



**Wynwood BID Virtual Board of Directors Meeting**

50 NW 24 St, Suite 104 Miami, FL 33127

September 9, 2020 from 11:17 a.m. to 12:45 p.m.

\*\*Meeting Minutes are not verbatim and facilitated via Zoom\*\*

**Board Members in Attendance:**

Albert Garcia, Wynwood BID  
Irving Lerner, Wynwood BID  
Marlo Courtney, Wynwood BID  
Glenn Orgin, Wynwood BID  
Gabriele Braha Izsak, Wynwood BID  
Sven Vogtland, Wynwood BID  
David Charette, Wynwood BID

**Members Absent:**

Jon Paul Perez, Wynwood BID

**Others in Attendance:**

Daniel D. Diaz, City of Miami City Attorney's Office  
Commander Daniel Kerr, City of Miami Police Department  
Bruce Fischman, Mana Wynwood  
Philippe Kalifa, El Patio; Wynwood Restaurant & Bar Association  
Taylor Cavazos, Kivvit PR  
Manny Gonzalez, Wynwood BID  
Aleksander Sanchez, Wynwood BID  
Christopher Hoffman, Wynwood BID

- Wynwood Business Improvement District (BID) Chairman, Albert Garcia, called the meeting to order at 11:17am and provided the following statement:

Pursuant to Executive Order No. 20-139, issued by the Office of Governor Ron DeSantis on June 3, 2020, local governmental bodies may conduct meetings without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes. Procedures for the public comment will be explained by the City Attorney shortly. The members of the Wynwood Business Improvement District Board appearing remotely for this meeting are DAVID CHARETTE, GABRIELE BRAHA IZSAK, GLENN ORGIN, DOCTOR IRVING LERNER, MARLO COURTNEY AND SVEN VOGTLAND. Also appearing remotely are Manny Gonzalez, BID Executive Director, and Daniel Diaz, City Attorney.

- Daniel D. Diaz, Assistant City Attorney for the City of Miami Office of the City Attorney, stated the procedures to be followed during this meeting. They are as follows:

Any person who is a lobbyist pursuant to Chapter 2 Article VI of the City Code, must register with the city clerk and comply with related city requirements for lobbyists before appearing before the BID. A person may not lobby a city official, board member, or staff member until registering. A copy of the code section about lobbyists is available in the City Clerk's office or online on [www.municode.com](http://www.municode.com). • In accordance with Section 2-888 written notice for this virtual meeting was provided to the city clerk at least seven days prior to this virtual meeting. • Since this is a virtual meeting as authorized by the Governor the State of Florida, members of the public wishing to address the body may do so by visiting <https://WynwoodMiami.com/VirtualMeeting> to submit their written comments via the online comment form. Members of the public may also call 786-610-4830 to provide comments via the dedicated Wynwood BID public comment voicemail. All comments submitted will be included as part of the public record for this virtual meeting and will be considered by the BID prior to any action taken. The BID will accommodate any speakers desiring to appear in person, subject to all applicable emergency measures in place to prevent the further spread of COVID-19. Speakers who appear in person will be subject to screening for symptoms of COVID-19. Any persons exhibiting any symptoms of COVID-19 will not be permitted to enter the BID Office. All interested parties are required to abide by all State, County, and local emergency orders and are urged to remain at home and practice social distancing. If the proposition is being continued or rescheduled, the opportunity to be heard may be at such later date, before the BID takes action on such proposition. • When addressing the BID, the member of the public must first state his or her name, his or her address, and what item will be spoken about. • When the BID takes action or votes on any proposition before it, it shall do so by a roll call vote which shall be recorded by the Executive Director and included in the record. • Please silence all cell phones and other noise-making devices. • Any person with a disability requiring assistance, auxiliary aids, and services for this meeting may notify the City Clerk and BID Executive Director. • Please note BID Board Members have generally been briefed by BID staff and/or the city attorney on items on the agenda today. Access and Public Comment Accommodations Access to the Meeting the BID is using Zoom to hold its September 9, 2020 Virtual meeting. Zoom is a cloud platform for video and audio conferencing, collaboration, chat, and webinars across mobile devices,

