

**MINUTES OF MEETING
MIDTOWN MIAMI
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Midtown Miami Community Development District held a Regular Meeting on February 12, 2019 at 3:00 p.m., at the offices of the CDD, Shops at Midtown Miami, 3401 N. Miami Avenue, 2nd floor parking garage, Suite 132, Miami, Florida 33127.

Present and constituting a quorum were:

Joseph Padula	Chair
Alberto Vadia	Vice Chair
Angelo Masarin	Assistant Secretary
Alex Miranda	Assistant Secretary
Michelle Jorge	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Ginger Wald	District Counsel
Deborah Samuel	Operations Manager

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 3:02 p.m. Supervisors Vadia, Padula, Masarin and Miranda were present, in person. Supervisor Jorge was not present at roll call.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Elected Supervisor, Alex Miranda, [SEAT 3]

Ms. Jorge arrived at the meeting.

Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Alex Miranda. She provided the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**

C. Financial Disclosure Forms

- i. **Form 1: Statement of Financial Interests**
- ii. **Form 1X: Amendment to Form 1, Statement of Financial Interests**
- iii. **Form 1F: Final Statement of Financial Interests**

D. Form 8B – Memorandum of Voting Conflict

FOURTH ORDER OF BUSINESS

Discussion: Park Project

Ms. Samuel provided the following update:

- In applying for the permits, the City requested a survey and an arborist and Staff fulfilled those requirements.
- While awaiting the permits, Ms. Samuel conferred with District Staff regarding engaging a contractor to complete the labor items and then, through the CDD, purchase park equipment, turf, lighting fixtures etc., directly, without the markup.
- The permits were expected to be issued in mid-March.
- A reasonably-priced contractor is being appointed to perform the demolition, move the brittle statues and handle the irrigation, fencing, electrical and turf installation.
- The data and scope of work was forwarded to District Counsel to prepare the contract.
- Equipment for the Children’s Park is currently being priced with two vendors that are ADA-compliant and that the City recognizes.
- All necessary landscaping work would be incorporated as part of the regular landscaping, instead of as part of the park project.
- Approval of the first part of the contract was requested; cost estimates for the equipment, chairs, tables, turf and lighting fixtures would be presented at the next meeting.

Ms. Wald recapped that the Board previously authorized Ms. Samuel to find a contractor for the park project and for the District to make direct purchases of the goods and commodities and complete the project in phases. The agreement is currently in draft form and would be forwarded to Ales Group Inc. for review. The agreement is slightly more intense than previous small project agreements because the project is only slightly below \$300,000, which is the statutory threshold that would require going out to bid, through the Request for Proposals (RFPs) process. Although the agreement is still being finalized, Ms. Wald recommended

approval, based on the information provided as to the scope of services that will be performed, in a not to exceed amount of \$300,000.

On MOTION by Mr. Padula and seconded by Mr. Masarin, with all in favor, the Construction Services Agreement with Ales Group Inc., for the scope of work, in a not to exceed amount of \$300,000, was approved.

Ms. Cerbone stated, as completion of the construction approaches and the District commences purchasing equipment, certain rules must be in place, prior to re-opening the area to the public. The rules must be reviewed at a Board Meeting and a public hearing must be held. She would forward a copy of the agreement to the insurance carrier, when the project is ready to commence, and then present the following insurance-related items for consideration:

- Required increases, once the park is completed, for general liability.
- Once items are placed in the park, there will be an increase in property coverage.
- Whether the CDD should split out any hard fixtures, such as lighting poles, benches, flower pots, etc., from the garage coverage and have it broken out into separate coverage.

Discussion ensued regarding insurance claims, establishing new thresholds on insurance related to the park, community demographics, the garage and the budget. Ms. Samuel stated that, later, she would discuss with Staff one Capital Improvements project with “to be determined” (TBD) in the amount, for which \$250,000 or \$300,000 was approved. The \$150,000 second floor painting project could be deferred to next year. Ms. Cerbone stated that the General fund has \$200,000 earmarked for the Midtown Community Park and there is \$50,000 for general capital projects. As discussed at the previous meeting, insurance was already over budget and, based on carrier review and examining the COREA, the CDD had approximately \$35,000 to \$40,000. Ms. Wald stated her concern about the timing with the budget, as the CDD enters into an agreement with the Community Park contractor, because the project is occurring over two budget periods. The contractor cannot force the District to pay for things that have not happened and will not happen until the following fiscal year.

Ms. Cerbone presented the Unaudited Financial Statements as of December 31, 2018. Regarding the Federal Emergency Management Agency (FEMA) filing, the paperwork was filed, accepted and is with the funding committee. Management is awaiting a request for additional information or a payment check.

On MOTION by Mr. Padula and seconded by Ms. Jorge, with all in favor, the Unaudited Financial Statements as of December 31, 2018, were approved.

SIXTH ORDER OF BUSINESS

Approval of December 11, 2018 Regular Meeting Minutes

Ms. Cerbone presented the December 11, 2018 Regular Meeting Minutes. In response to a Board Member’s question regarding Mr. Miranda’s swearing in at today’s meeting, Ms. Cerbone stated that he was elected and the language is fine.

On MOTION by Mr. Padula and seconded by Mr. Vadia, with all in favor, the December 11, 2018 Regular Meeting Minutes, as presented, were approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Operations Manager: *Deborah Samuel*

i. Monthly Report

Ms. Samuel presented the Manager’s Report and highlighted the following:

- Target Drive Up – Mobile Pickups: After consulting with District Staff, she informed Kimley-Horn (KH) that parking spaces cannot be affected; pickups must be in the general pickup area that all residents can utilize and everyone must have the same rules for payment. She was in favor of this, as it was convenient for consumers and the CDD might make \$5,000 to \$10,000 per month in revenue. How the service would be operated, the current validation system and Target were discussed. Ms. Samuel would gather information for a future presentation.
- Miami Christmas Lights: The contractor did a wonderful job and would be engaged next year; keeping the lights in place until February 1st, instead of January 15th, would be requested.
- Irrigation leaks: Two leaks were detected; Staff was working on slowly changing out the irrigation to more modern technology.

- Capital Improvement Projects: Staff may defer painting the 2nd Floor, North Block to the end of the year; the project would be completed in phases.
- The North Block Balcony repair was completed.
- Infrastructure Punch List: Midtown 3 was completed. Midtown 6 and 8 were in progress.

ii. Parking Information

- **Executive Summary**
- **Transient Parking Year Over Year Comparison**
- **Revenue By Lane Report**

iii. Update: Enterprise Fund Major Projects

These items were provided for informational purposes.

B. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.*

Ms. Wald stated that the changes to the electrical contract were made and forwarded to the contractor, who was still reviewing the changes. Any substantive changes must be brought before the Board for approval but minor items do not. The contractor forwarded an updated contract to Ms. Samuel, which lacked the permit information, as they would be paying for all permits. The agreement seemed fine but she must compare their document with hers.

C. District Engineer: *Alvarez Engineers, Inc.*

There being no report, the next item followed.

D. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING DATE: March 12, 2019 at 3:00 P.M.**

The next meeting will be held on February 12, 2019 at 3:00 p.m.

TENTH ORDER OF BUSINESS

Audience	Comments/Supervisors'
Requests	

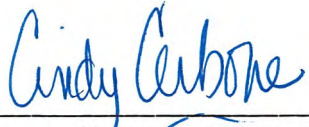
There being no audience comments or Supervisors' requests, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

There being no further business to discuss, the meeting adjourned.

On MOTION by Mr. Padula and seconded by Mr. Vadia, with all in favor, the meeting adjourned at 3:36 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair