

GENERAL OBLIGATION BOND PROJECT OVERSIGHT COMMITTEE
MEETING MINUTES
FEBRUARY 4, 2002

1. Attendance – See Attendance Sheet attachment.
2. Review and Acceptance of January 7, 2002 meeting minutes.

ACTION: A motion to approve the minutes of the January 7, 2002, Committee meeting was made by Mijel Brazlavsky, and seconded by Larry Herrup. The motion passed. Mr. Brazlavsky asked that the minutes reflect a recommendation to the Administration that the Committee is notified when the Commission allocates or transfers funds for a project.

Tim Hemstreet made some announcements. A revision to the Agenda was made adding Item 4, Recommendation to Appropriate Funds for the Normandy SUD Traffic Impact Study, to be presented by Fred Beckmann from the Public Works Department.

Mr. Hemstreet also referred to the appointments of the three (3) expired seats at the last Commission meeting, which was held on January 30, 2002. Mayor Dermer confirmed those appointments and Mr. Hemstreet added that the expiration date for those seats is December 31, 2003.

3. Project Status Report
- (A) Beach Planting

Mr. Beckmann advised that a total of \$1,000,000 has been appropriated for the Dune Restoration and Enhancement Program that includes South, Middle and North Beach with approximately \$325,000 for each. He continued by saying that South Beach restoration has been finished with replacement of the dune fences. Exotic plants and protective signage is continuing. He explained that Middle Beach restoration is tied in with the streetend improvement project. He said that the City's waiting for the design report and then the project will be started with dune restoration. He reported that North Beach restoration is tied in with the North Beach Recreational Corridor project.

Mr. Rothbart asked who would maintain the new fences on the dunes. Mr. Beckmann responded that Miami-Dade County would be entering into a joint agreement with the City for maintenance of these fences.

(B) Alton Road, 20th Street & Sunset Drive Intersection

Mr. Beckmann reported that the County has awarded two (2) separate contracts instead of a single contract to effect the work, one (1) for drainage and one (1) for the signalization of the intersection. He explained that he recommended commencing the project after the Miami Beach Boat show has ended, around February 26, 2002.

Mr. Beckmann informed the Committee that other projects that will impact the same neighborhood and intersection are water replacements between 18th and 20th Street and three (3) drainage improvements that will go into the Sunset Harbor neighborhood. The drainage improvements include an injection pump for testing purposes.

Amy Rabin asked about new plantings on Sunset and was concerned these new trees would be taken out due to the project. Kevin Smith, Parks Department Director, responded that these plantings would not be impacted.

(C) Corradino Architecture/Engineer Fees-Scott Rakow Youth Center, Flamingo Pool Renovation and Expansion

Mr. Hemstreet informed the Committee that the contract being discussed also includes Normandy Isle Park and Pool. He added that the original contract was for a 30 month period and expired in January 2000. The City is negotiating with Corradino for an extension of their contract through May 2002. He added that the funding source would not be GO Bond funds and an amendment would be brought to City Commission at a later date.

Mr. Hyman commented he found Corradino to be professional architects and that the project had lingered through no fault of Corradino.

Mr. Sanchez commented he was concerned about allocating funds with the extension of the contract to complete the project. He asked where the funds were coming from for this project. Mr. Hemstreet responded he did not know yet where the funds were coming from and Corradino had been working for two (2) years for free and need to be compensated. Mr. Hemstreet explained that between \$100,000 and \$150,000 is owed to Corradino in additional fees. The allocation per project is about 1/3 each, due to overhead, evenly spread between the three (3) projects. He explained that the agreement would be amended with dollars attached, not creating a further deficit.

Mr. Sanchez followed by saying the Normandy Isle Park and Pool project would still have a \$300,000 deficit. He mentioned knowing the Administration was actively looking for funds to proceed with the project. He wanted to know if there was an update on the location of these funds. Mr. Hemstreet did not have an update, but would mention it to the Finance Director, Patricia Walker. Mr. Sanchez commented that a workshop with the neighbors resulted in a unanimous decision of not having a reduction of services or the project. Mr. Hemstreet mentioned that an application has been filed for Quality of Life Funds for the North Beach area, which would be one area to find funds and the Finance Department and CIP staff are also searching for funds.

