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The Downtown Development Authority **Board of Directors** met on Friday, January 18, 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  
Neisen Kasdin (*State Cabinet Rep.*)  
Loretta Cockrum  
Jorge Gonzalez  
Jose Goyanes  
Jerome Hollo  
Scott Robins (Via Teleconference)  
Oscar Rodriguez  
Rodrigo Trujillo  
Tony Alonso  
Jay Solowsky

**ABSENT:**

Com. Audrey M. Edmonson (*County Commission Rep.*)  
Nitin Motwani

**OTHERS PRESENT:**

Dana Nottingham	Dania Vergel	Robert Meyers
Beatriz Barberio	Leo Zabezhinsky	Olga Ramirez-Seijas
Davon Barbour	Basil Binns	Gary Ressler
Risha Daniel	Josie Correa	Tim Schmand
Sandra Hernandez	Robert Geitner	Carolina Terrones
Alonso Menendez	H. Bert Gonzalez	Teresa Zorrilla
Cristina Raecke	David Hernandez	Veronica Xiques
Madelyne Raybourn	Catherine Lackner	The Apple Organization Rep.
Yami Roa	Danet Linares	
Mark Spanioli	Pablo Llerena	

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

I. Approval of the Minutes ~ *December 21, 2007*

**Al West motioned to approve the minutes of December 21, 2007, Loretta Cockrum seconded and the item passed unanimously by the board members present.**

II. Financial Report ~ *As of December 31, 2007*

Carolina Terrones from BKR Garcia & Co. CPA, presented the Financial Report as of December 31, 2007 and stated that there were no reporting conditions.

- City Attorney's Update on DDA's Millage (Veronica Xiques)

Assistant City Attorney Veronica Xiques presented an overview of DDA's millage status as it relates to the Department of Revenue's position versus the City Attorney's position concerning the interpretation of Section 200.185 F.S. and the term "unanimous". (*A document outlining four options was distributed for reference*). The four options presented for discussion were:

- 1) Hold a re-vote by the City Commission to come into compliance with DOR's determination
- 2) Maintain status quo
- 3) Seek legislative clarification
- 4) Initiate judicial action, likely a declaratory judgment action

The City Attorney's recommendation is that Miami DDA escrow the funding in question (13.73%) and go with option #2 in conjunction with option #3. Maintaining status quo means the DDA/City will not take any action at the present time. Instead, it will wait for the DOR/Legislature/Governor, etc. to take some action to compel it to act. The City Attorney however takes the position that DDA/City have complied with the requirements of Section 200.185, F.S., as currently drafted. Seeking legislative clarification may result in Section 200.185, F.S. being redrafted to state that the governing board of the municipality may vote on the millage rate to be levied by the independent special district. Discussion ensued.

Chairman Sanchez provided a chronology of how DDA got to be in this predicament, which began in June 2007 with the legislative passing of the property tax reform bill in Tallahassee.

**Neisen Kasdin motioned to 1) escrow the budget funding in question (13.73%) until the matter is resolved, 2) that DDA seek permission for a declaratory judgment action to the extent of the interpretation of the language of Section 200.185 F.S. as it relates only to the term "unanimous", Sergio Rok seconded, and the item passed by a majority vote of the board members present 10-2.**

*Com. Sanchez – No*

*Al West – Yes*

*Sergio Rok – Yes*

*Neisen Kasdin – Yes*

*Loretta Cockrum – No*

*Jorge Gonzalez – Yes*

*Jose Goyanes – Yes*

*Jerome Hollo – Yes*

*Scott Robins – Not present at time of vote*

*Oscar Rodriguez – Yes*

*Rodrigo Trujillo – Yes*

*Tony Alonso – Yes*

*Jay Solowsky – Yes*

Chairman Sanchez acknowledged the City Attorney's office for providing a thorough presentation of the options available to the Miami DDA Board of Directors on this matter and defending their position and recommendation.

