

**CLERK'S SUMMARY AND OFFICIAL MINUTES  
NARANJA LAKES  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
MARCH 23, 2009**

The Naranja Lakes Community Redevelopment Agency (CRA) Board convened in the South Dade Government Center, 10710 S.W. 211 Street, Room 203, Miami, Florida, at 6:00 p.m., on March 23, 2009; there being present upon roll call: Mr. Rene Infante, Mr. Moe Hakssa, Mr. Stuart Archer, Mr. Kenneth Forbes, and Ms. Marlene Volkert; (Mr. Daniel Lipe was absent); staff members present were: Mr. Jorge Fernandez, Office of Strategic Business Management (OSBM) Coordinator; Mr. Jason Rodriguez, CRA Analyst, OSBM; and Deputy Clerk Jill Thornton.

**I. Meeting Call to Order and Roll Call**

Mr. Forbes called the CRA Board meeting to order at 6:01 p.m. Upon roll call and a quorum being present, the Board proceeded to consider tonight's agenda.

For the record, Mr. Jason Rodriguez noted Mr. Daniel Lipe would not be attending tonight's meeting due to a previously scheduled engagement.

**II. Approval of the Minutes**

It was moved by Mr. Archer that the minutes of the February 23, 2009 NLCRA meeting be approved. This motion was seconded by Mr. Hakssa, and upon being put to a vote, passed unanimously by those members present.

**III. Approval of Agenda**

It was moved by Mr. Infante that tonight's agenda be approved as amended to consider Agenda Item "New Business" before Agenda Item "Old Business" and to add a discussion item to the agenda under New Business, to discuss the selection of a new Chairperson and Vice-Chairperson for the NLCRA. This motion was seconded by Mr. Archer, and upon being put to a vote, passed unanimously by those members present.

**IV. Open Forum for Public Comments**

Mr. Forbes opened the floor for public input and the following person(s) appeared:

Ms. Marjorie Murillo, 26604 SW 122 Place, Naranja, representing William A. Chapman Elementary School, appeared before the CRA and requested funding for the school to provide reading and math incentives to help students improve FCAT scores, and to encourage parent participation at the school. She noted most schools currently relied on the Parent Teacher Association (PTA) for additional funding, but 95% of the students at W. A. Chapman

Elementary were from low income families, which necessitates this school requesting additional funding from other community organizations.

Mr. Infante noted, although he had worked cooperatively with Ms. Murillo for many years on school issues, the CRA's existing redevelopment plan needed to be legally modified before any joint efforts could be considered.

Mr. Archer indicated he fully supported the program of W.A. Chapman Elementary, but the CRA needed to address proper financing methods in order to support this school with additional funding.

Mr. Hakssa indicated the school had his full support, but questioned why this school lacked a PTA.

Ms. Murillo explained that W.A. Chapman Elementary had a PTA, but it was not very strong in providing financial support to the school.

Mr. Forbes advised that tonight's agenda included a discussion item under Old Business, to discuss funding for W.A. Chapman Elementary, and invited Ms. Murillo to participate in that discussion later in the meeting.

Mr. Randy Pearson, 9156 Bay Drive, Miami Beach, appeared and indicated that at the last CRA meeting, he advised the CRA Board of an issue regarding payments owed to Solo Construction for work completed on the Naranja Lakes project. He noted since that meeting, he met on several occasions with County staff, Mr. George DeGuardiola the developer and Mr. Serralta the CRA's Construction Consultant, in an effort to gain an understanding of the status of this issue. Mr. Pearson noted approximately \$6 million worth of work was completed, of which \$400,000 represented change orders that were approved by De Guardiola Properties, Inc. Mr. Pearson stated he was trying to determine the amount of retainage owed to Solo Construction, and whether retainage held by the County could be released or reduced from 7.5% to about 1%. Another issue needing clarification, he noted, was a back charge to Solo Construction for irrigation sleeves, which may have been deducted from the retainage owed to Solo Construction. Mr. Pearson noted according to the contract initiated in June 2004, Solo Construction completed the scope of work, met all obligations, and has waited over a year to receive a final payment. He advised his objective tonight was to request the Retainage owed to Solo Construction be released or reduced, and to get clarification on the back charge to Solo Construction by De Guardiola Properties, Inc.