desktops, telephones, and room systems. In order to ensure that the public has the ability to view the meeting, the BID will broadcast the meeting and the meeting can be viewed live on Miami TV (miamigov.com/tv), through the BID's Facebook page facebook.com/WynwoodMiami, and on Comcast channel 77 (City of Miami). The broadcast will also have closed captioning. Additionally, the BID has not selected a virtual platform that requires the public to purchase or download any additional software or equipment to watch this meeting. Aside from the Zoom platform and that the participants will be appearing remotely; the public will have no discernible difference in their ability to watch the meeting. Public Comment the BID has developed several new methods of ensuring public comment for a virtual meeting. It has established two (2) new options. 1. The first new option allows the public to provide public comments via the dedicated BID public comment voicemail by calling 786-610-4830 where the individuals will be able to leave a two (2) minute message that will be played during the virtual BID meeting. 2. The second new option allows the public to submit comments via the BID's online comment form. The comments submitted through the comment form have been distributed to the Board members and BID staff throughout the day so that the BID Board members can consider the comments prior to taking any action. Additionally, the online comment form will remain open during the meeting to accept comments and distribute to the BID Board members up until the Chairman closes public comment. For all of the aforementioned options, all the comments received will be included in the public record of the meeting. For these two (2) new options, the BID also created a simple set of instructions explaining how the public may submit their comments with either option. Those instructions were provided in the notice to the public and published online at <https://WynwoodMiami.com/VirtualMeeting> Additionally, like any other BID meeting, the public may provide public comment at the BID's office. The BID set up a terminal in the event members of the public travel to the BID office to provide public comment. However, due to COVID-19, all speakers desiring to appear in person will be subject to all applicable emergency measures in place to prevent the further spread of COVID-19. Speakers who appear in person will be subject to screening for symptoms of COVID-19. Any persons exhibiting any symptoms of COVID-19 will not be permitted to enter the BID Office but will be able to participate through the remote options described above. These three (3) public comment options established and provided for the Virtual BID meeting comply with Section 286.0114, and Section 120.54, Florida Statutes ("F.S."). The BID has published an agenda, as well as included in the Notice to the Public pursuant to our City Code and the items and topics that will be discussed at the Virtual BID Meeting. Additionally, the public has been given the opportunity to provide public comment during the meeting (the terminal at BID office and the online public comment form) and within reasonable proximity in time before the meeting (and during) via the public comment voicemail, and online public comment form. Moreover, Section 286.0114(4)(c), F.S., specifically authorizes the BID to "[p]rescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition . . . ." The BID through its three (3) public comment options has provided three (3) different procedures and forms to indicate, among other things, his or her support, opposition, and neutrality on the items and topics to be discussed at the virtual BID meeting. The BID provided information on how to submit its comments in the Notice to the Public, on a dedicated webpage, and via its social media channels.

- It was noted that BID Chairman, Albert Garcia, agreed to all the notice provisions set forth and these uniform rules of procedures established for this Virtual meeting.
- As per Manny Gonzalez, only the August 27 meeting minutes was provided to the BID board as the August 12 meeting minutes was received from staff too late to properly disseminate prior to today's meeting.

**PUBLIC COMMENTS:**

- Albert Garcia opened the public comments portion for the BID Board of Director's meeting via in person visit to the BID office at 50 NW 24 St, Suite 104 Miami, FL 33127.
- As per Aleksander Sanchez, it was noted that there were no people present at the BID office who wished to provide public comment during the beginning portion of the Board of Director's meeting.
- It was noted that there were no comments from the public submitted via the BID's online comment form.
- It was also noted that there were no public comments submitted meeting via the dedicated BID public comment voicemail.
- Bruce Fischman, principal advisor to Moishe Mana, expressed that Mana is in favor of the proposed changes to noise ordinance within the NRD-1.
- Philippe Kalifa, owner of El Patio, expressed that the Wynwood Restaurant & Bar Association is in favor of the proposed changes to noise ordinance within the NRD-1.

**EXECUTIVE DIRECTOR REPORT:**

- Manny Gonzalez provided an update on the various initiatives currently in progress by the Wynwood Business Improvement District (BID) as of September 8, 2020.
- It was noted that the FY 2020-2021 Wynwood BID operational budget is scheduled for review by the City of Miami Commission on September 10, 2020.
- Manny Gonzalez provided a copy of IKE letter submitted to the BID that shall serve to memorialize the agreements discussed on the previous board meeting.
- Provisions within the letter include the following:
  - Prohibition of advertisements for casinos or gambling institutions, or any destination marketing organizations
  - IKE will use good faith efforts to contact the owners immediately adjacent to the proposed kiosk installation sites and seek feedback prior to installation.
- It was noted that the Florida International University (FIU) Chaplin School of Hospitality & Tourism Management and FIU Online, along with the City of Miami and the Miami

Downtown Development Authority (DDA) are hosting three, live courses for restaurant owners and operators to learn to reduce and prevent the spread of COVID-19 with a new restaurant safety and compliance course called “COVID-19 Restaurant Safety and Compliance”.

- Manny Gonzalez provided an updated summary of the Wynwood BID *Public Benefit Trust Fund*.
- It was noted that The Wynwood BID *Public Benefit Trust Fund* has accumulated approximately \$3,800,000 as of August 26, 2020.
- It was noted that the Wynwood BID has been communicating with the City of Miami Finance Department to transfer the restricted funds housed within the City to an interest generating account within Bank OZK.
- Manny Gonzalez provided an update on the Wynwood wayfinding initiative.
- It was noted that John Bosio from Merje Design will coordinate and host three Zoom workshops into the following categories:
  - Destination Oriented Group: Wynwood Walls, Big Bus, Free Bee and any other recommendations
  - Parking/Development Group: Any owners of parking facilities and/or planned development/parking facilities
  - Interested Parties Group: Wynwood BID, MPA, Collin Worth and any other recommendations update
- Manny Gonzalez provided a summary of Wynwood restaurant establishments participating in the City of Miami *Restaurant Recovery Program*.
- It was noted that the BID has rented \$1,140 worth of water barricades for the participating restaurant and anticipate an allocation of \$24,000 by the end of the program on January 31, 2020.
- Currently, the BID is renting 101 water barricades and will rent additional barricades pending the approval of four more applicants to the program.
- Manny Gonzalez provided a summary of the *City of Miami Recovery Report* released on September 3, 2020.
- As per the report, trend lines for daily parking revenue continue to indicate improvement since economic reopening on May 20, 2020 with Wynwood continuing to attract the second highest revenue amount of any neighborhood within the City.
- It was noted there has been a decrease of Covid-19 test performed in Miami- Dade county over the last two weeks and there has been a decrease of positive cases over the past two weeks.

- It was noted that the Wynwood BID office has moved to 50 NW 24 St, Suite 104, as of September 1, 2020.
- It was noted that Miami-Dade County will be hosting a virtual ethics workshop on October 19<sup>th</sup> and will require all Board member to attend if they have not already done so.

### **SECURITY UPDATE:**

- City of Miami Police Commander Daniel Kerr provided an August 2020 security update to the Wynwood BID Board of Directors.
- It was noted that protesters peacefully marched in Wynwood on September 7<sup>th</sup>, Commemorating 100 days since George Floyd's death.
- It was noted that the Wynwood NET Beat Officers have returned to their regular staffing positions.
- Commander Dan Kerr noted an increase in pedestrian activity in Wynwood over the weekend.
- It was noted that the Wynwood Net police continue to enforce the 10pm curfew and cite people for mask violations.
- It was noted that a couple of businesses in Wynwood have been fined for violation of the Covid-19 operational guidelines.
- As per Commander Kerr, the Wynwood NET police are preparing resources for Halloween as if it were normal due uncertainty on what the conditions will be.

### **MARKETING & ECONOMIC DEVELOPMENT UPDATE:**

- Albert Garcia provided an update on Wynwood BID advocacy efforts for the proposed NE 27 St commuter rail station.
- It was noted that the Wynwood BID partnered with New Tropic to host an informational webinar on September 2<sup>nd</sup> to discuss the long-lasting benefits of commuter rail in Miami with impacts to our economy, infrastructure, and environment.
- It was noted that the panel event received over 350 RSVPs, with over 180 tuning in to the Zoom discussion.
- New renderings by Miami based landscape architectural firm Naturalfiction of the proposed NE 27 St commuter rail station were also released to a positive reception from the public and to county officials.

- Albert Garcia announced the formation of the *Northeast Corridor Coalition* consisting of over 35 community organizations to advocate for commuter rail along the FEC Railway/Brightline corridor
- Led by the Wynwood Business Improvement District (BID), the *Northeast Corridor Coalition* includes some of Miami-Dade's most prominent business, education and cultural organizations including Florida International University (FIU), Miami-Dade College and the Adrienne Arsht Center for the Performing Arts.
- The Wynwood BID anticipates the item will be review by the Miami-Dade County Commission in coming weeks.
- It was noted that Chris Hoffman was promoted to Marketing Manager.
- As per the Marketing Manager Report, it was noted that the BID continues to send email memos to keep the community apprised of all policy changes related to COVID-19 and has sent 30 memos thus far. Each memo was also posted on WynwoodMiami.com.
- It was noted that social media audience continues to grow with a total audience of more than 196,000. August social media posts received over 21,000 engagements combined.
- It was noted that Wynwood was named a 2020 TripAdvisor Travelers' Choice Winner.
- Taylor Cavazos provided a recap of public relations initiatives that Kivvit has managed for the Wynwood BID for August amid the Covid-19 pandemic.
- It was noted that Kivvit assisted in promoting the City of Miami *Restaurant Recovery Program* updates and underscored the Wynwood BIDs commuter rail advocacy efforts.
- Marlo Courtney noted that Brightline and Miami-Dade County officials held a groundbreaking ceremony on September 3<sup>rd</sup> for the new Brightline station in Aventura and is slated for completion in fall 2021.

