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The Downtown Development Authority **Board of Directors** met on Friday, March 7, 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
Sergio Rok, Secretary (Via Teleconference)
Neisen Kasdin (*State Cabinet Rep.*)
Tony Alonso
Loretta Cockrum
Jose Goyanes
Jerome Hollo
Nitin Motwani
Scott Robins
Oscar Rodriguez
Jay Solowsky

ABSENT:

Com. Audrey M. Edmonson (*County Commission Rep.*)
Jorge Gonzalez
Rodrigo Trujillo

OTHERS PRESENT:

Dana Nottingham
Beatriz Barberio
Davon Barbour
Sandra Hernandez
Cristina Raecke
Madelyne Raybourn
Yami Roa
Mark Spanioli
Dania Vergel
Brian Alonso
Eric Bojnansky

Robert Geitner
H. Bert Gonzalez
Gary Ressler
Tim Schmand
Carolina Terrones
Steve Wright
Teresa Zorrilla
Veronica Xiques
Jennifer Becker
Ana Maria Colmenaro

Chairman Sanchez called the meeting to order at 8:40 a.m.

I. Approval of the Minutes ~ (*February 15, 2008*)

Scott Robins motioned to approve the minutes of February 15, 2008, Nitin Motwani seconded and the item passed unanimously by the board members present.

II. Financial Report ~ *As of February 29, 2008*

Carolina Terrones from BKR Garcia & Co. CPA, presented the Financial Report as of February 29, 2008 and stated that there were no reporting conditions.

Board Treasurer Al West informed the board that Watson Rice had just completed the yearly audit. The Finance Committee is scheduled to meet immediately following today's board meeting to review the draft and prepare for a recommendation to the board at the next meeting.

- III. Committee(s) Update
A. Operational Committees
• DRI Committee

Adam Lukin reported that the committee is working on the following items:

- « Increment II: NOPC for affordable housing. The committee is working with the City administration to place on the City Commission agenda at the earliest date possible.
- « Increment III: Preparing the pre-application to the South Florida Regional Planning Council (SFRPC). The pre-application projects development for the next 10 years.

- B. Program Committees
• Economic Development / Research Program

Davon Barbour reported that the committee is working on the following items:

- « Permitting Process: DDA staff continues to work with DMP and the City Administration on expediting the permitting process for retailers and restaurants.
- « Shutter Program: DDA continues to advance this program. The committee will begin to review grant applications for shutter replacements and façade improvements.
- « Brokers Group: DDA is assembling a meeting with leading office brokers to better understand what the DDA can do to ensure that corporations continue to move into downtown.
- « ICSC: DDA is preparing to attend the conference in Las Vegas being held in May 2008.

Brief discussion ensued concerning the cost of replacing shutters per linear foot. The budget that was set for the program is only \$150,000, which clearly is not enough to do the entire area. However, the implementation and advancement of the program was agreed to and directed by both the committee and the Board.

Jerome Hollo requested staff to prepare a comparison of actual incentives available for enticing corporate business to locate to Downtown Miami and what other major metropolitan cities are providing to do the same thing.

Davon Barbour noted that DDA is in contact with the Beacon Council and the City and understands and uses all the incentives available when talking to companies about locating their offices to Downtown Miami.

Chairman Sanchez stated for the record clarification regarding stories concerning DDA's putting all its "eggs" in the "service basket". That report is very far from the truth. The Chairman made very clear that DDA's goal was and continues to be to ensure that Downtown Miami get the best possible service for all its tenants and visitors as well as remains very focused on the Economic Development side, which goes hand-in-hand. The ills that have been suffered in the past will take time to correct.

Davon Barbour stated that the priorities for economic development are established through the board's committees, not in isolation by staff.

Regarding ICSC, Chairman Sanchez stated that DDA would be attending the conference in Las Vegas. The matter with the conference organizers mandating that a credit card be on file has been resolved.

- Marketing Program

Cristina Raecke reported that the committee had met last Friday, February 29th. The meeting focused on public relations initiatives in which the Apple Organization representatives presented an overview of DDA's action plan as well as protocol concerning public relations and dealing with the media. The Apple Organization representatives will be contacting each board member directly to review said initiatives and protocol in more detail. The committee also discussed and recommended putting a moratorium on the Special Project Funding Request Program for one year.

Regarding Inter-American Development Bank ("IDB"), the board had requested staff to look into how DDA could participate/assist with the event. IDB provided DDA with their sponsorship package options, which ranged from \$250,000 - \$25,000. However, staff asked them to provide other options and they provided a special \$5,000 or \$10,000 package for DDA only. Both provide for attendance to the event, booth space, and gala. The main difference is the branding/positioning of DDA's logo before/during the event. Brief discussion ensued.

Neisen Kasdin motioned to approve a \$10,000 sponsorship for the IDB event, seconded by Jerome Hollo, Nitin Motwani abstained and the motion passed by majority vote of the board members present.

Loretta Cockrum recommended that for future planning, DDA make every attempt to try to find out as early as possible in advance of all events being planned to try to determine which event DDA should get involved with, participate in, and/or contribute to.

Neisen Kasdin stated that a lot of times individual board members are informed through their private businesses and/or contacts about events being planned and/or coming up and therefore should be more proactive about advising DDA to allow as much time as possible to determine if DDA should get involved, participate, and/or contribute to said events. Brief discussion ensued.

Cristina Raecke informed the board that while her last day with DDA is March 14th a transition plan is in place and Yami Roa would be taking over all of her duties until further notice.

Neisen Kasdin stated that as the Marketing Program is being developed with the assistance of the Apple Organization, it is important that the focus not be "self-promoting" but rather a focus of the successes in downtown in general, which are stories not being told and/or reported on.

Nitin Motwani stated that now is the time that DDA should be talking to the Mayors Conference Host Committee to see how DDA can contribute whether it be financially, hands-on involvement, and/or any other way, as the event will be held in June 2008 and thus is just around the corner.

- Service Delivery Program

Mark Spanioli stated that there was nothing new to report at this time.

Jose Goyanes addressed the problem experienced with flooding throughout downtown due to the heavy downpours recently. It appears that the City installed eco-sense grids on the drains to prevent trash from going into the drains, however because they are not being maintained clear of debris, when it rains the water can't get through, therefore having nowhere to go flooded many areas and got into stores/restaurants/properties. Upon inspection of the grids, Mr. Goyanes stated that the blockage at the drains was due to leaves not trash. It is Mr. Goyanes's desire to see these grids removed in the urban areas before water causes property damage. Mrs. Goyanes has already sent an email to the City's Public Works Department in this regard, but has yet to get a reply.

Jose Goyanes motioned to request that the Directors of Solid Waste, Public Works, and Code Enforcement come before the DDA Board at the next meeting to address these

matters, seconded by Nitin Motwani, the motion passed unanimously by the board members present.

Regarding the Pan Handling Ordinance, Chairman Sanchez stated that he had requested that the item be continued for the following reasons:

1. Under City Charter, every ordinance has to have a fiscal impact study included as part of the package and this item did not have that.
2. The Chairman felt that the area was too large and wanted to make sure that the reasons for choosing the area have been researched thoroughly to be able to defend it as it will be challenged.

Assistant City Attorney Veronica Xiques briefly addressed the board concerning the reasons why some of the area initially outlined needed to be cut back, such as the area in front of Bayfront Park and Dade County Court House. Brief discussion ensued.

Neisen Kasdin motioned to proceed with the Panhandling Ordinance with the smaller area as determined by the City Attorney's office, and further accepting Jay Solowsky's offer to serve as pro-bono counsel on this matter, Jose Goyanes seconded, Oscar Rodriguez opposed and the item passed by majority vote of the board members present.

- Urban Design, Transportation & CIP Program

Jerome Hollo reported on the following items:

« Miami 21: The City provided a brief presentation on their plans to go before the City Commission as it relates to DDA's district within Miami 21. The committee recommended that at least two work sessions be scheduled to allow for stakeholder input on the plan.

Tony Alonso stated that DDA should take a position on Miami 21 before it goes to the City Commission for a vote. Brief discussion ensued.

Chairman Sanchez informed the board that the City Commission had voted to address Miami 21 when the entire plan was completed not in quadrants as had been initially thought. The reason being that the City Commission pointed out that the possibility existed that some quadrants passed and others did not. If that occurred the City would end up in chaos with 2 zoning books.

The Board agreed to have DDA schedule a workshop concerning Miami 21.

« Code Enforcement: the committee reviewed examples of 10-15 violations that if strictly enforced would make a significant improvement. However the problem is that once citations are issued the tenant and/or property owner complain to the City and/or Commission and the cycle starts all over again.

The committee discussed developing a list of the 10-15 code violations that the stakeholders and business owners could get educated on and allow them a grace period to fix the violations before citing for violation. Discussion ensued concerning the responsibilities of a property owner and that of its tenant.

Gary Ressler addressed the Board briefly concerning the process that is currently in place to address code violations, which includes a code enforcement officer that is assigned specifically to Downtown Miami. Mr. Ressler stated that via DMP the property owners/tenants have been getting educated on code enforcement violations, process, and procedures.

Chairman Sanchez stated that he would not support a “Gestapo” approach concerning this matter, but would urge/support an educational outreach plan so that the process and procedure is well documented.

Regarding a Board Retreat, Jerome Hollo recommended that if a Board Retreat is to be scheduled that it be scheduled on a Saturday in early May to allow for proper planning of the agency and budget for FY 2008-2009. The board agreed.

DDA Transition Updates

- Severance Committee

Al West reported that the committee had completed its duties and formulated a recommendation for an agreement. That agreement has been turned over to the City Attorney, who has been working with Mr. Nottingham’s attorney to formalize an agreement for board approval.

Assistant City Attorney Veronica Xiques reported that the parties involved had executed a mutual termination release as previously discussed. In short, it provides for a payment of \$181,912 upon Mr. Nottingham’s separation from the DDA, his last day of employment will be Friday, March 14, 2008. The Assistant City Attorney then referenced the important points of the release agreement.

Scott Robins motioned to approve the Mutual Release Agreement as drafted and negotiated by the City Attorney’s office, Al West seconded and the item passed unanimously by the board members present.

Jay Solowsky clarified for the record that Mr. Dana Nottingham is not being “given” anything. There was a contract executed in 2003. That contract contained certain obligations imposed upon the DDA for payment in the event that the contract was terminated for severance and other provisions, which obligated DDA to make certain payments. The aggregate of those payments being made to Mr. Nottingham are all payments being made pursuant to and in compliance with the terms and conditions of the 2003 agreement, which this board has chosen to honor.

- Search Committee

Neisen Kasdin reported that the Search Committee met last week (2/29) and resolved the following:

« RFP for Selection of an Executive Search Firm:

The recommendation is for Miami DDA to issue an RFP for an Executive Search Firm for a permanent executive director. It is a two phase process, Phase I will provide for interviewing key board and community leaders to gain a clear understanding of expectations, strategic review & analysis of DDA goals & structure and the specifics of the position to be filled, Phase II if deemed necessary requires for the selected firm to perform all services related to identifying and hiring an Executive Director for the Miami DDA. Discussion ensued concerning payment to firm if candidate is acquired by means outside of the firm selected.

Al West recommends that all resumes/candidates be processed through the selected firm regardless of how said resume/candidate comes to DDA.

Jose Goyanes motioned to authorize the issuance of the RFP as drafted, Jay Solowsky seconded and the item passed unanimously by the board members present.

« Interim Executive Director:

The Committee interviewed two candidates for the interim position, Alyce M. Robertson and Meredith Nation. The Committee recommends designating Alyce M. Robertson as the Interim Executive Director and to request the City of Miami to loan Meredith Nation as a loaned executive to be Interim Deputy Director. The Committee also authorized Jay Solowsky to

negotiate with Alyce M. Robertson on her compensation package. Furthermore, the County Manager has given clearance for Alyce Robertson to accept this position for period of 6-8 months.

Regarding Meredith Nation, the Chairman reported that he had spoken to the City Manager, who has agreed to loan Ms. Nation for a period of 6-8 months as interim Deputy Director.

Al West stated it was important to continue the work plan that was approved by the board previously so as to not lose momentum while the search for a permanent Executive Director is filled.

Jay Solowsky reported that he had met with Alyce M. Robertson this past week at length. Ms. Robertson has been with the County for 28 ½ years so she is 1½ year short of qualifying for the full pension. The County Manager will need to determine when her initial start date can be, but it was impressed upon her that she be available as soon as possible. Ms. Robertson was requested to provide her direct and indirect benefits received from the County, copy of which was distributed to the board for reference. It is Ms. Robertson's desire that an agreement be worked out with the County so that she does not lose her benefits during this interim basis. It was conveyed to Ms. Robertson that it was the intent of the board that this position was an interim position for a minimum of 6 months and therefore DDA would work with the County to negotiate an agreement that would allow for Ms. Robertson's services at the DDA while maintaining her benefits at the County.

Scott Robins motioned to accept the recommendations of the Search Committee, Tony Alonso seconded and the item passed unanimously by the board members present.

- Transition Committee

Chairman Sanchez reported that the Transition Committee's focus was to ensure that DDA stay focused and continues on the current path, realizing that there will be some modifications to the work plan currently in place.

Regarding the Blue Ribbon Committee, the committee will be convening soon to address recommendations for the findings sighted by the General Auditor.

Chairman Sanchez appointed Jay Solowsky to sit on the Blue Ribbon Committee on behalf of the Board.

Chairman Sanchez acknowledged Dana Nottingham for his dedication and professionalism during his tenure at DDA and wished him success on his endeavors.

IV. Other Business

- Ethics Commission Presentation – *Scheduled for April 18, 2008.*

Sandra Hernandez informed the board that Robert Meyers, from the Ethics Commission, is scheduled for a presentation to the board on April 18, 2008. The presentation is expected to last 45 minutes to 1 hour in addition to the regular agenda duration.

With no further business, the meeting was adjourned.