Seeing no one else wishing to speak, Mr. Forbes closed the public hearing, and requested clarification from the CRA's legal counsel on this matter.

Mr. Steve Zerkowitz, Legal Counsel for the CRA, noted a detailed explanation should be provided by the Construction Consultant; however, the CRA contracted with Naranja Lakes Construction (NLC), LLC, not with Solo Construction Company. He also noted the CRA paid NLC to date for payments requested and released some retainage. He indicated the contract

provided for a 10% retainage fee be withheld by the County until the job was completed, which would be owed to NLC, not Solo Construction. He noted, on two separate occasions, the CRA, in conjunction with the County, released additional retainage to NLC above the provisions stated in the contract, due to a lengthy construction process and other factors. Mr. Zelkowitz noted NLC had a contractual obligation with Solo Construction and the issue referenced by Mr. Pearson was a private dispute between those two entities, not with the County.

In response to Mr. Forbes inquiry whether the CRA had paid NLC to date for payments requested, Mr. Zelkowitz advised that they had.

Mr. Ignacio Serralta, Construction Consultant, SRS Engineering, concurred with Mr. Zelkowitz's comments, and agreed that the issue was a contractual dispute between De Guardiola Properties, Inc and Solo Construction. He noted he met with De Guardiola Properties and Solo Construction representatives to review the contracts and the information provided by Solo Construction. Mr. Serralta explained the agreement and schedule of values between De Guardiola and the CRA were different from the agreement and schedule of values between De Guardiola and Solo Construction, which was based on the actual plans. He noted Mr. De Guardiola felt that Solo Construction should have performed work that was done by other contractors subsequently hired to complete the project. Mr. Serralta stated it would be difficult to involve the CRA in sorting out these issues. He noted at the time he was hired by the CRA, he recalled Mr. De Guardiola requesting additional retainage be released due to a lengthy construction process, and the Public Works Department and the County Attorney negotiated and drafted an agreement to release some retainage on a one-time basis for work completed on roadway, water and sewer projects and some general items. Mr. Serralta noted the CRA paid DeGuardiola Properties for all the improvements constructed in the field and released retainage beyond the contract provisions that 10% be withheld.

Mr. Forbes advised Mr. Pearson that the CRA would follow the advice of its Legal Counsel in this matter, and hoped the parties could work out a solution.

Mr. Pearson emphasized that the CRA and the County were the parties by which a resolution would be called upon. He noted NLC was a limited liability corporation that should have provided a performance bond to ensure issues were resolved properly. Mr. Pearson expressed concern with retainage released to DeGuardiola Properties Inc, or NLC without proper due diligence given to ensure the subcontractors were paid.

Mr. Forbes responded that each party needed to consult with their legal advisors, who would act in accordance with their clients' interest. He noted the CRA would continue to follow the advice of its Legal Counsel and would take no further action at this time concerning this matter.

Responding to Mr. Pearson's concern with Mr. Zelkowitz comments that retainage was released to DeGuardiola Properties in advance of what was originally scheduled, Mr. Forbes explained that the Redevelopment Agreement was between the CRA and NLC, not any subcontractors; and the developer, not the CRA, contracted with subcontractors for specific work, therefore, the CRA

was not in any position to negotiate a resolution of the issues between the subcontractors and the developer.

## **V. New Business**

### **Resignation of Board Chairperson Nina Betancourt**

Mr. Jorge Fernandez announced the resignation of NLCRA Chairperson Nina Betancourt, and noted, by County Ordinance, the Board of County Commissioners needed to appoint a new Chairperson and Vice-Chairperson to the Naranja Lakes Community Redevelopment Agency as both positions were currently vacant.

Mr. Steven Zelkowitz, Legal Counsel for the CRA, noted the Board of County Commissioners designated Ms. Nina Betancourt as Chairperson and Ms. Joan Carter as Vice Chairperson of the Naranja Lakes Community Redevelopment Agency when it was created. He also noted that Mr. Parsuram Ramkissoon had resigned from the CRA Board as well, and the Board of County Commissioners needed to designate a new Chairperson and Vice-Chairperson, and appoint a seventh Board Member. He suggested the CRA elect an Interim Chairperson and Vice-Chairperson to conduct CRA meetings until these appointments were made by the Board of County Commissioners.

