

**CLERK'S SUMMARY AND OFFICIAL MINUTES  
NARANJA LAKES  
COMMUNITY REDEVELOPMENT AGENCY (CRA)  
AUGUST 24, 2009**

The Naranja Lakes Community Redevelopment Agency (CRA) Board convened in the Naranja Branch Library Conference Room, 14850 S.W. 280 Street, Miami, Florida, at 6:00 p.m. on August 24, 2009; there being present upon roll call: Interim Chairperson Kenneth Forbes, Mr. Rene Infante, Mr. Daniel Lipe, Mr. Moe Hakssa, Mr. Stuart Archer, Ms. Marlene Volkert, Ms. Keri-Lyn Coleman and Mr. Charles Lopez. 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**

Interim Chairperson Forbes called the CRA meeting to order at 6:00 p.m.

Upon roll call, and a quorum being present, the Board proceeded to consider tonight's agenda.

a. Welcome New Board member

Mr. Charles Lopez introduced himself as the newest CRA board member and a resident of the "Mandarin Lakes" community. He noted his prior working experiences included management of non-profit/social service organizations and managing contracts. He also noted that he currently worked as an Administrator for SLATech Charter High School in Homestead, a school which specifically targets at-risk (dropout) students. Mr. Lopez stated he looked forward to working and sharing his expertise and abilities with the CRA.

Mr. Forbes welcomed Mr. Lopez to the NLCRA Board.

**II. Approval of the Minutes  
July 27, 2009 Regular Meeting**

It was moved by Mr. Archer that the minutes of the July 27, 2009 CRA meeting be approved. This motion was seconded by Mr. Hakssa, and upon being put to a vote, passed unanimously by those members present.

Mr. Archer expressed appreciation to the County Commission Reporters for a fine job done at preparing the CRA meeting minutes and for providing them on time for CRA members to review prior to the next CRA meeting.

**III. Approval of Agenda**

It was moved by Mr. Archer that the agenda for tonight's meeting be approved. This motion was seconded by Mr. Lipe, 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. Seeing no one wishing to speak, he closed the public forum.

#### **V. Old Business**

##### **Community Policing**

The CRA Board accepted the foregoing report as submitted.

##### **Update on General Old Business**

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

Mr. Karl Albertson, Land Acquisitions Manager, D.R. Horton Builders, advised the CRA Board that he would be forwarding a written report on the sales/closings of the Mandarin Lakes homes to staff via email tomorrow (8/25), and proceeded to give a verbal report. He noted the total number of units sold to date was 307 townhomes and 307 single-family homes, and the sales variance since last month's report was zero townhomes and one loss of sale of single-family homes. He also noted 4 town homes and 2 single-family homes had closed since last month, which brought the total closings to 304 townhomes and 306 single-family homes. Mr. Albertson noted only one single-family home model and no townhomes were currently available for sale.

In response to Ms. Coleman's question regarding whether any of the empty homes were available for sale, Mr. Albertson noted only one single-family home model remained for sale; however, there might be some empty townhomes that had sold, but had not yet closed.

In response to Ms. Coleman's question regarding the status of the sales of new models, Mr. Albertson noted D.R. Horton Builders had basically closed their sales office and would reopen it pending a redesign of the product that would allow them to re-enter the market at competitive prices. He noted the new townhome models were appraising lower than expected and could not be built at a loss.

In response to Ms. Volkert's question regarding whether anyone was tracking foreclosures or short sales within the area, Ms. Doris Vantuyl, Property Manager for Mandarin Lakes, Castle Management, appeared and noted approximately 60% of the community was currently delinquent in Homeowners Association fees and approximately 35% of the community was in foreclosure or pending short sales. She said she would provide the CRA with more accurate numbers in the future.

Hearing no further comments or questions, the CRA Board accepted the foregoing report as submitted.

