

HOMELAND DEFENSE/
NEIGHBORHOOD IMPROVEMENT
BOND OVERSIGHT BOARD
MINUTES

6/24/03 - 6:00 P.M.
CITY OF MIAMI
Miami Riverside Center
10th Fl. Main Conference Room
444 SW 2 Avenue
MIAMI, FLORIDA 33130

The meeting was called to order at 6:22 p.m., with the following members present:

Luis Cabrera
Steven Caseres (entered at 6:34 p.m.)
Ringo Cayard
Mariano Cruz
Robert Flanders (Chairman)
Suzanne Peters
Gary Reshefsky
Manolo Reyes (Vice Chairman)
Luis de Rosa

Absent: Rolando Aedo
Sonny Armbrister
Walter Harvey
David Marko
Jami Reyes
Rhonda Vangates

I. APPROVAL OF THE MINUTES OF THE MEETING OF MAY 27, 2003.

HD/NIB MOTION 03-48

A MOTION TO ADOPT THE MINUTES OF THE MEETING OF
MAY 27, 2003.

MOVED: L. de ROSA
SECONDED: M. CRUZ
ABSENT: R. AEDO; S. ARMBRISTER; W. HARVEY;
D. MARKO; J. REYES; R. VANGATES

Note for the Record: Motion passed by unanimous
vote of all Board Members present.

II. NEW BUSINESS:

A. INTRODUCTION OF NEW BOARD MEMBER:

- **Suzanne Peters – nominated by Commissioner Winton**

Civic activist Suzanne Peters is presently the
Chairwoman of the Cocoanut Grove Village Council. She
is a local attorney, working in the area of securities
arbitration, commercial disputes and general
commercial law.

B. AUDIT COMMITTEE REPORT.

- **Fuel Dock at Dinner Key Marina Project.**

The Audit Committee recommended approval of the fuel
dock project.

Presentation by Marinas Manager Steve Vogner and
Alexandra Argudin -- Department of Public Facilities.
Bond funding in the amount of approximately \$296,290
has been applied for to complete construction and
installation of a full service fuel station at Dinner
Key Marina. To date approximately \$128,000 of
previously allocated monies have been spent on this
endeavor. The purpose of the fuel dock is to enhance
amenities at Dinner Key Marina and to generate
additional revenues for the City. The department is

currently in the process of submitting regulatory permit applications to the Department of Environmental Protection (DEP) and the Department of Environmental Resource Management (DERM). It is hoped that this project will be completed by September 2004. The City would make a net profit on the gallons of fuel sold, whether gasoline or diesel. The profit would go into the City's general fund. Dinner Key Marina is owned and operated by the City.

At a recent Audit Committee meeting, Board Member Marko voiced concern about the City's ability to safeguard the environment and operate within the parameters of environmental regulatory agency guidelines. Mr. Vogner has met with a representative of DEP regarding this issue and assured the Board that the standards by which the City will operate the fuel dock meet requirements of the Federal Environmental Protection Agency (EPA) that are passed down to the State of Florida DEP and promulgated through DERM's operating permits.

Chairman Flanders suggested to the Board that this project would enhance the viability of licensing boaters to use the slips at Dinner Key Marina. He also informed the Board that presently, in the immediate area of the marina, there are only three places to purchase fuel -- Key Biscayne Yacht Club, which is private; Belcher, which bashes boats and Miami Beach Marina which is very expensive.

Board Member Cruz inquired as to who would have control of the cash revenue coming into the facility. Mr. Vogner assured the Board that the Marina has a history of handling large sums of cash, such as at the fuel storage facility currently being operated by the Marina, which generates approximately \$150,000 a year in gross revenues through cash, check and credit cards, and historically, there has not been a problem re accountability of revenue generated.

Vice Chairman Reyes and Board Member Reshefsky requested that a more explicit budget be a condition of a recommendation of approval of this project to the City Commission.

Chairman Flanders informed the Board that bond funds have been earmarked for both the project and the project has the approval of the CIP Department. CIP will be building Phase 1 of this project and will bid out Phase 2 to a construction company.

HD/NIB MOTION 03-49

A MOTION TO ADOPT THE RECOMMENDED APPROVAL BY THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD (THE BOARD) AUDIT COMMITTEE OF THE FUEL DOCK AT DINNER KEY MARINA PROJECT, CONDITIONED UPON THE PROVISION OF AN EXPLICIT BUDGET FOR SAID PROJECT, INCLUDING PRO FORMA INCOME STATEMENTS, CASH FLOW, EXPENSES AND OTHER FIXED AND VARIABLE COSTS; FURTHER THAT THE DEPARTMENT OF PUBLIC FACILITIES WILL PROVIDE AN UPDATE OF THE FUEL DOCK PROJECT TO THE BOARD WITHIN SIX MONTHS OF COMMENCEMENT OF THE PROJECT.