Mr. Forbes opened the floor for nominations.

Mr. Hakssa nominated Mr. Forbes for the position of Interim Chairperson, and Mr. Archer seconded the nomination.

Mr. Infante nominated Mr. Archer for the position of Interim Vice-Chairperson, and Mr. Hakssa seconded the nomination.

Hearing no objections and no other nominees presented, the CRA Board approved Mr. Forbes as Acting Chairperson and Mr. Archer as Acting Vice-Chairperson of the NLCRA in the interim.

### **Information regarding a Public meeting to discuss Public Works Projects at 137 Ave & SW 268 / 264 St.**

Mr. Fernandez indicated that informational packages were distributed to CRA members by email. He noted the Public Works Department (PWD) planned to conduct public meetings on Monday, March 30, 2009 and Tuesday, March 31, 2009 at the Naranja Neighborhood Service Center, 13955 SW 264 Street, Homestead, to obtain public input on the foregoing PWD project, and would provide the CRA with a status report of the outcome. He encouraged the participation of CRA members at these meetings.

## **Update on Amendment to the Redevelopment Agreement, Definition of Use and Management for Community Building**

Mr. Fernandez advised CRA members that the County Attorney made the necessary changes to amend and restate the CRA's Redevelopment Agreement, which was currently being reviewed by Mr. Zelkowitz, and he hoped to present the amended agreement to the CRA for approval soon. He advised the CRA needed to address the "Definition of Use" for the new Civic Building.

Mr. Zelkowitz indicated he reviewed the Amended Redevelopment Agreement draft and found the changes made by the County Attorney to be acceptable. He advised this document needed to be forwarded to Naranja Lakes Construction, LLC Holdings and other involved parties to review and accept the changes made, and to execute the agreement. Once executed, the agreement would be brought back before the CRA for approval, and then forwarded to the Board of County Commissioners for approval. He said he hoped the amended agreement would be accepted and executed by all parties, and forwarded to the CRA for approval by next month's CRA meeting.

Responding to Mr. Infante's inquiry whether the proposed amendments to the Redevelopment Agreement included a \$3,000 allocation to the William A. Chapmen Elementary School, Mr. Zelkowitz noted that issue was unrelated to the redevelopment agreement, and would be addressed in a separate agenda item, under Old Business.

Mr. Zelkowitz advised that the CRA needed to discuss and agree upon a "Definition of Use" for the Civic Building, which was a public facility to be used for various community events. He suggested the CRA review the County's rules and regulations and permitting process for events held in other county buildings as a guide to develop criteria for events/activities and to determine appropriate use of this facility.

Mr. Fernandez noted the "Definition of Use" needed to be established soon since it would impact the insurance policy requirements for this facility. He indicated the liability insurance coverage would be obtained by the property manager, and staff was currently in conversation with Castle Management for these services. He noted staff needed to know the Definition of Use in order to determine the appropriate liability insurance coverage for this facility.

Mr. Forbes inquired how Castle Management was recommended.

Mr. Archer noted he inquired about the current property manager of the Mandarin Lakes Clubhouse while he inspected the Civic Building facility, and was referred to Ms. Susana Hanson, whom he suggested contact Mr. Jason Rodriguez. He noted he had been involved in community activities in Naranja for some time and was familiar with the Mandarin Lakes Club House, and felt that Castle Management could manage the Civic Building facility economically and effectively. Additional, he noted the area was secured by the police department and Castle Management was quite familiar with the rules and regulations for managing clubhouses.

In response to Mr. Infante's request for a copy of the County's rules and regulations used for other county facilities, Mr. Fernandez indicated that some rules were specific to the facility and types of activity, and he would provide the CRA with some examples.

Mr. Hakssa expressed concern that he had heard only bad reports about Castle Management, and would hesitate supporting this company managing the Civic Building facility. He suggested the CRA conduct a workshop to discuss the "Definition of Use" for the Civic Building.

Mr. Forbes noted the CRA should focus on the intent of redevelopment and provide opportunities to local companies capable of providing the services the CRA was seeking.

Mr. Zelkowitz noted he believed that Castle Management submitted a bid to perform management services for the Civic Building facility, and advised that the CRA was bound by the County's procurement process when engaging third party services. He also advised that the CRA needed to ensure the correct process was followed based on the type of services requested and the projected costs. Mr. Zelkowitz noted, even if not required, the CRA could certainly develop an Request for Proposal (RFP) bid process for this service, with some local preference.