## **2. Infrastructure Construction**

Mr. Ignacio Serralta, Construction Consultant for the NLCRA, SRS Engineering, provided an overview of the “NLCRA Construction Progress Report” dated August 2009, and highlighted the following:

- SW 140<sup>th</sup> Ave Plaza (Civic Building) and Entrance Features - Construction of the Civic Building was completed and a final inspection was conducted on August 12, 2009 to review the remaining punch list items, which were found to be complete; Mr. Scott Hedge held the Certificate of Occupancy (CO) and keys to the Civic Building, which would be turned over to the CRA. The structures of the Entrance Features were completed, but the features still needed signage and landscaping.
- Canal Street Bridge, Green and Pathways - Public Works Department (PWD) installed “No Fishing, Swimming or Diving” signs at both ends of the Bridge in Mandarin Lakes in response to the issues raised at the last CRA meeting concerning this bridge.
- SW 140<sup>th</sup>, SW 143<sup>rd</sup> Avenue, SW 272<sup>nd</sup> Street, and Canal Street - No additional work had been performed on the roadway projects since the last report. Landscaping was needed to complete this project.
- Request for Payment No. 37 – The developer submitted a request for Payment No. 37 in the amount of \$132,320.10, which was reviewed by SRS Engineering and found to be in compliance with the improvements described in the Redevelopment Agreement and the approved schedule of values. The total amount included \$112,044.26 in retainage fees that was held until the Civic Building was completed.

In response to Mr. Hakssa’s question regarding whether the issues concerning the outside porch areas of the Civic Building had been resolved, Mr. Serralta noted the contractor installed thresholds, built out the low areas in the concrete to correct the issue of water pooling in front of the doorways, and applied a colored “cool coat” instead of tiling the porch areas, which gave the bare concrete a nicer appearance.

Hearing no further comments or questions, the CRA Board accepted the foregoing report as submitted.

## **3. Mandarin Lakes Developer Update**

Mr. Scott Hedge, Vice-President, Architecture and Planning, DeGuardiola Properties, appeared on behalf of Naranja Lakes Construction LLC, and noted the construction of the Civic Building was now completed and he was in possession of its keys and CO, to which he would turn over to the CRA. Regarding Entrance Features, Mr. Hedge noted the entrance feature at SW 280<sup>th</sup> Street was currently being landscaped, and he was working on its lettering, which should be completed soon. He also noted the Entrance Feature proposed to be built at SW 137<sup>th</sup> Avenue could no longer be built at this location due to issues with building it in the median and issues with building it on the north side of the roadway where the Hidden Groves Community was located.

Mr. Hedge indicated it was possible to install some additional landscaping at this location, but a physical sign could not be built here. He further noted that he spoke with Mr. Serralta and the developer about reallocating the funds designated in the budget for this feature to other sources or uses by the CRA.

Mr. Hedge advised that work on the roadway projects had not progressed for the past month because the Public Works Department (PWD) required the developer to enter a covenant that would allow the County to lien property owned by the developer in the event the County had to expend monies relative to the roadway improvements. Mr. Hedge noted he and the developer worked on this issue, and the developer agreed that a portion of his property containing the irrigation pump could be deeded to the Master Association in order to enter into the covenant and proceed with completing the roadway projects. He also noted this project would be completed once the landscaping was done. Additionally, Mr. Hedge advised that the final project remaining in Phase I was the roadway connection at the bridge crossing SW 145<sup>th</sup> Avenue to Naranja Lakes Boulevard. He noted this project was currently under contract and the plans approved by Water and Sewer Department (WASD), but it would take approximately two more weeks before the plans were finalized and construction could begin.

In response to Mr. Archer's question regarding the status of the bridge to be constructed at SW 280<sup>th</sup> Street, Mr. Hedge noted that bridge was part of Phase II and would take longer to complete because he and the developers were working on revising the Schedule of Values to reflect modifications to the landscaping and irrigation projects in Phase I & II of the project. He noted if staff agreed with the proposed changes, the Redevelopment Agreement would need to be amended and then approved by the County Commission before Phase II could begin.

Following further discussion regarding the amendments, Mr. Archer asked, for the purposes of planning and preparing next year's budget, if Mr. Hedge knew of any special projects that needed to be executed.

In response to Mr. Archer's question, Mr. Hedge noted he was asked by staff to provide some projections for next fiscal year's budget, and the figures would depend on how the Redevelopment Agreement was amended, but he believed those figures would be conservative.