MOVED: M. CRUZ
SECONDED: L. CABRERA
ABSENT: R. AEDO; S. ARMBRISTER; W. HARVEY;
D. MARKO; J. REYES; R. VANGATES

Note for the Record: Motion passed by unanimous vote of all Board Members present.

• Environmental Site Assessment Report & Title Related Services for several Little Haiti Park Properties.

Presentation by Dirk Duval and Madeline Valdes --
Department of Economic Development.

The Department of Economic Development, in its efforts to acquire property in the Little Haiti area is being conveyed three pieces of property from Miami-Dade County at no cost. The properties involved were presented before the Board at its April 22, 2003 meeting, at which time, the Board recommended approval of the this acquisition as a part of seven properties the City is acquiring to build a park for the Little Haiti community. In order to acquire the properties, an environmental site assessment report is required as well as title, and related services costs of approximately \$10,200.

This amount was not previously accounted for because of the property being acquired at no cost. The Department is seeking approval by the Board of the additional \$10,200 appropriation for this acquisition, \$5,500 of which will be used for the necessary environmental assessment of the properties.

A question arose as to whether bond funds could be used for this purpose. The Department is awaiting a reply from the City's Law Department. Assistant City Attorney Rafael Diaz suggested that the question be posed to bond counsel. Approval of this appropriation would be contingent upon bond counsel's recommendation. The City relies on bond counsel's insurance to protect the City in the event funds are appropriated improperly.

HD/NIB MOTION 03-50

A MOTION TO ADOPT THE RECOMMENDED APPROVAL BY THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD (THE BOARD) AUDIT COMMITTEE OF APPROPRIATION OF APPROXIMATELY \$10,200 TO PERFORM AN ENVIRONMENTAL ASSESSMENT REPORT AND TITLE-RELATED SERVICES FOR SEVERAL LITTLE HAITI PARK PROPERTIES, SUCH APPROPRIATION CONTINGENT UPON APPROVAL BY THE CITY'S BOND COUNSEL.

MOVED: G. RESHEFSKY
SECONDED: L. de ROSA
ABSENT: R. AEDO; S. ARMBRISTER; W. HARVEY;
D. MARKO; JAMI REYES; RHONDA VANGATES

Note for the Record: Motion passed by unanimous vote by all Board Members present.

SIX-MONTH UPDATES--REPORT BY GARY RESHEFSKY:

- **Parks & Recreation Department**

- 1. MOORE PARK PLAYGROUND EQUIPMENT**

Board Member Reshefsky provided photographs of the project site. The project is 90 percent complete. The grooves that are positioned on top of the bleachers in this project have not yet been acquired/installed. The suggestion was made that "before" and "after" pictures of this project should be included on the Board's website.

- 2. ROBERTO CLEMENTE WATER PLAYGROUND**

Board Member Reshefsky provided photographs of the project site. The site has been cleared and a contractor has been hired for the project. The hold-up now is permitting. Impact fees are higher than originally estimated for this project, because installation of a shower is required by the Miami-Dade Health Department, requiring payment of approximately \$14,000 of impact fees to the Miami-Dade Water & Sewer Department. Commissioner Winton's office is assisting in efforts to waive the County requirement of a shower.

Board Member Cayard volunteered to contact County Commissioner Barbara Carey-Shuler and seek her assistance regarding this matter.

An update on this project will be provided at the next Board meeting.

3. BRYAN PARK – NEW TENNIS COURT & FENCE

Board Member Reshefsky provided photographs of the completed project which is now being enjoyed by the public, including approximately 105 children registered in Bryan Park's summer program. Photographs of the project will be included on the Board's website.

4. CURTIS PARK AND MOORE PARK-- TRACK RESURFACING

Board Member Reshefsky provided photographs of the project sites. Both projects are complete and currently being used by the public. Photographs of these projects will be included on the Board's website.

- **Economic Development Department**

1. 1501 SW 9 Street – Land Acquisition

The Board was provided an update on the acquisition of the lot which is located behind the Tower Theater. The property has been secured. A single-family structure is currently located on the lot. The Department is waiting for the City administration to decide whether or not to demolish the existing structure and begin making improvements to the lot. The Planning Department has not yet provided the Department of Economic Development with an update. Hopefully, at the next Board meeting an update will be provided either by Economic Development or the Planning Department regarding this lot. This property will be maintained by the City's General Services Administration (GSA) Department.

Chairman Flanders inquired as to the possibility of acquiring a month-to-month lease of the property by any interested party, as the City has no immediate plans for the property.

Ms. Valdes informed the Board that at present, the property is in poor condition, and anyone interested in leasing it would have to invest a considerable

amount of dollars to get the structure in a usable condition. There are two options for the structure: One, demolish the structure and provide parking; two, Miami-Dade College or the Viernes Cultural Group could put the structure to use. The Viernes Cultural Group is interested in the structure itself and not in a parking facility.

Board Member Reshefsky suggested that the Department of Economic Development make a presentation at the next meeting of the Board re a plan for the property and that the property be treated as a priority issue. Ms. Valdes indicated that she would request Jose Casanova of the Planning Department to make a presentation on this property at the next Board meeting.

A MOTION REQUESTING OF THE CITY ADMINISTRATION, INCLUDING JOSE CASANOVA OF THE CITY OF MIAMI PLANNING DEPARTMENT TO PROVIDE AN UPDATE TO THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD ON THE CITY'S PLANS FOR THE PROPERTY LOCATED BEHIND THE TOWER THEATER, SUCH UPDATE TO INCLUDE PHOTOGRAPHS OF THE PROPERTY.

MOVED: G. RESHEFSKY
SECONDED: M. REYES
ABSENT: R. AEDO; S. ARMBRISTER; W. HARVEY;
D. MARKO; J. REYES; R. VANGATES

Note for the Record: Motion passed by unanimous vote of all Board Members present.

III. CHAIRPERSON'S OPEN AGENDA.

Chairman Flanders informed the Board that the City's master plan should be moving forward in approximately 30 to 90 days. He suggested that if Board Members have the opportunity to speak to City Commissioners in the next 30 days, they should bring up the subject of the master plan. The master plan serves as a blueprint for acquiring matching funds for projects.

Board Member Caseres informed the Board that the Mayor recently expressed his embarrassment by the fact that

the Parks Department does not have programs for children with disabilities. Such programs might also bring federal funding to the City.

Board Liaison Perez informed the Board that in a recent discussion she had with Marcia Breiter of the Parks and Recreation Department, Ms. Breiter explained that the reason there are no parks programs for disabled children this summer is due to lack of funding.

Chairman Flanders reminded the Board that programming is part of the master plan.

Ed Blanco of the Parks Department informed the Board that the Parks Department does have a disabilities program, but it is an adult program. Parks Department requested \$130,000 from Community Development, federal monies to help fund the program, and at today's City Commission meeting, the program was not recommended.

Chairman Flanders invited all Board Members to attend the City Commission meeting of June 25, 2003, as he would be delivering the Board's annual report to the Commission.

Chairman Flanders informed the Board that Gail Gardner of Radio Station 101.5 contacted Board Member Harvey and extended an invitation to have a representative from the Board participate in a recent public service program hosted by the radio station. Chairman Flanders and Board Liaison Perez attended the programming. He suggested that perhaps a taping of the program could be placed on the Board's website.

IV. ADDITIONAL ITEMS.

Board Member Cabrera inquired as to the progress of the Ballet Gamonet Project. Board Liaison Perez informed the Board that pro bono counsel for the project was supposed to submit something in writing to the City Attorney's Office and has not yet done so. Chairman Flanders requested of Assistant City Attorney Diaz whether he could have something to present to the Board within 30 days. Mr. Diaz informed the Board that the problem is not with the City Attorney's Office, but with outside counsel. Chairman Flanders inquired as to how the Board could share its sense of urgency with bond counsel. Mr. Diaz reminded the Board that its role is to examine projects that are going to be built or not built. The legal question of whether dollars can or cannot be spent is not for the Board's consideration.

HD/NIB MOTION 03-52

A MOTION TO ADJOURN TODAY'S MEETING.

MOVED: R. CAYARD
SECONDED: L. CABRERA
ABSENT: R. AEDO; S. ARMBRISTER; W. HARVEY
D. MARKO; J. REYES; R. VANGATES

Note for the Record: Motion passed by unanimous vote of all Board Members present.

Meeting adjourned at 7:44 p.m.

***Please note time change from 6:30 pm to 6:00 pm.**