Mr. Forbes noted the CRA's Economic Development Coordinator was capable of promoting community awareness and opportunities to encourage local business participation in an RFP process.

Mr. Archer emphasized the immediate need to conduct a workshop to determine "Definition of Use" and insurance liabilities for the Civic Building, since the Certificate of Occupancy (CO) for this facility would be issued shortly.

In response to Mr. Forbes question regarding when the Civic Building would be completed, Mr. Scott Hedge, representing the developer, confirmed that this building would be completed and the CO would be issued within the next thirty days.

In response to Mr. Infante's inquiry whether Castle Management was being recommended to manage the Civic Building in the interim, Mr. Fernandez noted staff was directed by the CRA Board two meetings ago to explore the possibility of hiring Castle Management for the purposes of managing the facility in the interim.

Ms. Rachel Bach, Economic Development Coordinator, noted the importance of establishing a "Definition of Use" for this facility. She suggested she and County staff work together to review the resources or the lack of resources in the community and come back with some recommendations to be presented at the workshop.

Mr. Forbes emphasized the need to schedule a workshop within the next two weeks.

## **Update on Business Grant Program**

Ms. Rachel Bach, Economic Development Coordinator for the CRA, advised she provided a memorandum in tonight's agenda packet, which referenced the Community Development Block Grant (CDBG) program the CRA was pursuing. She noted she completed the grant application and submitted it to the County for processing; however, the County was currently considering recapturing the CDBG dollars. Ms. Bach noted efforts were underway to encourage the County to allow the CRA to retain those funds until July 31, 2009.

Mr. Jorge Fernandez noted the \$70,000 CDBG allocation to the CRA by the Office of Community Economic Development (OCED) was part of a \$2 million pool of funds that the OCED was trying to recapture because those funds had not been used in five years. He noted staff was trying to contract with OCED, on behalf of the CRA, to allow these funds to be used for their intended purpose.

Ms. Bach suggested the CRA proceed with the application process and take action on the required resolution prepared by Mr. Zelkowitz. Ms. Bach read the proposed resolution into the record, as follows:

### **RESOLUTION NO. 2009-01**

**A RESOLUTION OF THE COMMISSIONERS OF THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AGREEMENT BETWEEN MIAMI DADE COUNTY AND THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY FOR THE PROVISION OF ECONOMIC DEVELOPMENT GRANT FUNDS TO CREATE LOW AND MODERATE INCOME JOBS; AUTHORIZING THE CHAIRPERSON AND SECRETARY OF THE NARANJA LAKES COMMUNITY REDEVELOPMENT AGENCY TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

It was moved by Mr. Archer that the foregoing proposed Resolution 2009-01 be accepted by the CRA. This motion was seconded by Ms. Volkert, and upon being put to a vote, passed unanimously by those members present.

Ms. Bach noted, included in tonight's agenda packet, was a status report on the Action Plan, which contained some recommended items that were not currently budgeted, specifically items concerning housing policy/programs for encouraging homeownership, residential grant funds and the Neighborhood Stabilization Grant Program. She recommended the CRA prepare a budget for these items or the Action Plan Subcommittee discuss them and bring back a recommendation to the CRA.

In response to a question directed to Ms. Bach by Mr. Forbes regarding her preference to work with Subcommittee members or conduct a workshop, Ms. Bach noted she had worked well with the Subcommittee members in the past, and felt they could discuss and develop a recommendation to bring back to the CRA for consideration.

Mr. Forbes stressed the importance of assisting low to moderate income families in qualifying for homeownership opportunities, when discussing any proposed program.

Ms. Bach assured the CRA that the intention of a proposed program would be to encourage renters to take advantage of homeownership opportunities. Additionally, Ms. Bach expressed the need for the CRA to establish a timeframe and budget for communication/outreach, to create a newsletter and to request funding to conduct some community events. She suggested the Great American Cleanup event scheduled April 19<sup>th</sup> 2009 through May 1<sup>st</sup> 2009, would be a good opportunity for outreach and encouraging neighborhood involvement. She also suggested the CRA identify and budget a few community events this year, as well.

