

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

The Board of Supervisors of the Midtown Miami Community Development District held a Regular Meeting on January 10, 2023 at 2:00 p.m., at the offices of the CDD, Shops at Midtown Miami, 3401 N. Miami Avenue, Suite 132, Miami, Florida 33127.

**Present were:**

Joseph Padula	Chair
Lindsey Vicha	Assistant Secretary
Pietro Riccobono	Assistant Secretary
Kiahna Perez	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Daniel Rom	Wrathell, Hunt and Associates, LLC (WHA)
Gregory George	District Counsel
Juan Alvarez (via telephone)	District Engineer
Deborah Samuel	Operations Manager
Shawn Almy	Public

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 2:09 p.m. Supervisor Riccobono and incumbent Supervisors Padula, Vicha and Perez were present. Supervisor Miranda was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

No members of the public spoke.

**THIRD ORDER OF BUSINESS**

**Consideration of Resolution 2023-01,  
Declaring a Vacancy in Seats 1, 2 and 3 of  
the Board of Supervisors Pursuant to**

**Section 190.006(3)(b), Florida Statutes; and  
Providing an Effective Date**

Ms. Cerbone presented Resolution 2023-01. This is necessary because the incumbent Supervisors did not submit the necessary items during the candidate qualifying period for the November General Election and no other electors qualified to run for Seats 1, 2 and 3.

**On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, Resolution 2023-01, Declaring a Vacancy in Seats 1, 2 and 3 of the Board of Supervisors Pursuant to Section 190.006(3)(b), Florida Statutes; and Providing an Effective Date, was adopted.**

The incumbent Board Members expressed interest in retaining their Seats and were advised that they must resign first before they can be appointed to fill the vacant Seat.

▪ **Acceptance of Resignation of Supervisor Joseph Padula, Seat 1**

**This item was an addition to the agenda.**

Mr. Padula tendered his resignation.

**On MOTION by Ms. Vicha and seconded by Ms. Perez, with all in favor, the resignation of Mr. Joseph Padula from Seat 1, was accepted.**

**FOURTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector  
to Fill Seat 1 Vacancy; *Term Expires  
November 2026***

Ms. Vicha nominated Mr. Padula to fill Seat 1. No other nominations were made.

**On MOTION by Mr. Riccobono and seconded by Ms. Perez, with all in favor, the appointment of Mr. Joseph Padula to fill Seat 1, was approved.**

- **Administration of Oath of Office to Newly Appointed Supervisor (*the following to be provided in a separate package*)**

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Joseph Padula. He is already familiar with 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**
- **Acceptance of Resignation of Supervisor Lindsey Vicha, Seat 2**  
**This item was an addition to the agenda.**

Ms. Vicha tendered her resignation.

**On MOTION by Mr. Riccobono and seconded by Ms. Perez, with all in favor, the resignation of Ms. Lindsey Vicha from Seat 2, was accepted.**

**FIFTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector to Fill Seat 2 Vacancy; *Term Expires November 2026***

Mr. Padula nominated Ms. Vicha to fill Seat 2. No other nominations were made.

**On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the appointment of Ms. Lindsey Vicha to fill Seat 2, was approved.**

- **Administration of Oath of Office to Newly Appointed Supervisor**

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Lindsey Vicha.

**SIXTH ORDER OF BUSINESS**

**Consider Appointment of Qualified Elector to Fill Seat 3 Vacancy; *Term Expires November 2026***

- **Administration of Oath of Office to Newly Appointed Supervisor**

This item was deferred.

**SEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-02, Designating Certain Officers of the District and Providing for an Effective Date**

Ms. Cerbone presented Resolution 2023-02. Mr. Padula nominated the following slate:

Joe Padula	Chair
Alex Miranda	Vice Chair
Craig Wrathell	Secretary
Kiahna Perez	Assistant Secretary
Pietro Riccobono	Assistant Secretary
Lindsey Vicha	Assistant Secretary
Cindy Cerbone	Assistant Secretary
Daniel Rom	Assistant Secretary

No other nominations were made.

Prior appointments by the Board for Treasurer and Assistant Treasurer remain unaffected by this Resolution.

**On MOTION by Mr. Padula and seconded by Mr. Riccobono, with all in favor, Resolution 2023-02, Designating Certain Officers of the District, as nominated, and Providing for an Effective Date, was adopted.**

**EIGHTH ORDER OF BUSINESS**

**Consideration of Covenant in Lieu of Unity of Title (3055 N. Miami Avenue)**

Ms. Cerbone stated this item is being presented again because there were significant changes made to the version approved at the last meeting.

Mr. Almy reviewed the substantive changes, including a party and properties were removed from the original document. Mr. George agreed with the changes and stated it is not necessary for all parties to be in agreement.

**On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the the Covenant in Lieu of Unity of Title for 3055 N. Miami Avenue, was approved.**

**NINTH ORDER OF BUSINESS**

**Ratification of Restocon Corp., Change Order No. 11 for Traffic Coating and Waterproof Membrane**

Mr. Alvarez presented Restocon Corp Change Order No. 11 for ratification. During the original project, the contrast was so apparent that they needed to also do the ramps entering the garage. The project, scheduled for October, was postponed due to supply chain issues; it will commence on January 16, 2023.

**On MOTION by Ms. Vicha and seconded by Mr. Padula, with all in favor, Restocon Corp., Change Order No. 11 for Traffic Coating and Waterproof Membrane of the ramps entering the garage, in the amount of \$127,000, was ratified.**

**TENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of November 30, 2022**

Ms. Cerbone presented the Unaudited Financial Statements as of November 30, 2022.

**On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the Unaudited Financial Statements as of November 30, 2022, were accepted.**

**ELEVENTH ORDER OF BUSINESS**

**Approval of September 13, 2022 Public Hearings and Regular Meeting Minutes**

Ms. Cerbone presented the September 13, 2022 Public Hearings and Regular Meeting Minutes.

**On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the September 13, 2022 Public Hearings and Regular Meeting Minutes, as presented, were approved.**

**TWELFTH ORDER OF BUSINESS****Staff Reports****A. Operations Manager: *Deborah Samuel*****I. Monthly Report**

Ms. Samuel presented the Monthly Operations Manager's Report. She reviewed the M Park dog park location and stated she will obtain and present proposals at the next meeting.

**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.***

There was no report.

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

- **Update: Status of Monitoring Plan Permits for Well Monitoring**

Mr. Alvarez stated the plans and location of the wells were provided to the consultant to submit to the City; a response is pending.

- **Update: Status of Restocon Garage Work**

This item was discussed during the Ninth Order of Business.

**D. District Manager: *Wrathell, Hunt and Associates, LLC*****I. Update: Communication to the City of Miami Regarding TIF**

Ms. Cerbone stated that the City is only submitting TIF Funds to make the November and May debt payments. The City's response to her recent email was "No Update".

**II. NEXT MEETING DATE: February 14, 2023 at 2:00 P.M.**

- **QUORUM CHECK**

The next meeting will be held on February 14, 2023, unless cancelled.

**THIRTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**FOURTEENTH ORDER OF BUSINESS**

**Supervisors' Requests**

There were no Supervisors' requests.

**FIFTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the meeting adjourned at 2:38 p.m.**

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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Secretary/Assistant Secretary



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Chair/Vice Chair