/13/2004 TO 7/30/2007

ORGANIZATION- MMAP  
NOMINATING COMMITTEE

VACANCY	APPOINTED/NOMINATED BY	CATEGORY	MEMBER STATUS	VACANT SINCE
ARTHUR, BARNES J.	ORGANIZATION- MMAP NOMINATING COMMITTEE		TERM EXPIRATION DATE HAS BEEN MET (9/23/2006)	9/23/2006(740) days
CRAPP, JR., TONY	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	12/19/2007(288) days
DONALDSON, THOMAS	ORGANIZATION- MMAP NOMINATING COMMITTEE		REMOVED	2/2/2006(973) days
FREEMON VELDERIN	ORGANIZATION- MMAP NOMINATING COMMITTEE		TERM EXPIRATION DATE HAS BEEN MET (9/23/2006)	9/23/2006(740) days
HOLLAND, ROBERT	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	3/2/2006(945) days
HYPPOLITE, MARIE B.	ORGANIZATION- MMAP NOMINATING COMMITTEE		TERM EXPIRATION DATE HAS BEEN MET (6/30/2008)	6/30/2008(94) days
JONES, JR., JOHN T.	ORGANIZATION- MMAP NOMINATING COMMITTEE		TERM EXPIRATION DATE HAS BEEN MET (9/23/2006)	9/23/2006(740) days
KOVACH BEVERLY	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	11/15/2007(322) days
KUEHNE, BENEDICT	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	10/17/2007(351) days
LOVIN, MEIGHAN GREIGY	ORGANIZATION- MMAP NOMINATING COMMITTEE		TERM EXPIRATION DATE HAS BEEN MET (9/23/2006)	9/23/2006(740) days
MALONE, OMAR	ORGANIZATION- MMAP NOMINATING COMMITTEE		REMOVED - ATTENDANCE REQUIREMENT NOT MET	12/29/2006(643) days
OBI NWEZE ADORA	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	4/16/2004(1630) days
PAGE, RUTH	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	5/5/2005(1246) days
PHAIR, CALVETTA	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	9/30/2005(1098) days
PINKSTON, ED.D., MARTY	ORGANIZATION- MMAP NOMINATING COMMITTEE		RESIGNED	11/15/2006(687) days
ROBINSON HERBERT	ORGANIZATION- MMAP NOMINATING COMMITTEE		TERM EXPIRATION DATE HAS BEEN MET (9/23/2006)	9/23/2006(740) days

SMITH, MARZELL	ORGANIZATION- MMAP NOMINATING COMMITTEE	TERM EXPIRATION DATE HAS BEEN MET (7/30/2007)	7/30/2007(430) days
STARFORD CYNTHIA	ORGANIZATION- MMAP NOMINATING COMMITTEE	TERM EXPIRED	5/11/2007(507) days
WICK, JR., DANIEL	ORGANIZATION- MMAP NOMINATING COMMITTEE	RESIGNED	11/11/2007(336) days
WILLIAMS RICHARD	ORGANIZATION- MMAP NOMINATING COMMITTEE	REMOVED - ATTENDANCE REQUIREMENT NOT MET	2/2/2006(973) days
WOODSON, HANNIE	ORGANIZATION- MMAP NOMINATING COMMITTEE	REMOVED - ATTENDANCE REQUIREMENT NOT MET	12/29/2006(643) days

**ATTACHMENT B**

**MMAP Trust Attendance Record**

## CLERK OF THE BOARD- BOARD ATTENDANCE RECORD

From January to December 2006

### METRO-MIAMI ACTION PLAN TRUST

NAME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total # of Meetings Present	Percentage of Meetings Present
	1/18	2/15	3/15	4/19	5/17	6/21	7/7	8/6	9/20	10/18	11/15	12/13		
Barnes, Arthur	E	P	P	E	P	E	P	↑	P	P	A	A	7	64%
Crapp, Tony E., Jr.	P	P	P	P	P	P	E		P	P	P	P	10	91%
Donalson, Thomas B.	A	Resigned	Resigned	Resigned	Resigned	Resigned	Resigned		Resigned	Resigned	Resigned	Resigned	3	27%
Freemon, Veldrin	E	P	E	P	E	P	E		A	A	A	A		0%
Holland, Robert	A	E	Resigned	Resigned	Resigned	Resigned	Resigned		Resigned	Resigned	Resigned	Resigned	5	45%
Hyppolite, Marie B.	P	P	E	P	E	E	P	R	P	A	A	A	8	73%
Kovach, Beverly	P	P	P	P	E	P	E	E	P	A	P	P	5	45%
Kuehne, BenedictP.	E	E	E	P	E	E	E	C	P	P	P	P	9	82%
Lovin-Meighan, Greicy	P	E	P	P	P	E	P	E	P	P	P	P		
Malone, Omar	A	A	A	A	A	A	A	S	A	A	A	A		
Pinkston, Marty Dr.	E	P	P	P	P	E	E	S	P	P	P	Resigned		
Robinson, Herbert	P	P	P	P	P	P	E		P	P	P	P	10	91%
Smith, Marzell, Ed. D.	P	P	E	P	E	E	P		P	A	P	P	7	64%
Stafford, Cynthia	A	E	E	E	E	E	E		A	A	A	A	1	9%
Wick, Daniel	P	E	P	E	E	E	E		P	P	P	A	5	45%
Williams, Richard E., PH.D.	P	E	P	E	E	E	E		Resigned	Resigned	Resigned	Resigned		
Woodson, Hannie L.	A	Resigned	Resigned	Resigned	Resigned	Resigned	Resigned		Resigned	Resigned	Resigned	Resigned	1	9%
Jones, John T. , Jr. Chairperson	E	E	P	E	E	E	E		A	A	A	Resigned		
	P	P	P	P	P	P	P	↓	P	P	P	P	11	100%

Key A-Absent  
P-Present  
E-Excused

**CLERK OF THE BOARD- BOARD ATTENDANCE RECORD**

From January to December 2007

**METRO-MIAMI ACTION PLAN TRUST**

NAME	JAN	FEB	MAR	APR	MAY	JUN	JUL	JUL	JUL	AUG	SEP	OCT	OCT	NOV	DEC	Total # of Meetings Present	Percentage of Meetings Present
	1/17	2/21	3/21	4/25	5/16	6/20	7/11	7/18	7/25	8/15	9/19	10/9	10/17	11/14	12/19		
Barnes, Arthur	A	P	P	P	P	P	P	P	A	P	P	P	P	P	P	13	93%
Crapp, Tony E., Jr.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	14	100%
Freemon, Veldrin	P	A	A	A	P	P	P	P	P	A	A	A	P	P	A	11	79%
Hyppolite, Marie B.	P	P	P	P	P	A	P	P	P	P	P	P	A	P	Resigned	10	77%
Kovach, Beverly	P	P	P	P	P	P	P	P	P	P	A	A	A	Resigned	Resigned	7	54%
Kuehne, Benedict P.	E	A	P	A	A	P	P	A	P	A	A	P	A	A	P	8	57%
Lovin-Meighan, Greicy	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	15	107%
Robinson, Herbert	P	P	P	P	P	P	P	P	A	P	P	P	P	A	P	11	79%
Smith, Marzell, Ed. D.	P	A	P	A	P	P	P	P	A	P	P	P	Resigned	Resigned	Resigned	0	0%
Stafford, Cynthia	A	A	A	A	Resigned	8	73%										
Wick, Daniel	A	P	P	P	A	P	P	P	A	A	P	P	P	P	P	15	107%
Jones, John T., Jr. Chairperson	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

Key A-Absent  
P-Present  
E-Excused

**CLERK OF THE BOARD - BOARD ATTENDANCE RECORD**

Key: A-Absent  
P-Present  
E-Excused

Board or Committee: METRO-MIAMI ACTION PLAN TRUST (21-members)

NAME	Date of Meetings						
	9/20/06	10/18/06	11/15/06	12/13/06	1/17/07	2/21/07	3/21/07
Barnes, Arthur	P	P	A	A	A	P	P
Crapp, Tony E., Jr.	P	P	P	P	P	P	P
VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT
Freemon, Veldrin	A	A	A	A	P	A	A
VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT
Hyppolite, Marie B.	P	A	A	A	P	P	P
Kovach, Beverly	P	A	P	P	P	P	P
Kuehne, Benedict P.	P	P	P	P	E	A	P
Lovin-Meighan, Greicy	P	P	P	P	P	P	P
Malone, Omar	A	A	A	A	VACANT	VACANT	VACANT
Pinkston, Marty Dr.	P	P	P	RESIGNED	RESIGNED	RESIGNED	RESIGNED
Robinson, Herbert	P	P	P	P	P	P	P
Smith, Marzell, Ed. D.	P	A	P	P	P	A	P
Stafford, Cynthia	A	A	A	A	A	A	A
Wick, Daniel	P	P	P	A	A	P	P
VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT
Woodson, Hannie L.	A	A	A	A	VACANT	VACANT	VACANT
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
Jones, John T., Jr. Chairperson	P	P	P	P	P	P	P
COMMISSION REPORTER	MARY	MARY	MARY	MARY	MARY	MARY	Jovel/Karen
START TIME	12:24P	12:30P	12:27P	12:32P	12:21P	12:41P	12:15P
END TIME	3:32P	3:00P	3:39P	2:22P	2:45P	2:43P	1:50P

# CLERK OF THE BOARD - BOARD ATTENDANCE RECORD

Key: A-Absent  
P-Present  
E-Excused

Board or Committee: METRO-MIAMI ACTION PLAN TRUST

NAME	Date of Meetings						
	4/25/07	5/16/07	6/20/07	7/11/07	7/18/07	7/25/07	8/15/07
Barnes, Arthur	P	P	P	P	P	A	P
<del>Cooper, Torris</del>	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
Crapp, Tony E., Jr.	P	P	P	P	P	P	P
<del>Donaldson, Thomas B.</del>	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT
Freemon, Veldrin	A	P	P	P	P	P	A
<del>Holland, Robert</del>	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT
Hyppolite, Marie B.	P	P	A	P	P	P	P
Kovach, Beverly	P	P	A	P	P	P	P
Kuehne, Benedict P.	A	P	P	P	P	P	A
Lovin-Meighan, Greicy	A	A	P	P	A	P	A
<del>Malone, Omar</del>	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT
McAder, Andre	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
<del>Obi Nweze, Adofa</del>	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
<del>Page, Ruth</del>							
<del>Pinkston, Marty Dr.</del>							
Robinson, Herbert	P	P	P	P	P	P	P
Smith, Marzell, Ed. D.	A	P	P	P	P	A	P
Stafford, Cynthia	A	V	A	C	A	N	T
Wick, Daniel	P	A	P	P	P	A	A
<del>Williams, Richard E., Ph.D.</del>							
Jones, John T., Jr. Chairperson	P	P	P	P	P	P	P
COMMISSION REPORTER	Karen	Karen	Karen	Karen	Karen	Karen	Karen
START TIME	12:26	11:19A	1:24P	12:08P	12:25P	12:18	12:25
END TIME		12:54P	2:26P	2:55P	2:52P	2:00P	1:40P

\* Date not on printout.

