

C.R.A. Monthly Meeting

*October 14th, 2014
5:30 P.M.*



The Monthly CRA Meeting of the City of North Miami was held in Council Chambers of City Hall on Monday, October 14th, beginning at 5:30 P.M.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

1. CALL TO ORDER /ROLL CALL

Acting Chairman Bien-Aime: Let the record reflect it is 5:45. The CRA Meeting will begin at this time. Mr. Clerk, roll call please.

ROLL CALL	Acting Chairman Bien-Aime	Here
	Boardmember Keys	Here
	Boardmember Steril	Here
	Boardmember Galvin	Here

Mr. Louis: Mayor we have a quorum.

2. PUBLIC COMMENT

**3. APPROVAL OF MINUTES – REGULAR MEETING :
SEPTEMBER 9, 2014**

Acting Chairman Bien-Aime: Thank you very much. Can I hear a motion to approve the agenda?

Boardmember Galvin: So moved.

Acting Chairman Bien-Aime: Can I have a motion to approve the minutes from the last Board meeting?

Boardmember Galvin: Move the minutes of September 9th.

Acting Chairman Bien-Aime: Any questions, no? Mr. Director, do we have anything to review or actions that need to be taken.

Mr. Louis: I'm sorry Mayor, do we take any vote? We don't take any vote?

Acting Chairman Bien-Aime: Go ahead City Clerk.

Mr. Louis: The minutes 4-0, right?

Acting Chairman Bien-Aime: Yeah.

Mr. Louis: Thank you.

Executive Director Ghany: Action Item #5, the Fiscal Year Budget 14-15 Presentation and Resolution, which is Item Action #6, the approval of the North Miami CRA Budget will be pulled from this agenda. The Budget has been prepared but we want to meet with each one of the individual Board members to go over the Budget before bringing it to the Board. So those two items I'd like to pull. And I'd like to add Item 8A as an in apple.

Acting Chairman Bien-Aime: Okay you want to pull five and six, right?

Executive Director Ghany: That's correct. Items five and six and I'd like to add Item 8A as in apple.

Acting Chairman Bien-Aime: 8A.

Executive Director Ghany: Which is the support of the North Miami CRA Fiscal Year 14-15 Grant application to the Economic Development Administration Investment for Public Works and Economic Development Facilities Program.

4. ACTION ITEM: REVIEW AND APPROVE FY 2012-13 ANNUAL ACTIVITY REPORT

Acting Chairman Bien-Aime: Thank you. Five and six have been removed and we have 8A. Now next item is Item 7. Can you give us an explanation about that?

Mr. Sorey: We have the annual report.

Acting Chairman Bien-Aime: For 2012-2013?

Mr. Sorey: Yes sir.

Acting Chairman Bien-Aime: Action 4?

Mr. Sorey: That's the annual report which was a part of the package. It's required by the CRA, our by-laws and the statutes. It is required that we do provide an annual report for FY 12 & 13 in the statute. We have prepared the item and we did submit it with your packages. We would like the item to be approved so can post it on our website and submit it to the County. It hasn't been posted yet.

Acting Chairman Bien-Aime: Can I hear a motion to approve the...Action 4, the Activity Report from 2012-2013? Any questions?

Boardmember Keys: Yeah, what exactly is this activity report and I noticed that in there...is that part of our audit? Is our audit in there?

Mr. Sorey: Yes.

Executive Director Ghany: Yes, it's part of the audit.

Boardmember Keys: So haven't we already seen this audit?

Mr. Sorey: You've seen the audit, however we are required by the statute, this document actually should have been done back since March. And it was never...

Acting Chairman Bien-Aime: 2014?

Mr. Sorey: Yes March 2014, this item should have been posted. It wasn't done and it wasn't updated on the website or submitted to the County. We've taken care of the report and now we're bringing it to you.

Acting Chairman Bien-Aime: It wasn't approved also?

Mr. Sorey: No it wasn't done or approved. That's why I need your approval.

Boardmember Keys: Is this a combination of our report which includes the audit? What exactly is it comprised of?

Mr. Sorey: It is the actual annual report of items that were done by the CRA. What the CRA's mission is and also attached to it is our audit.

Boardmember Keys: And this audit has some negative comments, did it not?

Mr. Sorey: The audit did have comments. There is a management response letter in the audit in the back addressing the issues. And that's what we will be submitting to the County.

Boardmember Keys: Do we have to vote on that tonight because I wasn't really...I'm sorry but I'm not totally prepared this evening on everything because I haven't...we haven't reviewed this. And if we're supposed to approve it, I'd like to have

a little more knowledge on it unless there's an urgency of getting it approved. I don't know about anybody else.

Acting Chairman Bien-Aime: That report never been presented to us. That's why we don't know what's in there.

Mr. Zelkowitz: Mr. Chairman just to answer Boardmember Keys question. There's a deadline in the statute and these are supposed to be submitted each year and when the Fiscal Year started I advised the previous staff they needed to do this. This staff has picked up the ball and is finishing those items that they didn't complete. So I mean the report is the report, the financial statements are the financial statements. And we can wait another month and discuss it but I'm not sure that there's anything that's really going to change. I mean the financial report was not...the audit's not prepared by staff, it's prepared by an independent third party auditor. And the report...

Acting Chairman Bien-Aime: We understand that. But since...it said reviewed and approve and we don't know exactly what's in there. And should be aware of it before we approve it and I don't even know what's in there.

Mr. Zelkowitz: You know I'm just pointing out that there is a deadline. There is no penalty in the statute for submitting it late. If you all want additional time to review it and bring it back at the next meeting and approve it and submit it at that time and we'll answer all the questions in the interim, that's fine as well.

Executive Director Ghany: I don't know what...

Boardmember Keys: I make a motion to table it this next month so we have more time.

Acting Chairman Bien-Aime: Second. Anyone wish to record a no? Do you have any questions? Item 4, Action 4?

Mr. Sorey: Action Item #7.

5. ACTION ITEM: FY 2014-2015 BUDGET PRESENTATION

6. RESOLUTION: APPROVE THE NMCRA BUDGET FOR FY 2014-2015

7. ACTION ITEM: REVIEW AND APPROVE NMCRA LOGO

Acting Chairman Bien-Aime: Seven.

Mr. Sorey: Action Item #7. At the last meeting there was to table the CRA logo and maybe come back with a logo in the same colors that the City logo is in. We did do that and on the Board if you would like to approve it, I think the old logo looks better still. It looks nice but I don't know. It's on you guys.

Boardmember Steril: I don't have a problem with the existing one that we have.

Boardmember Keys: I have no problem either.

Boardmember Steril: I don't know why we have to change it.

Boardmember Galvin: Move approval of Option #1, the existing CRA logo.

Boardmember Steril: Second.

Acting Chairman Bien-Aime: Anyone wish to record a no? Any questions? No? City Clerk.

Mr. Louis: No sir, 4 – 0 right?

Acting Chairman Bien-Aime: Yeah.

Mr. Louis: I'm with you.

8. ACTION ITEM: APPROVE NOVEMBER 12TH, 2014 AS AN ALTERNATE DATE FOR SPECIAL CRA BOARD MEETING IN LIEU OF NOVEMBER 11TH, 2014 VETERAN'S DAY OBSERVED

Acting Chairman Bien-Aime: Action 8.

Executive Director Ghany: Action Item 8 is actually to approve the date of November 12th, 2014 as an alternate date for a Special CRA Board Meeting in lieu of November 11th, which is held in observation of Veteran's Day.

Boardmember Galvin: Mr. Mayor, I have a question.

Acting Chairman Bien-Aime: Yes.

Boardmember Galvin: We're going to have an election on November the 4th. Somebody will be the Mayor, are they going to be sworn into office on November the 12th?