Mr. Fernandez added the amendments were to be done quickly, but several changes had occurred since the inception of this project, and both the County Attorney and the CRA's Legal Counsel agreed it would be better to amend the Redevelopment Agreement to reflect the updated improvements being done and ensure the CRA was not wasting its funds. He noted it was necessary to decide the appropriate infrastructure and landscaping for this community since these improvements would remain for years to come.

In response to Mr. Archer's questions regarding whether a timeframe had been established for completing these amendments and who negotiated the costs, Mr. Hedge noted he expected the proposed changes to the schedule of values to be completed within the next 30 days for staff's review, and noted the cost values came directly from the vendors. He also noted the projects remaining in this fiscal year's budget were already under contract and the related schedule of values already approved. Mr. Hedge further noted that drought tolerant plants were being

brought in for landscaping and the trash receptacles proposed in the roadway plans were eliminated, which created a cost savings for the CRA that could be used for other CRA projects or to reduce debt.

Mr. Forbes noted that as he recalled, a discussion was previously held during which it was decided that county staff, the developer, the CRA's Construction Consultant and the CRA's Legal Counsel would work together to amend the Redevelopment Agreement and bring it back before the CRA for action and approval.

Mr. Fernandez affirmed that Mr. Forbes' recollection was correct.

Hearing no further comments or questions, the CRA Board accepted the foregoing report as submitted.

#### **4. Action Plan Implementation and Grants Update**

Ms. Rachel Bach, Economic Development Coordinator (EDC) for the CRA, provided an update on the implementation of the CRA's Action Plan. She noted a written report of this update was included in tonight's agenda packet, and the last update was provided two months ago. Ms. Bach reminded the CRA that its Action Plan Subcommittee met in April 2009 and determined their priorities would be Economic Development, Housing Programs and Education. Regarding Economic Development, Ms. Bach advised that she had been working on some economic development programs through the CRA's Small Business Assistance Program. She noted she also compiled a list of small business resources, and worked directly with two existing businesses in the community to provide them with this information.

Regarding Housing Programs, Ms. Bach advised that she had been working on a partnership with the Naranja-Princeton Community Development Corporation (CDC) and a housing project that would bring some financial leverage to the CRA's community using Residential Housing Rehabilitation dollars. She noted Mr. McKinnon, the CDC's Executive Director, recently submitted an application to the County on behalf of the CDC, requesting Community Development Block Grant (CDBG) funds, and included a request that some of the funds be used to assist a portion of the NLCRA District. Ms. Bach noted she was still working with Mr. McKinnon on the details of this partnership and on getting approval from the County to use some of the CDC's existing CDBG funds in the CRA District as well.

Regarding Education, Ms. Bach noted she and Ms. Kristin Morey were currently working on identifying resources and community organizations which could hold educational workshops, seminars or other venues in the CRA's new Community Center. She noted she would provide the CRA with a list of organizations and types of services they provided so that the CRA could discuss what would be appropriate for this community. Ms. Bach advised that she and Ms. Morey were working on the Weed and Seed Community Designation Application and would be meeting with Miami-Dade Police Department (MDPD) and other organizations that originally worked on this application to see if it could be revised and resubmitted on behalf of the CRA. Additionally, she noted she and Ms. Morey were working on an analysis of vacant commercial properties within the CRA District and an outreach to property owners. Ms. Bach said they

began evaluating the 2008 property tax rolls to identify the largest commercial landholders within the CRA District, but did not have access to the 2009 property tax roll yet. The objective, she noted, was to contact the owners and determine which properties were vacant/obsolete; how they planned to use their properties in the future; and if the CRA could assist them in future redevelopment projects.

Ms. Bach advised that Ms. Morey was currently working on the next edition of the CRA Newsletter, which would be circulated next month. She noted that emails were sent to CRA members requesting suggestions for articles, and that an article about the opening of the new Naranja Branch Library and one about the bridge at SW 280th Street would be included in the next edition. Ms. Bach said she would like to feature the CRA's newest member, Mr. Charles Lopez, in this edition as well.