# CLERK OF THE BOARD - BOARD ATTENDANCE RECORD

Key: A-Absent  
P-Present  
E-Excused

Board or Committee:	METRO-MIAMI ACTION PLAN TRUST						Date of Meetings	
NAME	9/19/07	10/9/07	10/17/07	11/14/07	12/19/07			
Barnes, Arthur	P	P	P	P	P	Vacant	Vacant	
Cooper, Tomis	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	
Crapp, Tony E., Jr.	P	P	P	P	P	VACANT	VACANT	
Donaldson, Thomas B.	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
Freemon, Veldrin	P	P	P	P	P	VACANT	VACANT	
Holland, Robert	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
Hyppolite, Marie B.	A	A	A	A	VACANT	VACANT	VACANT	
Kovach, Beverly	P	P	P	P	VACANT	VACANT	VACANT	
Kuehne, Benedict P.	A	A	A	A	P			
Lovin-Meighan, Greicy	A	P	A	A	P			
Malone, Omar	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
McAder, Andre	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	
Obi Nweze, Adora	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	
Page, Ruth	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
Pinkston, Marty Dr.	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
Robinson, Herbert	P	P	P	P	P			
Smith, Marzell, Ed. D.	P	P	P	P	P			
Stafford, Cynthia	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
Wick, Daniel	P	P	P	P	P			
Williams, Richard E., Ph.D.	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
Jones, John T., Jr. Chairperson	P	P	P	P	P			
COMMISSION REPORTER	Waren	Karen	Karen	Karen	Karen			
START TIME	12:56p	12:15p	12:18p	12:27	12:27p			
END TIME	2:46p	2:34p	1:24p	3:26p	2:12p			

OK

# CLERK OF THE BOARD - BOARD ATTENDANCE RECORD

Key: A-Absent  
P-Present  
E-Excused

Board or Committee: METRO-MIAMI ACTION PLAN TRUST (21-members)

NAME	Date of Meetings						
	7/6/05	Retreat 7/22/05	9/28/05	10/19/05	11/16/05	12/14/05	1/18/06
Barnes, Arthur	P	P	P	E	E	E	E
Crapp, Tony E., Jr.	P	P	P	P	P	P	P
Donaldson, Thomas B.	E	E	E	A	E	A	A
Freemon, Veldrin	P	P	P	E	E	E	E
Holland, Robert	P	P	E	P	E	E	P
Hyppolite, Marie B.	P	P	P	P	P	P	P
Kovach, Beverly	P	P	P	P	E	E	E
Kuehne, Benedict P.	P	P	E	P	E	P	P
Lovin-Meighan, Greicy	E	A	E	A	A	A	A
Malone, Omar	A	A	A	RESIGNED	VACANT	VACANT	VACANT
Phair, Calvetta	P	P	P	E	E	E	E
Pinkston, Marty Dr.	P	P	P	P	P	P	P
Robinson, Herbert	P	P	P	E	P	P	P
Smith, Marzell, Ed. D.	P	P	E	A	E	A	A
Stafford, Cynthia	E	P	P	E	P	E	P
Wick, Daniel	P	P	P	A	A	A	A
Williams, Richard E., Ph.D.	A	A	A	A	A	E	E
Woodson, Hannie L.	P	P	P	P	E	E	E
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
Jones, John T., Jr. Chairperson	P	P	P	P	P	P	P
COMMISSION REPORTER	Mary	Mary	Mary	Savel	Mary	Mary	Mary
START TIME	12:28p	1:48p.	12:28p	12:30p	1:22p	12:54p	12:36p
END TIME	2:51p	4:00p	3:02p	2:34p	3:40p	3:16p	2:12p

# CLERK OF THE BOARD - BOARD ATTENDANCE RECORD

Key: A-Absent  
P-Present  
E-Excused

Board or Committee: METRO-MIAMI ACTION PLAN TRUST (21-members)

NAME	Date of Meetings						
	2/15/06	3/15/06	4/19/06	5/17/06	6/21/06	7/7/06	8/1/06
Barnes, Arthur	P	P	E	P	E	P	R
Crapp, Tony E., Jr.	P	P	P	P	P	E	
Donaldson, Thomas B.	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	E
Freemon, Veldrin	P	E	P	E	P	E	
Holland, Robert	E	VACANT	VACANT	VACANT	VACANT	VACANT	E
Hyppolite, Marie B.	P	E	P	E	E	P	
Kovach, Beverly	P	P	P	E	P	E	C
Kuehne, Benedict P.	E	E	P	E	E	E	
Lovin-Meighan, Greicy	E	P	P	P	E	P	E
Malone, Omar	A	A	A	A	A	A	
Pinkston, Marty Dr.	P	P	P	P	P	E	S
Robinson, Herbert	P	P	P	E	E	P	
Smith, Marzell, Ed. D.	P	E	P	E	E	E	S
Stafford, Cynthia	E	E	E	E	E	E	
Wick, Daniel	E	P	E	E	E	E	S
Williams, Richard E., Ph.D.	VACANT	VACANT	VACANT	VACANT	VACANT	VACANT	
Woodson, Hannie L.	E	P	E	E	E	E	
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
(Vacant)	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant
Jones, John T., Jr. Chairperson	P	P	P	P	P	P	
COMMISSION REPORTER	Smith-York	SMITH-YORK	Shaw	Smith-York	Shaw	Smith-York	
START TIME	12:33P	12:41P	12:37P	12:48P	12:49P	12:39P	
END TIME	2:38P	2:38P	2:52P	2:20P	2:46P	2:23P	

**ATTACHMENT C**

**Ordinance Creating MMAP Trust**

ARTICLE XLVIII. METRO-MIAMI ACTION PLAN TRUST\*

\***Editor's note:** Ord. No. 92-12, adopted Feb. 18, 1992, amended the Code by the addition of provisions which have been included herein at the discretion of the editor as Art. XLVIII, §§ 2-501--2-509.

Sec. 2-501. Creation and purpose.

(a) There is hereby created and established a revocable trust, the terms of which may be modified by Miami-Dade County, which trust shall be named and known as the Metro-Miami Action Plan Trust (hereinafter referred to as the "Trust"). The Trust shall be a public body corporate and politic which, through its governing body, may exercise all those powers either specifically granted herein or necessary in the exercise of those powers herein enumerated. The Trust shall be an agency and instrumentality of Miami-Dade County.

(b) This Board recognizes the independence of the Trust and its obligation to provide the Board of County Commissioners and the County Manager with independent advice on matters of policy relating to the purposes and projects of the Metro-Miami Action Plan.

(c) Notwithstanding the independence of the Trust, this Board may by resolution take any action to effectuate the purposes of the Metro-Miami Action Plan.

(Ord. No. 92-12, § 1, 2-18-92; Ord. No. 01-01, § 1, 1-23-01)

Sec. 2-502. Governing body.

(a) The governing body of the Trust shall be a Board of Trustees composed of fifteen (15) voting members. A quorum of the Trust shall be the lesser of seven (7) Trustees or a majority of those Trustees in office.

(b) The Board of Trustees shall hold regular meetings in accordance with the bylaws of the Trust and other such meetings as it deems necessary.

(c) The establishment and activities of the Board of Trustees shall be governed by Section 2-11.36 et seq. of the Code of Miami-Dade County, as applicable.

(Ord. No. 92-12, § 2, 2-18-92; Ord. No. 08-86, § 1, 7-1-08)

Sec. 2-503. Appointment and tenure.

(a) *Nominating council.* Trustees shall be appointed by resolution of the Board of County Commissioners (hereinafter known as "Board") after having been selected by the Metro-Miami Action Plan Trust Nominating Council (hereinafter known as "Nominating Council") established and described herein. The Nominating Council shall be comprised of five (5) voting members, two (2) of whom shall be the Chairperson of the Board of Trustees of the Trust and the Chair of the Board's committee with jurisdiction over economic development issues, who shall serve as the chair of the Nominating Council and three (3) of whom shall be appointed by the Chair of the Board of County Commissioners and ratified by the Board. No acting Trustee of the Trust, other than the Chairperson of the Board of Trustees, shall serve on the Nominating Council, nor shall any acting member of the Nominating Council, other than the Chairperson of the Board of Trustees, be eligible to serve on the Board of Trustees of the Trust. In serving on the Nominating

Council, the Chairperson of the Board of Trustees of the Trust shall not vote on or participate in any way in any matter affecting the Chairperson's appointment to the Board of Trustees of the Trust. The members of the Nominating Council shall be appointed for staggered three-year terms and shall not serve more than two (2) consecutive and complete three (3) years each as set forth in Section 2-503(d) of this article. The sole function of the Nominating Council shall be to solicit, screen, interview and recommend for appointment the best qualified candidate for each vacancy of the Board of Trustees. The Nominating Council and the procedures under which it will operate shall be approved by the Board of County Commissioners. The Nominating Council shall submit to the Board of County Commissioners one (1) nominee for each vacancy on the Trust Board. The slate of nominees shall be submitted directly to the Board of County Commissioners no later than September 1 of each year. As applicable, Section 2-11.36 et seq. of the Code of Miami-Dade County shall govern the establishment and activities of the Nominating Council. In the event the Commission is unable to appoint a member to the Board of Trustees pursuant to said section(s), no action of the Trust shall be rendered void because of such inability on the part of the Commission. The County Mayor shall designate a liaison to coordinate the Nominating Council process.

In the event of a vacancy during the term of a Trustee, the Trust shall notify the Board of County Commissioners of the vacancy and shall request that it be filled in accordance with the applicable criteria set forth herein either as a part of the annual appointment process or by a special meeting of the Nominating Council.

(b) *Composition.* Notwithstanding Section 2-11.1 of this Code with respect to eligibility of membership on the Board of Trustees, the voting membership shall include representatives from the following areas of professional expertise: (1) economic and business development; (2) criminal justice; (3) community based organizations; (4) educational organizations; (5) banking and finance; and (6) health organizations. In addition, the Board of Trustees shall have at least one (1) voting member from the Miami-Dade County School Board and one (1) voting member from State or local government. At least seven (7) members of the initial Board of Trustees shall be selected from members of the existing Metro-Miami Action Plan Board of Directors. With respect to the appointment of the balance of Trustees, careful consideration shall be given to the expertise needed to accomplish the goals and objectives of the Trust. In addition, a majority of the membership of the Board of Directors shall be members of the African-American community.

(c) *Qualifications.* Each member of the Board of Trustees shall be a United States citizen, a permanent resident and duly qualified elector of Miami-Dade County unless the Board of County Commissioners waives the residency requirement by a two-thirds vote of its membership. No person shall be qualified to sit as a Trustee if that person is an officer, representative, administrator or employee of any consultant, contractor or agency contracting with or receiving funding from the Trust except if that person is employed by or is serving on the Board of Trustees as a representative of State or local government. Trustees who are representatives of or who are employed by any State or local governmental agency may not vote on matters affecting the governmental agency by which they are employed or whom they represent.

(d) *Tenure of Trustees.* The Trustees shall serve terms of three (3) years each; provided, however, that of the original Board of Trustees, the Board of County Commissioners shall select one-third ( 1/3) for a term of one (1) year and one-third ( 1/3) for a term of two (2) years. No Trustee shall be permitted to serve more than two (2) consecutive and complete terms of three (3) years each unless so authorized by a two-thirds ( 2/3) vote of the full membership of the

Board of County Commissioners. All Trustees serving on the Board of Trustees on the effective date of this ordinance shall continue to serve on the Board of Trustees. Current Trustees shall be eligible to serve up to two (2) consecutive and complete three-year terms. Service on the Board of Trustees by current members prior to the effective date of this ordinance shall not count towards the maximum term of service provided for in this ordinance. The initial Board of Trustees, appointed after the effective date of this ordinance, excluding Trustees serving on the Board of Trustees on the effective date of this ordinance, shall serve staggered terms. One-third (1/3) of Trustees appointed after the effective date of this ordinance shall serve for a term of one (1) year, one-third (1/3) shall serve for a term of two (2) years, and one-third (1/3) shall serve for a term of three (3) years. Straws shall be drawn to determine the terms.

(e) *Compensation.* Trustees shall serve without compensation but shall be entitled to reimbursement for necessary expenses.

(Ord. No. 92-12, § 3, 2-18-92; Ord. No. 01-01, § 1, 1-23-01; Ord. No. 08-86, § 2, 7-1-08)

#### Sec. 2-504. Removal of Trustees.

Any Trustee shall be removed for excessive absence in accordance with Section 2-11.39 of the Code of Miami-Dade County. In addition, before or after the transition period any Trustee may be removed for cause by two-thirds vote of the entire membership of the Board of County Commissioners or, at the conclusion of the transition period (hereinafter defined), by two-third vote of the entire membership of the Board of Trustees.

(Ord. No. 92-12, § 4, 2-18-92)

#### Sec. 2-505. Organization; staff support.

(a) *Organization.* The Board of Trustees shall organize after the members have qualified to serve and shall elect one of its voting members as Chairperson, one of its voting members as Vice-Chairperson and such other officers as the Board of Trustees may determine to be necessary. In addition, the Board of Trustees shall make, adopt and amend bylaws, rules and regulations for its own governance.

(b) *Employees.* The Executive Director and all employees of the Trust shall be Miami-Dade County employees. 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.

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.

(c) *Staff support.* The County Attorney shall serve as Attorney for the Trust, the County Manager shall provide audit, budget and financial assistance to the Trust, and the Clerk of the Board of County Commissioners shall be the Clerk and Secretary of the Trust.