Executive Director Ghany: At your next Council meeting that item will be on the agenda because the next tentative Council meeting, the Special meeting will be held on November 12th as well. I'm recommending that.

Boardmember Galvin: Well here's my concern. Normally the installation of a new Mayor is just very ceremonial. If you have any basic business, you have the basic business. But you're not going to ask the new Mayor to sit down, I mean in this case the new Mayor won't even have been installed because the CRA meeting is before the Council meeting. And if the plan is to install the new Mayor on November the 12th and that's going to be the pageantry, then I would say we not have the CRA meeting on the 12th. That we move that back to the November 25th, City Council meeting when we would be meeting otherwise. And do it then because...

Executive Director Ghany: Sure.

Acting Chairman Bien-Aime: Your motion is to move the new CRA meeting for...

Boardmember Galvin: Tuesday, November the 25th.

Boardmember Keys: I second that.

Boardmember Galvin: When the new Mayor will already be in office.

Acting Chairman Bien-Aime: Anyone wish to record a no? Any questions? No? Next CRA meeting November 25th, 2014.

8A. ACTION ITEM: CRA SUPPORT FOR THE NORTH MIAMI FY15 GRANT APPLICATION FOR THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) INVESTMENTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT FACILITIES

Acting Chairman Bien-Aime: Action 8A.

Executive Director Ghany: 8A actually is an item. As mentioned before the City will be applying for a grant to the Economic Development Administration (EDA) Investments for Public Works and Economic Development. It's a State grant in the amount of \$2,000,000.00 for the construction of the parking garage. This item will also be brought in the City Council agenda as well. So I'm bringing it before the Board. All it is, is for approval to apply for the grant. There is no monetary allocation as yet. There's going to be a 50/50 match. If the grant is obtained the contribution from the

CRA/City funds will be \$2,000,000.00. Tentatively as it is right now, we are looking at a \$2,000,000.00 match will be bonded out from the CRA.

Acting Chairman Bien-Aime: What are you doing? You want to apply for a \$2,000,000.00 grant...

Executive Director Ghany: That's correct.

Acting Chairman Bien-Aime: And you say 50/50 that mean you're going to need another \$2,000,000.00 in order to match it.

Executive Director Ghany: That's correct.

Mr. Sorey: But the \$2,000,000.00 is the maximum amount for the grant. So they might come back and say we'll give you \$500,000.00.

Acting Chairman Bien-Aime: When I say minimum from our part, the matching fund.

Executive Director Ghany: The matching fund will be a minimum of \$2,000,000.00 that's correct.

Acting Chairman Bien-Aime: The minimum that we need if we get approved for the \$2,000,000.00. Can I hear a motion to approve action 8A? Questions?

Boardmember Keys: When would we be finding out when we receive this grant?

Executive Director Ghany: The deadline for the grant application is October 17th. And this is the reason why we are bringing it now. If...I believe we normally get a word within one month to six weeks after the grant is submitted.

Boardmember Keys: And this is for a garage. We don't have to say where the garage is?

Executive Director Ghany: Is for a parking garage for downtown.

Boardmember Keys: But we don't have to identify the location?

Executive Director Ghany: I'll call the grant applicant Natasha Colebrook.

Ms. Colebrook-Williams: Good evening Natasha Colebrook. Can you hear me? It is for the City's parking lot, lot 8 across the street immediately, over there next to Deals.

Boardmember Keys: So if we wanted to put a parking garage somewhere else we couldn't do it, this is only for that particular location?

Ms. Colebrook-Williams: That's the location we're applying for, a seven-story garage.

Boardmember Keys: And how much is the parking garage?

Executive Director Ghany: \$7.2 million.

Ms. Colebrook-Williams: \$7.4, I'm sorry.

Executive Director Ghany: Sorry \$7.4 million.

Boardmember Keys: So if we want to build a garage there it's going to cost us \$5.4 million.

Mr. Sorey: But we would be seeking to do a public/private partnership and allowing the developer whoever does partner with us to cover part of the cost as well. And we did state that in the application that we would seek public/private partnership for the garage as well.

Boardmember Keys: Have we approved...I mean have we approved that that's what we're going to do? That that's where we're going to put a garage. We have really no drawings, sketches. I know we've talked about several locations for a garage. I hate to go for a grant and then decide we want to put the garage somewhere else.

Mr. Sorey: You as a Board have not approved the garage as of yet. However, it was brought to our attention that there was grant funding available through transportation for a parking structure that's due on the 17th. We as Staff did begin working on the grant application and chose to bring it to the Board and to the Council to see if this might be something. There's always the option that we can turn down the funding if we choose at that time to move forward.

Boardmember Keys: How long do we have after we receive notification to make up our mind?

Ms. Colebrook-Williams: It depends on a stipulation usually when we receiving the MOU they will give you a timeframe in which you have to reply as far as signing.

Boardmember Keys: What's that normally?

Ms. Colebrook-Williams: It range from anywhere to 30 to 60 days with the average grant. And the application that we're applying for is, we're just asking for permission to apply for funding. The grant is for \$2,000,000.00. It requires a 50% match which means a minimum of \$2,000,000.00. But the reason we're asking for \$3,000,000.00 from the CRA is because the ticket price of the garage in the conceptual plan which will be presented to the Council today is \$7.4.

Boardmember Keys: One last question and then...what is the cost for us to apply for a grant?

Ms. Colebrook-Williams: As far as?

Boardmember Keys: An application fee?

Ms. Colebrook-Williams: There is no application fee to apply.

Boardmember Keys: I think we're premature on this but those were my questions.

Acting Chairman Bien-Aime: Let's say we decide to build a \$4 or \$5 million dollar garage and we already have the grant for \$2,000,000.00. Do we need an amendment to be sent out to them or we can just...as soon as we match the fund, we can go ahead and spend the money?

Ms. Colebrook-Williams: You can scale back on your project as long as you meet the minimum requirement of that match of \$2,000,000.00.

Acting Chairman Bien-Aime: Thank you. Any questions? No? Can I hear a motion to...

Boardmember Steril: Move to approve.

Boardmember Galvin: Second.

Mr. Louis: Excuse me which item is this?

Acting Chairman Bien-Aime: 8A. It's not there, we just add on.

Boardmember Galvin: I'll second Boardmember Steril's motion.

Acting Chairman Bien-Aime: Anyone wish to record a no? Done.

Mr. Zelkowitz: Mr. Chairman, can I ask a question point of clarification. Since this was an add on item, is Staff looking for a resolution in support of the grant application to be submitted with the grant application package?

Executive Director Ghany: The resolution would be on the City Council agenda for tonight's meeting. All we're taking before this Board is approval to vote on it.

Acting Chairman Bien-Aime: That mean the same thing is going to be approved by Council after that.

Mr. Zelkowitz: Okay I mean in the past some things like this usually if you want to support it, this body will also have a resolution. I can do a conforming resolution supporting the application from this Board based upon the action tonight. And I'd just also like to point out for the record that any financial support down the road that this agency is going to give for this matching funds is certainly dependent upon the CRA extending its life so that it has the ability to pay back that bond or loan that you are talking about to obtain the matching funds. So that would be something we would need to address down the road once the grant is approved.

Boardmember Keys: So if we go ahead and approve this and get this grant and our CRA sunsets, we've taken on an obligation that we can't perform.

Mr. Zelkowitz: We certainly...well we're not voting on taking on that obligation tonight. You're just voting in support of the grant application. The financial obligation would come at some point in the future once the grant is approved. The CRA is not going to have its life extended and this would certainly be a reason why the County should consider extending our CRA's life. Then you would need to find the matching funds from another source, which would probably have to be the City at that point from a source of the City. Thank you.

Acting Chairman Bien-Aime: And a quick question. That grant is going to be attached to the CRA or to the City of North Miami?

Executive Director Ghany: To the North Miami CRA.

Acting Chairman Bien-Aime: Let's see tomorrow...

Boardmember Keys: No it's not.

Executive Director Ghany: The funding...the revenue source for the pay back is going to be from the CRA. But it's a City of North Miami's grant.

Acting Chairman Bien-Aime: Exactly.

Executive Director Ghany: That's two separate things. Clarification, the revenue stream for the pay back on this item or the matching funds, CRA funds.

Acting Chairman Bien-Aime: What you mean pay back? The \$2 million grant?

Executive Director Ghany: That's correct.

Acting Chairman Bien-Aime: We have to pay it back?

Executive Director Ghany: Not the \$2 million grant. The \$2 million matching funds, the 50%.

Acting Chairman Bien-Aime: I understand that but that's not my question. Let's say tomorrow we did not vote to extend the life of the CRA and we apply for a \$2 million dollar grant and the application has been submitted for the CRA. Can it become a City project, that's what I want to know? Or we have to put an amendment or is it a City grant that is going to be applied to a CRA project?

Mr. Zelkowitz: My understanding is that the City owns the property. It is a City project. The CRA is a funding source for a number of things including the matching funds on this grant and perhaps without the grant, just some matching funds anyway for the project. But it is a City project (inaudible).

Acting Chairman Bien-Aime: Okay, inside the CRA boundary?

Mr. Zelkowitz: Yes, yes sir.

Boardmember Steril: So it doesn't where you get the money from.

Acting Chairman Bien-Aime: Well you know sometime if you say CRA and we decide not to extend the life of the CRA, then we have to return that money. That's the question I was asking.

9. REPORTS

a. CRA ATTORNEY

Acting Chairman Bien-Aime: And reports? CRA Attorney.

Mr. Zelkowitz: Thank you.

Mr. Louis: Do we have a vote?

Acting Chairman Bien-Aime: We vote on 8A already. Now we're on reports.

Mr. Zelkowitz: Thank you Mr. Chairman. I was requested by Staff tonight to provide some information on your CRA Advisory Committee. The Advisory Committee meets once a month. We've been having some issues obtaining a quorum. The committee consists of 12 members. And just to go back to the formation of the committee, which was back in 2005 pursuant to the CRA's bylaws. You have the power to create an advisory committee. That advisory committee was established in 2005. Each of the five Board members of the CRA is entitled to appoint two members to the committee. And then there are two members who are appointed at large. So the committee consists of 12 members. And each of the two that you appoint one as a resident and one as a business owner. The business owner could be also a resident but they have to have a business within the City. So at this point there are some vacancies on the committee that need to be filled. We also have some individuals who are just for lack of a better word, not showing up at the meetings and not fulfilling their obligation as a CRA Advisory Committee member. So we've faced this problem in the past. We have a provision in our rules and regulations that committee members are allowed to have two unexcused absences per year. The year being the year that they are appointed. So if you are appointed in September your appointment year is from a September to a September. However if you are absent from three consecutive meetings or four non-consecutive meetings without excuse then you're automatically resigned from the Board. So Staff is going to be looking at the minutes for the last year or two to see which members are still in good standing on the committee and which members have been automatically resigned. The Board does have the power to put people back on. The Board has the power to remove anybody they want. You know my suggestion is, in order to get the maximum benefit out of your advisory committee cause these are the folks who you all appointed to advise you on things within the CRA and how you should move on certain items. Is to appoint people who are going to show up, fill all the vacancies so that we can meet our quorum each meeting and actually take action. The last two meetings we've had no ability to take any action for lack of a quorum. I will tell you that the County sees the minutes of those meetings. The County wants to ensure in deciding whether to extend our life that folks are involved in the community and that your advisory

committee is active and is involved. And at the moment you have very excellent members who show up every meeting with great ideas who participate. And then we have some folks who just don't show at all. So you know again my suggestion would be is that we first have Staff identify the vacancies. Have the folks who have appointments make appointments. And the folks who are not showing up we find some new people to take their place. And that was the report I was asked by Staff to provide. If you have any questions I'm happy to answer them.

