

HOMELAND DEFENSE/
NEIGHBORHOOD IMPROVEMENT
BOND OVERSIGHT BOARD
MINUTES

11-28-06 – 6:00 P.M.
CITY OF MIAMI
CITY HALL CHAMBERS
3500 Pan American Drive
MIAMI, FLORIDA 33133

The meeting was called to order at 6:16 p.m., with the following members found to be

Present: Kay Hancock Apfel
Mariano Cruz (in at 7:00 p.m.)
Ramon De La Cabada (in at 6:30 p.m.)
Luis De Rosa
Robert A. Flanders (Chairman)
Walter Harvey (out at 7:44 p.m.)
Laurinus Pierre (out at 7:22 p.m.)
Manolo Reyes (Vice Chairman)
Hattie Willis (in at 6:22 p.m.)

Absent: Rolando Aedo
Eileen Broton
Luis Cabrera
David Kubiliun
Gary Reshefsky
Jami Reyes

ALSO PRESENT: Rafael O. Diaz, Deputy City Attorney
Gary Fabrikant, CIP Department
Danette Perez, CIP Department
Marcia Lopez, CIP Department
Jim Brittain, CIP Department
Marcel Douge, CIP Department
Lionel Zapata, CIP Department
Ed Herald, CIP Department
Kathleen Kauffman, Planning Department
Enrique Nuñez, Planning Department
Madeline Valdes, Public Facilities
Guy Forchion, Virginia Key Beach Park Trust
Elaine Black, Liberty City Revitalization Trust
Joyce Jones, City Clerk's Office

I. **APPROVAL OF THE MINUTES OF THE MEETINGS OF SEPTEMBER 26, 2006 AND OCTOBER 24, 2006**

HD/NIB MOTION 06-28

A MOTION TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 26, 2006.

MOVED: W. Harvey
SECONDED: M. Reyes
ABSENT: R. Aedo, E. Broton, L. Cabrera, D. Kubiliun, L. Pierre, G. Reshefsky, J. Reyes

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

HD/NIB MOTION 06-29

A MOTION TO APPROVE THE MINUTES OF THE MEETING OF OCTOBER 24, 2006.

MOVED: W. Harvey
SECONDED: K. Apfel
ABSENT: R. Aedo, E. Broton, L. Cabrera, D. Kubiliun, L. Pierre, G. Reshefsky, J. Reyes

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

II. **OLD BUSINESS:**

➤ Police Training Facility – Architectural and Engineering Services

<p>NAME OF PROJECT: <u>POLICE TRAINING FACILITY- DESIGN PHASE</u> TOTAL DOLLAR AMOUNT: <u>\$2,284,998 (\$1,466,000 from Police Training Facility) Series I + Various Funding Sources.</u> SOURCE OF FUNDS: <u>Police Training Facility</u> ACCOUNT CODE(S): <u>CIP # 312043</u> DESCRIPTION OF PROJECT: <u>For the provision of comprehensive architectural and engineering services for the project. (See Attached background Information)</u></p>
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HD/NIB MOTION 06-23

A MOTION TO APPROVE THE AUDIT COMMITTEE'S RECOMMENDATION TO FUND THE POLICE TRAINING FACILITY -- ARCHITECTURAL AND ENGINEERING SERVICES.

MOVED: W. Harvey
SECONDED: M. Reyes
ABSENT: R. Aedo, E. Broton, L. Cabrera, D. Kubiliun, G. Reshefsky, J. Reyes

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

➤ Little Haiti Park Cultural Center – Construction Management Services

NAME OF PROJECT: LITTLE HAITI PARK CULTURAL CENTER
TOTAL DOLLAR AMOUNT: \$13,960,000 (**\$6,879,654 from Little Haiti Land Acquisition & Development) Series I + Various Funding Sources.**
SOURCE OF FUNDS: Little Haiti Park Land Acquisition & Development
ACCOUNT CODE(S): CIP # 331412
DESCRIPTION OF PROJECT: For Construction Management Services with Pirtle Construction Company for the Little Haiti Park Cultural Center Component. (See Attached Background Information)

HD/NIB MOTION 06-24

A MOTION TO APPROVE THE AUDIT COMMITTEE'S RECOMMENDATION TO FUND THE LITTLE HAITI PARK CULTURAL CENTER -- CONSTRUCTION MANAGEMENT SERVICES.

