

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

The Board of Supervisors of the Midtown Miami Community Development District held a Public Hearing and Regular Meeting on November 12, 2019 at 2:00 p.m., at the offices of the CDD, Shops at Midtown Miami, 3401 N. Miami Avenue, 2<sup>nd</sup> floor parking garage, Suite 132, Miami, Florida 33127.

**Present and constituting a quorum were:**

Joseph Padula	Chair
Alex Miranda	Assistant Secretary
Michelle Jorge	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Stephanie Schackmann	Wrathell, Hunt and Associates, LLC
April Dodson	Wrathell, Hunt and Associates, LLC
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 2:15 p.m. Supervisors Padula, Miranda and Jorge were present, in person. Supervisors Masarin and Vadia were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There being no public comments, the next item followed.

**THIRD ORDER OF BUSINESS**

**Update: M Park Facilities**

Ms. Samuel stated the Architect was concerned that the M Park site remediation plan, as approved to comply with Department of Environmental Resources Management (DERM) requirements, would create water management issues due to sloping. The project was on hold, pending the approval of the Architect and the Remediation Consultant. Additional costs would be finalized within the next few days. Discussion ensued regarding the project, associated costs

and issues and authorizing a not-to-exceed amount for the additional work related to the water management issues and DERM remediation.

**On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, authorizing expenditures for additional environmental work related to M Park, in a not-to-exceed amount of \$55,000, and authorizing Staff to work with the District Manager and District Counsel, as applicable, was approved.**

**FOURTH ORDER OF BUSINESS**

**Public Hearing to Hear Public Comment and Objections to the Establishment of the Rules Governing the Use of the District’s M Park Facilities (“M Park”) Pursuant to Sections 120.54, 120.81, 190.011 and 190.012, Florida Statutes [2018]**

**I. Affidavits of Publication**

- A. Notice of Rule Development**
- B. Notice of Rule Making**

The affidavits of publication were included for informational purposes.

**II. Consideration of Resolution 2020-01, Establishing the Rules Governing the Use of the District’s M Park Facilities**

**On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, the Public Hearing was opened.**

No members of the public spoke.

**On MOTION by Mr. Padula and seconded by Ms. Jorge, with all in favor, the Public Hearing was closed.**

Ms. Cerbone presented Resolution 2020-01.

**On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, 2020-01, Establishing the Rules Governing the Use of the District’s M Park Facilities, was adopted.**

**FIFTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of September 30, 2019**

Ms. Cerbone presented the Unaudited Financial Statements as of September 30, 2019. On page 2, the majority of the \$60,065 amount on the "Interest & miscellaneous" revenue line item, was a reimbursement from the Federal Emergency Management Agency (FEMA) and, the percentage reimbursement from FEMA increased and there is an opportunity for the District to receive additional reimbursement funds from FEMA within the next six months.

Discussion ensued regarding the remaining funds in the "Holiday decorations" line item and the possibility of adding holiday lighting along 34<sup>th</sup> Street or a smaller portion of that area, as there might not be enough in the budget to complete the entire area.

**On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, authorizing Ms. Samuel to expend the remaining "Holiday decorations" budgeted funds after obtaining quotes from the current provider to provide additional holiday lighting in the 34<sup>th</sup> Street area, was approved.**

**On MOTION by Mr. Padula and seconded by Ms. Jorge, with all in favor, the Unaudited Financial Statements as of September 30, 2019, were accepted.**

**SIXTH ORDER OF BUSINESS**

**Approval of September 13, 2019 Public Hearing and Regular Meeting Minutes**

Ms. Cerbone presented the September 13, 2019 Public Hearing and Regular Meeting Minutes.

**On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, the September 13, 2019 Public Hearing and 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 Operations Manager's Report and highlighted the following:

- Holiday lighting was installed. Randy’s Lighting is reliable and does an excellent job.
- Florida Power & Light (FPL) performed a shutdown on the 28<sup>th</sup> to upgrade service due to power surges. Staff coordinated with Target and the North Block building to create a strategy and ensure the garage was vacant prior to the shutdown.
- A beekeeper humanely removed two beehives without incident.
- Capital Projects: A LED light retrofit would be done in the South and North Blocks. Staff was obtaining prices and working with the City and regulators in an attempt to have the CDD grandfathered in to keep the existing poles.
- The infrastructure punch list items for Midtown 8 and Midtown 6 were ongoing.
- A miscellaneous punch list was created to keep track of ongoing damages caused by utility trucks. An unidentified utility company came in unmarked vehicles and broke 36<sup>th</sup> Street; security was aware and was monitoring the situation. Requiring utility companies to provide a surety bond helped tremendously.
- Repairs on 29<sup>th</sup> Street were underway.

**II. Parking Information**

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

These items were provided for informational purposes.

Discussion ensued regarding the District’s ability to monetize advertising in parking garages and right-of-ways (ROWs). Ms. Wald advised against it due to the requirement to put advertising out to bid and because the CDD would have no control over the type of advertising.

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

There being no report, the next item followed.

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

There being no report, the next item followed.

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

Ms. Cerbone stated that, as discussed at the last meeting, in conjunction with District Counsel and Bond Counsel, Staff submitted an assessment roll for the Tax Increment Revenues (TIF) surplus distribution to the County, which included the applicable credits related to the 2014-A Bond property owners. The last step in the process, according to the Interlocal

Agreement and the 2<sup>nd</sup> Amendment to the Interlocal Agreement, would be for the CDD to provide written evidence to the City and County describing the status of the surplus distribution. After review by District Counsel, this would be sent to the City and County, as required. It was not required to be sent to the Community Redevelopment Agency (CRA).

Ms. Cerbone stated that there was ongoing communication with the City of Miami Auditor General’s Office regarding the Series 2004-A and 2014-A bonds, which financed the parking garage. Trust Statements and Audited Financial Statements, both prepared by independent parties, were provided. The Auditor’s office was also copied on an email asking the Trustee to provide any requested documents retained from the prior management firm. It may be necessary to contact the District’s Auditor to confirm how they validate debt-related information from the audited financial statements and it may also be necessary to include Bond Counsel in future conversations and/or have Bond Counsel respond on the District’s behalf.

- **NEXT MEETING DATE: December 10, 2019 at 2:00 P.M.**
  - **QUORUM CHECK**

Supervisors Padula and Miranda confirmed their attendance at the December 10, 2019 meeting. Supervisor Jorge would not attend.

**EIGHTH ORDER OF BUSINESS**

**Audience Comments/Supervisors’ Requests**

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

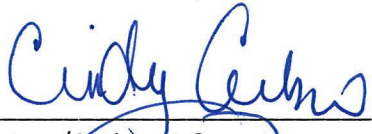
**NINTH ORDER OF BUSINESS**

**Adjournment**

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

**On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, the meeting adjourned at 2:58 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair