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

PRESENT:

Comm. Marc D. Sarnoff, Chairman
Neisen Kasdin, Vice Chairman
Alvin West, Treasurer
Comm. Bruno Barreiro
Jose Goyanes
Jerome Hollo
Oscar Rodriguez
Rodrigo Trujillo

Tony Alonso
Nitin Motwani
Misha Mladenovic
Alan Ojeda
Hank Klein
Danet Linares
Dr. Rolando Montoya

Chairman Marc Sarnoff called the meeting to order at 8:40 AM.

I. INVITED GUEST(S)

A. Miguel Exposito, Chief, Miami Police Department
At the request of Chairman Sarnoff, Chief Exposito addressed the Board as the newly appointed chief of police. Chief Exposito briefly informed the Board on his planned initiatives as it relates to Downtown Miami, including but not limited to, increasing police in Downtown.

Chairman Sarnoff informed the Board he is committed to making District 2 Quality of Life dollars available to the Miami Police Department for anything they might need, such as segways, bicycles, and/or some other device that the department feels is needed to improve their job.

B. Art Noriega, Executive Director, Miami Parking Authority
At the request of Chairman Sarnoff, Art Noriega addressed the Board concerning the Miami Parking Authority's CBD Parking promotions, which include:

1. Miami Resident Discount: Exclusively for customers who live in the City of Miami. Effective immediately, when you pay for parking at MPA on-street meters using Pay by Phone, a 20% discount will automatically be applied.
2. Quick Visit Parking: Available in every MPA garage, the first 30 minutes of parking is free. Regular rates apply after 30 minutes.
3. Free Flagler Parking: On-street parking is available on Flagler Street from Biscayne Boulevard to 1st Avenue daily from 6 pm – 7 am.
4. Residents & Visitors: Parking is available in designated off-street facilities for \$70/month or in designated on-street spaces for \$50/month on nights and weekends. Monday-Friday, you must enter and exit between 6 pm – 9 am. Valid 24 hours/day on Saturday and Sunday. Downtown visitors may also park in any designated garage or designated on-street space for a flat rate of \$5 valid from 6 pm – 9 am.
5. Park & Shop: With a qualifying purchase, customers can receive a Park & Shop validation coupon from participating merchants for a flat rate of \$1, valid for up to 3

(daytime) or 4 (evening) hours of parking. This program will continue to be administered through Downtown Miami Partnership (“DMP”).

The Board briefly discussed the following issues:

Handicap Parking: Members of the Board expressed concern with the rampant parking abuse of handicap parking spaces by merchants.

Mr. Noriega stated that as it relates to handicap parking, Miami-Dade County has stringent legislation. Nonetheless, fraud exists. The Miami Parking Authority intends to seek assistance from County and City Commissioners on this matter.

Motorcycle / Scooter Parking: Members of the Board would like to see specific parking spaces/locations established specifically for these types of vehicles similar to what Miami Beach has.

Mr. Noriega stated he would have his staff look at identifying locations for this type of parking.

Additionally, Mr. Noriega announced that MPA received its Temporary Certificate of Occupancy for the Courthouse Center Garage, which returns to inventory parking spaces affected by construction. It should be open to the public on Monday, December 21st.

Also, the Miami Parking Authority has scheduled a special MPA board meeting to specifically discuss the Gusman theatre on January 19, 2010 at 1:00 p.m. at the Gusman. All in attendance were invited to attend this open meeting.

C. Warren Bittner, Deputy City Attorney

Warren Bittner addressed the Board concerning the proceedings filed by Milan Investment Group, Inc. in the Third District Court of Appeal in connection with the appeal pending in the case of Milan Investment Group, Inc. vs. City of Miami, et, al. The attorney representing the DDA at the trial level, Jay Solowsky, Esq., is not available to continue representing the DDA on appeal. Consequently, new conflict appellate counsel must be retained. The City Attorney recommends Robert Glazier, Esq., an attorney specializing in appellate matters. Brief discussion ensued. The board agreed with the City Attorney’s recommendation.

D. Rodney Barreto, Chairman, South Florida Super Bowl Host Committee

Rodney Barreto addressed the Board concerning the Super Bowl Host Committee’s planned initiatives during the week of Super Bowl XLIV. In particular, the Committee has planned a South Florida Host Committee / Super Celebrity Fishing Classic to take place on Wednesday, February 3, 2010. The NFC Champion Team Hotel Headquarters will be located at the InterContinental Hotel in Downtown Miami. In addition, Good Morning America has expressed interest in broadcasting from the event. The Host Committee is seeking partnership sponsors and requested \$25,000. Brief discussion ensued. The board agreed to the sponsorship as requested.

II. APPROVAL OF MINUTES~ (October 16, 2009)

Al West motioned to approve this item, Hank Klein seconded, and the motion passed unanimously by the board members present.

III. FINANCIAL REPORT ~ as of November 30, 2009

Staff accountant, Carolina Londoño, presented the report. There were no reporting issues.

IV. EXECUTIVE DIRECTOR REPORT

A. Year in Review FY 2008-2009

This item addressed during overview of legislative item D below.

B. Work Plan FY 2009-2010

The Work Plan integrates the actions of the DDA to match what is in the Master Plan. It also integrates staff work plans, which will be used to measure their individual performance reviews at the end of the year.

