

Memorandum

MIAMI-DADE
COUNTY

Date: May 8, 2007

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

Agenda Item No. 1(D)7

From: George M. Burgess
County Manager



Subject: Sunset Review of County Boards for 2007 – Building Better Communities-General
Obligation Bond Citizens' Advisory Committee

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2007 Sunset Review of County Boards Report for the Building Better Communities-General Obligation Bond Citizens' Advisory Committee (CAC). The CAC approved the attached report at its meeting of January 24th, 2007 and has recommended the continuation of its committee.



Susanne M. Torriente
Assistant County Manager

cmo08607

Date: March 2nd, 2007

To: George M. Burgess
County Manager

From: Robin Reiter-Faragalli, Chairperson
Building Better Communities-General Obligation Bond
Citizens' Advisory Committee

Subject: Sunset Review of County Boards for 2007 – Building Better Communities-General
Obligation Bond Citizens' Advisory Committee

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2007 Sunset Review of County Boards Report for the Building Better Communities-General Obligation Bond Citizens' Advisory Committee for transmittal to the Board of County Commissioners (BCC). The Committee approved the attached report at its meeting of January 24, 2007.

It is recommended that the BCC approve the continuation of the Building Better Communities-General Obligation Bond Citizens' Advisory Committee.

BACKGROUND

The Building Better Communities-General Obligation Bond Citizens' Advisory Committee was created on April 19th, 2005. The purpose of the Committee is to advise the Mayor, County Commissioners and the County Manager regarding the Building Better Communities-General Obligation Program. The Committee should continue to function in order to provide the Mayor, the BCC, you and the public with our collective insights into the performance of the Bond Program and to continue to provide community input regarding the Program.


Robin Reiter-Faragalli
Board Chairperson

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2007**

I. GENERAL INFORMATION

1. Name of Board reporting:
The Building Better Communities Citizens' Advisory Committee.

2. Indicate number of board members, terms of office, and number of vacancies:

Number of Board Members: 21
Terms of Office: Until appointing authority, Mayor or Commissioner leaves office.
Number of Vacancies: 2

3. Identify number of meetings and members' attendance (Attach records reflecting activity from **Jan. 1, 2005** through **December 31, 2006**):

Number of Meetings: 11
Number of Meetings with a Quorum: 10
Attendance Records: See Attached CAC Attendance Records.

4. What is the source of your funding?
Building Better Communities General Obligation Bond Interest.

5. Date of Board Creation: April 19, 2005.

6. Attach a copy of the ordinance creating the Board (Please include all subsequent amendments).
See Attached Ordinance 05-70.

7. Include the Board's Mission Statement or state its purpose:
To advise the Mayor, Commissioners and the County Manager regarding the Building Better Communities-General Obligation Program.

8. Attach the Board's standard operating procedures, if any.
Not applicable. See Attached Ordinance 05-70.

9. Attach a copy of the Board's By-Laws, if any.
Not applicable. See Attached Ordinance 05-70.

10. Attach a copy of the Board minutes approving the Sunset Review Questionnaire, **including a vote of the membership**.
See attached minutes of January 24, 2007 CAC MTG.

11. 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.
See Attached.

**SUNSET REVIEW QUESTIONNAIRE
MIAMI-DADE COUNTY BOARDS
2007**

II. EVALUATION CRITERIA

1. Is the Board serving the purpose for which it was created? (Please provide detailed information)
Yes. The CAC has provided input on a number of issues related in the GOB and has commented on our progress reports to the BCC. They are exercising the authority vested in them through Ordinance 05-70. Annual Report presented by CAC Chairwoman to BCC in December 2006.
2. Is the Board serving current community needs? (Please provide detailed information)
Yes. The CAC is serving as the representative of the public on matters related to the GOB.
3. What are the Board's major accomplishments?
 - a. Last 24 months: See Attached list of accomplishments.
 - b. Since established: See Attached list of accomplishments.
4. Is there any other board, either public or private, which would better serve the function of this board?
No
5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (Attach proposed changes, if answer is "Yes")
No
6. Should the Board's membership requirements be modified?
No
7. What is the operating cost of the Board, both direct and indirect? (Report on FY 2006 and FY 2007).
The CAC is a volunteer committee (no direct costs). Indirect costs (staff support time, parking etc.) are approx. \$20,000 per year.
8. Describe the Board's performance measures developed to determine its own effectiveness in achieving its stated goals.
See attached accomplishments.