### **Approval of Rachel Bach's contract extension for Economic Development Coordinator services**

Mr. Zelkowitz advised that the initial term in the contractual agreement between the CRA and Ms. Rachel Bach for the services of Economic Development Coordinator was for six-months with a renewal option to extend an additional six months. He noted the initial six-month term had expired, and the CRA needed to make a finding that the services of Ms. Bach had been acceptable, and that the contract should be extended an additional six months, retroactively from the original expiration date.

Following discussion, it was moved by Mr. Archer that the contract between the CRA and Ms. Rachel Bach for the services of Economic Development Coordinator be extended until the end of fiscal year 2008-09. This motion was seconded by Mr. Infante, and upon being put to a vote, passed unanimously by those members present

## **VI. Old Business**

### **Community Policing**

Mr. Forbes noted the monthly NLCRA Initiative Progress Report and the Community Policing Report were distributed to CRA members by e-mail. He inquired if CRA members had any concerns or questions regarding these reports.

Hearing no questions or comments, the CRA Board proceeded to consider the next agenda item.

Later in the meeting, Sergeant Ozzie Hernandez, Miami-Dade Police Department (MDPD), Cutler Ridge District, appeared and answered questions of CRA members regarding the status of gang activity in the CRA District. He noted the police were targeting minors buying alcohol from convenience stores and gas stations. He also noted a new youth gang had formed in the Waterside Community, known by the name of Waterside Savages, and competition had risen between them and some youth from the Villages of Naranja. Sergeant Hernandez further noted this month's policing activities involved much enforcement resulting in 35 arrests, and included conducting a Residential Empowerment Neighborhood Enforcement Walks (RENEW) operation

in the Waterside Community. He also noted the police were now concentrating on promoting summer programs for the youth in the community.

Responding to Mr. Archer's inquiry about utilizing park facilities to involve youth in sports activities, Sergeant Hernandez presented CRA members with some aerial pictures of the Sea Pines, Waterside, and Mandarin Lake Communities, taken by his unit from a helicopter, and pointed out a large field in the Sea Pines Community that could be designated as a soccer field. He noted land was also available in the Waterside Side Community, which could be used for this purpose as well, before the land was further developed.

Mr. Archer noted that field was currently used by the kids in the Sea Pines Community for playing soccer, and his concern was similar facilities also needed to be established in the Waterside and Naranja Communities for kids to play in.

Sergeant Hernandez noted the cost to make these fields available for use while awaiting the development of a bigger park was not expensive and the CRA could encourage community participation in this effort. Additionally, he noted the police were focusing on enforcement of night time curfews as summer approached, and would be conducting curfew and truancy sweeps. He also noted prostitution remained an issue as well.

In response to Mr. Archer's question whether the police coordinated with high school principals to address truancy issues, Sergeant Hernandez noted it would be nice to have a system in place where schools notified the police of a truancy issue; however, the School Board police were responsible for truancy in schools.

Mr. Archer noted the importance of the CRA continuing its support of policing efforts.

Sergeant Hernandez described the MDPD Mobile Storefront Vehicle, which had the capabilities of a District Police Station and could deliver services, such as fingerprinting, juvenile and criminal registry, and background checks, directly to a community.

Mr. Archer indicated he was not aware of any organized athletic activities in these areas and asked staff to pursue opportunities with the Parks and Recreation Department to address this need.

Mr. Fernandez noted he was unaware of any specific programs designated for the area, but would invite a representative from the Parks and Recreation Department to attend the next CRA meeting to discuss this topic.

Mr. Forbes pointed out that Mr. Fred Rebozo, CEO of the Rebozo Foundation, and Ms. Bach were working together on a partnership with the County to implement a Boys and Girls Club at Royal Colonial Park.

In response to Mr. Archer's comments that Royal Colonial Park needed to be opened for public use since the fields were being maintained by the County, Ms. Maria Levrant, District

Coordinator, Commission District 8 Office, noted if a sports program was identified at this park, it would indeed be opened for use.

Responding to Mr. Hakssa's inquiry whether any community safety fairs had been scheduled in the current fiscal year, Sergeant Hernandez noted, unfortunately, a significant amount of resources had been reduced due to budget restraints and the police could no longer attend community events on Saturdays. He suggested the CRA organize a community program during the summer or a weekday in the Waterside Community or at the field next to the new library.

