

Minutes of BHA Board of Directors Meeting September 17, 2008, Neo Vertika

Directors/Alternates Present

Tory Jacobs/Brickell 25
Claudia Bruce/Bristol Tower
Ernesto Cuesta/The Metropolitan
Darryle Lipsky/Neo Vertika
Blanche Back/Brickell Biscayne
Maitte Netsch/The Imperial
Pat Morgan/Brickell Harbour
Jorge Iglesias/Brickell Mar
Bruce Higley/2000 Brickell
Michael Harned/Santa Maria

Ron Smith/Deputy General Counsel
Natalie Brown, Communications Director

State of Florida

Senator Gwen Margolis/Florida Senate
Representative Luis Garcia, Chief of Staff Matthew Monica/Florida House of Representatives
Representative Julio Robaina/Florida House of Representatives

City of Miami

Bert Gonzalez/Office of Commissioner Marc Sarnoff
Commander Lorenzo Whitehead, Officer Jeff Giordano/Miami Police
Liza Walton/Coral Way NET

Also Present

Alex Talavera, Bill Fitch/Brickell on the River North
Maritza Gonzalez/Brickell on the River
Victor Matos/Santa Maria
Joy Feisst & Mr. Feisst/Brickell View
Linda Baker/Lattitude
Herb Santiago/A&P Management
Robert Geitner/Downtown Miami Partnership
Fabiana Souza/V&E Restaurant Group-Segarfredo
Jorge Valls, Chris Cedeño, Michelle Greenberg/Neo Vertika
Guy Meeker/905 Brickell Bay Drive
Paul Cicurel/Bristol Tower
Josie Gulliksen, Communications Asst.
Jan Jones

Meeting called to order 6:25 p.m.

Blanche Back moved and Jan Jones seconded waiving the reading of the April board meeting minutes and that they be accepted as published. The motion passed unanimously.

Commissioner Mark Sarnoff's office

Bert Gonzalez reporting on behalf of Commissioner Sarnoff:

- Looking for Park Space for Brickell Ave...one of the top issues for this area.
- Working with FDOT on street issues.

- Working to revamp Simpson Park...there will be a new entrance.

NET Administration

Liza Walton reported for her Coral Way district as well as for Eddie Padilla's Downtown NET.

- AT&T updating connectivity for the area.... More DSL cabinets will be coming. Notifying owners that they are coming.
- PMs should be working with private haulers to be sure that they're coming often enough and that the dumpsters are big enough so there isn't overflow.
- Announcement: Vintage Clothes Sales – to benefit Coconut Grove Cares – in MBV – Sept. 26
- Voter Registration deadline Oct. 6; Early voting to begin shortly thereafter
- Recycle Day – Sat., Sept. 27 – for items that are toxic and require special disposal

Voter Registration Drive with Downtown Miami Partnership

- 4:30-7:00, Wed., Sept. 24, 2008 – to strengthen District 2 voting block
- 15 buildings set up with volunteers for registrations and address changes
- Volunteers needed to help man the tables at each building

Police Report

Commander Lorenzo Whitehead reporting on issues on Brickell:

- Car break-ins, robberies
- Crimes of opportunity
- If there are issues in our area, the Commander invited all to call him personally at 305-216-1116, his cell
- “We have a lovely area, unfortunately it draws criminals. I deal with perception...if you see the police, you feel safe.”

Rep. Luis Garcia

Rep. Garcia said to contact him or Mathew Monica if people need his assistance with anything. In the past year dredging of the Miami River, and legislation maintaining the historic Brickell name to the south side of Miami River only were two major accomplishments of interest to BHA.

Senator Gwen Margolis

As an elected official for 34 years, her Senate area for the past 8 years has encompassed Hollywood to Deering Bay – generally on the east side – some 30 cities along the coast. “I am delighted to have represented you for 34 years.”

“This year we had to cut the budget \$8 million. Constitutionally, you have to be balanced. Florida relies on sales tax for revenue. During tough times, nobody is purchasing, including big ticket items. That negatively impacts sales tax revenues, thus the cuts were needed.”

Property Appraiser – this is the first time this position is to be elected in Miami-Dade County, for which Senator Margolis is running.

Julio Robaina, State Rep for 6 years; 2 more years, District 117

“My district is US 1 to the Bay, and I tell everyone I have every condo in the state of Florida. We all have our niches. I basically have centered and focused on condo issues...what's it's all about to live in a condo association.”

Major reform was passed last year; in effect Oct. 1 Rep. Robaina chairs a committee on condo governance...had hearings all over Florida

“We invited people living in condos to come tell us what is ailing them, what needs fixing. So not a single thing in this legislation is my idea. We found out condos all over the state are doing a good job. But, we had to look at the things that were brought up.”

“When there’s a problem with foreclosures in a condo associations, there becomes a shortfall to the condo’s budget. The rest of the unit owners are responsible for making up the shortfalls. Then they want to go after the board. This is a problem that nearly every association is dealing with in Florida. The money must come from somewhere.”

HB 995 – The Condo Act – Highlights:

- Needed the ability to pull the license from bad CAMs.
- Getting access to condo records...must be provided by certified mail. If the docs aren’t turned over then you fill out a one-page form. The board is notified that they have 5 days to turn them over...now there’s threat of sopeona power.
- Records must be kept in a 45-mile radius of the property.
- Disclosure – a summary of reserves – now required
- Says that associations can’t waive financial audits for more than 3 years.
- Provides ability for residents to put items on agenda.
- Requires notices of meetings at which assessments will be considered. Nature, the cost and scope of the assessments.
- Staggered terms can only be 2 years.
- Condos of 10 units or more must hold elections
- Now you need a property manager or CAM if you have a new minimum # of units....
- Ombudsman office will have more power
- DBPR – Condo and Land Sales Division-- 9 arrests already; 5-6 were in Miami-Dade County
- “The majority of people who serve on condo boards do this work and need to be thanked. They have a fiduciary responsibility, handle a lot of money and are not getting paid to do it.”

Brickell Park Recommendations for The Related Group

The BHA Ad Hoc committee met two times with The Related Group...the meetings continue. Main concerns were that the park be passive and not look like part of the Icon and off-limits to the general public. The Related Group has been receptive. The Park is expected to re-open in the new year.

President’s Report

Miami 21 new zoning law. There is a provision that says non-conforming multifamily housing that is damaged by an act of God has to go thru a great deal of effort seeking approvals to rebuild when more than 50% is damaged. Single family homes and duplexes don’t have to go thru this extensive approval process. Single family owners screamed and hollered and got the city to change it. BHA is pursuing equity as this provision reflects the City of Miami’s bias toward single-family owners over multi-family.

Brickell Avenue Inn. Q. What’s happening with it, and the blue color and the renovation plans? A. They had a major leak and damage, and are rebuilding. BHA has been trying to get the owners to change the color. Scheduled to reopened by the end of the year.

1900 Brickell Avenue – Property has been leased to new plastic surgeon. We are getting a landscaping plan and a contract for our approval from the new tenant’s attorney because continuation of the special exception must be approved by the City Commission.

Next meeting tentatively scheduled for Nov. 19.