Citizen's Advisory Committee Accomplishments

- The Building Better Communities-General Obligation Bond Program was approved by voters on November 2nd, 2004.
- The first series of general obligation bonds in the amount of \$263.635 million was issued in July 2005.
- The initial CAC meeting was convened on August 31st, 2005. The CAC has been charged with providing the Board of County Commissioners and the public with their collective insight into the performance of the Bond Program and with providing community input into the Program.
- Since the initial meeting in August 2005, nine subsequent CAC meetings have been conducted. The CAC has had a quorum at 9 out of 10 scheduled meetings.
- These meetings are convened every 45 to 60 days. At these meetings, featured stakeholders are invited to report on the status of their projects and County staff also reports on issues affecting the implementation of the Building Better Communities-General Obligation Bond Program.
- To date, over \$186 million of the first \$263.6 million bond sale (71%) is either in progress or completed, including approximately \$86 million in design and construction contracts approved for advertising or awarded. Of this overall \$186 million in progress or completed, over \$79 million (30% of the \$263.6 million) has already been disbursed including \$44 million in land acquisitions for Environmentally Endangered Lands and other County facilities.
- In order to more closely monitor certain key aspects of the Program, the CAC formed one standing subcommittee for Project Progress and has, from time to time, established ad hoc subcommittees such as the Affordable Housing Subcommittee and the Reporting Formats Subcommittee. Several subcommittee meetings have been conducted over the last year. The subcommittee chairpersons periodically report on their activities to the full CAC.
- Over the last year, various featured stakeholders have made presentations to the CAC and their subcommittees. These stakeholders have included Corrections, Housing, Animal Services, Library, DERM, Water & Sewer, MetroZoo, the Miami Art Museum, the Historical Museum of Southern Florida and the Museum of Science. During these presentations, the individual stakeholders discuss project status and any issues affecting their projects. Stakeholders also field questions posed by the CAC members as required.
- Other major issues that were reviewed by the CAC over the last year include the Procurement Ordinance, which allowed municipalities and certain not-for-profit organizations to follow their own procurement procedures; a draft proposal on how surplus funds and interest within the Program may be handled, how changes to baseline schedules are reviewed and approved and how funding changes will be addressed.

Meetings Dates	8/31/05	10/3/05	11/17/05	1/19/06	3/2/06	3/10/06	5/3/06	8/24/06	10/5/06	11/15/06	1/24/07	Dist.
Wendell James	X		X	X	X	X	X		X	X	X	1
Sylvia Person	X	X	X	X	X	X	X	X			X	2
Barbara Bisno			X	X	X	X	X	X	X		X	3
Jeffrey A. Mishcon	X	X	X	X	X		X		X			4
Armando Gutierrez, Jr.	X	X	X		X	X		X	X	X	X	5
Sandra Gonzalez-Levy	X		X				X		X	X	X	6
George Lindemann	X	X	X	X	X		X	X	X		X	7
Alan Rubin	X	X	X	X	X	X	X	X			X	8
James Wise	X		X	X	X		X	X	X			9
Jose "Pepe" Andreu		X	X	X	X	X	X	X	X	X	X	10
Fred Frost	X	X	X		X	X		X				11
George Foyo		X	X			X						12
Elio Alfonso	X			X		X			X			13
Enrique Bello		X				X	X	X				Mayor
Juan T. Sanchez	X	X	X	X		X	X	X		X	X	Mayor
Alain Lecusay	New	Member	Since	March	X	X	X	X	X	X	X	Mayor
Guy Forchion		X		X		X	X				P	Manager
Ann Pope	X	X		X	X		X		X	X		Manager
Robin Reiter-Faragalli	X	X	X	X	X	X	X	X	X	X	X	Manager
Esther "Shelly" Smith Fano	X	X	X	X		X	X	X	X			Manager
Jose Antonio Martinez	X	X	X	X		X	X		X		P	Manager

P=Member present but unable to vote pending eligibility.