(d) The Board of County Commissioners shall provide to the Trust fiscal review and oversight as well as programmatic focus and direction.

(e) The Trust shall present quarterly financial reports, including a current statement of all accounts, to the Commission Auditor and the County Manager. Copies of said reports shall be provided to the Board of County Commissioners. Said reports shall also include information concerning an assessment of the performance of each agency funded by the Trust as well as

those program activities carried out directly by the Trust. In addition to these quarterly reports, the Trust shall submit annual reports to the County Manager and the Commission Auditor summarizing and evaluating all programs and activities undertaken by the Trust during the previous fiscal year. The annual report shall include an audit in accordance with generally accepted accounting principles of all funds received and expended by the Trust. The Trust shall not be able, however, to establish any bank accounts without the express approval of either the Board of County Commissioners or the County Manager; provided, however, that the Trust can establish an account for Miami-Dade Community Foundation monies to receive and expend non-County monies which the Trust receives. No County monies nor income from County accounts shall be deposited into external accounts. The Trust shall be subject to periodic reviews as deemed necessary by the County Mayor, the Board of County Commissioners, the Department of Audit and Management Services and the Office of Strategic Business Management. In the event that these reviews reveal management problems, as determined by the reviewing entity, then the County Mayor, after the approval of the Board of County Commissioners, may place the Trust on Management Watch. If the Trust is placed on Management Watch, the Mayor shall present a plan to the Board of County Commissioners which provides timelines for removal of the Trust from Management Watch. The Board of County Commissioners shall have the authority to remove the Trust from Management Watch.

The Trust, in addition to providing quarterly financial reports, shall submit to the Board an annual Report Card on the State of the Black Community in Miami-Dade County. The report card shall include information on factors such as, but not limited to, the unemployment rate, the rates of business ownership, graduation rates, and homeownership rates within Miami-Dade County's Black community. The report card shall be presented to the Board and to the community.

(f) Subject to the Miami-Dade County budgetary process and the availability of funds, the County will include in its annual budget funds for administrative costs and additional funds for programmatic activities. Requests for administrative and programmatic funds are to be made in accordance with the procedures described in Section 2-506(i). The County Manager is directed to include his recommendation for administrative and programmatic funding for the Trust in the annual proposed budget.

(Ord. No. 92-12, § 5, 2-18-92; Ord. No. 01-01, § 1, 1-23-01; Ord. No. 08-86, § 3, 7-1-08)

#### Sec. 2-506. Powers and duties of the Trust.

The Trust, acting through its governing body, shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided:

(a) Every five (5) years, the Trust shall establish a five-year comprehensive plan (hereinafter "the plan"). The plan shall contain one-year goals and objectives, the completion of which shall be needed to accomplish the comprehensive plan. The first plan shall be submitted to the Board of County Commissioners for approval.

(b) The Trust shall be empowered to expend administrative and programmatic resources to achieve each of its one-year goals and objectives as well as to accomplish and complete each five-year plan.

(c) The Trust shall identify and develop a variety of alternative funding sources and shall seek and apply for State, federal and private grants.

(d) The trust, as an agent and instrumentality of Miami-Dade County, shall be authorized to act for Miami-Dade County in the performance and enforcement of all contracts and, subsequent to

the effective date of this chapter and subject to the limitations set forth below, shall additionally be empowered to negotiate and execute such contracts as are properly within the powers and duties of the trust. However, the trust shall not without the prior approval of the Board of County Commissioners, enter into or amend any contract which shall require the expenditure of funds in excess of the amounts appropriated to the trust by the Board of County Commissioners.

The trust shall comply with the formal bid requirements of Section 4.03(D) of the Charter of Miami-Dade County, Florida, and for such purpose the term "board" as used in Section 4.03(D) shall be construed to be "board of trustees" and the term "manager" shall be construed to be executive director of the trust.

For all construction contracts, the trust shall comply with the provisions of Section 10-38 of the County Code and the administrative procedures adopted pursuant to said section.

For all purchases of commodities and services, the trust shall comply with the provisions of Section 2-8.2 of the County Code and the administrative procedures adopted pursuant to said section.

(e) The Trust's budget requests shall be prepared and submitted in the same manner as the budget for a County department and will be considered as part of the Miami-Dade County budget process. The Trust's budget requests shall be prepared in a format prescribed by the County Manager.

(Ord. No. 92-12, § 6, 2-18-92; Ord. No. 93-12, § 1, 2-16-93; Ord. No. 01-01, § 1, 1-23-01)

Sec. 2-507. Reserved.

**Editor's note:** Ord. No. 01-01, § 1, adopted Jan. 23, 2001, repealed section 2-507 in its entirety. Former section 2-507 pertained to an extension of the transition period and derived from Ord. No. 92-12, § 7, adopted Feb. 18, 1992.

Sec. 2-508. Applicability of Florida Open Government and Conflict of Interest Laws.

The Trust shall at all times operate under the Florida Open Government Laws, including the "Sunshine Laws," Public Meeting Laws and Public Record Laws, and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics ordinance, Section 2-11.1 of the Code of Miami-Dade County, Florida.

(Ord. No. 92-12, § 8, 2-18-92)

Sec. 2-509. Validity.

If any section, subsection, sentence, clause or provision of this article is held invalid, the remainder of this article shall not be affected by such invalidity.

(Ord. No. 92-12, § 9, 2-18-92)

Secs. 2-510--2-520. Reserved.

## ARTICLE XLVIII. METRO-MIAMI ACTION PLAN TRUST\*

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\*Editor's note: Ord. No. 92-12, adopted Feb. 18, 1992, amended the Code by the addition of provisions which have been included herein at the discretion of the editor as Art. XLVIII, §§ 2-501--2-509.

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### Sec. 2-501. Creation and purpose.

(a) There is hereby created and established a revocable trust, the terms of which may be modified by Miami-Dade County, which trust shall be named and known as the Metro-Miami Action Plan Trust (hereinafter referred to as the "Trust"). The Trust shall be a public body corporate and politic which, through its governing body, may exercise all those powers either specifically granted herein or necessary in the exercise of those powers herein enumerated. The Trust shall be an agency and instrumentality of Miami-Dade County.

(b) This Board recognizes the independence of the Trust and its obligation to provide the Board of County Commissioners and the County Manager with independent advice on matters of policy relating to the purposes and projects of the Metro-Miami Action Plan.

(c) Notwithstanding the independence of the Trust, this Board may by resolution take any action to effectuate the purposes of the Metro-Miami Action Plan.

(Ord. No. 92-12, § 1, 2-18-92; Ord. No. 01-01, § 1, 1-23-01)

### Sec. 2-502. Governing body.

(a) The governing body of the Trust shall be a Board of Trustees composed of fifteen (15) voting members. A quorum of the Trust shall be the lesser of seven (7) Trustees or a majority of those Trustees in office.

(b) The Board of Trustees shall hold regular meetings in accordance with the bylaws of the Trust and other such meetings as it deems necessary.

(c) The establishment and activities of the Board of Trustees shall be governed by Section 2-11.36 et seq. of the Code of Miami-Dade County, as applicable.

(Ord. No. 92-12, § 2, 2-18-92; Ord. No. 08-86, § 1, 7-1-08)

### Sec. 2-503. Appointment and tenure.

(a) *Nominating council.* Trustees shall be appointed by resolution of the Board of County Commissioners (hereinafter known as "Board") after having been selected by the Metro-Miami

Action Plan Trust Nominating Council (hereinafter known as "Nominating Council") established and described herein. The Nominating Council shall be comprised of five (5) voting members, two (2) of whom shall be the Chairperson of the Board of Trustees of the Trust and the Chair of the Board's committee with jurisdiction over economic development issues, who shall serve as the chair of the Nominating Council and three (3) of whom shall be appointed by the Chair of the Board of County Commissioners and ratified by the Board. No acting Trustee of the Trust, other than the Chairperson of the Board of Trustees, shall serve on the Nominating Council, nor shall any acting member of the Nominating Council, other than the Chairperson of the Board of Trustees, be eligible to serve on the Board of Trustees of the Trust. In serving on the Nominating Council, the Chairperson of the Board of Trustees of the Trust shall not vote on or participate in any way in any matter affecting the Chairperson's appointment to the Board of Trustees of the Trust. The members of the Nominating Council shall be appointed for staggered three-year terms and shall not serve more than two (2) consecutive and complete three (3) years each as set forth in Section 2-503(d) of this article. The sole function of the Nominating Council shall be to solicit, screen, interview and recommend for appointment the best qualified candidate for each vacancy of the Board of Trustees. The Nominating Council and the procedures under which it will operate shall be approved by the Board of County Commissioners. The Nominating Council shall submit to the Board of County Commissioners one (1) nominee for each vacancy on the Trust Board. The slate of nominees shall be submitted directly to the Board of County Commissioners no later than September 1 of each year. As applicable, Section 2-11.36 et seq. of the Code of Miami-Dade County shall govern the establishment and activities of the Nominating Council. In the event the Commission is unable to appoint a member to the Board of Trustees pursuant to said section(s), no action of the Trust shall be rendered void because of such inability on the part of the Commission. The County Mayor shall designate a liaison to coordinate the Nominating Council process.

In the event of a vacancy during the term of a Trustee, the Trust shall notify the Board of County Commissioners of the vacancy and shall request that it be filled in accordance with the applicable criteria set forth herein either as a part of the annual appointment process or by a special meeting of the Nominating Council.

(b) *Composition.* Notwithstanding Section 2-11.1 of this Code with respect to eligibility of membership on the Board of Trustees, the voting membership shall include representatives from the following areas of professional expertise: (1) economic and business development; (2) criminal justice; (3) community based organizations; (4) educational organizations; (5) banking and finance; and (6) health organizations. In addition, the Board of Trustees shall have at least one (1) voting member from the Miami-Dade County School Board and one (1) voting member from State or local government. At least seven (7) members of the initial Board of Trustees shall be selected from members of the existing Metro-Miami Action Plan Board of Directors. With respect to the appointment of the balance of Trustees, careful consideration shall be given to the expertise needed to accomplish the goals and objectives of the Trust. In addition, a majority of the membership of the Board of Directors shall be members of the African-American community.

(c) *Qualifications.* Each member of the Board of Trustees shall be a United States citizen, a permanent resident and duly qualified elector of Miami-Dade County unless the Board of County Commissioners waives the residency requirement by a two-thirds vote of its membership. No person shall be qualified to sit as a Trustee if that person is an officer, representative, administrator or employee of any consultant, contractor or agency contracting with or receiving funding from the Trust except if that person is employed by or is serving on the Board of Trustees as a representative of State or local government. Trustees who are representatives of or who are employed by any State or local governmental agency may not vote on matters affecting the governmental agency by which they are employed or whom they represent.

(d) *Tenure of Trustees.* The Trustees shall serve terms of three (3) years each; provided, however, that of the original Board of Trustees, the Board of County Commissioners shall select one-third ( 1/3) for a term of one (1) year and one-third ( 1/3) for a term of two (2) years. No

Trustee shall be permitted to serve more than two (2) consecutive and complete terms of three (3) years each unless so authorized by a two-thirds ( 2/3) vote of the full membership of the Board of County Commissioners. All Trustees serving on the Board of Trustees on the effective date of this ordinance shall continue to serve on the Board of Trustees. Current Trustees shall be eligible to serve up to two (2) consecutive and complete three-year terms. Service on the Board of Trustees by current members prior to the effective date of this ordinance shall not count towards the maximum term of service provided for in this ordinance. The initial Board of Trustees, appointed after the effective date of this ordinance, excluding Trustees serving on the Board of Trustees on the effective date of this ordinance, shall serve staggered terms. One-third ( 1/3) of Trustees appointed after the effective date of this ordinance shall serve for a term of one (1) year, one-third ( 1/3) shall serve for a term of two (2) years, and one-third ( 1/3) shall serve for a term of three (3) years. Straws shall be drawn to determine the terms.

(e) *Compensation.* Trustees shall serve without compensation but shall be entitled to reimbursement for necessary expenses.