Mr. Wien mentioned there could be other alternatives to finding funds such as the state or federal governments.

The Mayor mentioned that the Commission rejected the Administration's request for an amendment to the A/E's contract on the West Avenue/Bay Road Neighborhood Improvement Project at the January 30, 2002 Commission meeting. He said that the issue might come back a fourth time, since it was a tie vote.

Ms. Jamieson wanted to know about the Flamingo Pool project since Corradino was the A/E on the job. She said she noticed there were four (4) Change Orders on this project and wanted clarification on the time and budget progress. Mr. Hemstreet responded that they were on time and on budget and that the project would not be affected by the other projects under Corradino's agreement.

Mr. Rotbart wanted an update on projects at North Beach, such as the Youth Center, North Shore Park, Normandy Isle Pool, Fire Station No. 4 and Biscayne Pointe. He said that many times residents ask him for updates to these projects and he cannot give them a clear response. Mr. Hemstreet responded saying that North Shore Park and Youth Center had a pre-construction meeting, and Notice-to-Proceed to the contractor was scheduled for February 13, 2002. He added that one of the funding issues that will be discussed at the February 20, 2002 City Commission meeting is the \$160,000 from CDBG funds and how the funds will be allocated. He stated that if Commission decides that the funds will be allocated for value engineered items on the Youth Center, then additional funding needs to be located to pay for tennis courts. He stated that an application for funds has been submitted for Quality of Life funds. He added that there were other alternatives to finishing the project that included the CDBG cycle that is coming up in March.

Mr. Hemstreet stated that the Administration has scheduled a meeting with the number two (2) A/E firm (which is the Corradino Group) on the Biscayne Pointe project. He continued by saying that a contract has to be negotiated with them and brought to the City Commission for

approval. He said that an application has been made for additional funds on the Normandy Park and Pool and as soon as that funding is located, the project will move forward. He mentioned that the Finance Director is preparing a package to fund some, if not all, of the projects and shortage in a future time. He said that the architect for Fire Station No. 4 has been authorized to proceed with a schematic design. He continued by saying that there have been several meetings with the Fire Department and Commissioner Garcia concerning this project. He added that they hope to conclude the design process within the next nine (9) to twelve (12) months, which is the standard timeline for a building of that size and scope.

Mayor Dermer commented that Finance will soon have some good news with this project.

Mr. Brazlavsky wanted to know if on Page 16, line item Construction Contingency, the amount of \$3,101 was available or was it only to be used for this project. He wanted to know if this money could be used for other projects. Mr. Herrup added that when not all the money is used after the project closes, a surplus fund for this neighborhood should be created for the funds.

Ms. Jamieson wanted an update on a parking survey that was sent to the Land Use Committee by City Commission on the Flamingo Neighborhood. She said that a neighborhood group is against angle parking on the perception that it encroaches into the residential area. Mr. Hemstreet explained that the parking workshop to discuss this issue was cancelled and will be rescheduled at a later date. Ms. Jamieson suggested that the Parking Director should attend that meeting.

Mitch Novick wanted to know about the REG Debarment procedures that had been reported on Page 75, South Shore Community Center Project Status. Mr. Hemstreet explained that under the City's Debarment Ordinance, if the City receives a request from a resident of the City of Miami Beach or the City itself, the letter goes to the Commission. The Commission will initiate an investigation and refer that item to the City's Debarment Committee. He added that the process for the South Shore Community Center Project has been initiated due to receiving a letter from a resident requesting debarment proceedings be initiated against REG Architects, Inc. He continued saying that the Administration will recommend the appointment of a fact-finder pursuant to the ordinance at the February 20, 2002 Commission meeting.

Mr. Novick wanted to know on what grounds was the debarment recommended. Mr. Hemstreet explained that one section of the ordinance specifies that there are two (2) points for which debarment may occur.

1. If a City contractor commits fraud, embezzles, violates, federal or state law or City code, they must be debarred. Mr. Hemstreet explained this was not the section the resident complained about.
2. If the contractor is in default of the City contract or has been certified by an engineer or a general contractor to have performed substandard work, then the fact-finder must investigate, present the findings to the Debarment Committee and a determination is made as to whether debarment is warranted.

Mr. Hemstreet continued explaining that after the Debarment Committee has investigated, they decide what the appropriate penalty is within the ordinance.

Mr. Novick wanted to know if the City has taken over the project with the drawings from REG. Mr. Hemstreet explained that the drawings are not complete and are not permissible by the Building Department. He explained that the proposed renovations to the facility are more than 50% of the value of the building. This requires the building to be brought up to code. He also added that FEMA has not waived the flood plane requirements. The City is preparing a variance application for FEMA from the City's Board of Adjustment. The flood plane requirement would cost an additional \$850,000 to bring the building up to code.

Mr. Herrup wanted to know what other work REG was performing. Mr. Hemstreet responded that REG was the architect of record for Group A, B, and C Parks, Bayshore Golf Course and Clubhouse and the other buildings on Bayshore. They were the engineers of record for Normandy Shores Golf Course, however, at the January 9, 2002 Commission meeting, that portion of their contract was deleted from the scope of the work.

Mr. Wein wanted a correction made in the South Shore Community Center description. The sentence reads, "GO Bond Components include additional landscaping, and widening of the sidewalks on the East Side of Ocean Drive". He said it was probably inadvertently taken from the Lummus Park page.

4. Recommendations to Appropriate Funds

(A) Normandy SUD Traffic Impact Study

Mr. Beckmann informed the Committee that a memo had been distributed regarding this addition to the agenda. In September 2000, the City awarded a contract to Civil Works, Inc. in the amount of \$4,790 to perform a traffic study for the closing of Rue Bordeaux and Rue Notre Dame along SR 934/71st Street, in order to transform the Normandy SUD area into a gated neighborhood. The

study was not completed to the satisfaction of Florida Department of Transportation. The study is on hold. He explained that they cannot proceed with Civil Works, Inc. The Administration is requesting additional funds in the amount of \$10,857.25 from the General Obligation Bond to fund a new study for Normandy SUD with a new A/E firm.

Mr. Sanchez wanted to know if Civil Works, Inc. was going to be paid for the partially completed study. Mr. Beckmann explained that he could not say what the ruling would be on how much would be paid to Civil Works, Inc. until the Legal Department made a decision.

Mr. Sanchez commented that there are two (2) things that should be considered when deciding what to pay them; 1) Civil Works was told to meet with FDOT and; 2) Civil Works was irresponsible and did not respond to the City or to FDOT. He also added that due to their lack of response, the project was delayed one (1) year and that he was concerned it would be put off another year. He recommended that the new study be done within 45 days.

Mr. Herrup commented that in the past when a project had FDOT implications, FDOT has been willing to put in funds to assist in the completion of the project. He asked if FDOT could mitigate some of the cost. Mr. Sanchez explained that the reason for this project is to consider street closures that will affect 71st Street. He said that FDOT is not participating in this project, except for the impact on the neighborhood and the City.

ACTION: Mr. Sanchez made a motion to recommend the appropriation of \$10,857.25 in GO Bonds funds with 60 days for the work to be completed. Mr. Herrup seconded the motion. The motion passed.

5. Informational Items

- (A) The Administration informed the Committee that the Cherokee Street-End seawall will be replaced and rebuilt as is required by DERM, County and State Statutes. Mr. Hemstreet informed the Committee that minor improvements would be made to the streetend, which include sidewalks, removal of trees and putting in low level landscaping. He explained this was the consensus among the neighbors.

6. Change Orders

Mr. Hyman requested that in addition to any change reflected in dollars, that a change be reflected in days, if applicable. Mr. Hemstreet responded that if there were any changes, it would be reflected.

The Meeting adjourned at 7:05pm

JMG/RM/TH/KLM/IG