MEMORANDUM

Agenda Item No. 7(B)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

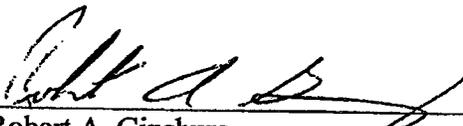
DATE: April 5, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: **OFFICIAL FILE COPY**
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA
Ordinance Establishing
Building Better
Communities Citizens'
Advisory Committee

05 70

The accompanying ordinance was placed on the agenda at the request of the General Obligation Bond Subcommittee.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez **DATE:** April 5, 2005
and Members, Board of County Commissioners

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(B)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(B)

04-05-05

ORDINANCE NO. 05 70

ORDINANCE ESTABLISHING BUILDING BETTER COMMUNITIES CITIZENS' ADVISORY COMMITTEE FOR THE PURPOSE OF ADVISING THE MAYOR, THE BOARD OF COUNTY COMMISSIONERS AND THE COUNTY MANAGER ON THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; CREATING COMMITTEE MEMBERSHIP; PROVIDING DUTIES AND STAFFING; AND PROVIDING SEVERABILITY, INCLUSION IN CODE, AND EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. To support the Building Better Communities General Obligation Bond Program ("Bond Program"), as approved by the electorate on November 2, 2004, Chapter 2 of the Code of Miami-Dade County, Florida shall be amended to include a new Article entitled "Building Better Communities Citizens' Advisory Committee" that will read as follows:

(a) **Authority and Purpose**

There is created and established pursuant to the Home Rule Amendment and Charter of Miami-Dade County, as amended, an advisory committee of Miami-Dade County to be known as the Building Better Communities Citizens' Advisory Committee ("Advisory Committee"). The Advisory Committee is established solely for the purpose of advising the Mayor, the Board of County Commissioners ("Commission") and the County Manager regarding the Building Better Communities General Obligation Bond Program ("Bond Program"). The Advisory Committee may exercise only those duties specifically granted in this Article or necessary in the exercise of the duties enumerated in this Article.

(b) **Advisory Committee**

(1) *Membership and Appointment.* The Advisory Committee shall be comprised of twenty-one (21) members. The Mayor shall appoint three (3) members, each Commissioner shall appoint one member and the remaining five (5) at-large members shall be selected by the County Manager.

(2) *Qualifications.* Each member shall be a resident of Miami-Dade County; shall possess an outstanding reputation for civic pride, integrity, responsibility and business or professional ability; and shall have no financial interest, direct or indirect, in any of the programs or projects that are part of the Bond Program. The membership of the Advisory Committee should generally reflect the geographic, ethnic, racial and gender make-up of the County.

(3) *Term.* Mayoral appointed and District members of the Advisory Committee shall serve until the respective appointing authority, Mayor or Commissioner, leaves office, or until resignation, whichever occurs first. All such members may be re-appointed or may continue to serve until resignation or their successors have been appointed.

The five (5) at-large members selected by the County Manager shall hold office for a term of five (5) years, or until resignation, whichever comes first and may be re-appointed for up to two (2) additional five (5) year terms.

(4) *Vacancies.* The Mayor and each Commissioner shall appoint or re-appoint a member within forty-five (45) days of taking office or in the event of their appointee's resignation. All at-large member vacancies shall be filled by the County Manager within forty-five (45) days of the resignation of the member.

(5) *Modified applicability of Conflict of Interest and Code of Ethics Ordinance.* The Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (the "Conflict of Interest Ordinance"), Section 2-11.1 of the Code of Miami-Dade County, Florida, shall be applicable to the members of the Advisory Committee only in the manner and to the extent provided in the next sentence. It is declared to be the intent of the Commission, as expressed in this subsection, to provide that the Conflict of Interest Ordinance shall not operate to preclude individuals from serving as Advisory Committee members on the basis of interests relating to

Miami-Dade County when such interests do not conflict, directly or indirectly, with the Bond Program.

(6) *Organization and Procedure.* The members shall elect a chairperson and a vice-chairperson and both shall serve a term of two (2) years. The members shall also elect other officers as the members determine to be necessary and such officers shall also serve a term of two (2) years

The Advisory Committee shall hold regular meetings no less than four (4) times a year and such other meetings, as it deems necessary. A majority of the members of the board of directors shall constitute a quorum. All meetings of the Advisory Committee shall be public and the Advisory Committee shall maintain written minutes of all proceedings that shall be promptly prepared and recorded. Copies of all minutes and resolutions of the Advisory Committee shall be forwarded to the Clerk of the Board of County Commissioners no later than thirty (30) days subsequent to any meeting of the Advisory Committee.

(7) *Compensation.* Members of the Advisory Board shall serve without compensation.

(c) **Duties of the Advisory Committee**

The Advisory Committee shall have the following duties, responsibilities, and functions.

(1) To review and monitor performance and program achievements related to the Bond Program.

(2) To periodically advise the Mayor, the County Commission and County Manager, and assist in informing the community regarding the Building Better Communities General Obligation Bond Program's accomplishments on projects as approved by the electorate on November 2, 2004.

(3) To assist in the preparation of quarterly reports to the Mayor and the County Commission, and annual written report to the community describing the progress of the Building Better Communities General Obligation Bond Program. The Advisory Committee may also periodically provide advice, by either a written resolution or oral presentation, as may be requested by the County Commission, at regularly scheduled Commission meetings in accordance with the terms of this Ordinance.

(4) To advise on the use of any surplus bond project funds or unspent allocations derived from those projects specifically identified in Resolution Numbers R-912-04, R-913-04, R-914-04, R-915-04, R-916-04, R-917-04, R-918-04, and R-919-04, and set forth in informational pamphlets and media releases distributed by the County to the public prior to said election.

(5) To participate, along with County staff, in citizen outreach efforts relating to the Bond Program.

(6) To promulgate rules consistent with this Ordinance for the conduct of its meetings and the discharge of its responsibilities.

(7) To comply with all laws and regulations of the United States, the State of Florida, and Miami-Dade County, including, but not limited to, the laws relating to the keeping of records including the preservation of all audit rights.

(8) Any member shall be automatically removed if, in a given calendar year; (i) he/she is absent from three (3) consecutive meetings or, (ii) he/she is absent from more than 50% of all the committee meetings held during a year. A member shall be deemed absent when he/she is not present at the meeting for at least 75% of its duration.

Section 6. Modifications and Term

It is the intent of the Board of County Commissioners to create by this article and for the purposes set forth in this article, an Advisory Committee that may be modified or revoked in whole or in part by duly enacted ordinance of the Commission.

Section 7. Staff and Counsel

The County Manager and the County Attorney shall provide such staff support to the Advisory Committee as may be necessary to accomplish its purpose. The Advisory Committee shall be provided meeting facilities and pre-approved expense reimbursement as the Commission or the County Manager may deem necessary to accomplish the Committee's purposes.

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 this 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.

PASSED AND ADOPTED: APR 05 2005

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Gerald T. Heffernan

RA6




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Citizen's Advisory Committee Meeting

January 24, 2007

Stephen P. Clark Center

111 NW 1 Street

10th Floor CITT Conference Room

8:30 AM

Meeting Minutes

CAC MEMBERS PRESENT:

Robin Reiter-Faragalli
Jose "Pepe" Andreu
Armando Gutierrez, Jr.
Barbara Bisno
Sandra Gonzalez-Levy
Sylvia Person
Jose Antonio Martinez

Juan T. Sanchez
Wendell A. James
Alain Lecusay
Elio Alfonso
George Lindemann
Alan Rubin
Guy Forchion

OTHERS PRESENT:

Roger Hernstadt, Director, OCI
Ana Watson, OCI
Jose Galan, OCI
Gerald T. Heffernan, CAO
Lourdes Gomez, CMO
Geri Keenan, CAO
Roger Carlton, CMO

George Navarrete, OCI
Bernard McGriff, OCI
Ralph Cutie, OCI
Aida M. Landa, AML, P.A.
Leland Salomon, GSA
Roslyn Alic-Batson, OCI
Juana Rodriguez, OCI

PROCEEDINGS:

The Citizens' Advisory Committee meeting was convened at 8:42 AM on Wednesday, January 24, 2007.

Chairwoman Robin Reiter welcomed back Marlen Brant from the Office of Capital Improvements.

The Chairwoman clarified the attendance requirements for CAC committee members and identified those members present who had missed three meetings and would be unable to vote, per county regulations until reappointed. Non-voting members present were: Guy Forchion, Jose Antonio Martinez and Elio Alfonso.

Approval of Minutes

The Chairwoman called for a motion to approve the minutes of the October 5, 2006, meeting. Committee member Sandra Gonzalez-Levy moved for approval, and was seconded by Mr. Alan Rubin. The motion passed unanimously. The Chairwoman then asked for a motion to approve the minutes of the November 15, 2006, meeting. Ms. Sandra Gonzalez-Levy moved for approval, and was seconded by Alan Rubin. The motion passed unanimously.

Approval of Sunset Review Questionnaire

Chairwoman Reiter reviewed the Sunset Review Questionnaire Resolution R-104-3, which had been circulated prior to the meeting, and asked if the members had any questions. Sandra Gonzalez-Levy inquired regarding question number nine relating to bi laws and the Chair explained that the only guidance for the CAC is the ordinance itself. There being no further questions, the Chairwoman called for a motion to approve the Questionnaire. Mr. Rubin moved for approval and the motion was seconded by Committee member Alain Lecusay. The motion passed unanimously.

Committee Discussion Items

Projects, Projected Timelines, and Funding

The Chairwoman opened the discussion regarding the funding and readiness of projects scheduled to begin within the next four (4) years and asked Roger T. Hernstadt, OCI Director and George Navarrete, GOB, Division Chief, to please explain to the Committee the complexity of what constitutes a projects.

Mr. Hernstadt defined the term "project" as defined for GOB purposes and explained how a larger single project may be comprised of many smaller pieces and is often confused for multiple projects, as these projects are often executed in phases, or in multiple locations. Mr. Hernstadt further explained that pursuant to the Chairwoman's request, OCI had requested that user departments provide feedback on the projects they are scheduled to begin within the next four (4) years. As a consequence of the County's budgeting process meetings are currently being scheduled with every department in order to discuss their resource allocation both on the operating and capital side for the next quarter. OCI is involved in those meetings with departments that have capital projects within and outside of the bond program. Mr. Hernstadt assured the Committee that GOB staff is constantly meeting with stakeholders in order to review their schedules, and learn what is progressing faster or slower than anticipated and to offer assistance in getting things moving.

The Chairwoman inquired if there were any projects that GOB staff feels are not going to be ready by the originally targeted date. Mr. Hernstadt responded that there are indeed obstacles along the way, but GOB is carefully watching the departments in order to ensure compliance with the schedules. And, that because the GSA department is responsible for construction for more than 15 departments, those GSA constructed projects are facing many challenges as the department is stretched thin. However, the budget office has committed to providing them the resources necessary to complete these projects.

The Chairwoman inquired as to what happens to the budgets of projects that are not ready to move forward. Mr. Hernstadt explained that the progression of each project is closely monitored in order to determine if funding should be moved from a project with delays to a project that is ready to move forward. This, per Mr. Hernstadt is closely reviewed and determined on a case by case basis.

Ms. Sandra Gonzalez-Levy inquired as to how the advisory committee can best assist in making sure that projects are on time. Mr. Hernstadt stated that the advisory board is already of great assistance. Per Mr. Hernstadt, the key is the continuation of the stakeholder presentations. This requires department representatives to field questions and concerns from the CAC.

Committee member Juan Sanchez inquired as to why only County projects and not all projects, due to begin within the next four (4) years, had been provided to the Committee. Per Mr. Hernstadt only County information was provided for those departments, which had met with GOB and provided construction schedules. Information on projects such as the Museum, or the Coconut Grove Playhouse was not included as GOB has yet to meet with these stakeholders and acquire an updated schedule. Nevertheless, in order to comply with the Committee's request GOB will include a list of the missing projects on the next CAC agenda.

Alan Rubin, inquired if the projects currently provided to the CAC are projects which are set to commence within the next four (4) years, or if they are projects that are scheduled to be completed within the next four (4) years. Mr. Hernstadt explained that the information provided pertains to projects that are supposed to start within the next four year timeframe. Mr. Rubin further inquired as to what analysis criteria GOB has used to define a project as started. Mr. Hernstadt stated the "start" pertains to when projects are actively out of the planning stage and bond money is actually going to be spent.

Ms. Gonzalez-Levy requested that Mr. Hernstadt briefly summarize the process projects need to go through in order to assist the Committee in attaining a better understanding of how projects are scheduled. Consequently, Mr. Hernstadt advised that in May 2005 GOB asked stakeholders for a schedule detailing how they envisioned implementing their projects and denoting when they will need funds to complete said projects. It was explained that the Building Better Communities GOB was a fifteen (15) year program and that bonds could be sold every other year. The

Committee was advised that not surprisingly, most, if not all stakeholders wanted funds within the first two (2) years. As a result, GOB requested that a more realistic approach be taken. Eventually stakeholders agreed that they would need funds within the first ten (10) years. As a result, GOB had to fine tune the way the program worked. Meetings are scheduled every month in order to obtain updates. Furthermore, the GOB database assists in the review of what departments are doing in order to implement their capital program. GOB has the actual request to advertise, award recommendation, notice to proceed, work orders and payments in another module of the database.