(Ord. No. 92-12, § 3, 2-18-92; Ord. No. 01-01, § 1, 1-23-01; Ord. No. 08-86, § 2, 7-1-08)

### **Sec. 2-504. Removal of Trustees.**

Any Trustee shall be removed for excessive absence in accordance with Section 2-11.39 of the Code of Miami-Dade County. In addition, before or after the transition period any Trustee may be removed for cause by two-thirds vote of the entire membership of the Board of County Commissioners or, at the conclusion of the transition period (hereinafter defined), by two-third vote of the entire membership of the Board of Trustees.

(Ord. No. 92-12, § 4, 2-18-92)

### **Sec. 2-505. Organization; staff support.**

(a) *Organization.* The Board of Trustees shall organize after the members have qualified to serve and shall elect one of its voting members as Chairperson, one of its voting members as Vice-Chairperson and such other officers as the Board of Trustees may determine to be necessary. In addition, the Board of Trustees shall make, adopt and amend bylaws, rules and regulations for its own governance.

(b) *Employees.* The Executive Director and all employees of the Trust shall be Miami-Dade County employees. 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.

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.

(c) *Staff support.* The County Attorney shall serve as Attorney for the Trust, the County Manager shall provide audit, budget and financial assistance to the Trust, and the Clerk of the Board of County Commissioners shall be the Clerk and Secretary of the Trust.

(d) The Board of County Commissioners shall provide to the Trust fiscal review and oversight as well as programmatic focus and direction.

(e) The Trust shall present quarterly financial reports, including a current statement of all accounts, to the Commission Auditor and the County Manager. Copies of said reports shall be

provided to the Board of County Commissioners. Said reports shall also include information concerning an assessment of the performance of each agency funded by the Trust as well as those program activities carried out directly by the Trust. In addition to these quarterly reports, the Trust shall submit annual reports to the County Manager and the Commission Auditor summarizing and evaluating all programs and activities undertaken by the Trust during the previous fiscal year. The annual report shall include an audit in accordance with generally accepted accounting principles of all funds received and expended by the Trust. The Trust shall not be able, however, to establish any bank accounts without the express approval of either the Board of County Commissioners or the County Manager; provided, however, that the Trust can establish an account for Miami-Dade Community Foundation monies to receive and expend non-County monies which the Trust receives. No County monies nor income from County accounts shall be deposited into external accounts. The Trust shall be subject to periodic reviews as deemed necessary by the County Mayor, the Board of County Commissioners, the Department of Audit and Management Services and the Office of Strategic Business Management. In the event that these reviews reveal management problems, as determined by the reviewing entity, then the County Mayor, after the approval of the Board of County Commissioners, may place the Trust on Management Watch. If the Trust is placed on Management Watch, the Mayor shall present a plan to the Board of County Commissioners which provides timelines for removal of the Trust from Management Watch. The Board of County Commissioners shall have the authority to remove the Trust from Management Watch.

The Trust, in addition to providing quarterly financial reports, shall submit to the Board an annual Report Card on the State of the Black Community in Miami-Dade County. The report card shall include information on factors such as, but not limited to, the unemployment rate, the rates of business ownership, graduation rates, and homeownership rates within Miami-Dade County's Black community. The report card shall be presented to the Board and to the community.

(f) Subject to the Miami-Dade County budgetary process and the availability of funds, the County will include in its annual budget funds for administrative costs and additional funds for programmatic activities. Requests for administrative and programmatic funds are to be made in accordance with the procedures described in Section 2-506(i). The County Manager is directed to include his recommendation for administrative and programmatic funding for the Trust in the annual proposed budget.

(Ord. No. 92-12, § 5, 2-18-92; Ord. No. 01-01, § 1, 1-23-01; Ord. No. 08-86, § 3, 7-1-08)

### **Sec. 2-506. Powers and duties of the Trust.**

The Trust, acting through its governing body, shall be authorized to exercise such powers and shall be required to perform such duties as are hereinafter provided:

(a) Every five (5) years, the Trust shall establish a five-year comprehensive plan (hereinafter "the plan"). The plan shall contain one-year goals and objectives, the completion of which shall be needed to accomplish the comprehensive plan. The first plan shall be submitted to the Board of County Commissioners for approval.

(b) The Trust shall be empowered to expend administrative and programmatic resources to achieve each of its one-year goals and objectives as well as to accomplish and complete each five-year plan.

(c) The Trust shall identify and develop a variety of alternative funding sources and shall seek and apply for State, federal and private grants.

(d) The trust, as an agent and instrumentality of Miami-Dade County, shall be authorized to act for Miami-Dade County in the performance and enforcement of all contracts and, subsequent to the effective date of this chapter and subject to the limitations set forth below, shall additionally be empowered to negotiate and execute

such contracts as are properly within the powers and duties of the trust. However, the trust shall not without the prior approval of the Board of County Commissioners, enter into or amend any contract which shall require the expenditure of funds in excess of the amounts appropriated to the trust by the Board of County Commissioners.

The trust shall comply with the formal bid requirements of Section 4.03(D) of the Charter of Miami-Dade County, Florida, and for such purpose the term "board" as used in Section 4.03(D) shall be construed to be "board of trustees" and the term "manager" shall be construed to be executive director of the trust.

For all construction contracts, the trust shall comply with the provisions of Section 10-38 of the County Code and the administrative procedures adopted pursuant to said section.

For all purchases of commodities and services, the trust shall comply with the provisions of Section 2-8.2 of the County Code and the administrative procedures adopted pursuant to said section.

(e) The Trust's budget requests shall be prepared and submitted in the same manner as the budget for a County department and will be considered as part of the Miami-Dade County budget process. The Trust's budget requests shall be prepared in a format prescribed by the County Manager.

(Ord. No. 92-12, § 6, 2-18-92; Ord. No. 93-12, § 1, 2-16-93; Ord. No. 01-01, § 1, 1-23-01)

#### **Sec. 2-507. Reserved.**

**Editor's note:** Ord. No. 01-01, § 1, adopted Jan. 23, 2001, repealed section 2-507 in its entirety. Former section 2-507 pertained to an extension of the transition period and derived from Ord. No. 92-12, § 7, adopted Feb. 18, 1992.

#### **Sec. 2-508. Applicability of Florida Open Government and Conflict of Interest Laws.**

The Trust shall at all times operate under the Florida Open Government Laws, including the "Sunshine Laws," Public Meeting Laws and Public Record Laws, and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics ordinance, Section 2-11.1 of the Code of Miami-Dade County, Florida.

(Ord. No. 92-12, § 8, 2-18-92)

#### **Sec. 2-509. Validity.**

If any section, subsection, sentence, clause or provision of this article is held invalid, the remainder of this article shall not be affected by such invalidity.

(Ord. No. 92-12, § 9, 2-18-92)

Secs. 2-510--2-520. Reserved.



**Miami-Dade Legislative Item  
File Number: 010124**

Print this page

<b>File Number:</b> 010124	<b>File Type:</b> Ordinance	<b>Status:</b> Adopted
<b>Version:</b> 0	<b>Reference:</b> 01-01	<b>Control:</b> County Commission
<b>File Name:</b> ORD. AMENDING METRO MIAMI ACTION PLAN TRUST		<b>Introduced:</b> 1/16/2001
<b>Requester:</b> NONE	<b>Cost:</b>	<b>Final Action:</b> 1/23/2001
<b>Agenda Date:</b> 1/23/2001		<b>Agenda Item Number:</b> 4GSUBSTIT

**Notes:**

**Title:** ORDINANCE AMENDING SECTIONS 2-501, 2-503, 2-505, 2-506, AND 2-507 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO METRO MIAMI ACTION PLAN TRUST; REMOVING TRANSITION PERIOD AND GRANTING ADDITIONAL POWERS TO METRO MIAMI ACTION PLAN BOARD OF TRUSTEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**Indexes:** METRO MIAMI ACTION PLAN TRUST

**Sponsors:** Betty T. Ferguson , Prime Sponsor  
Dennis C. Moss , Co-Sponsor  
Dr. Barbara M. Carey-Shuler , Co-Sponsor  
Dorrin D. Rolle , Co-Sponsor

**Sunset Provision:** No

**Effective Date:**

**Expiration Date:**

**Registered Lobbyist:** None Listed

**LEGISLATIVE HISTORY**

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass
Board of County Commissioners	1/23/2001	4G SUBSTITUTE	Adopted				

**REPORT:** Commissioner Ferguson pointed out that MMAP was an organization that truly served deprived areas and interact with people from those areas on a daily basis. She asked that status report be presented before the Board by the Metro Miami Action Plan (MMAP) on an on-going basis. Following discussion among members of the Board and regarding the foregoing ordinance as it pertained to debarment proceedings against Ann McNeal, Commissioners Carey-Shuler, Ferguson, Moss, and Rolle asked that Ann McNeal be given the same consideration as American Airlines, Lanzo and other large companies accused of "fronting." They also asked that all efforts be made to help struggling Black-owned companies stay in business.

County Attorney

1/16/2001

Assigned Shannon D. Summerset

**LEGISLATIVE TEXT**

**TITLE**

ORDINANCE AMENDING SECTIONS 2-501, 2-503, 2-505, 2-506, AND 2-507 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO METRO MIAMI ACTION PLAN TRUST; REMOVING TRANSITION PERIOD AND GRANTING ADDITIONAL POWERS TO METRO MIAMI ACTION PLAN BOARD OF TRUSTEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BODY**

WHEREAS, Metro Miami Action Plan Trust (MMAP) was created for the purpose of improving the economic conditions of Miami Dade County's Black community; and

WHEREAS, MMAP has acted in accordance with that purpose,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Sections 2-501, 2-503, 2-505, 2-506, and 2-507 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-501. Creation and purpose.

(a) There is hereby created and established a revocable trust, the terms of which may be modified by Miami-Dade County, which trust shall be named and known as the Metro-Miami Action Plan Trust (hereinafter referred to as the "Trust"). The Trust shall be a public body corporate and politic which, through its governing body, may exercise all those powers either specifically granted herein or necessary in the exercise of those powers herein enumerated. [For nine (9) years following the effective date of this article (hereinafter referred to as "transition period"), ] >>T<

(b) This Board recognizes the independence of the Trust and its obligation to provide the Board of County Commissioners, the Mayor, and the County Manager with independent advice on matters of policy relating to the purposes and projects of the Metro Miami Action Plan.

(c) Notwithstanding the independence of the Trust, this Board may by resolution take any action to effectuate the purposes of Metro-Miami Action Plan.

\*\*\*

Sec. 2-503. Appointment and tenure.

(a) Nominating council. Trustees shall be appointed by resolution of the Board of County Commissioners after having been selected by the Metro-Miami Action Plan Trust Nominating Council (hereinafter known as "Nominating Council") established as described herein. The Nominating Council shall be comprised of five (5) voting members, one (1) of whom shall be the Chairperson of the Board of Trustees of the Trust and four (4) of whom shall be appointed by the Mayor and ratified by the Board of County Commissioners. No acting Trustee of the Trust, other than the Chairperson of the Board of Trustees, shall serve on the Nominating Council, nor shall any acting member of the Nominating Council, other than the Chairperson of the Board of Trustees, be eligible to serve on the Board of Trustees of the Trust. In serving on the Nominating Council, the Chairperson of the Board of Trustees of the Trust shall not vote on or participate in any way in any matter affecting the Chairperson's appointment to the Board of Trustees of the Trust. The members of the Nominating Council shall be appointed for staggered three-year terms and shall not serve more than three (3) consecutive terms. The sole function of the Nominating Council shall be to solicit, screen, interview and recommend for appointment the best qualified candidate for each vacancy of the Board of Trustees. The Nominating Council and the procedures under which it will operate shall be approved by the Board of County Commissioners. The Nominating Council shall submit to the Board of County Commissioners one (1) nominee for each vacancy on the Trust Board. The slate of nominees shall be submitted directly to the Board of County Commissioners no later than September 1 of each year. As applicable, Section 2-11.36 et seq. of the Code of Miami-Dade County shall govern the establishment and activity of the Nominating Council. In the event the Commission is unable to appoint a member to the Board of Trustees pursuant to this section(s), no action of the Trust shall be rendered void because of such inability on the part of the Commission.

In the event of a vacancy during the term of a Trustee, the Trust shall notify the Board of County Commissioners of the vacancy and shall request that it be filled in accordance with the applicable criteria set forth herein either as a part of the annual appointment process or by a special meeting of the Nominating Council.