Ms. Bach suggested that while reviewing the CRA's FY 2009-10 Budget and CRA Plan, the CRA members identify some measurable goals and specific objectives they wanted to see accomplished next year. She pointed out the CRA Plan called for an annual informational workshop around budget time, and she would work with staff to schedule this meeting once the CRA's budget process was completed. Regarding the CRA's Business Grants Program, Ms. Bach noted the CRA's Legal Counsel was working on the agreements.

Mr. Zelkowitz, Legal Counsel for the CRA, noted that he previously advised the CRA about grants requested for items not included within the scope of the grants program, and that he suggested the CRA provide those applicants with a loan option as an alternative to a grant. Mr. Zelkowitz also noted he advised the CRA that the Redevelopment Agreement would need revision if the CRA decided to pursue a forgivable loan program. He suggested the CRA proceed with the loan option and include a provision that the loans would be forgiven in the event the CRA amended its Redevelopment Agreement to offer a forgivable loan program.

Ms. Bach noted she was hopeful those agreements would be completed and the funds disbursed to the applicants within the next month.

In response to Mr. Archer's question regarding the CRA providing grants for the grade schools, Ms. Bach noted she researched and found a couple of grant resources for grade schools; however, the CRA would not qualify as an applicant, but the schools could apply directly. She noted she would attempt to contact and inform the school representatives of these grant resources, and she would assist them with the applications.

Mr. Zelkowitz clarified he believed that Mr. Archer was referring to the \$3,000 allocation in this fiscal year's CRA Budget to Chapman Elementary School for marketing purposes. He noted he sent this school a letter with the CRA Chair signature, indicating those funds were available this fiscal year, and subsequently received correspondence from the school indicating their intended use of the funds. He also noted he forwarded those letters to staff, and staff was in the process of having a check cut for this school. Mr. Zelkowitz further noted that any allocations to schools in next fiscal year's budget should be part of the budget discussion heard later tonight.

Mr. Coleman noted she was interested in working with Ms. Bach on the Weed and Seed Community Designation application since she was very familiar with this program and could contribute to its success. She asked what the process would be to do so.

Following Ms. Bach's response to Ms. Coleman regarding her assistance with the application, Mr. Forbes introduced the library guide of the new Naranja Branch Library.

Ms. Michelle Dye, Branch Manager, Naranja Branch Library, welcomed the CRA and County staff to the new Naranja Branch Library. She noted this library actually opened on July 13, 2009; however, an official grand opening would be held and she would advise the CRA of the date of the grand opening as soon as she knew it. She also noted many children and adult programs were scheduled this coming fall at this library, and the Schedule of Events for September 2009 would be available in the next few days. Ms. Dye said she was glad the CRA decided to meet here tonight, and invited everyone to come and use their new library.

## **I. New Business**

### **1. Discussion and Action on Contract Extension for Economic Development Coordinator**

Mr. Steven Zelkowitz, Legal Counsel for the CRA, noted approximately one year ago, the CRA contracted with Ms. Rachel Bach for the position of the CRA's Economic Development Coordinator (EDC). He noted the contract had an extension option and a mission to develop an Action Plan, which Ms. Bach fulfilled. He further noted that the CRA approved the contract be extended to the end of this fiscal year, September 30, 2009. Mr. Zelkowitz suggested the CRA discuss whether or not they would like to execute the option to extend this contract into the next fiscal year.

Mr. Forbes noted if this issue was assigned to a subcommittee for discussion, the CRA could meet again and still take action prior to the expiration date of the contract.

Mr. Archer noted since the CRA had only 30 days in which to either extend this contract or go out for bid again, he felt it would be prudent of the CRA to extend the contract rather than make changes at this time. It was moved by Mr. Archer that the contract with Ms. Bach for the Economic Development Coordinator position be extended to January 1, 2010.

Ms. Volkert seconded the motion. She noted she felt that Ms. Bach had done an excellent job at advancing the CRA's objectives, and the CRA could now see progress.

Following discussion, the CRA Board proceeded to vote on the foregoing motion, which upon being put to a vote, passed unanimously by those members present.