Affordable Housing

Barbara Bisno, Chair of the GOB Housing Sub-Committee inquired about the affordable housing issue. Mr. Hernstadt advised that he had met with the new Miami-Dade Housing Agency Director a week ago and she informed him that she is trying to get her arms around the six (6) named projects, but that the milestone dates for the projects need to be reviewed and may not be correct. A study has been done to see if we can add units at the six (6) existing housing locations. The study has been turned over to a designer who will determine how to utilize the valuable vacant land at those locations and how to add the units.

The Chairwoman requested that the Housing sub-committee meet before the next full Committee meeting date. As a result, Ms. Bisno requested that a meeting be scheduled with Housing before said meeting takes place. The CAC will have an update by its next meeting date.

CAC Function and Participation

Jose Andreu inquired if there is any criteria which OCI uses to solicit the advice of the CAC regarding whether to continue with a project with difficulties or alter the schedule. Mr. Hernstadt informed the Committee that these decisions are often times either technical or policy-driven in nature. Issues of policy direction are brought before the Committee for discussion and input. However, technical decisions are made by the stakeholders via a recommendation to the County Manager who then ultimately makes a decision.

Wendall James encouraged more active presentations in community forums to keep citizens informed regarding the progress of the GOB.

After concerns were expressed by several members of the Committee relating to the duties and powers conferred to CAC, the Chairwoman moved to discuss the current ordinance which created the Committee. She further explained that since matters regarding the Committee's desire to establish more participation and input had been expressed, the ordinance creating the CAC should be reviewed and discussed at a sub committee. The Chairwoman further stated that upon review and revision if necessary, the amended ordinance should be presented to the County Manager and/or Mayor. While the Chairwoman feels that the ordinance needs to be revisited, she also

expressed that the CAC Committee has often offered advice which has been well received and accepted.

In response to Mr. James' suggestions, Ms. Marlen Brant advised the Committee that she would be requesting greater participation from them in the near future, as she had been tasked with conducting public outreach for the GOB. Ms. Brant stated that she had recently in collaboration with the Department of Communications completed a draft media plan. The plan calls for the purchase of announcements, commercials and informational shows on multiple broadcast mediums in order to educate the public about the progress of the GOB.

180 Days Late Report

George Navarrete informed the CAC members that the 180 Committee met on December 14, 2006. The sub-committee recommended that the following two (2) reports be drafted:

- (1) Truly Delayed Project Report – Denoting projects with last milestone projected to be more than 180 days late
- (2) Impacted Projects Report – Projects with any milestone denoted as late

Said reports were color coded and submitted to the CAC Committee.

The Chairwoman noted that the “Impacted Projects Report” was not included in package and requested that it be included for the next meeting.

Not-for-Profit RFP

Jose Galan, Chief of Program Legislation, advised the Committee that GOB had worked in conjunction with OSBM and CAO to draft the RFP in line with the Administrative Rules that govern the Building Better Communities General Obligation Bond Program. Per Mr. Galan, two pre-proposal conferences were held in order to address participant's questions. As a result of those meetings, addenda were issued with responses to inquiries and any necessary revisions to the RFP. More than 70 questions from the first conference and 60 questions from the second conference were answered. Seventy-four (74) proposals, totaling more than \$66 million were received and the County Manager appointed an RFP Review Committee to evaluate said proposals. The Committee was tasked with determining which respondents were eligible as well as to recommend schedules for funding. The RFP Committee met on November 17, 2006 to determine respondent's eligibility and then again on December 13 and 14, 2006 in order to recommend a funding schedule. In total, the Committee deemed thirty-two (32) proposals, amounting to more than \$28.5 million as eligible.

The Chairwoman and other CAC Committee members stated that the process did not appear to have clear criteria for making a recommendation. In addition, the Chairwoman felt that the discussion at both the pre-conference meeting and selection

proceedings seemed to pit arts related non-for-profit organizations against social and welfare organizations. The Chairwoman stated that although, the RFP did not state what portion of the funds are available for social services versus the arts, nor that subject funding was only to go to large organizations, and in addition it did not have a length of service criteria, review committee deliberations used those criteria to evaluate proposals. As a result she had questions regarding the validity of the final recommendations.