[[At the conclusion of the transition period (hereinafter defined), the Board of County Commissioners, after selection by the Nominating Council, shall continue to appoint members of the Trust.]]

(b) Composition. Notwithstanding Section 2-11.1 of this Code with respect to eligibility of membership on the Board of Trustees, the voting membership shall include representatives from the following areas of professional expertise: (1) economic and business development; (2) criminal justice; (3) community based organizations; (4) educational organizations; (5) banking and finance; and (6) health organizations. In addition, the Board of Trustees shall have at least one (1) voting member from the Miami-Dade County School Board and one (1) voting member from State or local government. At least seven (7) members of the initial Board of Trustees shall be selected from members of the existing Metro-Miami Action Plan Board of Directors. With respect to the appointment of the balance of Trustees, careful consideration shall be given to the expertise needed to accomplish the goals and objectives of the Trust. In addition, a majority of the membership of the Board of Directors shall be members of the African-American community.

(c) Qualifications. Each member of the Board of Trustees shall be a United States citizen, a permanent resident and duly qualified elector of Miami-Dade County unless the Board of County Commissioners waives the residency requirement by a two-thirds vote of its membership. No person shall be qualified to sit as a Trustee if that person is an officer, representative, administrator or employee of any consultant, contractor or agency contracting with or receiving funding from the Trust except if that person is employed by or is serving on the Board of Trustees as a representative of State or local government. Trustees who are representatives of or who are employed by any State or local governmental agency may not vote on matters affecting the governmental agency by which they are employed or whom they represent.

(d) Tenure of Trustees. The Trustees shall serve terms of three (3) years each; provided, however, that of the original Board of Trustees, the Board of County Commissioners shall select one-third for a term of one (1) year and one-third for a term of two years. No Trustee shall be permitted to serve more than three (3) consecutive and complete terms of three (3) years each unless so authorized by a two-thirds vote of the full membership of the Board of County Commissioners.

(e) Compensation. Trustees shall serve without compensation but shall be entitled to reimbursement for necessary expenses

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Sec. 2-505. Organization; staff support.

(a) Organization. The Board of Trustees shall organize after the members have qualified to serve and shall elect one of its voting members as Chairperson, one of its voting members as Vice-Chairperson and such other officers as the Board of Trustees may determine to be necessary. In addition, the Board of Trustees shall make, adopt and amend bylaws, rules and regulations for its own governance.

(b) Employees. [[Subject to Miami-Dade County's budgetary processes and the availability of funds, for nine (9) years following the effective date of the ordinance from which this article derives t]] >>T<

[[At the conclusion of the transition period, t]] >>T<

(c) Staff support. [[During the transition period, t]] >>T<

(d) The Board of County Commissioners shall provide to the Trust fiscal review and oversight as well as programmatic focus and direction.

(e) The Trust shall present an annual financial report including a current statement of all accounts. The Trust shall not be able

however, to establish any bank accounts without the express approval of either the Board of County Commissioners or the County Manager; provided, however, that the Trust can establish an account for Miami-Dade Community Foundation monies receive and expend non-County monies which the Trust receives. No County monies nor income from County accounts shall deposited into the Miami-Dade Community Foundation account.

(f) Subject to the Miami-Dade County budgetary process and the availability of funds, the County will include in its annual bud funds for administrative costs and additional funds for programmatic activities. Requests for administrative and programmatic funds are to be made in accordance with the procedures described in Section 2-506(i). The County Manager is directed to include his recommendation for administrative and programmatic funding for the Trust in the annual proposed budget.

#### Sec. 2-506. Powers and duties of the Trust.

The Trust, acting through its governing body, shall be authorized to exercise such powers and shall be required to perform su duties as are hereinafter provided:

[[a) At the conclusion of the transition period, the Trust shall be empowered to sue and be sued, to plead and be impleaded, contract and be contracted with, and to have an official seal and alter the same, subject to the provisions of paragraph (e) below.]]

[[b)] >>(a)<< Every five (5) years, the Trust shall establish a five-year comprehensive plan (hereinafter "the plan"). The plan shall contain one-year goals and objectives, the completion of which shall be needed to accomplish the comprehensive plan. first plan shall be submitted to the Board of County Commissioners for approval.

[[c)] >>(b)<< The Trust shall be empowered to expend administrative and programmatic resources to achieve each of its one year goals and objectives as well as to accomplish and complete each five-year plan.

[[d)] >>(c)<< The Trust shall identify and develop a variety of alternative funding sources and shall seek and apply for State, federal and private grants.

[[e)] >>(d)<< [[During the transition period, t]] >>T<<  
The trust shall comply with the formal bid requirements of Section 4.03(D) of the Charter of Miami-Dade County, Florida, and such purpose the term "board" as used in Section 4.03(D) shall be construed to be "board of trustees" and the term "manager shall be construed to be executive director of the trust.

For all construction contracts, the trust shall comply with the provisions of Section 10-38 of the County Code and the administrative procedures adopted pursuant to said section.

For all purchases of commodities and services, the trust shall comply with the provisions of Section 2-8.2 of the County Code the administrative procedures adopted pursuant to said section.

[[f) Upon the conclusion of the transition period, the Trust will be neither an agent nor instrumentality of Miami-Dade County ; shall not be authorized to act for Miami-Dade County in the performance and enforcement of contracts. Moreover, contracts a amendments thereto executed by the Trust or other obligations incurred by the Trust shall not be binding upon Miami-Dade County. In the event that the Trust shall be revoked after the conclusion of the transition period, any obligations of the Trust sl not be enforceable against Miami-Dade County.

(g) Upon the conclusion of the transition period, the Trust shall have the authority to purchase or otherwise obtain title in its ov name to real and personal property and shall be authorized to sell or otherwise lawfully dispose of real and personal property.

(h) Upon the conclusion of the transition period, the Trust shall be empowered to appoint, remove and suspend employees or agents of the Trust to fix their compensation and to adopt personnel and management policies.]]

[[i)] >>(e)<< [[The Trust may submit to Miami-Dade County yearly requests for administrative and programmatic funding. Du the transition period, t]] >>T<<

(j) Upon the conclusion of the transition period, the Trust, with the assistance of the County Attorney's office, shall restructure a not-for-profit corporation.]]

#### [[Sec. 2-507. Extension of the transition period.

At the conclusion of the transition period, the County Manager shall review the performance of the Trust and recommend to th Board of County Commissioners, and the Board of County Commissioners shall decide, whether the transition period will be extended for another three-year period. If the Board of County Commissioners extends the transition period, at the conclusior the extended transition period the County Manager shall again review the performance of the Trust and make a recommenda to the Board of County Commissioners as to whether the Trust should permanently become an agency of Miami-Dade County if the Trust should become an agency independent of Miami-Dade County as provided for herein.]]

\*\*\*

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this

ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 5. This ordinance does not contain a sunset provision.

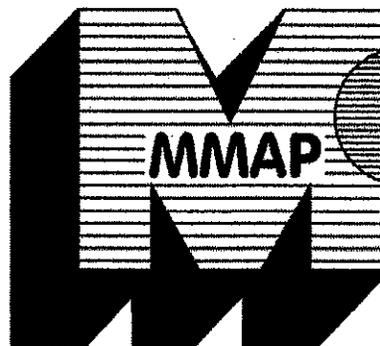
1 Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

**ATTACHMENT D**

**MMAP Trust Mission Statement**

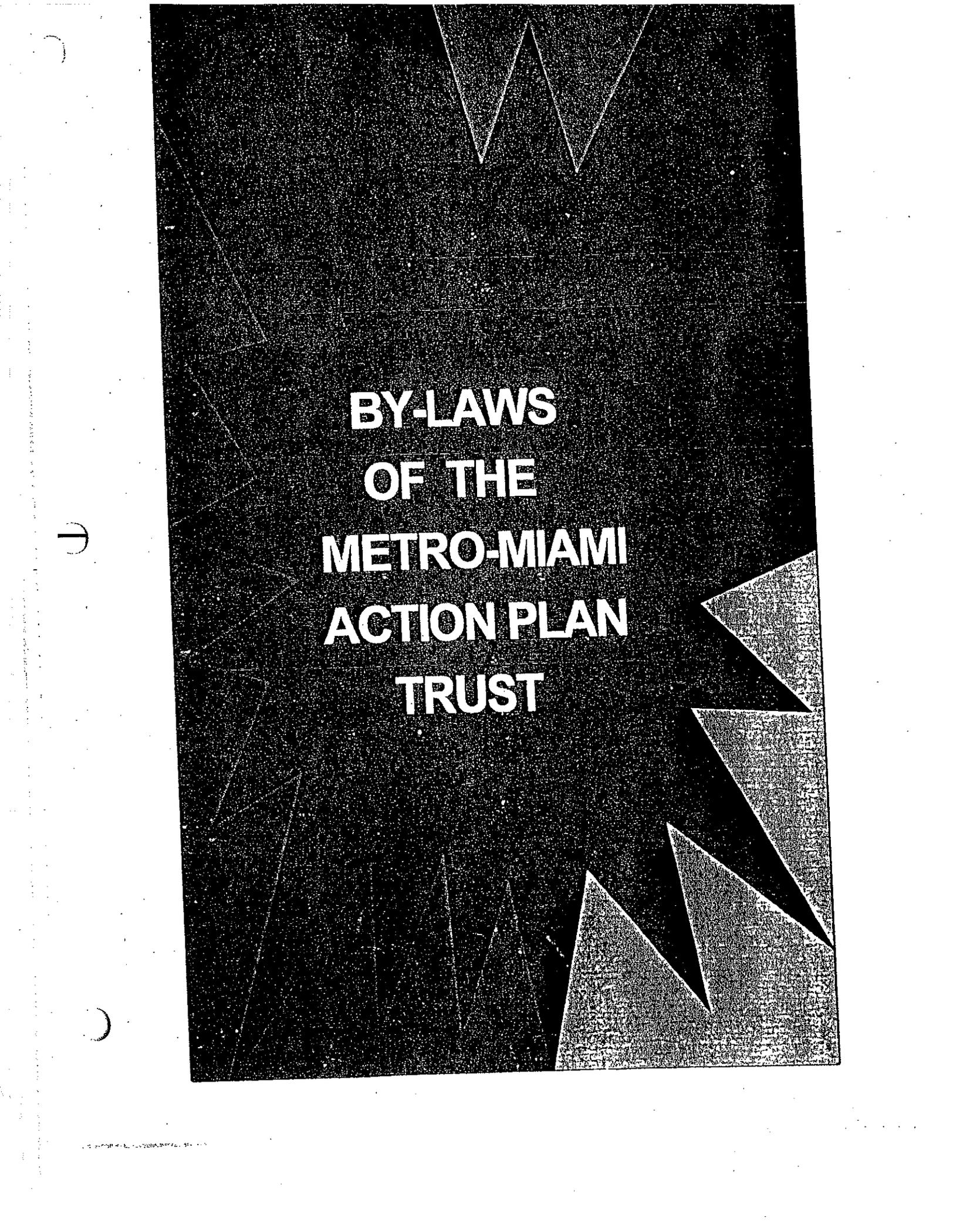
## ***MISSION STATEMENT***

METRO-MIAMI ACTION PLAN TRUST IS COMMITTED TO  
ADDRESSING THE SOCIOECONOMIC DISPARITY OF MIAMI-  
DADE COUNTY'S BLACK COMMUNITY BY ADVOCATING AND  
COORDINATING INITIATIVES AND PROGRAMS FOR THE  
BENEFIT OF THE COMMUNITY-AT-LARGE



**ATTACHMENT E**

**By-Laws of the MMAP Trust**



**BY-LAWS  
OF THE  
METRO-MIAMI  
ACTION PLAN  
TRUST**

**BY-LAWS  
OF THE  
METRO-MIAMI ACTION PLAN TRUST**

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# BY-LAWS OF THE METRO-MIAMI ACTION PLAN TRUST

## ARTICLE I. IDENTIFICATION

- 1.1 Name. The name of the organization shall be the METRO-MIAMI ACTION PLAN TRUST.
- 1.2 Fiscal year. The fiscal year of the Trust shall be determined by appropriate resolution of the Board of Trustees (hereinafter referred to as the "Trust") and may be changed from time to time by the Trust.
- 1.3 Place of Business. The principal place of business of the Trust shall be in Dade County, Florida. Other offices for the transaction of business shall be located in such other places as may be determined by the Board.