MOVED: K. Apfel
SECONDED: W. Harvey
ABSENT: R. Aedo, E. Broton, L. Cabrera, D. Kubiliun, G. Reshefsky, J. Reyes

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

➤ Jose Marti Park Gym – Construction Management Services

NAME OF PROJECT: JOSE MARTI PARK GYM
TOTAL DOLLAR AMOUNT: \$10,440,000 (**\$5,244,740 is from Jose Marti/East Little Havana Park Expansion & Neighborhood Park Improvements) Series I + Various Funding Sources.**
SOURCE OF FUNDS: Jose Marti/East Little Havana Park Expansion & Neighborhood Park Improvements
ACCOUNT CODE(S): CIP # 333412 & 331419
DESCRIPTION OF PROJECT: For Construction Management Services with Pirtle Construction Company for the Jose Marti Gymnasium Project. (See Attached Background Information)

HD/NIB MOTION 06-25

A MOTION TO APPROVE THE AUDIT COMMITTEE'S RECOMMENDATION TO FUND THE JOSE MARTI PARK GYM -- CONSTRUCTION MANAGEMENT SERVICES.

MOVED: W. Harvey
SECONDED: K. Apfel
ABSENT: R. Aedo, E. Broton, L. Cabrera, D. Kubiliun, L. Pierre, G. Reshefsky, J. Reyes

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

UPDATES:

1. Additional Funding and Scope of Work Change for VKBPT-Capital Related Consulting

Guy Forchion, Director of Operations, Virginia Key Beach Park Trust, reported that \$39,172 was set aside for the GE Capital Modular building for additional lighting for the parking lot. That project is completed and the lights are up and functional. A buoy line is being installed for the historic beach and the Trust is working alongside with the City to extend that line around all of the Virginia Key shoreline property. That project is moving along fine. Both the City and the Trust have issued their initial POs to do the surveying work that is necessary. Ten thousand dollars was set aside for Lord Cultural Resources Management & Planning regarding the selection process for a design and architectural firm. That \$10,000 was completed using alternative funding, so the Trust would desire coming back before the Board at a later date to reprogram that \$10,000 for two other smaller projects on the property. The Trust is working with NOAA for recalibration and testing of the underwater monitoring device and it should be in the water very soon. The Trust has issued its POs to take care of some of the surveying that is necessary regarding the Erosion Control Line survey, and that will culminate with a public hearing when the ECL is finally complete. The Trust is looking to open the park in August 2007.

2. Preservation Development Initiative Grant

Kathleen Kauffman, Preservation Officer, reported that the transferring in development rights in a city of this size is a very complex issue, very delicate issue, and after many months of working on it with the National Trust, we found that this might be something better done in-house, and so additional staff was actually hired by the Planning Department for the Preservation section to help us with this and assist in other things. Now that the attorneys have gotten involved with how do you actually transfer development rights and the intricacies involved with that, it's become very difficult, so we would actually like to renegotiate the remaining \$37,000 that we have in a grant from the Bond Board to the National Trust to have the National Trust do survey work for the City. That is something we don't have the staff to do. This survey is a really critical part of identifying all the eligible historic properties within the City. The eligible historic properties are the ones that will benefit from the transfer of development rights ordinance, so if we can do the TDR ordinance in-house, we would like to have the National Trust do the actual survey because that takes a lot of manpower. It takes people being out in the field doing the documentation, photography, the Florida master site file forms with the State, and then that would take care of the preservation development initiative, and that would end what the Board has already committed for series one bond funds.

3. Replacement of HOME Investment Partnership Funds

Elaine Black, president/CEO, Liberty City Community Revitalization Trust, reported that of the ten lots that the Trust received, the Trust is in the process of developing the properties. The Trust has completed ten buildings and there are three rehabbed buildings. Overall, there are 85 properties that are in the process of being built with the Trust's area. The prices for those properties are between \$130k to \$180k. The rents for those properties range from \$350 to \$750. The Trust's focus is to ensure that it has affordable housing within the neighborhoods that meets the needs of people who are at 30 percent of median income, and Trust looks forward to the Board coming out at any time and seeing the progress of what has been accomplished. In addition, dollars have been used for the redevelopment of the infrastructure on MLK Boulevard, from I-95 to 12th Avenue. There will be an unveiling of those in January 2007 to complement the opening of the Edison Market Plaza that's at the corner of 7th Avenue and 62nd Street, MLK Boulevard.

Chairman Flanders suggested that the audit subcommittee has a meeting in the Trust area either in December or January to see the Trust's progress.

4. Professional Service Agreement for Bicentennial Park "Museum Park" Master Plan

Enrique Nuñez, Planning Department, reported that the Museum Park Master Plan is divided into two phases, the schematic design phase and design development. The Department is nearing completion of the design development phase. The phase II design development drawings have been invoiced and approved for payment at 80 percent completion for \$418,878. The phase II design development drawings will be completed by the end of December, which also includes cost estimates for the entire park.

5. Land Acquisition for 6311-6329 NE 2nd Avenue LHP #92 in connection with Little Haiti Park

Madeline Valdes, Public Facilities, reported that the property was obtained through an eminent domain proceeding, and one of the final things the Department approached the Board on was an issue before the judge in terms of some vending machines. We thought we would have to come back to the Board for more monies, but we were successful in that hearing, and therefore, this item is now closed, and the City does have full ownership of the property.

- 6. Additional Funding for Attorney's Fees for LHP Eminent Domain Acquisitions AND**
- 7. Increase estimated costs for the sites acquired in connections with LHP #67,75 & 76**

Madeline Valdes, Public Facilities, reported that the item needs to remain open, as the Department still has item number 7, which is the finalization of the costs in terms of the eminent domain for three parcels, #67, 75 & 76. The Department had a mediation conference today that was not finalized, and so as a result, the Department needs to keep item 6 and 7 open, and possibly bring back a finalization to the Board in January. In terms of these two items, they're still within the \$12 million that was allocated for land acquisition.

Chairman Flanders inquired about the actual project total to date.
Gary Fabrikant, CIP Department, stated that he did not have the information available and would have to get it for the Board.
Chairman Flanders requested that the information be provided at the next Board meeting.

8. Virginia Key Beach Park Circulation Road & Parking Improvements

Lionel Zapata, CIP Department, reported that 100 percent of the drainage has been completed. Currently for the parking lot, the area is being backfilled and should be completing that the second week of December and starting to lay some conduit for the lighting, as well as doing the layout for the future light posts, as well as landscaping islands. Up until this point, the weather has cooperated and the project is moving forward on schedule.

9. Miami Police Department Stables

Jim Brittain, CIP Department, reported that the horses were moved in in October. The police have been getting it up-to-date. The contractor is currently working through his punch list, and the police have planned some kind of festivities for the 19th of December.

10. Margaret Pace Park Improvements Phase II

Ed Herald, CIP Department, reported that the project is substantially complete as of this moment and punch list items are being addressed. The project will be ready to close out within the next 30 days on schedule and under budget.

11. Grapeland Heights Park Ballfield Complex- Design Built Contract

Ed Herald, CIP Department, reported that all the environmental remediation has been addressed and was completed in May. Phase I construction is approximately 50 percent complete. The majority of the grading has been done for the ball fields, and the press box and concession building are about 50 percent complete. Phase I is going to be completed ahead of schedule, in consideration of the environmental remediation. The project is now scheduled to be completed in January as opposed to the contractual date of March.

12. Juan Pablo Duarte- Building Renovations/Expansion

Marcel Douge, CIP Department, reported that the design is quasi-completed. The final dry run should be obtained by the beginning of next month, and it should be ready for construction as soon as the funds are in place.

13. Robert King High- New Building and Site Improvements

Marcel Douge, CIP Department, reported that the project was on hold for a while because of the Cuban museum and it is being restarted now because the hold has been removed. The Department is negotiating with the architect now to restart the project and address the final comments from the Building Department so the dry run can be approved and move into construction after that. The design is approximately 95 percent completed.

14. Robert King High- Soccer Field

Marcel Douge, CIP Department, reported that the soccer field was also on hold for a while due to the Cuban museum. There were some issues on relocating that field due to some palm trees that cannot be disturbed, so the Department is currently in negotiations with the architect to redesign the soccer field at another location in the park.

15. Bicentennial Park Shoreline Stabilization Phase III (Design Phase)

Marcel Douge, CIP Department, reported that the design is completed. Construction will be ready to begin in December 2006. The Department is awaiting some final papers.

Gary Fabrikant, CIP Department, stated that the Department delayed the start of Phase III for several reasons, and the basic reason is there is a crisis within the insurance industry, so we had to deal with a number of issues. A conscious decision was made to delay the start of the project until after the end of the hurricane season. The reason for this is that builder's risk insurance goes down substantially after the season. The other issue has been trying to negotiate with this and several projects ways to mitigate the costs for builder's risk insurance, so the Department is

also trying to finalize the issues of how to mitigate those costs. The project will be using the same firm.