### **Heritage Village**

Mr. Alex Ballina, Director, Public Housing Division, Miami-Dade Housing Agency (MDHA), indicated the Homeownership Program was progressing, and three of the four residents at the Heritage Village were issued a deed to their property. He noted he previously advised the CRA that part of this project was identified as a Turnkey III Program that needed to be converted to a Section 32 Homeownership Program in order to qualify for federal funding. That task was completed, he noted, and homeownership vouchers would be issued within the next two months. Mr. Ballina indicated that priority would be given to Heritage Village residents first, and then to current applicants of the Home Choice Voucher program under Section 8. Mr. Ballina advised he would be providing CRA members with a homeownership package as soon as it was finalized, which should be done within the next 15 days.

Responding to Mr. Forbes inquiry whether MDHA had proposed any community outreach programs designed to encourage homeownership; Mr. Ballina noted the Homeownership program was similar to a lottery in that applicants qualifying for the Home Choice Voucher Program or current residents of the Heritage Village would be chosen for homeownership vouchers. He noted the Home Choice Voucher would pay the mortgage issued by a local bank and OCED would be working with the banks in order to secure financing.

In response to Ms. Volkert's inquiry whether this was definitely a homeownership program in lieu of a rental program, Mr. Ballina affirmed that this was a homeownership program.

In response to Mr. Archer's questions regarding the number of vacant units proposed to be sold under this program, and whether Heritage Village was managed by a property manager or a Homeowners Association (HOA), Mr. Ballina responded that Heritage Village consisted of twenty-six (26) units in total, of which four units were currently occupied, and twenty-two units were available for sale. He said he anticipated an HOA would be established.

Mr. Archer asked if the County would manage this property until an HOA took over, Mr. Ballina noted the County would decide whether the Heritage Village Community Room would remain as such or be used as a storage facility; and would assist homeowners with HOA fees/dues by absorbing the cost of lawn maintenance, as the County owned and maintained a sister Heritage Village property next door.

## **Current re-zoning applications in CRA**

Mr. Jorge Fernandez reported that no current re-zoning applications had been submitted this month for properties located within the NLCRA District boundaries.

Mr. Forbes inquired of the status of the Naranja Lakes-Leisure City Community Urban Center (CUC) that Mr. Hakssa spoke about at last month's CRA meeting.

Mr. Rodriguez noted information regarding this CUC was addressed and forwarded to CRA members by email in an Action Item List.

Mr. Hakssa indicated he received a letter expressing that zoning did not exist for the CUC area, and that this zoning status was indefinite.

Mr. Jason Rodriguez replied that staff met with the Planning and Zoning Department (P&ZD) to research and discuss the status of the zoning issue. He noted there were two items, an application for re-zoning the area, and the creation of a zoning district as the Naranja Lakes-Leisure City Community Urban Center, which was established and approved by the Board of County Commissioners (BCC) on November 6, 2007. Regarding the request for a zoning change, Mr. Rodriguez noted the P&ZD Director was directed to file an application with the County, on behalf of the CUC property owners, requesting the CUC area be re-zoned, which was deferred by the BCC on November 6, 2008 to no date certain. He said he did not know when this item would come before the BCC again. Mr. Rodriguez said he advised the Public Works Department (PWD) of Mr. Hakssa's complaint that many individuals were being turned away when seeking zoning in this area, and PWD requested some examples be provided, since zoning did exist for this area.

Responding to Mr. Hakssa's question whether the current zoning allowed for a six-story building as a result of the BCC's approval of the CUC District in November 2007, Mr. Rodriguez replied that the District was accepted, but the request for re-zoning of the area was deferred.

Mr. Hakssa expressed concern that the public was not notified that the re-zoning request had been deferred and not approved yet, and that many people spent substantial time and money developing plans for projects they could no longer proceed with.

Mr. Rodriguez noted staff would assist in clarifying this matter, but advised that zoning did exist for the CUC area as it existed prior to the filing of the request for re-zoning application.

Mr. Scott Hedge, representing DeGuardiola Properties and Naranja Lakes Construction, LLC, advised the CRA that the developers were following the status of the re-zoning of the CUC as well, and that they met with the County Department Directors, who were also caught off guard by the zoning deferment. Regarding Mr. Hakssa's concern with an indefinite deferment, Mr. Hedge noted the application was deferred to no date certain and referred back to the county departments to allow staff some time to reconcile the differences and issues; however, the zoning of this area remained the same as it existed prior to the filing of the re-zoning application.