Boardmember Keys: I have a question. The City passed a resolution regarding expiration of Board terms and expiring with the person in office. If there are no longer there, the terms should expire. Do we have something similar or should we be passing something similar for the CRA since that's what we passed for the City, which doesn't affect us?

Mr. Zelkowitz: At the moment the CRA Advisory Committee has its own rules and regulations that are separate and apart from the City's. I don't and I'm looking as we speak now to see if there is anything that speaks to having them end when the elected officials seat up on the Board ends. And I don't think we've had that in the past. In other words, if a new Council person is or a new Mayor is elected, those people still serve until replaced. Now the Board of course has the ability to remove anybody and replace them. But if that's the consensus...

Acting Chairman Bien-Aime: At any time?

Mr. Zelkowitz: At any time, for any reason with or without cause. But you need three votes to do that. I think that Boardmember Keys is saying that whenever an elected official changes that the people that were appointed by that elected official should then be replaced by folks who the new elected official. That sounds like what the City has passed. We don't have that. If that's the will of the Board, we can certainly adopt a similar standard for the advisory committee.

Boardmember Keys: I would like to adopt something similar to what the City has if the rest of the Board...

Acting Chairman Bien-Aime: But this one is better. At any time you can replace someone. If the person doesn't show up. Let's say you appoint someone and from what the City have right now, the person does not show up at any meeting, you cannot replace him. But in that situation you can replace it at any time. Right?

Mr. Zelkowitz: Yes.

Acting Chairman Bien-Aime: Mr. Director.

b. EXECUTIVE DIRECTOR

Executive Director Ghany: Following last month's CRA Board meeting Staff is still working diligently to reconcile the first time homeowners...home buying rehab loan program and foreclosure prevention program. In an effort to get all the data together the CRA Staff has all but two loans that will mature in 2018. Through the request and update from income verification, Staff has reached out to the property owners and discussed payment plans in conjunction with the CRA Attorney. Secondly, on the foreclosure prevention program, there's an attached spreadsheet with all the recipients which is not posted with the names as requested by one of the Board members. That is finalized. The other item that we're working on, there's an updated CRA...planned CRA Board meetings agenda for the next Fiscal Year, for the upcoming 14-15 Fiscal Year that is presented as part of your package. We are also working on the three-point catalyst project. And working with the CRA to renegotiate the extension of the...the life of the CRA.

Acting Chairman Bien-Aime: Thank you. Feedback about the FRA conference. I don't know who's going to...

Mr. Sorey: That was just the...the FRA, Florida Redevelopment Conference that we did attend this weekend or this past week. We had Councilwoman Keys and three Board members went along with myself, the Manager and Mr. Zelkowitz and our consultant Rasha did go and Terry Henley the Budget Administrator. Very good conference, very enlightening. We learned a lot and we made some good contacts. People that we can reach out to and I'll let Councilwoman Keys say anything (inaudible).

Boardmember Keys: It was good. I wish our whole Board was there. There was an excellent three hour seminar on the initial ABC's of what a CRA does, can do and should not do. I found it very informative. It was a good refresher. And I appreciate the opportunity to be able to go there. It was good.

Mr. Sorey: We did make contact with individuals. And if we would like to set up a refresher course for ourselves, we can always call them and reach out to them to do so.

Boardmember Keys: Right. They said they would come out and give us a course. I think it would be excellent. And for even the citizens to know who would want to participate.

Acting Chairman Bien-Aime: Thank you very much.

10. NEXT MEETING: NOVEMBER 12TH, 2014

Acting Chairman Bien-Aime: Our next CRA meeting will be November 25th, 2014. If there is no other item.

11. ADJOURNMENT

Boardmember Galvin: Move to adjourn.

Acting Chairman Bien-Aime: Second. Thank you. See you at 7.