### III. Committee(s) Update

#### A. Program Committees

- Economic Development / Research Program

Committee Chairman Neisen Kasdin and Davon Barbour stated that there was nothing significant to report since the last meeting except to highlight the following:

- Shutter Replacement Program: The program will be launched by the end of the month.
- Economic Development / Research Program: The committee will be bringing forth its recommendation for a research consultant to update stats for 2007.

- City Manager Meeting: DDA will be meeting with the City Manager with representation from the Chamber of Commerce to address the committee on the CBD Task Force Committee's solutions for downtown.

- Marketing Program

Committee Chairman Rodrigo Trujillo reported on the following:

- Public Relations Initiatives
  - « Finalizing the contract between the Apple Organization and the Miami DDA
  - « The Marketing and Communications Committee had the opportunity to review and comment on the contract's Scope of Work
  - « Nonetheless, the Apple Organization has already been engaged
  - « A Media Tour is tentatively planned for February 19 – where the Miami DDA will showcase all of its Downtown Miami initiatives
  - « Miami DDA staff is also working with the City of Miami Communications department to ensure consistent Downtown Miami messaging
- Marketing Plan
  - « The original date of Jan 24 (to present to Downtown Stakeholders and the Board) has been postponed due to scheduling conflicts
  - « The Marketing and Communications Committee will be meeting on Jan 30 to discuss the next steps in presenting this plan
- DWNTWNR Newsletter
  - « The Winter 2008 Issue of the DWNTWNR has been distributed and has received very positive responses.
  - « The Spring 2008 Issue is scheduled for April distribution.
- Orange Bowl Fan Fest Highlights
  - « The Orange Bowl Committee will prepare an official report for the Miami DDA.
  - « Initial results include:
    - 12,526 tickets were sold to Fan Fest; 9,030 people actually attended Fan Fest (mainly non-downtown residents and out of state visitors)
    - Downtown and Miami DDA materials handed out at the entrance
    - Orange Bowl plans to move the event to another downtown location next year

Oscar Rodriguez addressed the board with concerns he had with respect to marketing and communications, whom he felt is ultimately responsible for the image and perception of the Authority. Some of his comments included not understanding why it took a forensic audit to outline what he considers mismanagement, why DDA isn't more representative at City Commission meetings when items that effect downtown as a whole are discussed, and not having a marketing budget to properly market the DDA coupled with a lack of support within our own district requires that DDA take a hard look at itself and the need to make some radical changes with the board and staff.

Chairman Sanchez, requested that this be taken up at next month's board meeting, but if the board wanted to bring it up today he would allow it. Various board members commented with respect to the audit, the need to make changes at the staff level, perception, and DDA's relationship with the City, County, and stakeholders.

**Based on the comments, Neisen Kasdin motioned for a special board meeting to review the performance of the Executive Director, Sergio Rok seconded and the motioned passed**

**unanimously by the board members present. The meeting was scheduled for Monday, January 28<sup>th</sup> at 8:30 AM.**

Chairman Sanchez requested that the board be sent a chronology of the Executive Director's evaluations, all his evaluations, and a copy of his service agreement.

In addition, Jorge Gonzalez requested that the Executive Director prepare a self assessment on how he's met with the plan and objectives that were set out for him by this board.

- Services Delivery Program

Mark Spanioli provided a brief update on the following:

- « DET: The DET team is in full effect with 28 personnel
- « Ambassador Program: The program is doing great. The program supervisor was in attendance should anyone have any questions.

- Urban Design, Transportation & CIP Program

Adam Lukin provided a brief update on the following:

- « Master Plan: Meetings with stakeholders are continuing (i.e. New Center Committee, Bayfront Park, etc.)
- « Paul Walker Park: Demolition has begun.

#### IV. Special Presentation

- Ethics Commission (Robert Meyer)

*This item was deferred due to time constraints.*

#### V. Other Business

With no further business, the meeting was adjourned.