### **2. Report to CRA Board**

Mr. Zelkowitz advised that SOLO Construction, the General Contractor for the Primary Redevelopment Project-Mandarin Lakes, filed a lawsuit against the developer, Naranja Lakes

Construction LLC (NLC), alleging that NLC had not paid SOLO Construction approximately \$2 million for work performed. He noted the CRA was not named in this lawsuit, but the County was named because the County held a \$2.5 million Letter of Credit in lieu of a required performance bond that insured the performance of NLC pursuant to the Redevelopment Agreement. He also noted the County Attorney's Office provided him with a copy of the complaint, which he reviewed, and determined the CRA was not involved in this lawsuit at this point. Mr. Zelkowitz advised that he would continue to update the CRA on the status of this case at monthly CRA meetings or by email should a change occur in the interim.

In response to Mr. Archer's question regarding whether the CRA had insurance on the new Civic Building and if he could be provided with the actual cost figures for wind and flood insurance to ensure the CRA was properly protected, Mr. Fernandez noted staff was in the process of securing a \$1 million insurance policy on the Civic Building, which was the replacement cost of the building. He pointed out that the CRA could not insure a building it did not own yet.

In response to Mr. Infante's question regarding who currently held the insurance policy on this building, Mr. Hedge noted he believed this building was insured by the builders through the end of this month, at which time the building and the CO should be conveyed to the CRA.

Mr. Infante asked staff to monitor this situation closely.

### **3. Creation and Committees Appointments**

Pursuant to Mr. Forbes request for a motion on the minutes of the Workshop, it was moved by Mr. Archer that the minutes for the August 10, 2009 NLCRA Community Center Workshop be approved. This motion was seconded by Mr. Hakssa, and upon being put to a vote, passed unanimously by those members present.

Mr. Fernandez pointed out a scrivener's error existing in line 4 of page 2 of these minutes that should be corrected to delete the words "and management of" so that the line reads: "Budget and Finance - responsible for the CRA annual budget."

Mr. Forbes noted at the August 10<sup>th</sup> Workshop, the CRA Board discussed and approved that CRA meetings should be time certain and conducted within 1.5 hours. He also noted the CRA Board discussed and agreed that CRA members should be more proactive and share in the CRA's responsibilities, goals and objectives. The Board also agreed that the CRA could be more efficient by establishing the following subcommittees to discuss specific issues:

1. Planning and Vision – responsible for business and community development.  
Preliminary Members: Keri-Lyn Coleman as Chair, Moe Hakssa and Charles Lopez
2. Program and Contract Management – responsible for contracts and grants programs.  
Preliminary Members: Rene Infante as Chair, and Marleen Volkert
3. Community Policing and Public Safety – responsible for public safety issues.  
Preliminary Members: Stuart Archer as Chair, Rene Infante and Moe Hakssa

4. Budget and Finance-responsible for the CRA annual budget.  
Preliminary Members: Danny Lipe as Chair, Marleen Volkert and Kenneth Forbes

Mr. Forbes noted these subcommittees were established with the objective of having each subcommittee meet to discuss the issues assigned them and submit a report with recommendations for the CRA as a whole to act on. He noted the subcommittee meetings would be properly advertised for public input. Mr. Forbes suggested an Ad Hoc committee could be created to discuss all other issues which fall outside the scope of these subcommittees.

Ms. Coleman clarified that the Program and Contract Management Subcommittee would be responsible for discussing grants which the CRA would provide through a grants program, and the Planning and Vision Subcommittee would be responsible for grants applied for by the CRA.

Responding to Mr. Forbes' comments that the Program and Contract Management Subcommittee lacked a member, Mr. Charlie Lopez volunteered to be a member and Mr. Archer volunteered to be an alternate member of this committee.

Pursuant to Mr. Zelkowitz's suggestion, it was moved by Mr. Archer that the CRA approve the creation of the foregoing subcommittees as presented, along with the instructions noted by Mr. Forbes. This motion was seconded by Mr. Infante, and upon being put to a vote, passed unanimously by those members present.