Jose Galan explained that five (5) criteria, stated in the RFP, were utilized to evaluate the proposals. Further, Mr. Hernstadt advised that the RFP Committee had ranked the respondents based on their judgment of what was mandated by the RFP. In response to a question from Committee member Ms. Gonzalez-Levy, Mr. Galan gave information on the make up of the RFP Review Committee. Mr. Galan relayed that the Committee consisted of representatives from the Dade Community Foundation, the Alliance for Human Services, OCI, OSBM, Cultural Affairs Department, Human Services Department and the Business Development Department. There was also one private individual recommended by the CAC Chairwoman. After two members asked to be removed, the committee was left with five members and one alternate.

Committee member George Lindemann requested information regarding what percentage of the funds were recommended to go to social services versus cultural organizations. Mr. Galan stated that the fund includes a goal of \$4.5 million to be awarded to small organizations and that the recommendations include \$5.4 million, far exceeding the goal.

Nevertheless, the Chairwoman re-emphasized that she believes the process was flawed as it is her belief that criteria was not clearly identified in the RFP and that a matrix of review criteria was not established in advance which would have created a level playing field for all applicants. Mr. Galan stated that the RFP included five categories for criteria including financial stability that was used to evaluate proposals.

Poinciana Garage

Mr. Hernstadt advised the CAC Committee that the Poinciana Garage project is a \$23 million dollar request that is going to come out of the Economic Development Fund. Further he stated that this has been reviewed by the County. Per Mr. Hernstadt, a request for letters of interest was issued in order to identify individuals interested in participating in the program being funded by the GOB Economic Development Fund.

Numerous letters of interest were received, well exceeding available funds. As a result, the process was stopped. Nevertheless, a developer proposal that the County feels comfortable with was received and turned over to General Services Administration for negotiations. This item has gone before two (2) committees of the Board of County Commissioners: (a) the former Infrastructure and Land Use Committee, (currently known as the Government Operations and Environmental Committee) and (b) The Community and Economic Development Committee. Both

bodies unanimously approved the item. It was placed on the CAC agenda today and will appear before the full Board of County Commissioners tomorrow, February 6th.

Mr. Hernstadt introduced Mr. Lee Salomon of the GSA office and Roger Carlton, Assistant County Manager who were present to answer any questions regarding the item.

Mr. Roger Carlton began by saying that the County Manager's Office supported the item and felt that it was a good use of these funds. He further explained that this process has been ongoing for well over ten (10) years. Originally, the Board of County Commissioners declared the Empowerment Trust to be the prime developer for this site. The Empowerment Trust in their role as the prime developer chose Mr. Stackhouse and his variety of sub-companies to develop the site. Some of these sub-companies will build the garage, and others will build the two (2) office buildings. The County attorney has reviewed this process and has opined that it is appropriate. Further, the County Attorney has reviewed that the dollars being used are for a legally defined "public purpose." To assure this, the County is retaining ownership of the garage, that portion of the land that was given to the Empowerment Trust will come back to the County and the rates will be uniform.

Mr. Carlton further explained that Mr. Salomon's of the real estate section of the General Services Department had prepared the negotiation documentation and that he brings a wealth of experience in negotiating public- private partnerships from both the private and public sector. Mr. Carlton emphasized that the County will ensure that funds allotted to this project will result in a completed garage. He believes this to be a good business deal, but cannot ensure the absence of risks. He further stated that this project once completed will induce excellent institutions to relocate to an area that needs it.

As a result, of said discussion the Chairwoman inquired what percentage of the \$23 million will come from the Target Urban Area, and whether there will be funds left for TUA'S. Mr. Hernstadt replied by stating that the County has met with Anthony Williams from the TUA's and an RFP is being initiated in order to allow that process to dictate the level of the split.

Chairwoman asked for a motion and through consensus this item moved forward with one dissenting opinion coming from member Lindemann.

The Chairwoman reminded the Committee that the next CAC Meeting for March 21, 2007 at 8:30 A.M.

Adjournment

The meeting was adjourned at approximately 10:42 A.M.

Subsequent to the meeting, the CAC Chairwoman requested that the OCI Director schedule a meeting with Mayor Alvarez, the OCI Director and herself to discuss the BBC-GOB Program.