16. Simpson Park Wood Trail

Marcel Douge, CIP Department, reported that the design is completed, fully permitted, and ready to move on to construction.

17. Athalie Range Mini Park Redevelopment

Marcel Douge, CIP Department, reported that the design is complete and ready to start construction. Construction is expected to start early next year.

18. Sewell Park –Restrooms/Park Facility Building

Gary Fabrikant, CIP Department, reported that the project is on hold. Perez & Perez designed the facility in a manner that exceeded the budget. Another problem was that the building cannot tie into the sewer system because they're at capacity. While design work was being completed, a high-rise was approved for the area, which maxed out the sewer capacity for the next five years, so that would require a redesign of the facility to use another means. Perez & Perez has stated that they no longer have a desire to proceed with the project, so they're not willing to redesign anything, so if we proceed with the project, we will have to entirely redesign from the beginning.

19. Program Mgmt. Services for the O.B. Stadium Renovation Project with JLL

Gary Fabrikant, CIP Department, reported that the project is ongoing. Jones Lang Lasalle was hired as the program manager for the Orange Bowl redevelopment. The Department is proceeding with the project. They are doing their financial and economic analysis. The Department is also currently working with Jones Lang Lasalle to contract with a construction firm, in hopes to have them on board by February, and they will also be assisting the Department with entering into a concessionaire agreement; hopefully, within the next four to six months. The Department is also moving forward very quickly into discussions with the University of Miami for the final scope and funding for this project.

20. Application for the Pan American Seaplane Terminal Historical and Structural Rehabilitation Grant

Gary Fabrikant, CIP Department, reported that the City has received a grant for this project. The Department is currently working with the General Services Administration to develop the scope so that the work can proceed.

III. CHAIRPERSON'S OPEN AGENDA:

- Quorum Discussion.

HD/NIB MOTION 06-27

A MOTION TO TABLE DISCUSSION REGARDING AN ORDINANCE AMENDING THE BOARD QUORUM REQUIREMENT FROM EIGHT MEMBERS TO FIVE MEMBERS.

MOVED: M. Reyes
SECONDED: W. Harvey
ABSENT: R. Aedo, E. Broton, L. Cabrera, D. Kubiliun, L. Pierre, G. Reshefsky, J. Reyes

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

Chairman Flanders requested that staff do a summation in the report to the Commissioners that the discussion was tabled until next month, but that the Board is debating a solution to the lack of quorum problem, with an instruction to the City Clerk to come up with a roll for the past year of exactly where the hot point was; how many people consistently showed up, as opposed to not.

III. ADDITIONAL ITEMS:

- December board meeting date change.

HD/NIB MOTION 06-26

A MOTION TO RESCHEDULE THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD MEETING CURRENTLY SCHEDULED FOR TUESDAY, DECEMBER 26, 2006 TO FRIDAY, DECEMBER 15, 2006.

MOVED: M. Reyes
SECONDED: W. Harvey
ABSENT: R. Aedo, E. Broton, L. Cabrera, D. Kubiliun, L. Pierre, G. Reshefsky, J. Reyes

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

- Miami Today article on no-bid contracts.

Gary Fabrikant, CIP Department, in discussion of a recent article regarding no-bid contracts in Miami Today newspaper, stated that the article highlighted how the City has tried from the beginning, with no actual plan in place, to put a program in place, fast-track projects, and get them built. One of the things that came out in the article is that 9 to 12 months, at a minimum, was saved on each of these no-bid contracts. In some cases, almost two years worth of time was saved in getting that project awarded and work started.

➤ Roberto Clemente Park Update

Gary Fabrikant, CIP Department, reported that the Department is in the process of analyzing the available dollars under HD-1 bond series to determine what can continue immediately and what has to wait for HD-2. That analysis is being finalized and the Department will be meeting with the Manager, hopefully, within the next two weeks, to get his concurrence. Once that has been done, part of the proposal is to immediately proceed with the redesign for Roberto Clemente Park. The redesign typically takes about one year. The Department will work to try to have that reduced, but that's pretty much standard in the industry, and then about a year for construction. Any time you try to expedite a process and reduce timeframes, you will increase the cost of the project.

Luis De Rosa requested that Gary Fabrikant e-mail the information regarding the meeting with the City Manager concerning the project's current status to him within the next seven days.

Chairman Flanders suggested that the board members do some personal lobbying upstairs on the 15th with the Mayor.