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The Downtown Development Authority **Board of Directors** met on Friday, September 18, 2009 at 8:30 a.m. at the DDA office, 200 South Biscayne Blvd., Suite 2929, Miami, Florida 33131.

PRESENT:

Neisen Kasdin, Vice Chairman
Alvin West, Treasurer
Jose Goyanes
Jerome Hollo
Tony Alonso
Nitin Motwani
Misha Mladenovic
Alan Ojeda
Hank Klein
Danet Linares
Dr. Rolando Montoya

ABSENT:

Comm. Joe M. Sanchez, Chairman
Comm. Bruno Barreiro
Oscar Rodriguez
Rodrigo Trujillo

Vice-chairman Neisen Kasdin called the meeting to order at 8:45 AM.

Before the start of the meeting, Vice-chairman Kasdin congratulated Dr. Montoya on his promotion to provost for Miami-Dade College.

I. Approval of the Minutes ~ *(July 17, 2009)*

Nitin Motwani motioned to approve the minutes of July 17, 2009, Danet Linares seconded and the item passed unanimously by the board members present.

II. Financial Report ~ *As of August 31, 2009*

Carolina Terrones presented the Financial Report as of August 31, 2009. There were no reporting conditions.

III. Executive Director Report

Executive Director Alyce Robertson addressed the board on the following:

- FY 2009-2010 Budget *Update*

The Executive Director informed the board that the City Commission had approved the budget at First Reading. However, with the current financial situation facing the City of Miami, there are several issues that the City is dealing with, including but not limited to issues with the union, cuts in services, and compensation packages.

Vice-chairman Kasdin informed the board that the Mayor's budget is proposing a series of cuts including salary cuts for those employees earning more than \$250,000 down to \$40,000. There was a feeling in the leadership of the City that it was appropriate for DDA to recognize the economic times and look to see if DDA could "sharpen its pencil" in terms of its personnel expense, particularly in the executive level. Prior to the budget hearing, DDA administration and selected board members met with City Commissioners concerning DDA's budget. DDA's position was that in terms of personnel costs, DDA had taken corrective measures in that regard two years ago. For instance, with respect to the total compensation of the executive director position today, the cost is \$40,000 less than it had been in prior years. Overall, from FY 06-07 to FY 07-08 actual expenditures for personnel costs dropped 7.4%. There was a slight increase in FY 08-09 due to some positions that needed to be filled. Even so, DDA still operated at \$100,000 less in personnel

costs than in previous years. At the same time, DDA's programs and the money that is put out on the streets has expanded dramatically from FY 06-07 to FY 08-09 and will continue in FY 09-10. Although DDA was proactive even before it became known that there would be a financial crisis in the City, DDA understood that everyone in the public and private sector would be taking cuts. Therefore, DDA felt that it was appropriate to be responsive to the City's leadership and show that DDA would tighten its belt even more. In that regard, DDA administration agreed that employees earning over \$100,000, would take the following reductions:

- Executive Director	-6%
- Deputy Director	-5%
- Senior Manager, Planning, Transportation & Services	-5%

This was the budget presented at the City Commission Budget Hearing First Reading on September 10th and was unanimously approved by the City Commissioners present.

Vice-chairman Kasdin acknowledged Al West and Jay Solowsky for their time and effort in helping the DDA administration in this regard.

The Second Reading is scheduled for Thursday, September 24th at 5:05 pm. Board members were invited to attend.

Hank Klein stated that a debt of gratitude was owed to the three professionals who agreed to the salary reductions. It showed their hard work and dedication and hopefully the board can put them back in a positive situation when everything improves in the coming years. Brief discussion ensued.

Dr. Montoya stated that he would be voting for the legislative item related to this discussion, however would be doing so very reluctantly because it is his opinion that the organization is financially sound and these individuals have worked hard to protect it and made the effort to in fact improve it.

For the record, Tony Alonso echoed Dr. Montoya's remarks, as did Hank Klein.

- Proposed City of Miami cuts in services

The Executive Director discussed the impact the proposed City of Miami cuts in services would have to downtown and the DDA district. The population in the district has grown and the City/DDA should be looking at increases to services, such as police, garbage pick-up, homeless assistance, and other services. Not decreases. DDA has worked and will continue to work hard on bringing these needs to the attention of the City to provided the services required.

One of the service cuts of major concern is the cutting of the "Green Shirts", which provide homeless outreach services. At last count, which was conducted in August 2009, although the numbers countywide have decreased, the numbers in downtown have increased. DDA feels that cutting the Green Shirts will have a significant impact to the district. Brief discussion ensued.

Downtown NET director, Eddie Padilla, provided a brief overview of the structure of the Green Shirts and their part in NET services. Brief discussion ensued.

Alan Ojeda questioned what could be done to ensure that impact fees collected get spent in areas being impacted, especially now that so many services are being proposed for cuts.

Vice-chairman Kasdin stated that it would be appropriate for DDA board members to voice their concerns regarding these cuts both as individuals and as board members.

Jose Goyanes motioned for a resolution opposing the proposed City of Miami cuts to the Downtown NET service programs and further urging the City of Miami Commission to re-consider these budget cuts, Tony Alonso seconded and the motion passed unanimously by the board members present.

Regarding Mr. Ojeda's question, Vice-chairman Kasdin recommended assigning the matter to the appropriate committee to begin working on the best way to find a solution.

- *Miami 21 Update*

After initially no action having been taken due to a deadlock at the City Commission, the item was brought back to the City Commission and passed 4 – 1 on First Reading. It is now going for expedited review by the State and will be back for Second Reading probably in October 2009.

Ana Gelabert-Sanchez provided a brief update on the status of Miami 21, if adopted it will become effective 120 days later. In terms of the 11 conditions listed on DDA's Resolution No. 20/2009, 7 were adopted on the floor, 2 were already being worked on by the city administration, and the remaining 2 are being re-considered. Brief discussion ensued.

As DDA's conditions were largely incorporated into Miami 21, Dr. Rolando Montoya motioned for a resolution reaffirming DDA's support of Miami 21, Al West seconded and the motion passed unanimously by the board members present.

With respect to the assigned T6-36 zoning designation in Miami 21 for the entire Brickell area, Jerome Hollo motioned to request the city to re-study and consider the assignment of a more intense zoning designation, such as T6-48 or T6-60 that would allow for greater permitted height in Brickell consistent with the area's existing character, Alan Ojeda seconded and the motion passed unanimously by the board members present.

- *Burle Marx Celebration*

The Executive Director informed and invited the board to attend the celebration of the completion of Burle Marx on Friday, October 2, 2009. (*Invitations for the celebration were distributed*)

IV. Outside Counsel Report (Jay Solowsky)

- *Milan vs DDA*

Jay Solowsky reported on the class action case filed against the city, county, and DDA alleging that in 1965 the state statute under which downtown development authorities could be created was improper and that the DDA ordinance was improper. The class was seeking a refund for all ad valorem taxes paid attributable to the DDA from 1965 through the present time be contested back on various grounds. DDA had filed a motion to dismiss the case. After many months, a hearing was held. The city attorney along with Jay Solowsky argued the case and the court dismissed the case in its entirety based upon expiration of the statute of limitations. The court took the position that the statute was four years and plaintiffs couldn't go back and challenge something from 1965 in 2009. The plaintiffs have 30 days to appeal the decision from the date the court enters the court order.

V. Committee(s) Update

A. Program Committee(s)

- Marketing-Communications Program Committee

Robert Geitner reported in behalf of Rodrigo Trujillo who was not in attendance.

- Burle Marx Event: Event taking place on October 2nd. All are invited to attend.
- Special Projects Funding Requests FY 2010: Applications are out and are due September 30th. Staff intends to bring recommendations forward to the board in October 16th.
- City Guide: DDA's first ever directory of restaurants, bars, wellness spas. Fifty-five thousand copies are being printed for major mailing initiative.
- IGT Media: Staff intends to present a marketing media buy for the DWNTWNR ad campaign in the next couple of weeks.
- Upcoming Events: Meet Your Neighbors (9/24), Burle Marx (10/2), Bike Miami Days (10/4), Concert Series Season 2 (Begins 10/9), Iron Fork (10/15), and Miami Music Fest intends to bring 600 shows to the Downtown core on December 10th.

Assistant City Attorney Veronica Xiques provided an update on the board's request to amend Chapter 14 of the Code to parallel that of the Coconut Grove bid to allow board members to participate in a coop-advertising program. The city attorney's office has determined that an amendment was not needed because this particular program was going to be wholly administered by IGT Media, an entity separate and aside from the DDA. Therefore, if any board member did participate, they would not be transacting business with Miami DDA or the City of Miami. They would be transacting business directly with IGT Media, which would insulate board members from any conflict of interest. It's important to note that IGT Media coop-

advertising program would be offered equally to all members of the community, not just board members. There would be no preference given to board members.

Tadd Schwartz briefly addressed the board on the increase of media exposure and positive stories being written in various media outlets relative to more people living in downtown, more restaurants opening, more venues staying open later, and more condos being sold and/or rented.

- Economic Development & Research Program Committee

Leo Zabezhinsky reported on behalf of Hank Klein on the following:

- The committee is scheduled to meet on October 6th, with focus being given to the corporate recruitment program.
- ICSC Florida Conference: DDA staff attended the conference and working with a handful of retailers a number of good meetings were had with follow-up meetings scheduled with several retailers and restaurants.
- List of Corporations/Firms: DDA interns over the summer prepared an inventory of corporations/firms in the downtown area.
- Concert Series: Pursuant to the grant requirements, DDA must raise \$25,000 by December 1st in order to be in compliance. Mr. Zabezhinsky asked that the board advise him of any potential business and/or personal contacts that might be interested in donating to this initiative.

- Service Delivery Program Committee

Jose Goyanes reported that the committee had addressed the following:

- Miami-Dade County Homeless Trust: They are promoting their Adopt-A-Meter Donation Meter Program. The committee discussed in length issues of concern related to the proposed program such as vandalism, effectiveness, etc. The committee asked the Homeless Trust to meet with Downtown Miami Partnership for their comments and/or support, which they did. Gary Ressler, chairman of the DMP Board, informed the DDA Board that DMP had passed a resolution in support of the program.
- RFP for a Downtown Parking Analysis: DDA staff brought forward a request to issue a RFP for a Downtown Parking Analysis. The committee directed that staff wait for the Miami Parking Authority's parking study/analysis was completed before proceeding forward with a DDA RFP.

- Urban Design, Transportation & CIP Program Committee

Neisen Kasdin and Javier Betancourt reported that the committee had addressed the following:

- Downtown Master Plan: Final review and special board presentation to be scheduled.
- Trolley: Asked the County to consider route amendments.
- Issued Signage & Wayfinding RFP.

VI. Legislative Item(s) [Note: The Executive Director recommends all Legislative Items]

1. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") OF THE CITY OF MIAMI, FLORIDA, APPROVING A REVISED ANNUAL BUDGET OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010, AUTHORIZING THE EXECUTIVE DIRECTOR OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY TO EXPEND FUNDS FOR THE BUDGET; DIRECTING THE EXECUTIVE DIRECTOR TO FILE A DETAILED STATEMENT OF THE PROPOSED EXPENDITURES AND ESTIMATED REVENUES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 WITH THE CITY CLERK OF THE CITY OF MIAMI AFTER ADOPTION AND ESTABLISHMENT OF THE MILLAGE BY THE MIAMI CITY COMMISSION; AND FURTHER PROVIDING THAT A COPY OF THIS RESOLUTION BE FILED WITH THE CITY CLERK OF THE CITY OF MIAMI.

Al West motioned to approve this item, Nitin Motwani seconded, and the item passed unanimously by the board members present.

2. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY (“DDA”) OF THE CITY OF MIAMI, FLORIDA, REDUCING THE BUDGETED FY 2009-2010 BASE SALARY OF THE EXECUTIVE DIRECTOR BY SIX PERCENT (6%), AS RECOMMENDED BY THE DDA EXECUTIVE COMMITTEE.

Hank Klein motioned to approve this item, Misha Mladenovic seconded, and the item passed unanimously by the board members present.

3. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY (“DDA”) OF THE CITY OF MIAMI, FLORIDA REAFFIRMING THE DDA’S SUPPORT OF THE CITY OF MIAMI’S PROPOSED NEW ZONING CODE ENTITLED “MIAMI 21.”

Dr. Rolando Montoya motioned to approve this item, Al West seconded, and the item passed unanimously by the board members present.

VII. Other Business

With no further business, the meeting was adjourned.