## **Mandarin Lakes Sales / Closing Report**

Mr. Forbes advised this month's Mandarin Lakes Sales/Closing Report was submitted by D.R. Horton Builders, and provided in tonight's agenda package. Hearing no comments or questions, the CRA took no action on the foregoing report.

### **Infrastructure Construction**

Mr. Ignacio Serralta, Construction Consultant for the NLCRA, SRS Engineering, provided an overview of the document entitled "NLCRA Construction Progress Report - March 2009," and highlighted the following:

- Canal Street Bridge – Construction of the Canal Street Bridge was completed and accepted by the County's Public Works Department. A portion of the Retainage fee held for this project was released early for work completed.
- SW 140<sup>th</sup> Ave. Plaza (Civic Building) and Entrance Features – Construction of the Civic Building had progressed, but the projected March 18, 2009 completion deadline for this project was not met, and the project would be completed in approximately three weeks. Most of the interior work was completed, and the contractor was currently working on completing the landscaping and irrigation. Two issues which could delay the issuance of the final Certificate of Occupancy were: 1) power needed to run the irrigation system pump and 2) the perimeter sidewalks needed to be installed around the buildings, which had not been resolved yet. Sidewalks typically were installed by the roadway contractor after the buildings were completed to avoid being damaged by heavy equipment. D.R. Horton Builders agreed they were responsible for installing the sidewalks, but currently lacked the funds to construct them and their staff was not authorized to expend monies on this project. A request was submitted to Florida Power and Light Company for the installation of a power meter. Relocation of the entrance feature at SW 137<sup>th</sup> Avenue, where a Water and Sewer main line prevented placement of this fixture, was still pending approval by the Public Works Department (PWD), and alternative locations were being considered.
- SW 140<sup>th</sup> Avenue, SW 143<sup>rd</sup> Avenue, SW 272<sup>nd</sup> Street, and Canal Street – Installation of roadway irrigation was about 90% completed, and testing would soon begin once the FPL meter was installed to power the pump. The developer and the PWD negotiated an agreement over the issues with the landscaping plans and the visibility triangles.
- Request for Payment No. 32 – The developer submitted an application for Payment No. 32 in the amount of \$158,852.28, which was reviewed by SRS Engineering and found to be in compliance with the improvements described in the Redevelopment Agreement and in accordance with the approved Schedule of Values.

## **Mandarin Lakes Developer Update**

Mr. Scott Hedge, Vice-President, Architecture and Planning, DeGuardiola Properties, appeared on behalf of the Developer, Naranja Lakes Construction (NLC), LLC, and advised that with the assistance of Commissioner Sorenson's Office, NLC was able to come to a resolution on modifying the plans. He noted Ms. Esther Calas, PWD Director, and Mr. Jeff Cohen, Assistant Chief, PWD, visited the project site and were able to create a solution, which allowed for the acceptance of the plans and the issuance of permits for two sections of roadway on the east side of the canal. Mr. Hedge noted contracts with the Water & Sewer Department were being finalized to permit construction of the roadway that would connect the bridge with SW 145th Street. He also noted the contractor established an account with Florida Power & Light (FPL) to power the irrigation pump so that landscaping could be completed at the Civic Building site. Mr. Hedge advised that the responsibility of D.R. Horton to complete the sidewalks was not being disputed, but D.R. Horton could not install the sidewalks at this time due to limited resources, and was working on this issue. He noted the irrigation, landscaping and the columns in front of the Civic Building would be completed within the next thirty (30) days.

In response to Mr. Hakssa's inquiry regarding the cost to construct the sidewalks, Mr. Hedge noted the cost was approximately \$8,500. He also noted the local office of D.R. Horton Builders was not authorized to spend additional monies for this project, but needed to get approval from the Corporate Office in Texas.

Regarding the payment issue between DeGuardiola Properties, Inc and Solo Construction, Mr. Hedge indicated the relationship between this developer and contractor had been terminated in order for the developer to implement other improvements and finish the project. He noted Mr. DeGuardiola was meeting his obligations under the Redevelopment Agreement, and there was no reason for this issue to be brought before the CRA Board.