#### **5. Discussion on CRA Budget FY 2009-10**

Mr. Lipe noted the Budget and Finance Subcommittee met last week to discuss the issues impacting the CRA's FY 2009-10 Budget and to review the budget information provided by staff. Mr. Lipe provided an overview of the Subcommittee's discussions pertaining to the proposed FY2009-10 CRA Budget and highlighted the following line-items:

Total Revenues projected at:  
\$2,689,000

Expenses projected at:

- \$ 85,000 for Economic Development Coordinator
- \$ 6,000 for CRA quarterly Newsletter
- \$ 5,000 for Marketing
- \$ 75,000 for Legal Services
- \$ 315,000 for Community Policing
- \$ 100,000 for Construction Consultant
- \$ 25,000 for Reserves
- \$ 20,000 for CRA Grants
- \$ 122,000 for Direct Support of County Staff
- \$ 33,000 for County Administrative Charge (1.5% of TIF Revenues)

Total Expenses (including Debt Payments) projected at:  
\$ 2,150,000

Mr. Jorge Fernandez advised CRA members that staff would provide a final version of the proposed FY 2009-10 CRA Budget at the next CRA meeting, at which time staff would know the final millage rate adopted by the County Commission and could project the CRA's revenues for next fiscal year.

Regarding Revenues, Mr. Lipe noted the amount of revenues projected was based on a 14% decline in property valuations within the CRA District and the highest millage rate that could be adopted; however, that amount could decline based on the final millage rate adopted by the County Commission.

Regarding Expenses, Mr. Lipe noted \$85,000 was allocated in this fiscal year for the Economic Development Coordinator position; however, it was suggested that those Administrative fees could be paid out of grant funds should the CRA be approved to receive some grants. He also noted that \$3,000 of the \$5,000 allocated in this fiscal year's budget for Marketing would be paid out to Chapman Elementary School; and that only \$47,000 of the \$75,000 budgeted this fiscal year for Legal Services was spent through early August 2009. He asked Mr. Zelkowitz what he anticipated this expense to be in the next fiscal year.

Mr. Zelkowitz noted he spoke with staff and suggested they reduce the Legal Services expense in next fiscal year's budget by 10%.

Regarding Community Policing, Mr. Lipe noted a proposed contract was received by the Miami-Dade Police Department for next fiscal year's community policing services, which may need further discussion by the Community Policing and Public Safety Subcommittee in order to determine the needs of this program and the amount to be budgeted in the upcoming year. He noted \$315,000 was proposed for this service, but it appeared that \$322,000 would be expended.

Mr. Forbes advised that the Community Policing and Public Safety Subcommittee would review the proposed community policing contract along with recommendations made by the Budget and Finance Subcommittee.

Mr. Lipe asked Mr. Fernandez to explain the portion of the proposed budget pertaining to Construction.

Mr. Fernandez explained that funds transferred from last year's Operating Capital Account to the Construction Account allowed the CRA to continue paying for the Primary Redevelopment Project. He further explained that the CRA was prevented from selling bonds last year due to a pending lawsuit; however, that lawsuit had been settled, allowing the CRA to now sell bonds. Mr. Fernandez said that a bond sale was not as favorable in today's market with lower bond ratings and higher interest rates. As an alternative, Mr. Fernandez noted the CRA currently had funds in its Operating Capital Account that could pay the developer \$400,000 per month allowing the CRA to delay its pending bond sale until next summer. Mr. Fernandez noted staff was working with the developer to obtain accurate numbers and would develop a budget based on cash flow. He indicated that postponing the bond sale would allow for a more favorable rate.

In response to Ms. Coleman's question regarding whether Phase II construction would begin next fiscal year if the market rebounded, Mr. Fernandez noted a few projects remained in Phase I that needed to be completed, but construction of Phase II was expected to begin next fiscal year after the revised redevelopment agreement was completed and approved.

In response to Mr. Archer's question regarding whether next fiscal year's budget included the costs to manage the new Civic Building, Mr. Fernandez noted staff compared the expenses of other county buildings to determine an estimated cost for maintaining the new Civic Building and allocated \$65,000 in next fiscal year's budget to cover those expenses, but staff was hopeful the actual cost would be less.

Regarding Reserves, Mr. Lipe noted last fiscal year's budget allocated \$50,000 for Reserves, but the amount was reduced to \$25,000 in next fiscal year due to the CRA's declining revenues.

Mr. Infante expressed concern with comments made earlier by Ms. Vantuyl regarding the Mandarin Lakes residents in arrears in HOA fees. He said he felt the CRA needed to explore this issue to determine the cause and whether the CRA could assist.

Mr. Forbes pointed out that Ms. Vantuyl stated some of the losses were due to foreclosures and short sales. He noted the Budget and Finance Committee discussed the availability of the Neighborhood Stabilization Grant funds and realized after reviewing the proposed budget that the CRA's TIF revenues would probably decline next year. He suggested the CRA review its projected budget to see where it would stand in six months before making commitments to assist with arrearages. Mr. Forbes noted the CRA would be relying on its EDC Ms. Bach, and her team to provide realistic numbers impacting the CRA's District and Budget.

Regarding taxes and foreclosures, Mr. Scott Hedge explained that the CRA would always receive its TIF revenues since banks were obligated to pay and could not withhold property taxes due to foreclosures; however, a bank was not obligated to pay the HOA fees until the bank took possession of the property. He noted the recovery rate for HOA delinquencies was about 50%.

Mr. Infante noted his concern was the potential decline in neighborhoods due to delinquencies and foreclosures, and he wanted to prevent that from happening.

Mr. Archer noted his concern was security, and the possibility that crime could increase and neighborhoods deteriorate as a result of foreclosures. He said he felt the CRA needed to address these issues while discussing its budget to ensure the necessary police force and protection were provided for stabilizing the neighborhoods.

In response to Ms. Coleman's question regarding who was responsible for maintaining the properties of homes in foreclosure, and with delinquent HOA fees, Mr. Zelkowitz noted that banks were not obligated to pay the HOA fees until they took title of the property; however, he believed the developer of Mandarin Lakes was obligated to maintain the properties until the properties were conveyed to the CRA.

Mr. Hedge added that D.R. Horton was currently the owner of the Mandarin Lakes' properties and was bankrolling the deficits to keep the properties maintained. He noted the maximum amount of HOA fees that could be recovered on a foreclosed property was 12 months worth. He also noted that as long as the properties were owned and developed by D.R. Horton, the CRA would be protected.

Mr. Lipe concluded by noting that the total revenues projected in the CRA's FY2009-10 Budget included a surplus amount of approximately \$5 million that was carried over from this fiscal year into next fiscal year, and would help the CRA sustain itself going forward.

In response to Mr. Hakssa's questions regarding how the \$25,000 funds in the Reserve Account could be used, Mr. Zelkowitz explained that those funds could be used for anything the CRA was authorized to use its TIF funds for. He noted the reserve fund could be used for marketing purposes such as that allocated to Chapman Elementary this year, for the CRA's Newsletter, or for hiring a consultant to do a study or pursue a grant. He also noted it could also be used as a cash reserve in case additional funding was needed during the year.

Mr. Fernandez added that the Reserve fund could be used to cover an expense that was greater than the amount it was budgeted for.

In response to questions by Mr. Forbes and Ms. Volkert regarding whether the \$65,000 budgeted for the maintenance cost of the Civic Building included the cost to insure and furnish the building, Mr. Fernandez noted the cost to furnish the Civic Building would come out of this fiscal year's budget and the cost to insure it should be part of the proposal submitted by the Management Company.

Upon conclusion of the discussion, Mr. Fernandez advised CRA members that the County Commission would conduct its final Budget Hearing on September 17, 2009 and CRA members were welcomed to participate in it. He suggested the CRA's next budget discussion be scheduled for the following week, either on September 22nd or September 23rd, 2009.

Mr. Lipe noted those dates were discussed by the Budget and Finance Subcommittee and staff needed to confirm a date.

## **II. Next Meeting Dates:**

### **September 28, 2009 Regular Board Meeting**

Mr. Forbes announced that the next NLCRA Meeting would be held on September 28, 2009 at 6:00 p.m.

## **VIII. Adjournment**

There being no further business to come before this board, the Naranja Lakes Community Redevelopment Agency meeting was adjourned at 7:07 p.m.

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Kenneth Forbes, Interim Chairperson  
Naranja Lakes Community Redevelopment Agency