- C. Concert Series 2nd Season – Friday, November 13, 2009 – *Recap*
Recapped the concert and invited all to the next concert on January 8, 2010.
- D. Annual Audit (For year ending September 30, 2009)
This item was addressed during overview of legislative item C below.
- E. I-395
FDOT has proposed a realignment of I-395. The current proposal brings it slightly closer to the Performing Arts Center (PAC) and DDA has joined with PAC to look at the impacts on the facility. There might be acoustic and/or vibration issues that might affect the integrity of the PAC. The DDA/PAC team wants to ensure that these issues have been taken into considerations in the design of the I-395 realignment.
- F. DDA Board Member and Staff recognitions
 - 1. Academy of Hospitality & Tourism Advisory Board Tourism Professional of the Year Award, 11/19 (Al West)
 - 2. March of Dimes Building our Community Awards, 11/20 (Neisen Kasdin)
 - 3. The Miami Chapter of American Institute of Architects 2009 Honor Awards
 - a) Rilea Group – Developer of the Year
 - b) Javier Betancourt – Urban Design of the Year

V. OUTSIDE COUNSEL REPORT

This item was addressed as agenda item I above.

VI. COMMITTEE(S) UPDATE

- A. Appointment of Executive Director Evaluation Committee
This item was deferred to the January Board meeting.
- B. Program Committee(s)
 - 1. Urban Design, Transportation & Capital Improvement Projects Program Committee
Refer to legislative items B, E, F and G below.
 - 2. Economic Development & Research Program Committee
This item was not addressed.
 - 3. Marketing-Communications Program Committee
Refer to legislative item H below.
 - 4. Service Delivery Program Committee
Assistant City Attorney, Veronica Xiques, informed the Board that the City of Miami Sidewalk Café Ordinance passed on 1st reading; the 2nd reading is scheduled for January 14, 2010.

VII. LEGISLATIVE ITEM(S)

- A. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, approving and authorizing the expenditure of attorney’s fees and costs, in an amount approved by the City Attorney, for the engagement of Robert Glazier, P.A. as outside counsel for the purpose of representing the DDA in proceedings filed by Milan Investment Group, Inc., in the Third District Court of Appeal, Case No.: 3D 09-2955; allocating funds from DDA account titled “Legal fees/ litigation”; and requiring the City Attorney to report to the DDA Board of Directors on a quarterly basis the amount of fees and costs incurred to date.

Hank Klein motioned to approve this item. Jose Goyanes seconded, and the motion passed unanimously by the board members present.

- B. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, with attachment(s) accepting the executive director’s recommendation of Gannett Fleming, Inc. & MERJE as the top ranked team to provide planning, design and construction administration services for a Downtown Miami signage &

wayfinding system in response to the request for proposals (“RFP”) No. 09-04; and further authorizing the executive director to execute an agreement in substantially the attached form with Gannett Fleming, Inc. For said services, in an amount not to exceed one hundred thirty-seven thousand one hundred eighty-five dollars (\$137,185) consisting of seven phases plus nineteen thousand five hundred fifty dollars (\$19,550) in approved reimburseable expenses and for additional services as needed for a total amount not to exceed one hundred fifty-six thousand seven hundred thirty-five dollars (\$156,735), subject to City Attorney approval and budgetary constraints.

Javier Betancourt and Mark Spanioli presented a brief overview of the scope and deliverables. Brief discussion ensued.

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

- C. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, with attachment(s) accepting the executive director’s recommendation of TCBA Watson Rice LLP as the top ranked firm to provide auditing services in response to the Request for proposals (“RFP”) no. 10-01; and further authorizing the executive director to execute an agreement in substantially the attached form with TCBA Watson Rice LLP for said services, in an amount not to exceed twenty-three thousand dollars (\$23,000) for an initial one-year term plus one thousand (\$1,000) in approved reimburseable expenses and additional services as needed with two one-year renewals in an amount not to exceed twenty-nine thousand dollars (\$29,000) per year for a total contract authority of eighty-two thousand dollars (\$82,000), subject to City Attorney approval and budgetary constraints.

Al West motioned to approve this item, Hank Klein seconded, and the motion passed unanimously by the board members present.

- D. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, approving the Miami Downtown Development Authority Annual Report 2009 in accordance with city code section 2-890-892.

Nitin Motwani motioned to approve this item, Jerome Hollo seconded, and the motion passed unanimously by the board members present.

- E. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, authorizing the DDA to prepare and issue a request for proposals (“RFP”) for a Downtown Miami multi-purpose meeting facility needs analysis.

Javier Betancourt presented a brief overview of the intent of the RFP and stated that funding would be provided from collected DRI fees, which can only be used for planning purposes. Brief discussion ensued concerning Miami Beach’s and other municipality’s position on this initiative.

Neisen Kasdin motioned to approve this item, Alan Ojeda seconded, and the motion passed unanimously by the board members present.

- F. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, expressing the DDA’s support of an extension of the Regional Tri-rail commuter rail service into Downtown Miami (“Project”); and further directing the executive director to urge the South Florida Regional Transportation

Authority (“RTA”), Metropolitan Planning Organization (“MPO”), Florida Department of Transportation (“FDOT”) and other key transportation agencies to prioritize the project in their respective work plans.

Neisen Kasdin motioned to approve this item, Alan Ojeda seconded, and the motion passed unanimously by the board members present.

- G. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, urging the State of Florida to enact a two-dollar (\$2) per day car rental surcharge or similar dedicated funding source to be utilized to maintain existing Tri-rail operations.

Neisen Kasdin motioned to approve this item, Danet Linares seconded, and the motion passed unanimously by the board members present.

- H. A resolution of the Board of Directors of the Miami Downtown Development Authority (“DDA”) of the City of Miami, Florida, approving from the FY 2010 budget twenty-five thousand dollars for sponsorship of the 2010 South Florida Super Bowl Celebrity Fishing Classic as reviewed and recommended by the Miami DDA Marketing-communications Program Committee.

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

- I. 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 recently adopted Zoning Code entitled “Miami 21,” and further stating the DDA’s opposition to any delay or postponement of it’s effective date.

This item was withdrawn

VIII. OTHER BUSINESS

With no further business, the meeting was adjourned.