## ARTICLE 11. BOARD OF TRUSTEES

### 2.1 Number, Tenure and Qualifications.

- 2.1.1 The business and affairs of the Trust shall be managed by the Trust. The Trust shall consist of twenty-one (21) Trustees appointed by the Board of County Commissioners.
- 2.1.2 The Trust must be comprised of representatives from the following areas of expertise: (1) economic and business development; (2) criminal justice; (3) community based organizations; (4) educational organizations; (5) banking and finance; and (6) health organizations. In addition the Trust shall have at least one (1) voting member from the Dade County School Board and one (1) voting member from state or local government and a majority of the membership of the Board shall be members of the African American community.
- 2.1.3 Each member of the Trust shall be a United States citizen, a permanent resident and duly qualified elector of Dade County. No person shall be qualified to sit as a member of the Trust if that person is an officer, representative, administrator or employee of any consultant, contractor or agency contracting with or receiving funding from the trust except if such person is employed by or serving on the Trust as a representative of state or local government.

### 2.2 Number and Classes. The initial Board of Trustees shall be divided into three classes of equal number: Class A, Class B and Class C. Each trustee, whether a Class A trustee,

a

Class B trustee, a Class C trustee, shall be entitled to one vote on all matters under

deliberation by the Board, and no distinction with respect to duties and powers as trustees shall be made among Class A trustees, Class B trustees or Class C trustees. However, trustees who are serving on the Board as or who are employed by state or local governments may not vote on matters affecting the governmental agency by which they are employed or whom they represent.

## 2.3 Election and Term of Office

2.3.1 The first Board of Trustees shall be appointed by the Board of County Commissioners of Dade County, Florida.

2.3.2 The term of office of the initial trustees shall expire on such date as the trustees are elected and qualified as hereinafter provided. The terms of office for each class shall commence upon appointment and shall expire (i) in 1993 in the case of Class A trustees, (ii) in 1994 in the case of Class B trustees, and (iii) in 1995 in the case of Class C trustees. Thereafter, each successive trustee of each class shall be elected for a term of three years, so that each year a different class of trustees shall be elected for a three-year term. Each trustee shall continue in office until his successor has been elected and qualified, or until his death, resignation or removal. No person shall serve as a trustee for more than three terms in succession and no person shall concurrently serve as a trustee in more than one class.

## 2.4 Place, Call and Adjournment of Trustees' Meetings.

2.4.1 Meetings of the Trust shall be held within the state of Florida.

2.4.2 Twelve (12) regular meetings of the Trust shall be held each year at regular intervals throughout the year. The Trust may dispense with a regular meeting of the Trust in the manner, described herein, in which any action of the Trust may be taken.

2.5 Annual Meeting. The annual meeting of the Board shall be held in sixty (60) days prior to the annual conference each year at a time and place fixed by the Chairperson (hereinafter referred to as the "Chair") of the Board.

2.6 Special Meetings. Special meetings with specified purposes may be called at any time by the Chairperson or other officer or by written demand of any three trustees at a time and place agreed upon by the board.

2.7 Notice of Meeting. Written or printed notice stating the place, day and hour of the meeting shall be delivered personally or by mail no less than ten (10) days nor more than sixty (60) days before the date of the meeting. Notice shall be given to each trustee by or at the direction of the Chairperson or the persons calling the meeting. However, in the event a special meeting is called, notice of the special meeting may be provided not less

than twenty-four hours prior to the time for holding such meeting. If mailed, all notices shall be deemed to have been delivered when deposited in the United States mail addressed to the trustee at the address reflected on the records of the Trust with postage thereon prepaid.

2.7.1 All items must be placed on the agenda ten (10) days prior to the scheduled meeting.

2.7.2 All proposals, requests, supporting documents, etc. shall be provided to trust members five (5) days before meetings.

2.7.3 It will require a two-thirds vote of the Trust membership present to hear emergency items.

## 2.8 Quorum and Acts.

2.8.1 One-third (1/3) of the trustees of the Trust then in office shall constitute a quorum for the transaction of business. The act of a majority of the trustees present at a meeting at which a quorum is present shall be the act of the trust except that any action required or permitted to be taken at any meeting of the Trust may be taken without a meeting if a consent in writing, setting forth the action so to be taken, signed by all of the trustees of Trust, is filed in the minutes of the proceedings of the Trust. If a quorum is not present when a meeting starts, then a majority of the trustees at the meeting may adjourn the meeting from time to time without further notice until a quorum is present.

2.8.2 Members of the Trust or any committee thereof shall be deemed present at any meeting of the Trust or the committee if a conference telephone or other similar communications equipment by means of which all persons participating in the meeting can hear each other is used.

2.9 Votes. Each trustee shall be entitled to one vote on each matter submitted to a vote at a meeting of trustees.

2.10 Action by the Trust. At any meeting of the Trust at which a quorum is present, the vote of a majority of the trustees present at the time of the vote shall be the act of the Board.

## 2.11 Removal

2.11.1 Any Trustee shall be automatically removed if absent for three (3) consecutive meetings without a satisfactory excuse or if absent from more than one-half of the Board's meetings in a given fiscal year. A trustee shall be deemed absent from a meeting if not present at the meeting at least seventy-five (75) percent of the time. However, the above-described attendance requirements may be waived by two-thirds vote

of the full Board of County Commissioners of Dade County.

2.11.2 Any trustee may be removed by two-thirds vote the entire membership of the Trust of county Commissioners of Dade County.

2.12 Resignation. Any trustee may resign at any time by delivering a written resignation to the chair of the Trust or the Clerk of the Board of County Commissioners. Such resignation shall take effect at the time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

2.13 Vacancies. Any vacancies occurring on the Trust shall be filled by the Trust of County Commissioners of Dade County, Florida. A trustee elected to fill a vacancy shall be elected for the unexpired term of his/her predecessor.

2.14 Rules of Order The order of business at all meetings of the Trust shall be under the control of the presiding officer and such meetings shall generally conform to Mason's Rules of Order, as revised from time to time.

2.15 Compensation. Unless provided otherwise by an appropriate resolution of the Trust, the trustees shall serve without compensation, but may be reimbursed for ordinary and necessary expenses incurred in furtherance of the Trust.

### **ARTICLE III. THE COMMITTEES**

3.1 Authority of Committees. (a) The Trust, by resolution adopted by a majority of the entire Trust, may designate the members of an Executive Committee and any such other committees as the Trust deems reasonable and necessary, each of which shall have at least three members and all the authority as provided herein or as provided by the resolution of the Trust. However, no committee shall have authority to fill vacancies on the Trust or fill vacancies in the position of any chair on any committee. (b) The Board or the Chair of any committee may designate one or more persons as alternate members of any such committee, who may replace any absent trustee or trustees at any meeting of such committee, provided such alternate member has been approved by the Board.

3.2 Executive Committee. The Executive Committee shall consist of at least three members and shall be composed of trustees who are officers and such other trustees as the Trust may determine. The Chairperson of the Trust shall serve as the Chairperson of the Executive Committee. During the intervals between the meetings of the Trust, the Executive Committee shall possess and may exercise all the powers and functions of the Trust in the management and direction of the affairs of the Trust in all cases in which specific directions shall not have been given by the Trust.

3.3 Standing Committees.

- 3.3.1 By resolution adopted by a majority of the entire Trust, the Trust may designate various committees of persons to counsel with the Trust with respect to the affairs of the Trust. The committees may make recommendations to the Trust on matters pertaining to the objects and purposes for which the committee was formed, but shall not have or exercise any of the authority of the Trust except under such authority as may be granted specifically to such standing committee by resolution of the Trust. There shall be at least the following three (3) standing committees: fundraising, By-laws and public relations.
- 3.4 Committee Chairperson. Each committee shall have a Committee Chairperson who shall be appointed by the Chairperson of the Trust or by the Executive Committee and approved by the Trust. The Committee Chairperson shall serve until the earlier of the dissolution of the Trust or resignation, removal or replacement by the Chairperson of the trust or by the Executive Committee. Each Committee Chairperson may appoint a secretary or other officers as such Committee Chairperson deems necessary to carry out the functions of such committee.
- 3.5 Operation of the Committees. Unless a greater proportion is required by the resolution designating a committee, a majority of the entire authorized number of members of such committee shall constitute a quorum for the transaction of business. If a quorum is then present, the vote of a majority of the members present at a meeting at the time of such vote shall be the act of such committee.
- 3.6 Rules of Order. The order of business at all meetings of the committees shall be under the control of the presiding officer and such meetings shall generally conform to Mason's Rules of Order, as revised from time to time.
- 3.7 Term of Office. Each member of a committee shall continue as such until the next annual meeting of the Trust, unless the committee shall be sooner terminated, or unless such member shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.
- 3.8 Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.
- 3.9 Quorum. Unless otherwise provided by the resolution designating a committee or at the direction of the Executive Committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.
- 3.10 Compensation. Unless provided otherwise by an appropriate resolution of the Trust, the members of any of the various committees shall serve without compensation, but may be furtherance of the purposes of the Trust.

**ARTICLE VI.**  
**THE OFFICERS**

4.1 Officers. The officers of the Trust and their terms of service shall be as follows:

4.1.1 Chairperson. The Chair shall be elected by a majority vote of the Trust. The term of the Chairperson shall be (1) year. The Chairperson shall not serve more than three consecutive terms.

4.1.2 Vice Chairperson. There shall be two Vice Chairpersons which shall be elected by a majority vote of the Trust.

4.1.3 Executive Director. There shall be an Executive Director appointed by the County Manager of Dade County, Florida.

4.1.4 The Trust may appoint or elect any such other officers and assistant officers and agents as may be deemed necessary by the Trust.

4.2 Vacancies. Whenever any vacancies shall occur in any office by death, resignation, removal, increase in the number of officers of the Trust, or otherwise, the vacancy shall be filled in the same manner as provided in the case of the original appointments.

4.3 Duties of the Officers. The officers shall have the following described duties and responsibilities, except that by appropriate resolution, the Trust shall determine or amend the respective duties of each officer or the Trust:

4.3.1 Chairperson of the Trust. The Chairperson of the Trust shall preside at all meetings of the Trust and shall have the responsibility of guiding the Board in effectively discharging its responsibilities; including, but not limited to, providing for the execution of the Trust's objectives, safeguarding and furthering the Trust's interests, and appraising the adequacy of overall results as reported by the Executive Director. The Chairperson shall furnish advice and counsel to the Executive Director and shall see that all orders and resolutions of the Trust are carried into effect and shall report to the Trust from time to time on matters within his/her knowledge which the interests of the Trust may require to be brought to the attention of the Board.

4.3.2 Executive Director. The Executive Director shall be the principal executive officer of the Trust. He/she shall be in charge of the business and affairs of the Trust. He or she shall see that the resolutions and directives of the Board are carried into effect except in those instances in which that responsibility is assigned to some other person by the Trust and, in general, shall discharge all duties incident to the office of Executive Director and such other duties as may be prescribed by the Trust.

- 4.3.3 Vice Chairperson. Each Vice Chairperson shall assist the Chairperson in the discharge of the Chairperson's duties as the Chairperson may direct and shall perform such other duties as from time to time may be assigned by the Board or, subject to the authority of the Trust, by the Chairperson of the Board. In the Chairperson's absence, the Vice Chairperson shall preside at all meetings of the Board. If there is more than one Vice Chairperson, the Chairperson shall determine which Vice Chairperson shall so preside; if the Chairperson does not so determine, a majority vote of the trustees present at such meeting shall determine which Vice Chairperson shall preside.
- 4.4 Elections, Appointments and Term of Office. Appointments, elections, and the ratification of the officers of the Trust shall be held at the first regular meeting of the Board following the adoption of these by-laws. Thereafter, the officers of the Trust shall be elected annually by the Board at the annual meeting of the Board or as soon thereafter as may be convenient. Each officer shall hold office until the next annual meeting of trustees and until his/her successor is duly elected and qualified or until the trustee has resigned or been removed in the manner provided herein.
- 4.5 Compensation. The officers of the Trust shall serve without compensation. However, any officer of the Trust may be reimbursed for ordinary and necessary expenses incurred in furtherance of the purposes of the Trust.
- 4.6 Resignation. Any officer of the Trust may resign at any time by giving written notice to the Board, the Chair or the Clerk of the Board of County Commissioners of Dade County. Such resignation shall take effect at the time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

## **ARTICLE V.**

### **AMENDMENTS AND DISSOLUTION**

- 5.1 Amendment of By-Laws. The Trust by majority vote of the entire Trust, shall have the exclusive power to alter, amend or repeal these By-Laws or adopt new By-Laws, except that any amendment which increases the quorum requirement or the proportion of votes necessary for the transaction of business or changes any other matter inconsistent with or varying from Ordinance 92-12 of the Code of Metropolitan Dade County must be authorized by a vote of the Board of County Commissioners of Dade County.

**ARTICLE VI.**  
**BOOKS AND RECORDS**

- 6.1 Maintaining Books and Records. The Trust will maintain complete and accurate books and records. The Trust will keep at its principal place of business a membership register listing the names, addresses, and other details of the membership and the original or a copy of the Board of County Commissioners of Dade County.
- 6.2 Inspection. All books and records of the Trust may be inspected by any trustee for any proper purpose at any reasonable time on written demand stating such purpose.
- 6.3 Inspection and Audit by the Board of Trustees. Every Trustee, or any agent appointed by the MMAP Board of Trustee, or any agent appointed by the MMAP Board of Trustees, will have the absolute right, at any reasonable time, to inspect and copy all books, records, documents of every kind and to inspect the physical properties of the MMAP Trust or any recipients of funds allocated by the MMAP Trust. No MMAP Trust funds may be disbursed to any recipient without a written acknowledgment and consent of this inspection and audit possibility.

**ARTICLE VII.**  
**FISCAL YEAR**

- 7.1 The Fiscal Year. The fiscal year of the Trust shall be from October 1st - September 30th.

Approved and adopted as the By-Laws of the Trust this 18<sup>th</sup> day of November, 1992.

Samuel H. DeBore  
Executive Director

Marzell Smith  
Chairman

**ATTACHMENT F**

**Board Minutes Approving the Sunset Review Questionnaire**

**Date:**

**To:** George M. Burgess  
County Manager

**From:** John T. Jones  
Chairperson, Metro Miami Action Plan Trust

**Subject:** Sunset Review of County Boards for 2008 – Metro Miami Action Plan Trust

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Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2008 Sunset Review of County Boards Report for the Metro Miami Action Plan Trust (MMA) for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of October 15, 2008.

It is recommended that the BCC approve the continuation of the Metro Miami Action Plan Trust.

### **BACKGROUND**

Metro-Miami Action Plan Trust is committed to addressing the socioeconomic disparity of Miami-Dade County's Black community by advocating and coordinating initiatives and programs for the benefit of the community-at-large.

Metro-Miami Action Plan Trust (MMA) is a Miami-Dade County agency established in 1983 by the mayors and managers of Dade County and City of Miami, the Chair and Superintendent of the School Board, the Greater Miami United Board of Directors, and the chief executives of local institutions of higher education that agreed to lead this community towards reducing disparities facing the Black community. (After several civil disturbances the U.S. Civil Rights Commission was summoned by the Community Relations Board to suggest solutions to a community polarized along ethnic and economic attitudes.) Decision makers began to implement a plan led by grass root citizens and The MMA Process was implemented. It was funded by the County Commission which involved four work groups -comprised of citizens, government officials, and university personnel to gather data and recommend solutions addressing major issues in the areas of housing, education and training for jobs, economic development and employment, and criminal justice system sensitivity.

In 1992, MMA was restructured as a 21-member public trust by County ordinance 92-12 and further restructured in 1993 by county ordinance 93-12.

In 2001, the Code of Miami-Dade County was amended removing the transition period and granting additional powers to the Metro-Miami Action Plan Board of Trustees. In 2007 The Board's membership was modified via an amendment of Ordinance 92-12, changing the composition of the Board from twenty-one (21) members to fifteen (15).

MMAAP has accomplished several notable tasks since its inception with leadership provided by Miami-Dade Board of County Commissioners with assistance from federal, state and local partners. The most notable include the Tampa Plan a replication of MMAAP; secured dedicated revenue streams in addition to county dollars to deliver excellence to youth and provide homeownership opportunities; secured federal funds to assist business in Overtown; increased the number of Black jurors on criminal and civic juries; established the production of a video tape in the 80's explaining the jury pool process to jurors on duty which is still used today; establishment of Florida Martin Luther King, Jr. Institute for Nonviolence - the first nonviolence management institution in the State of Florida; Nonviolence and sensitivity training provided police and citizens; advocated for police substations in local neighborhoods; established the Miami-Dade County Teen Court; developed an alternative educational Program - Martin Luther King, Jr. Leadership Academy; the creation of North Dade Community Development Federal Credit Union; assisted with funding for the first black owned Denny's Restaurant in Miami-Dade County; assisted with funding for the second black-owned Denny's Restaurant near Pro Player Stadium; the fostering of several youth entrepreneurs in South Dade; created a summer banking program for H.S. students; the funding of housing developments in West Perrine; the creation of MMAAP Housing Assistance Program that has contributed millions of dollars to the local tax base and encompasses a down payment assistance program, pre and post counseling project and a housing development initiative; the coordination of the annual BOSS-FOR-A-DAY event for public high school students to shadow a professional in a desired industry for a day; positioning the agency as a resource center for news media; advocate for thousands of residents concerned with the socioeconomic state of Miami-Dade County's Black neighborhoods; provided hundreds of community forums and workshops in heightening awareness of critical socioeconomic issues and trends; the awarding of millions of dollars to small businesses and community-based organizations; and hosting the largest and longest-running conference on local Black issues.

Today, the role of MMAAP is still one of advocacy and serves as a compass to guide the organization in fulfilling its mission to create economic and social empowerment opportunities to develop prosperous neighborhoods in Miami-Dade County.

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John T. Jones  
MMAAP Board Chairperson

**ATTACHMENT G**

**MMAP Trust Major Accomplishments Last 24 Months**

## **MMAP's Highlights of Accomplishments 2006 and 2007**

- Opa Locka Flightline – Provided a grant for \$100,000 for equipment and marketing, advertising and promotions. This aviation enterprise is a fixed based operation located at the Opa-Locka Airport in building #121.
- Homeownership Assistance Program (HAP) – For the period from October 1, 2006 through July 31, 2007, 643 first-time homebuyers have received \$5.69 million in down payment and closing assistance.
- Lottery Initiative – Through the Lottery Initiative, 7 randomly selected winning participants received \$1.3 million and twelve consolation participants have received \$409,825.00.
- South Dade Small Business Capitalization provided marketing, branding, how to write a business plan and other workshops throughout the day to over 150 businesses that attended.
- South Dade Small Business Capitalization had over 50 vendors that participated in displaying their products to over 150 businesses.
- Two ***Parade of Homes Extravaganzas*** – Housing fairs to promote the availability of housing inventory in North and South Dade County. First-time homeowners had the opportunity to meet area developers, realtors and mortgage professionals in an effort to attain homeownership. Over 70 vendors and over 200 prospective homebuyers participated in the two events.
- Teachers Housing Initiative - a Housing Fair targeted especially at teachers. Under an initiative spearheaded by District 3 County Commissioner Audrey Edmonson, sixteen (16) qualified teachers will receive up to \$25,000 in the form of a zero percent (0%) interest, no payment (non-amortized) mortgage, or HAP loan.
- Nonviolence Youth Leadership and Historical Civil Rights Educational Tour - Annual weeklong tour which allows 40 – 45 students from Martin Luther King, Jr. Leadership Academy to visit several cities and historical sites via Black History Tours, Inc. that helped change the social environment during the civil rights era.
- NFL Super Bowl Experience – Provided MLK LEADERSHIP ACADEMY students the opportunity to participate in the activities and drills that NFL players experience during game time and their careers.

- Assistant Navy Secretary B.J. Penn Keynotes Black History Event for MLK Leadership Academy. Middle school students saw first hand from this professional in the mainstream with a non-traditional career that there are many other job opportunities are on the horizon.
- *Resurrecting The Champ*: Advance screening for MLK Leadership academy students and the community-at-large to have a pre-view of the motivational movie before it's released to the general public.
- Teen Court completed a Law Training Program for students at St. Thomas University Law School. More than sixty (60) high school students attended this required training to become student defense attorneys and prospecting attorneys for Teen Court. This training was in coordination with Carol City Senior High School law Magnet Program.
- Teen Court recidivism rate for 104 cases from March 1, 2006 through October 31, 2006 that was reviewed was 2%.
- Martin Luther King, Jr. Leadership Academy had 100% attendance for FCAT. We were the only alternative school to do that well.
- Martin Luther King, Jr. Leadership Academy received an "A" for the overall inspection of the school.
- Martin Luther King, Jr. Leadership Academy had a promotion rate of 97.5% for students going to the next grade for the 2006 – 2007 school years.
- Martin Luther King, Jr. Leadership Academy had an overall year round attendance average of 91%.
- Psychological Services Program – MMAP provides psychological and psycho educational services to Teen Court MLK students and their families. Psychologists provide professional psychological services including Individual Therapy, Family Counseling, Parenting Skills and Psychological Evaluations. The goal of the psychological services is to intervene as soon as possible in order to prevent further involvement in the justice system, improve school performance and reduce acting-out behavior
- Coffee Talk – Provided (4) live radio talk show broadcasts at businesses located in neighborhoods where residents have the opportunity to participate and have their voices heard and address topics and issues they would like to have changed by their government representative(s). Locations included: AFRO-IN BOOKS AND CAFÉ, South Florida Boys

Choir, Miami Dade Community College Kendall Campus and Miami Job Corps Center.

- Disparity Study – Identify disparities within the black community in an effort to identify the disparities that exists within underserved neighborhoods, to include criminal justice, economic development, education, employment/jobs, housing, and health.
- South Dade Health and Wellness Initiative. According to the 2007 Disparity Study, *Thirty-Year Retrospective: The Status of the Black Community in Miami-Dade County*, the health status of Blacks in Miami-Dade County is lower than that of other racial or ethnic groups due to Blacks having higher rates of cancer, birth defects, infant mortality, diabetes, stroke, HIV/AIDS, and other illnesses. In response to this MMAP put together this event. At this event Dr. Nelson Adams, President of the National Medical Association was honored and discussed health concerns in Black Miami-Dade County. Senior citizens, community based organizations, and other South Dade residents learned first-hand how to maintain and improve their health.

**ATTACHMENT H**

**MMAP Trust Board's Major Accomplishments Since Established**

# **Metro-Miami Action Plan Trust**

## **1983 - 2007 ACCOMPLISHMENTS**

### **Providing Part of the Solution**

One of the most positive steps this community took after racial tensions erupted into riots during 1969, 1980 and 1982 was the creation of the Metro-Miami Action Plan (MMAP).

The Black population in Miami felt powerless and frustrated from the effects of racial isolation and exclusion. The vast majority of blacks regardless of economic status were not a part of the decision making process and had no control politically or economically over their *destiny*.

After realizing Dade County's criminal justice system had been a continual source of abrasion to the Black community and that tensions had not decreased since the mid-60's, the Dade County Community Relations Board made a request for the United States Commission on Civil Rights to conduct public hearings in Miami, Florida. The US Commission completed the report *Confronting Racial Isolation in Miami* in June 1982. The report examines the role of local, State and Federal governments, and the private sector in the development of racial isolation in Miami. The symptoms of that isolation include high unemployment and a lack of access to job training and advancement, lack of business opportunities and loans, adequate housing, the justice system, complaints of police brutality, the physical destruction of large portions of the black community by municipal government, and equal educational opportunity for the city's black population. The report concluded "without such a commitment, from the groups, individuals, and units of government to work together with the black community to bring about that community's participation in all aspects of growth and progress in Dade County, conditions will worsen isolation will increase and violence will recur".

MMAP is a government-sanctioned and funded agency, established by Metro-Dade County in 1983. It was a response to a racial crisis, and at the time of its creation, seemed to be the best answer available to stem the racial riot and community tensions that rocked Miami in the early 80's. A call to action was made by elected officials, local governments, Metro-Dade County, City of Miami, municipalities, Dade County Public Schools, colleges and universities, private sector organizations, public sector agencies, community leaders and grass-root citizens all came together to develop the community-wide institute (MMAP) designed to address and eradicate the disparities existing between the Black community and the Dade community-at-large. A tri-ethnic group of power brokers answered the call to action and the "MMAP process" to bring about systemic change for the black community began.

