



Wynwood BID Board of Directors Meeting

Wynwood BID Office

May 17, 2017 at 11:30 a.m. – 1:30 p.m.

310 NW 26 St #1 Miami, FL 33127

** Meeting Minutes are not verbatim **

Board Members in Attendance:

Joseph Furst, BID Board Chairman

Albert Garcia, Wynwood BID

David Polinsky, Wynwood BID

Irving Lerner, Wynwood BID

Dylan Finger, Wynwood BID

Jonathan Yormak, Wynwood BID VIA PHONE

David Lombardi, Wynwood BID

Members Absent:

Others in Attendance:

Manny Gonzalez, Wynwood BID

Gabriela Maury, Wynwood BID

J "Gigi" Soliman, City of Miami Attorney Office

Kelly Penton, Kivvit PR Agency

Marlo Courtney, Goldman Properties

Mitch Balan, EC Supplies

Ryan Gozi, Suviche

Eli Mitrani

Kim Murdock, Fireman Derek's Bake Shop

Vincent Pastone

Bruce Cannella, BASE

Robert Hoffman, Goldman Properties

Ingrid Marte, Goldman Properties

Maria Elena Sanchez, Appartment

Robin Alonso, CREC

Dave Colonna, FPL

Ian Bacheiko, Akerman

Brian Diaz

Fabio L, Block Capital Group

Gaston Miculitzki, BM2

David Estrada, Shots Bar

Lequita Minefee, Shots Bar

- Chairman, Joe Furst called the Wynwood Business Improvement District Board of Director's meeting to order at 11:30 a.m.

NMA County Update:

- Albert Garcia provided an overview of the "North Miami Avenue" water and sewer improvements that are currently being conducted by Miami Dade County.
- As per Albert Garcia, the Wynwood Business Improvement District was informed by Miami Dade County that the project would be finalized on or before February 18th, 2018.
- It was noted that a community meeting would be scheduled in the coming weeks in order to have the North Miami contractor provide a briefing to the public and answer any questions relating to the project.

Graffiti Abatement Pilot Program:

- Manny Gonzalez provided an overview of the graffiti abatement project that the Wynwood BID was trying to implement in order to combat accumulating trash and unwanted graffiti in construction sites found within the District boundaries.
- A legal memorandum provided by the City Attorney's office dated May 15, 2017 stated that the current agreement parameters detailed within the proposal are not allowed under within the City of Miami.
- It was recommended that the City Outdoor work with the City of Miami Attorney's Office in an effort to find a compromise with the proposed pilot program and follow up with the BID.
- **(Graffiti Abatement Proposal on File)**

Code Enforcement:

- Joseph Furst stated that the Wynwood Business Improvement District office needs to reach out to the Code Enforcement Department in an effort to improve the services we are receiving from their department within the area.
- Manny Gonzalez stated that he would schedule a meeting with the director of Code Enforcement in the coming weeks to gain a better understanding of the services they provide the District.

Preliminary Budget Planning:

- As per Albert Garcia the Wynwood Business Improvement District Finance Committee FY'18 budget planning process prior to submittal to the City of Miami.

Security Update:

- David Lombardi, provided a brief Wynwood security update in light of City of Miami Police Commander Guerra's emergency absence.
- Albert Garcia provided the Board of Director's an update on the proposed lighting improvements by FPL that will increase wattage from 300W to 400W and should help with crime prevention along the corridors addressed.

Finance Update:

- Jonathan Yormak, Wynwood provided the Board of Director's an update on the consolidated statement of activities as of April 30, 2017.
- It was noted that the City Attorney's Office confirmed that the local Charter Schools in the area will be removed from the BID assessment database due to Section 1002.33 (18) (d) Florida Statutes, that specifically exempts Charter Schools from any local, municipal and State assessments.
- Collections of BID Assessments will reduce the assessment income by \$21,000 annually, as per the City Attorney's legal unfavorable opinion relating to Charter Schools.

Marketing Committee Update:

- Albert Garcia stated that the "public right of way" street banners and trash receptacle logos were recently replaced by the Wynwood BID.
- Albert Garcia presented a preview of the landing page associated with the new Wynwood website was currently in the final stages before being released to BID members for testing.

Planning and Zoning Committee Update:

- As per David Polinsky, Wynwood BID has been added to the 2017 American Planning Association Achievement Award alongside PlusUrbria, Akerman LLP and City of Miami for the Wynwood NRD.
- As per David Polinsky, the properties located at 2153 NW 2nd Ave and 2724 NW 2nd Ave need to be reported as unsafe structures to the City of Miami Building Department.

Mana SAP: David Polinsky, Wynwood BID

- Bernard Zyscovich, presented an overview of the proposed FPL high voltage line removal to the Wynwood BID Board of Directors.

- Reference motion #2

Alcohol Update: Adrian Carrillo, City of Miami Zoning Dept.

- It was noted that the City of Miami alcohol licensing update 1st hearing at City Commission was pushed back to June 8th.
- Adrian Carrillo, proposed that Wynwood Business Improvement District should consider to be part of special district because it allows micro-breweries, in addition the hours of operations are not as restricted.
- The City of Miami Zoning department recommends going back to specialty district with rules that they want and matching NRD boundaries.

3rd Avenue Wynerf RFQ: David Polinsky, Wynwood BID

- As per David Snow, the Request for Qualifications (RFQ) should be ready by Friday May 19th, 2017 and will need to be approved by the Legal Department of the City of Miami before dissemination to the public.
- It was recommended by David Polinsky that an arborist be hired by the Wynwood Business Improvement District in order for them to assist the City of Miami with the Wynwood tree plan that is currently outstanding.

Off-Site Parking Discussion: David Polinsky, Wynwood BID

- David Polinsky recommended that the proposed offsite parking initiative be addressed by the Planning and Zoning Committee.

Meeting Adjourned: 1:30 PM

MEETING MOTION SUMMARY:

MOTION #1: APRIL 19, 2017 MEETING MINUTES

- Upon a properly made and seconded motion it was unanimously resolved to approve the April 19, 2017 Wynwood BID Board of Director's meeting minutes.

Motion passed unanimously

MEETING MOTION SUMMARY:

MOTION #2: MANA FPL BURIAL

- Upon a properly made and seconded motion it was resolved to approve the following resolution, with all references of CPI removed, as per resolution request:
- A RESOLUTION OF THE WYNWOOD BUSINESS IMPROVEMENT DISTRICT BOARD, A MUNICIPAL BOARD OF THE CITY OF MIAMI, WITH ATTACHMENT(S), REQUESTING THAT THE CITY OF MIAMI (“CITY”) ADMINISTRATION AMEND THE PROPOSED DEVELOPMENT AGREEMENT BETWEEN MANA WYNWOOD AND THE CITY TO INCLUDE THE REMOVAL OF ALL POLES ALONG NW 25TH STREET AS PART OF THE FLORIDA POWER & LIGHT (“FPL”) POWER LINE WORK, AND TO INDEX THE PUBLIC BENEFITS CONTRIBUTION, AS OF THE AGREEMENT EFFECTIVE DATE, ~~TO THE CONSUMER PRICE INDEX (“CPI”)~~; IN THE ALTERNATIVE, REQUESTING THAT THE CITY COMMISSION RECONSIDER THE APPROVAL OF BOTH THE MANA WYNWOOD SPECIAL AREA PLAN AND DEVELOPMENT AGREEMENT TO INCLUDE THE REMOVAL OF ALL POLES ALONG NW 25TH STREET AS PART OF THE FPL POWER LINE WORK, AND TO INDEX THE PUBLIC BENEFITS CONTRIBUTION, AS OF THE AGREEMENT EFFECTIVE DATE, ~~TO THE CPI.~~

WHEREAS, on September 8, 2016, the Miami City Commission (“City Commission”) enacted Ordinances Nos. 13631 and 13632, approving the Mana Wynwood Special Area Plan and Development Agreement (“Agreement”) between Mana Wynwood and the City of Miami (“City”) respectively; and

WHEREAS, approval of the Agreement was conditioned upon its amendment to require that the Developer, as defined in the Agreement, bury certain Florida Power & Light (“FPL”) lines (“FPL Power Line Work”), or, if the FPL Power Line Work is not substantially completed within five (5) years from the effective date of the Agreement, the Developer is required tender a direct public benefits contribution to the Wynwood Public Benefits Trust Fund in the amount of \$7,200,000.00 (“Public Benefits Contribution”); and

WHEREAS, the Wynwood Business Improvement District Board (“WBID Board”) has reviewed the proposed Agreement and believes that it does not accurately reflect what was voted upon by the City Commission; and

WHEREAS, the WBID Board believes that the proposed Agreement does not accurately reflect the obligation of the Developer with respect to FPL Power Line Work, specifically, its obligation to remove all poles along NW 25th Street; and

WHEREAS, the WBID Board further believes that the proposed Agreement does not index the Public Benefits Contribution, as of the Agreement effective date, to the Consumer Price Index (“CPI”, as agreed to by the City Commission; and

WHEREAS, failure of the Developer to fully complete the Power Line Work, including the removal of all poles along NW 25th Street, within the provided five (5) year period, will result in almost no benefit, if any, to the Wynwood neighborhood, outside of the Developer property, identified in Exhibit “A” to the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE WYNWOOD BUSINESS IMPROVEMENT DISTRICT:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference as if fully set forth in this Section.

Section 2. The WBID Board requests that the City Administration amend the proposed Agreement to include the removal of all poles along NW 25th Street as part of the FPL Power Line Work, and to index the Public Benefits Contribution, as of the Agreement effective date, to the CPI.

Section 3. In the alternative, the WBID Board requests that the City Commission reconsider the approval of both the Mana Wynwood Special Area Plan and Agreement to include the removal of all poles along NW 25th Street as part of the FPL Power Line Work, and to index the Public Benefits Contribution, as of the Agreement effective date, to the CPI.

Section 4. This Resolution shall become effective immediately upon its adoption.

Motion Passed

“Yes” votes – David Polinsky, Irving Lerner, Albert Garcia

“No” votes – David Lombardi

“Recused vote” – Dylan Finger