Regarding Mr. Archer's request that staff coordinate with the developer and the police department to assist the police in utilizing the Civic Building facility and obtaining access through the back door, Mr. Hedge stated he would communicate with Mr. Rodriguez to see what could be accomplished.

## **Discussion regarding funding for William Chapman Elementary School**

Mr. Zelkowitz noted he was asked to explore the possibility of the CRA providing funding to William A. Chapman Elementary School for a Student Rewards Incentive Program. He noted he previously advised the CRA that they needed statutory authority, redevelopment plan authority, and budgeted funds in order to allocate funds for these types of requests. In this case, he noted the CRA had statutory authority to allow the use of funds for economic development, and the CRA had budgeted funds to allocate for certain types of programs; however, the CRA's Redevelopment Plan did not specifically provide the CRA with the authority to fund schools, since the CRA's objective was to alleviate slum and blight. He noted W.A. Chapman Elementary School was mentioned in the Redevelopment Plan, but only stated that schools in the community, like W.A. Chapman Elementary, would play a critical role in developing community

identity and maintaining vitality, and would benefit from the success of redevelopment to bring homeownership opportunities to the area. He noted after reviewing the section in the Redevelopment plan that dealt with programs and strategies, he found that the CRA did not have the authority to support this school's program, but could develop a process for programs like this one in the future. Mr. Zelkowitz recommended the CRA revise its current Redevelopment Plan to include programs the CRA would like to support in the future.

Mr. Archer suggested staff communicate with the County Attorney, since the proposal the CRA was trying to accomplish met the CRA's objective to reduce slum and blight in the community. He also asked staff to explore whether the Offices of Commission Districts 8 and 9 could provide some funding to support this school.

Ms. Bach indicated she could assist the CRA in identifying several existing, non-profit foundations that provide small grants to community organizations and schools.

Mr. Forbes inquired if the CRA could partner with W.A. Chapman Elementary and other schools or the Skills Center to support specific activities that would promote and advertise the CRA at the same time.

Mr. Zelkowitz noted language in the Redevelopment Plan that stated advertising and promotion should be aimed at creating business volume, but could also allow the CRA the ability to assist in funding special events. He suggested the CRA underwrite a special fundraising event held by a school to assist schools in reaching their goals and be used as a marketing/promotional opportunity for the CRA at the same time, without having to amend the Redevelopment Plan.

Mr. Archer asked staff to coordinate a fundraising event with Ms. Murillo or a representative of William A. Chapmen Elementary School.

Mr. Forbes suggested the CRA meet with the school first, in an effort to determine their needs and devise a plan for an appropriate event that combined the goals of both entities. He noted he would arrange a personal meeting with the school's Principal.

Mr. Fernandez reminded CRA members that a public meeting would need to be advertised, if more than one board member was present at a meeting with representatives of W.A. Chapman Elementary School.

Mr. Hakssa said he would like to be provided with more information concerning Naranja Elementary School, which he heard had closed and would re-open as a school for juvenile delinquents.

Mr. Forbes noted he understood the referenced school located at 13940 SW 264th Street, in Naranja, was not intended to be a boot camp, but would become an alternative school for boys behind in their studies, requiring special attention. He noted the program would only be for a ninety (90) day period, and the students would then be returned to their regular school upon completion.

Mr. Fernandez advised CRA members that he would contact Miami-Dade School Board to obtain additional information regarding the status of the subject school on SW 264<sup>th</sup> Street.

**VII. Next Meeting Dates:**

**April 27, 2009 Regular Board Meeting**

Mr. Forbes announced the next NLCRA Meeting would be held on April 27, 2009 at 6:00 p.m. He noted county staff would determine the availability of a facility for a special workshop to be held at 6:00 p.m. to discuss the “Definition of Use” of the Civic Building facility.

Mr. Fernandez advised that a General Services Administration (GSA) representative should be present at the next CRA meeting to provide a layout plan for furnishing this facility.

**VIII. Adjournment**

There being no further business to come before this Board, the Naranja Lakes Community Redevelopment Agency meeting was adjourned at 7:38 p.m.

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Kenneth Forbes, Interim Chairperson  
Naranja Lakes Community Redevelopment Agency