The "MMAP process" is a comprehensive agency purposely constituted with authority, governance, funding, staff and a far reaching scope to stimulate progress, confront injustices, create opportunities, raise funds, raise standards and promote a better quality of life for the Black and poor citizens of Dade County. In 1983, the focus of MMAP began

with four *action areas* of disparity that needed committee structure to implement an urgent plan: Education and training for jobs, economic development and employment, housing and sensitivity in the criminal justice system. In 1987, the Board also added attention to the areas of federal/state relations and health and human services. MMAP Action Committees serve as the vehicle for obtaining current community input or recommended actions about any program, project, event or recommendation that the community wants sponsored, funded, advocated, or initiated. Lead Authorities are establishments identified to either make the systemic change or implement the necessary plan to address the recommended action/community issue with a report at the annual conference.

In January 1983, officials began public dialogue about the responsibility of local government for the problems that lingered in the Black community. In July 1983, MMAP hosted its first community conference with over 800 participants and negotiated 176 Recommended Actions. Twenty years later the conference has continued to attract a large and diverse population of participants each year and is the longest running event on local black issues. The conference provides an official forum to report on the recommended actions gathered by the Action Committees at the request of a citizen, group, or professional organization. Nationally recognized speakers, as well as local elected officials and businessperson, are selected to bring insight, provide cutting-edge information and motivate the 1,000 participants. Workshops at the conference continue to address hot topics gathered during the year.

The following is a snap shot of the accomplishments/recommended actions - programs or projects advocated, sponsored and/or funded at the community's request for immediate action once the MMAP process created by Metro-Dade County, City of Miami, colleges and universities, concerned citizens was implemented from the inception of MMAP.

1. Established Kingian Nonviolence Conflict Resolution Training for law enforcement officers.
2. Developed legislation for the creation of the statewide Florida Dr. Martin Luther King, Jr. Nonviolence Institute, based on the philosophy of the late Florida Dr. Martin Luther King, Jr.
3. Workshops setup with national speakers on Community Oriented Policing.
4. Kingian Nonviolence Freedom Ride Educational Tour – Law Enforcement Officers, citizens, and students toured the Martin Luther King Center for Nonviolence in Atlanta, Georgia.
5. Moss Plan – Charge to open several Black businesses in South Dade to the devastation by Hurricane Andrew.
6. 8 Businesses received grants from MMAP: Bradley's Grocery, IBO's Market, Jackson Soul Food, Just Right Barber Shop, Moore's Grocery, Overtown Manufacturing Company, St. John's CDC; and Two Guys Restaurant.

7. Florida Memorial College and MMAP provided a business workshop for minority contractors who participated in Miami Dade County Community Small Business Enterprise Mentor – Protégé Program.
8. Held a seminar for managing and marketing businesses in the Overtown Community.
9. Partnered with Miami Dade County Mayor's office and HBUD to plan new business development opportunities near the proposed Scott-Carver Homes Redevelopment Project for Project Hope VI.
10. Held a credit improvement workshop within Liberty City for area residents.
11. 1999 – Nov. 1999 Grand Opening of first Black owned Denny's Restaurant within the Southeastern United States through the Moss Plan.
12. Assisted with funding for the opening of the second Denny's, by the same owner, in the proposed City of Miami Gardens across from Pro Player Stadium.
13. Established a Banking Micro-loan Consortium.
14. North Dade Community Development Federal Credit Union – Developed and opened a financial institution for residents in the North Dade Community.
15. Assisted with the development of the Little Haiti Community Credit Union.
16. Originally established Black Entrepreneur Television Series and Survival Kit.
17. Businesses receiving funding from MMAP: North Dade Community Development Federal Credit Union; West Perrine CDC; Kiddie Kop Day Care; DRP Transportation, a special transportation service for the elderly and the physically challenged ; School Daze, a uniform company in Overtown.
18. Hosted annual picnic with Community Development Corporations at Tropical Park to raise awareness in Housing programs.
19. Advocated to increase Black Jurors seated on Criminal and Civil Juries by changing the jury selection process.
20. Established trend for police sub-stations in Black neighborhoods – Liberty City, Overtown, and Scott Projects – initiative to expand.
21. Conducted study on retention, hiring, promotion, and evaluation of all Black law enforcement officers throughout the various municipalities.

22. MMAP generated \$3,615,000.00 in business loans for clients including \$ 177,000.00 from MMAP's revolving loan fund.
23. Provided eight business owners from Overtown community with grants ranging from \$45,000 – \$900,000.
24. Job Referral program; MMAP linked citizens to employment agencies and encouraged existing clients to offer job opportunities.
25. Business Incubator; MMAP ventured into interactive technology with the launch of Urbanfolkworks Technology Incubator.
26. MMAP served in the planning committee of the annual AfriCANDO Trade Conference.
27. MMAP assisted in the initial planning of the Mayor's African Trade Task Force.
28. Assisted in securing a grant to develop and implement a pilot project to place AFDC recipients in traditional and non-traditional careers, which enabled them to secure and maintain self-sufficiency.
29. MMAP continued its Youth Entrepreneurial Training Program administered by MMAP in 1995, 62 students from Booker T. Washington and Jose de Diego Middle School participated and 43 students graduated this year.
30. MMAP facilitated the Youth Business Development Workshop at Community Action Agency's Annual Youth Leadership Conference.
31. The Entrepreneurial Institute: A Community Partnership – courses offered at Florida Memorial College. Courses included: *Starting and Incorporating a Business, Developing a Marketable Business Plan, Managing for Greater Profits, Marketing Your Product or Service Accounting - Keeping Accurate Financial Records, Import/Export- International Trade, Using Computers in the Small Business, and Franchising Opportunities.*
32. The Institute provided information to approximately 590 people attending the following group presentations: Haitian American Center for Economic Affairs; South Dade Credit Repair Workshop in Homestead; Florida Memorial College's National Alumni Association meeting in Jacksonville; MMAP/Entrepreneurial Institute Apprenticeship Workshop in Liberty City; and North Dade Community Development Federal Credit Union.
33. MMAP/Banking Micro loan Consortium- established to address the need for small start-up loans.

34. Credit Improvement Workshop- held on June 9, 2001 in Homestead.
35. MMAP's Apprenticeship Job Fair at the Joseph Caleb Center in January 2001.
36. South Dade Initiative – MMAP expanded CEDAC to South Dade. – Monthly meetings in Homestead.
37. In February 2002- Miami Dade County Commission, specifically Miami Dade County Commissioner Dorrin Rolle of District 2, paved the way for MMAP to acquire development rights to the North side Metrorail Project. The site consisted of approximately six acres bounded by NW 31<sup>st</sup> and 32<sup>nd</sup> Avenues, and NW 77<sup>th</sup> and 79<sup>th</sup> Streets. MMAP offered the North side Metrorail site for transit related joint development to include commercial and affordable housing components. This project provided job opportunities, needed affordable housing stock and other economic benefits for this community.
38. Financial Assistance- MMAP Revolving Loan Program continued.
39. Technical Support – provided one-on-one business counseling to almost 200 persons seeking assistance and 140 business plans were developed.
40. Established MMAP Homeowner Assistance Program (HAP) providing down payment assistance for first time low-income homebuyers.
41. Provided funding for H.O.P.E. , investigated housing discrimination complaints and filed suit when injustices occurred.
42. Business Incubator – Workplace space, office equipment, and business counseling are all part of the services at MMAP technology incubator located in Opa-Locka.
43. International Trade – continued international trade initiatives.
44. Community Involvement – monthly CEDAC meetings.
45. In April 2003 – Northside Metrorail Station Joint Development Project – Miami-Dade Board of County Commissioners approved a ground lease agreement between Metro- Miami Action Plan Trust (MMAP) and Miami-Dade Transit for the development rights to the Northside Metrorail Station. MMAP Trust entered into a joint development agreement with Altamira Associates, LTD. for the construction of 234 apartment units on the site. Intended to stimulate the area's economy through residential and transit-related development and job creation.

46. Liberty City Commercial Development Project – MMAP awarded the MMAP Foundation, Inc. a grant in the amount of \$75,000 to offset pre-development costs associated with a commercial development project. The MMAP Foundation, Inc. established a joint venture partnership with Peninsula Developers/Teja Associates, Inc. to develop property located at the southwest corner of 54 Street and 27<sup>th</sup> Avenue in Liberty City. One of the businesses targeted in the project was Family Dollar, a discount retail establishment.
47. Revolving Loan Fund – Designed to help in the circulation of financial resources within the Black community. MMAP awarded 2 small businesses loans this year as a part of its revolving loan program. The businesses collectively received loans totaling \$100,000.
48. Business Assistance Collaborative – This year the Entrepreneurial Institute provided 240 individuals with personalized counseling in starting or expanding a business. Within this assistance 161 business plans were developed with 105 for expansion and 56 for start-ups. The Institute also conducted several seminars on the following topics: Starting a Business Plan; Marketing Products and Services; International Trade- Importing and Exporting; Financial Records; Understanding and Repairing Credit; Sales; and Managing Human Resources. Also, further specialized workshops targeting healthcare and Workforce America participants were conducted throughout the year.
49. *Peace in the Hood Festival* – Commitment to participate in a festival that takes a stand on issues related to education, health, nonviolence, music, AIDS Awareness and provide community outreach with a positive message for today's youth. The street festival attracts over 80,000 people annually and is in its sixth year honoring well known DJ Uncle Al.
50. Nonviolence Youth Leadership and Historical Civil Rights Educational Tour - Annual weeklong tour which allows 40 – 45 students from Martin Luther King, Jr. Leadership Academy to visit several cities and historical sites via Black History Tours, Inc. that helped change the social environment during the civil rights era.
51. Teen Court Lawyer Training Program – Volunteers are trained as lawyers to assist with Miami Dade Teen Court hearings, giving them the opportunity to gain knowledge and experience in a non-traditional judicial process.
52. Carrie Meek Foundation – Civics Program – Provide participants of Teen Court with the tools to become better citizens through classes and information on how government works, what government does, how an individual can participate in the governmental process.
53. Florida Financial – Money and Banking Program – Introduce participants of Teen Court to the world of credit, how it works and how to use it wisely.

54. Miami-Dade County Teen Court continued to serve as an alternative sanctioning program for first-time juvenile offenders by conducting peer-sanctioning court hearings countywide.
55. Miami-Dade County Teen Court expanded its reach in diversion and became the primary referral program of the State Attorney's Office for juveniles who committed offenses in the county but resided in other parts of the state. The program was the ideal choice for such a local partnership due to the extensive network and working collaborative with other teen court programs across the country.
56. Miami-Dade County Teen Court increased the number of volunteers among adult attorneys and judges practicing in Miami-Dade County, and merged a new partnership with St. Thomas Law School Pro Bono Program. The adult volunteers assisted the program not only by presiding as judges during Teen Court hearings, but also in the training and development of these young aspiring attorneys. One of these training opportunities was an intensive two-day session where attorneys from the Public Defenders Office and a local law firm as well as a student from St. Thomas Law School.
57. Miami-Dade County Teen Court youth volunteers joined staff in providing community service to such events as the Goulds Community Action Agency Toy Drive. They also participated in a number of leadership-oriented activities including 2005 National Youth Court Month. For the first time in the existence of M-DCTC, the youth celebrated the month by engaging in a month of events.
58. Miami-Dade County Teen Court focused on nurturing the leadership skills of youth volunteers. Its court hearings, group sessions, speaking engagements and training programs forced these youths to work beyond what they perceive as their limits. Opportunities within the program reinforced a notion that they were in fact the next Johnnie Cochran, Judge Orlando Prescott or even the first U.S. Supreme Court Justice Thurgood Marshall.
59. Miami-Dade County Teen Court extended its outreach efforts and provided orientations and other workshops at area schools throughout the county. These schools included: Jane S. Roberts K-8 Elementary, Van E. Blanton Elementary, Nautilus Middle, Richmond Middle, Miami Springs Middle, South West Middle, Palmetto Middle, South Miami Middle, North Miami Senior, Homestead Senior, Coral Reef High, Booker T Washington High Michael Krop Senior, Hialeah-Miami Lakes, Howard D. McMillian School, Miami Lakes Educational Center, and Varela.