

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

The Board of Supervisors of the Midtown Miami Community Development District held Multiple Public Hearings and a Regular Meeting on 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.

Present and constituting a quorum were:

Joseph Padula	Chair
Alex Miranda	Vice Chair
Kiahna Perez	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
Deborah Samuel	Operations Manager

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 2:08 p.m. The meeting was held outside 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 anyone wishing to attend.

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

SECOND ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRD ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2021/2022 Budget**

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2021-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone stated the proposed Fiscal Year 2022 budget was unchanged since it was last presented at the June meeting. It was noted at the June meeting that garage repairs would be needed this year so it would be necessary to ensure that funds are available ahead of time.

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

No members of the public spoke.

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

Ms. Cerbone presented Resolution 2021-06.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2021-06, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2021/2022, Pursuant to Florida Law

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

- B. Consideration of Resolution 2021-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2021/2022; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

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

No members of the public spoke.

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

Ms. Cerbone presented Resolution 2021-07.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, 2021-07, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2021/2022; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2020, Prepared by Berger, Toombs, Elam, Gaines & Frank

Ms. Cerbone presented the Audited Financial Report for Fiscal Year Ended September 30, 2020. There were no issues or recommendations; the audit firm stated they received all information necessary to conduct the audit.

Regarding Note F, on Page 35, Ms. Cerbone stated an update related to the composition of the Board of Supervisors would be made in the following year audit, if necessary. If no Board Members are an employee of the Developer or its affiliates, this note would be removed going into the Fiscal Year 2021 audit.

Ms. Cerbone stated that the Management Letter reflected a finding, which indicated that the CDD continues to report a net position deficit in the Enterprise Fund, which is the Garage Fund, for which sufficient resources were not available to cover the deficit. The CDD has been paying its bills and debt payments; this would be a standing issue until revenues increase. The Management Response was that the net position deficit is attributable to the fact that depreciation occurs at a faster rate than the current principal reduction payments on the bonds; however, the CDD has a strong cash position.

Ms. Cerbone reported that, in the Auditor’s opinion, the CDD complied in all material respects with the statutory requirements.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2021-08, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020

Ms. Cerbone presented Resolution 2021-08.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2021-08, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2020, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Restocon Corporation Proposal for Repairs at Shops at Midtown Miami

Ms. Cerbone presented the Restocon Corporation Proposal for garage repairs at Shops at Midtown Miami. Timing would be coordinated by Staff and a bank loan or payment plan would be utilized, if necessary.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, authorizing Staff to prepare a Form of Agreement with Restocon Corporation for garage repairs at Shops at Midtown Miami, and authorizing the Chair to execute, was approved.

EIGHTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2021

This item was deferred.

NINTH ORDER OF BUSINESS

Approval of June 8, 2021 Regular Meeting Minutes

This item was deferred.

TENTH ORDER OF BUSINESS

Staff Reports

A. Operations Manager: *Deborah Samuel*

I. Monthly Report

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

- MPark: Good feedback was received. Events have been held in the park.
- Way-finding Repairs: All the way-finding repairs were completed inside and out. Benches will be added in front of Target, as was done in Midtown.
- Street Scape Maintenance & Repairs: Banners, bollards, landscape lights and directional lights were repaired and replaced. Excessive dog feces are being addressed through education and hiring vendors to assist in high traffic areas.
- Infrastructure Punch List: This ongoing item relates to utility companies, including Verizon, Comcast and others. Comcast sprayed sidewalks without authorization and, as a result, paid for pressure cleaning at a cost of \$3,500. Managing utility companies and contractors to address damage remains an ongoing challenge.
- Capital Improvement: Everything was completed successfully for this year, including facade repairs and LED light retrofitting for the north and south garage.

II. Parking Information

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

These items were included for informational purposes.

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

- Discussion: Communications to City of Miami Regarding TIF

This item was not addressed.

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

There was no report.

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

- NEXT MEETING DATE: October 12, 2021 at 2:00 P.M.
 - QUORUM CHECK

The next meeting would be held on October 12, 2021, unless canceled.

ELEVENTH ORDER OF BUSINESS

**Audience
Requests**

Comments/Supervisors'

Mr. Rom stated the DERM approval was received; the permit was not yet finalized.

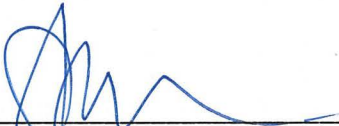
TWELFTH ORDER OF BUSINESS

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 2:23 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair