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The Downtown Development Authority **Board of Directors** met on Friday, September 19, 2008 at 8:30 a.m. at the DDA office, 200 South Biscayne Blvd., Suite 2929, Miami, Florida 33131.

**PRESENT:**

Com. Joe M. Sanchez, Chairman  
Alvin West, Treasurer  
Jose Goyanes  
Oscar Rodriguez  
Tony Alonso  
Jay Solowsky  
Alan Ojeda  
Hank Klein  
Dr. Rolando Montoya

**ABSENT:**

Comm. Audrey M. Edmonson (*County Commission Rep.*)  
Neisen Kasdin (*State Cabinet Rep.*)  
Jerome Hollo  
Rodrigo Trujillo  
Nitin Motwani

Chairman Sanchez called the meeting to order at 8:35 a.m.

I. Oath of Office (Joyce Jones)

Joyce Jones from the City Miami City Clerk's office administered the Oath of Office to the newly confirmed board members:

- Alan Ojeda
- Hank Klein
- Dr. Rolando Montoya
- Oscar Rodriguez

II. Global Agreement Update (David Samson)

City Manager, Pete Hernandez reaffirmed the City's commitment to work with the DDA in improving the downtown area.

Regarding the Global Agreement and the recent judgment in favor of the Global Agreement, Mr. Hernandez reported that the City and the County would proceed with the agreements that need to be signed associated with the baseball stadium. However, it was important to point out that the litigation delayed the project approximately 4 months. It was hoped that the project would be able to commence in November of 2008 but all indications now is that it will not start until the early 2009.

In addition, the Florida Supreme Court validated the use of CRA funds to pay for bonding to do projects such as the port tunnel and museum park. It's important to note that the State has committed approximately \$600 million to the County for the port tunnel project as well committing to the operation and maintenance for the first 30 - 35 years.

Alan Ojeda inquired as to the status of any plans in the horizon for building a central train station somewhere in downtown that would connect central Florida with Downtown Miami given that the FEC tracks already exist.

Mr. Hernandez stated that a vision for such plans has been in the works for many years with the State talking about implementing some kind of “bullet” train that would connect Miami, Orlando, and Tampa, however with the problems/issues that Transit is having it’s not something he sees happening any time soon.

Hank Klein stated his concerns with a lack of police presence in the Downtown District and asked Mr. Hernandez to discuss with Chief Timoney what can be done to add more police.

Mr. Hernandez stated that with the very competitive contract finally in place now, recruitment and interest is going very well. However, it takes approximately 18 months for a candidate to go through all the requirements and graduate from the academy. Still, Mr. Hernandez will talk to Chief Timoney to see how visibility of the police officers assigned to the area can be increased. Perhaps through the use of bicycles and/or segways.

Chairman Sanchez reminded the board that Chief Timoney had assured DDA at a recent meeting that as soon as the next class of PSA (Public Service Aides) graduated, he would assign some to the Downtown District.

III. Approval of the Minutes ~ (*July 18, 2008 & August 15, 2008*)

**Jay Solowsky motioned to approve the minutes of July 18, 2008 and August 15, 2008, Tony Alonso, seconded and the item passed unanimously by the board members present.**

IV. Financial Report ~ *As of August 31, 2008*

Carolina Terrones, from GLSC & Company, CPA, presented the Financial Report as of August 31, 2008 and stated that there were no reporting conditions.

V. Blue Ribbon Committee Report (George Knox)

George Knox informed the Board that in April 2008, the Blue Ribbon Committee had been appointed for the purpose of examining the books, records, fiscal and financial affairs of the Miami Downtown Development Authority following a report by the City of Miami Office of the Inspector General, which was a comprehensive review of the operations of the DDA for the period October 1, 2003 – September 30, 2006.

Based upon an examination of the Inspector General’s report and the ongoing review and response to that report, official audits of the DDA dating back to the year 2002, interviews with the staff, and internal discussions amongst the committee members who included bankers, CPAs and attorneys, the committee unanimously concluded that the DDA was responsible in responding to those concerns that were presented by the audit that was conducted by the City of Miami, that corrective measures were either in place or were being undertaken in response to the concerns expressed in the report and most important that the fiscal affairs of the DDA were sound and responsible. Not only based upon the official yearly audits, but based also upon the inquiry period with respect to the fiscal management within the DDA.

For the benefit of the new board members, Chairman Sanchez presented a brief overview of the history leading to the audit conducted by the City of Miami. Chairman Sanchez acknowledged and thanked the Blue Ribbon Committee Members, Miriam Lopez, George Knox, Lewis B. Freeman, Tony Villamil, and Gary Ressler for their work on this committee as well as Jay Solowsky and staff who also participated in the discussions.

VI. Executive Director Report

Alyce Robertson addressed the board on the following items:

- Miami DDA v. Florida Department of Revenue: Alyce Robertson briefly informed the board on the status of DDA’s complaint against the Department of Revenue’s position as it

relates to the DDA's millage rate. In short, there is no penalty or requirements that the Department can enforce concerning this issue for 2007. In addition, there is no requirement that any portion of Miami DDA's tax revenue for the 2007-2008 Fiscal Year be escrowed. Therefore, the money DDA had in escrow pending the outcome of this matter, which is approximately \$570,000, can now be rolled over into next year's budget, FY 2008-2009 for use.

Assistant City Attorney, Veronica Xiques, provided a brief overview of the matter leading up to the aforementioned complaint for the benefit of the new board members. Brief discussion ensued relating to concerns that should there be a change in administration at the Department of Revenue in the future that they come back with a different interpretation and possibly demand that DDA return the money. Ms. Xiques stated that laws, such as this, couldn't be applied retroactively. That would be unconstitutional. Moreover, with the letter from the Department of Revenue, it is completely save for DDA to put the money to use.

- DDA Budget FY 2008-2009: Alyce Robertson informed the board that the City Commission on 1st Reading on September 11, 2008 had approved DDA's FY 2008-2009 Budget unanimously. The 2<sup>nd</sup> Reading is scheduled for September 25, 2008.

- Telephone System Upgrade: Alyce Robertson deferred to Richard Whittaker, IT Manager, to briefly provide information concerning DDA's desire to enter into a 3-year lease agreement with Inter-Tel to replace DDA's current telephone system with a VoIP telephone system. The proposed monthly lease payment is \$1,143.74 resulting in a total lease payment of \$41,174.64 for 3 years. This represents a 3-year lease savings of \$38,101.68 compared to \$20,767.32 from Cypress Communications, DDA's current telephone system provider.

## VII. Committee(s) Update

### A. Operational Committees

#### • Finance Committee

Al West reported that the Finance Committee had met recently to discuss the security of DDA's funds/accounts, which currently are in Qualified Public Depository accounts with Wachovia Bank. All governmental agencies are placed in said accounts, which are all collateralized. Each agency or government must collateralize those funds that they have in that account. The only recommendation at present would be to split the accounts/funds into a least 3 other banks. The reason being that should DDA need to file a claim, it could take approximately 30 days for the funds to be released. Having DDA's funds in other banks would allow DDA to continue to operate should a need to file a claim arise. Brief discussion ensued concerning the need to look into other banks to determine if DDA should move some accounts into other financial institutions.

**Given the current economic situation, Tony Alonso motioned to authorize DDA and the Finance Committee to open accounts to a least two other financial institutions that meet the criteria of being public depository approved financial institutions and bring the action to the board next month for ratification, Oscar Rodriguez seconded and the motion passed unanimously by the board members present.**

#### • Nominating Committee

Board Secretary, Sandra Hernandez, reported that the City Commission confirmed all of the recommended candidates for board membership on September 11<sup>th</sup>. There are no vacancies on the board at this time.

### B. Executive Search Selection Committee (Jay Solowsky)

Jay Solowsky presented an update on behalf of the committee. The committee had been considering using the services of the search firm DHR, International. It is the recommendation of the committee that based on the performance of Alyce Robertson and Meredith Nation, that DDA not go forward with contracting with DHR, International or any other agency at this time and that

DDA reimburse DHR in the amount of \$1,500 for their expenses incurred related to having two members of their firm attend DDA's Board Retreat. Moreover, it is the committee's unanimous opinion that DDA is very satisfied with the services of both Alyce and Meredith and that Neisen Kasdin would meet with County Manager, George Burgess concerning exercising the terms of the MOA and offer the position of Executive Director to Alyce Robertson. Likewise, Mr. Kasdin would meet with City Manager Pete Hernandez and Mayor Diaz concerning extending Meredith Nation's loan to the DDA through December 2009.

Chairman Sanchez recommended that the committee's recommendation be brought forth via a formal legislative item at the next board meeting or if need be at an emergency board meeting.

### C. Program Committees

- Economic Development / Research Program

Leo Zabezhinsky briefly informed the board on the following:

- « ULI Conference (Oct. 27 – 30, 2008): DDA is working on leading three mobile workshops in Downtown in addition to manning a DDA booth during the conference.
- « ICIC: Inner City Economic Forum (Sep. 25 - 26, 2008): DDA has purchased a table for this event and invited the board to attend.
- « Corporate Recruitment: DDA continues to develop and nurture a strong relationship with the Beacon Council.
- « Greater Miami Chamber NWC Committee Luncheon: "A New DDA" (Oct. 23, 2008): Alyce Robertson will be the featured speaker and the NWC Committee has requested that DDA assist in putting together a DDA Board member panel.

- Marketing-Communications Program

Yami Roa briefly informed the board on the following:

- « DWNTWNR: The third issue themed "Play" has been published and distributed. The next issue will be themed "Shopping" and is expected to be out in time for the holiday shopping season.
- « The Best of Urban Living: DDA has started updating this piece, which focuses on development projects and downtown lifestyle.
- « DDA Web Site: DDA launched its re-designed web site in May 2008 and is beginning Phase II, which consists of populating the site with a calendar, and up loading brochures.
- « Sub-Committee for Co-op Initiatives/Marketing Campaign: Nitin Motwani has volunteered to chair this sub-committee, which will be reaching out to various stakeholders to raise money to promote and market the entire Downtown area including Brickell.
- « The Apple Organization: For the past 6 months they have been pitching the local media. Now they will be focusing on the national and international media to showcase Downtown Miami promoting it as a destination.

- Service Delivery Program

Mark Spanioli briefly informed the board on the following:

- « No Panhandling Ordinance: The signs have been received and DDA is working with the Miami Parking Authority getting them installed throughout the designated areas.
- « Expansion of the DET: DDA has expanded the Downtown Enhancement Team (DET) services to include the CRA and Brickell areas.
- « Ambassador Program: DDA has expanded the Ambassador Program into the CRA areas and will soon include the Brickell along the South Miami Avenue corridor.

Dr. Montoya briefly addressed the board regarding his concern of the lack of security, signage, cleanliness, and general functionality of the elevators and escalators at Metro-over stations and asked if DDA could consider placing ambassadors at some of the key stops.

Chairman Sanchez stated that the burden falls upon the County to provide security, proper signage, cleanliness, and maintenance for all Metro-rail and Metro-mover stations.

Oscar Rodriguez recommended that the board voice its concerns to Comm. Edmonson and Comm. Barreiro on this matter.

Chairman Sanchez directed that staff invite Miami Dade Transit Director, Hapal Kapoor, to the next Board meeting.

- « Lerner Site: The property owners are wrapping up their demolition and have filled-in the deep water hole. DDA is working with them to try to get them to enhance the site through landscaping and fencing options to keep the site from being as little of an eye sore as possible.

- Urban Design, Transportation & CIP Program

Mark Spanioli briefly informed the board on the following:

- « Mini Parks: DDA has obtained a building permit for the Paul Walker Park site. The contractors are bidding out the work as we speak. DDA expects construction to begin next month. The Linear Parks are currently under construction. All the trees and fencing has been installed. Pavers installation in underway.
- « South Miami Avenue Corridor: DDA coordinated a walk-through with the County's Public Work Department from S. 5<sup>th</sup> Street to S. 15<sup>th</sup> Road. The County has agreed to prepare a pedestrian improvement plan, which will include some drainage improvement along the corridor.

Alan Ojeda stated that most major cities have already "invented the wheel" as it relates to pedestrian improvements, and requested that consideration be given to including "round-about" in the County's plan similar to what other major cities have done.

- « Brickell Avenue: DDA has been working with the County's CIAB (Community Image Advisory Board) and their landscape architect on staff designing all the landscaping along Brickell Avenue from Miami River to S. 15<sup>th</sup> Road. As soon as the plans are completed DDA will obtain a permit to implement the landscaping design.

Adam Lukin briefly informed the board on the following:

- « Downtown Master Plan: The committee discussed the status of the Downtown Master Plan and requested that staff coordinate a workshop for the board members and other interested parties. (The workshop has been scheduled for Friday, 9/26/08 from 4:00 PM – 6:00 PM).
- « Miami-Dade Transit: The committee discussed transit cuts and how they affect Downtown, which include cuts to the Flagler Shuttle and Brickell Shuttle during the mid-day operation. DDA intends to work with Miami-Dade Transit to urge them to not only re-install the mid-day operation, but to expand the service.

Brief discussion ensued regarding concerns with duplicating services and/or expense since downtown already has the metro-mover, which purpose is to connect Brickell, CBD, and Media and Entertainment (Omni) districts. The biggest complaint with the metro-mover is the time it takes to get from Brickell and Omni loops to CBD.

- « Miami 21 Workshop: The committee participated in a Miami 21 workshop with participation of City administration. The City is in the process of doing final revisions to Miami 21 plan. Miami 21 anticipates going to the Planning Advisory Board in October and the City Commission in November 2008.

Jose Goyanes presented an overview of a downtown concept that is working successfully in San Francisco, which involves closing-off a small specific area to vehicular traffic during lunchtime and opening only for pedestrian traffic. The restaurants within that area bring outside seating on the street and the retail also have benefited tremendously from this concept. Mr. Goyanes requested that staff look at what area might be the best as a trial basis.

#### VIII. Legislative Item(s)

1. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY (“DDA”) OF THE CITY OF MIAMI, FLORIDA, DIRECTING THE EXECUTIVE DIRECTOR TO FIND THE RESOURCES FROM THE DDA FISCAL YEAR 2008-2009 BUDGET TO FUND THE ORANGE BOWL FAN FEST 2009 IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000) AS REQUESTED BY THE ORANGE BOWL COMMITTEE AND RECOMMENDED BY THE MARKETING-COMMUNICATIONS PROGRAM COMMITTEE.

**Hank Klein motioned to approve this item, Tony Alonso seconded and discussion ensued concerning the amount initially requested by the Orange Bowl Committee, which was \$50,000 versus what the Marketing-Communications committee is recommending. Roll call was required and the item passed by majority vote of the board members present 7 to 2.**

Chairman Sanchez stated that this event had initially been hosted in Hollywood, Florida, but for the past two years it was hosted at Margaret Pace Park, which DDA funded in the amount of \$50,000 each year. And each year, they had been urged to bring the event closer into Downtown, which this year they have been able to comply and moved the event into Bicentennial Park. However, the DDA along with the country is going through some tough economic times and asked the board members that when funding requests are made that they keep that in mind.

**Jose Goyanes motioned to have the Marketing-Communications Committee re-consider the item for additional funding and return with a recommendation to the next board meeting, Oscar Rodriguez 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, DIRECTING THE EXECUTIVE DIRECTOR TO FIND THE RESOURCES FROM THE DDA FISCAL YEAR 2008-2009 BUDGET TO FUND THE DAWNTOWN 2008:WATERWORKS IN THE AMOUNT OF SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500) AS REQUESTED BY THE DAWNTOWN AND RECOMMENDED BY THE MARKETING-COMMUNICATIONS PROGRAM COMMITTEE.

Alyce Robertson stated this request was for funding an architectural design competition of the water pump at Bicentennial Park to be awarded during the Art Basel event to help bring awareness to the area.

Once again Chairman Sanchez stated that DDA needs to be prudent with its funding and how DDA spends its money. Funding requests should be negotiated to the least amount possible.

**Hank Klein motioned to approve this item in the amount of \$10,250, Tony Alonso seconded, the motion 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, URGING THE CITY OF MIAMI COMMISSION TO CONSIDER REMOVAL OF AND DISCONTINUE ANY PERMIT AND/OR CONTRACT ALLOWING TELEPHONE KIOSKS WITHIN THE DDA DISTRICT.

Stephanie Grindell, Director of the City of Miami Public Works Department, briefly informed the Board that currently there is no “contract” in place for the kiosks, however the City has allowed them for now. City administration is addressing the code as it relates to news racks and will also be addressing the code as it relates to the telephone kiosks.

The Board requested that the city administration work closely with Miami DDA and DMP on this matter.

Stephanie Grindell agreed.

**Jose Goyanes motioned to defer this item, Al West seconded and the motion passed unanimously by the board members present.**

IX. Other Business

With no further business, the meeting was adjourned.