**CAPITAL & REGULATORY AFFAIRS UPDATE:**

- Albert Garcia provided an update on the Neighborhood Revitalization District-1 (NRD-1) amendments and associated *Wynwood Streetscape & Street Tree Masterplan*.
- The BID anticipates the item will be heard by the Planning, Zoning & Appeals Board (PZAB) on September 17<sup>th</sup>.
- Albert Garcia provided an overview the proposed sidewalk & street vendors legislation amending Chapter 39, Article II of the City Code of Ordinances.
- It was noted that the proposal was previously endorsed by Wynwood BID Board of Directors in 2019.

- It was noted that the legislation expected to be heard by the City of Miami Commission on September 24.
- Sidewalk & street vendor NRD-1 legislation propose the following:
  - Deleting requirements and definitions related to the obsolete special vending districts
  - Providing for prohibitions against vending within the Wynwood BID / NRD-1
  - Handmade art and crafts; and plants and flowers are the sole exception and remains allowed
  - No licensee shall operate or hold an occupational license for more than one pushcart in the NRD-1
  - All vending locations shall be spaced a distance of not less than 50 feet from any other vending location
  - All goods for sale must be stored within the structure of the pushcart
  - It shall be unlawful for any vendor to use any noise-making device to solicit customers
  - Vending is prohibited between the hours of 7pm to 7am and pushcarts shall not be located in the district during these hours
  - Open flame cooking shall not be permitted
- The NRD-1 Noise Ordinance pilot program proposed by the Wynwood BID and endorsed by the community stakeholders are as follows:
  - Music may not be played between the hours of 3:00am and 9:00am (Current City ordinance is 11:00pm to 7:00am)
  - Max 85 dB(A) at a distance of 25 feet from the property line
  - Max 70 dB(C) when measured from within a closed structure
  - Max 65 dB(A) when measured from within a closed structure
  - City Commission can amend regulations for special occasions via resolution
  - The pilot program noise standards shall sunset on December 31, 2021 and may be extended by the City of Miami Commission
  - The pilot program shall only apply within NRD-1 boundaries
- It was noted that the Wynwood BID will cover the expenses associated with procuring sound level testing equipment for Code Compliance
- It was noted that Special Event Permits can only overrule the proposed pilot program conditions via approval by the City of Miami Commission.
- It was noted that the Wynwood BID will continue to submit requests to the City Commission for the alcohol and noise extension of hours from 3:00 am to 5:00 am during Art Week, New Years and other notable events.
- It was noted that the City Manager will have the discretionary ability to lower the threshold by up to 5 decibels during the pilot program with the consent of the Wynwood BID board.
- As per feedback from Wynwood residents, the noise ordinance draft will modify the hours of when music may not be played from 3:00am-7:00am to 3:00am-9:00am.



- **Noise Ordinance Proposal on file.**
- **See Motion #2**

**NEW BUSINESS:**

**Action Item:**

- Marlo Courtney requested an overview of the City Commission hearing dates for the upcoming BID sponsored ordinance amendments be disseminated to the BID board members to ensure participation from its members.
- It was noted that the BID Board of Directors expressed a desire for female representation in the BID board and encouraged participation from qualifying BID members.
- **Meeting adjourned at 12:45pm**

**MEETING MOTION SUMMARY:**

**MOTION #1: August 27, 2020 Board of Director's Meeting Minutes:**

- Upon a properly made and seconded motion, it was unanimously resolved to approve the August 27, 2020 Wynwood BID Board of Directors meeting minutes.

Marlo Courtney provided first motion; David Charette seconded  
Motion Passed Unanimously

**MOTION #2: Wynwood BID NRD-1 Noise Ordinance Pilot Program**

- Upon a properly made and seconded motion, it was unanimously resolved to approve the revised draft of the Wynwood BID NRD-1 Noise Ordinance Pilot Program.

Albert Garcia provided first motion; Irving Lerner seconded  
Motion Passed Unanimously