

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

The Board of Supervisors of the Midtown Miami Community Development District held a Regular Meeting on June 8, 2021 at 2:00 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
Kiahna Perez	Assistant Secretary
Pietro Riccobono	Assistant Secretary

Also present were:

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC (WHA)
Jamie Sanchez	Wrathell, Hunt and Associates, LLC (WHA)
Ginger Wald	District Counsel
Juan Alvarez (via telephone)	District Engineer
Deborah Samuel	Operations Manager

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 2:06 p.m.

The meeting was held on the second floor of the parking garage, adjacent to the regular meeting room. Notice was posted on the door to the regular meeting room for any members of the public wishing to attend.

Supervisors Padula, Perez and Riccobono were present. Supervisors Miranda and Vadia were not present.

SECOND ORDER OF BUSINESS

Public Comments

There being no public comments, the next item followed.

THIRD ORDER OF BUSINESS**Consideration of Resolution 2021-04, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2021-04. She explained the annual budget preparation, deliberation, public hearing and adoption process and reviewed the proposed Fiscal Year 2022 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2021 budget, and explained the reasons for any adjustments.

Ms. Cerbone discussed the upcoming \$650,000 Capital Expenditure for a waterproofing membrane in the parking garage. Ms. Samuel stated that completion of warranty work and an additional coating would extend the warranty another five years. Mr. Alvarez stated he believed that \$650,000 was a reasonable amount to budget for the expenditure. Ms. Cerbone stated that, while the cost for "Capital outlay-NB waterproofing membrane" line item must be budgeted, it would be important to monitor revenues and expenditures to minimize the budget shortfall.

Discussion ensued regarding the possibility of a short-term loan. Ms. Cerbone stated Staff would carefully watch and plan for the expenditure and present financing options, if there would be a severe shortfall. Ms. Samuel stated she would schedule other expenses and projects to minimize the budgetary effects.

Ms. Cerbone noted the operating loss nearly equaled the waterproofing membrane expenditure. She discussed ongoing conversations and issues related to TIF funds that the City and the CRA owe to the CDD and stated that discussions were ongoing and documents would take considerable time to review. Given that, for the last two years, the CDD only received TIF funds for the required debt service payments, it was the only amount budgeted. Two years ago, there was a reduction in assessments and, last year, there was a smaller reduction. There would be an increase in assessments for Fiscal Year 2022 so information must be transmitted to the Tax Collector to be included on the "Truth-in-Millage" (TRIM) Notice sent to property owners

about the assessment increase. Regarding TIF funds, Ms. Cerbone estimated \$7 million is currently owed to the District and stated she would email the Board with the specific amount.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2021-04, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law for September 14, 2021 at 2:00 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; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

Discussion ensued regarding a letter to be sent by District Counsel to all interested parties regarding funds owned and the resulting assessment increase.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, authorizing District Counsel to work with Staff to draft a letter, as discussed, was approved.

Mr. Alvarez left the meeting at 2:32 p.m.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2021-05, Directing the District Manager to Register the District with and Use the E-Verify System Pursuant to the Requirements of Section 448.095, Florida Statutes; Authorizing Execution of the E-Verify Memorandum of Understanding for Employers Between the District and the Department of Homeland Security (DHS); Providing for Severability; and Providing for an Effective Date

Ms. Cerbone presented Resolution 2021-05. She noted that the CDD must use the E-Verify process for its employees and all vendors must certify that they use E-Verify.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2021-05, Directing the District Manager to Register the District with and Use the E-Verify System Pursuant to the Requirements of Section 448.095, Florida Statutes; Authorizing Execution of the E-Verify Memorandum of Understanding for Employers Between the District and the Department of Homeland Security (DHS); Providing for Severability; and Providing for an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Update: City of Miami/CRA Audit and Incomplete TIF Disbursement to CDD

This item was discussed during the Third Order of Business.

SIXTH ORDER OF BUSINESS

Consideration of Randy’s Holiday Lighting Estimate #9261

Ms. Samuel presented Randy’s Holiday Lighting Estimate #9261. She stated the CDD used Randy’s for the past three years and they do an excellent job.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Randy’s Holiday Lighting Estimate #9261, was approved.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of April 30, 2021

Ms. Cerbone presented the Unaudited Financial Statements as of April 30, 2021. The “Midtown community park” line item exceeded budget because some funds budgeted in Fiscal Year 2020 were transferred to fund reserves for expenditures in Fiscal Year 2021. Ms. Samuel pointed out that four high-rise buildings and a park were added, resulting in budgetary increases for janitorial and waste removal services.

On MOTION by Mr. Padula and seconded by Mr. Riccobono, with all in favor, the Unaudited Financial Statements as of April 30, 2021, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of April 13, 2021 Regular Meeting Minutes

Ms. Cerbone presented the April 13, 2021 Regular Meeting Minutes.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the April 13, 2021 Regular Meeting Minutes, as presented, were approved.

NINTH ORDER OF BUSINESS

Staff Reports

A. Operations Manager: *Deborah Samuel*

I. Monthly Report

Ms. Samuel presented the May 8, 2021 Operations Manager’s Report and reported the following:

- Palm Tree Wrapping: BrightView wrapped all royal palms in restaurant areas that would be trimmed at no charge as a preventative safety measure. This expense would be budgeted next year.
- South Garage Lighting: The maintenance team refurbished rusted garage pendant lights and reinstalled them.
- Infrastructure Punch List: Utility work was ongoing; a punch list is kept to ensure damages are repaired in a timely manner.
- Capital Improvement: New poles and LED lighting was retrofit on the 4th floor in the NB Garage for security and energy reasons. A similar process was underway in the SB garage.
- Façade Repair: NB was completed and repairs were underway in SB and MBE.
- Midtown Community Park: Passed inspection. The fence would be removed and the Ribbon Cutting event would be scheduled. Details would be sent when available.

The consensus was that the park looked beautiful.

II. Parking Information

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

These items were provided for informational purposes.

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

- **Ratification of Employment Agreement Between Midtown Miami Community Development District and Guadalupe Marquez for Office Support Services**

Ms. Wald presented the Employment Agreement approved at the last meeting.

On MOTION by Mr. Padula and seconded by Mr. Riccobono, with all in favor, the Employment Agreement Between Midtown Miami Community Development District and Guadalupe Marquez for Office Support Services, was ratified.

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

There being nothing further to report, the next item followed.

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

I. 1547 Registered Voters in District as of April 15, 2021

II. NEXT MEETING DATE: July 13, 2021 at 2:00 P.M.

- **QUORUM CHECK**

The next meeting would be held on July 13, 2021, unless canceled.

TENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

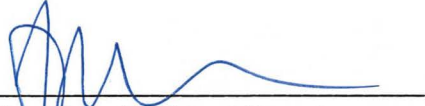
There being no audience comments or Supervisors' requests, the next item followed.

ELEVENTH ORDER OF BUSINESS

Adjournment

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

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the meeting adjourned at 2:40 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair