

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

The Board of Supervisors of the Midtown Miami Community Development District held a Regular Meeting on March 12, 2024 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
Alex Miranda	Vice Chair
Kiahna Perez	Assistant Secretary

Also present:

Daniel Rom	District Manager
Kristen Thomas	Wrathell Hunt and Associates LLC
Ginger Wald	District Counsel
Juan Alvarez (via telephone)	District Engineer
Deborah Samuel	Operations Manager
Pippa Brown	Site Centers

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 2:00 p.m. Supervisors Padula, Perez and Miranda were present. Supervisors Vicha and Riccobono were not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

- **Consideration of Request by Site Centers for the Approval of the Digital and Static Directories Located on CDD Property in Accordance with the COREA**

This item, previously the Sixth Order of Business, was presented out of order.

Ms. Wald stated that 3.3.1 of the Construction, Operation and Reciprocal Easements Agreement (COREA) allows for Site Centers placing exclusive retail items at certain locations on CDD property. She deemed it appropriate, under the COREA, to acknowledge Site Centers is

permitted to install new directories and manage the existing ones DDR installed per the original approved plans.

Ms. Samuel stated that she performed an on-site inspection and confirmed everything is accurate and reflects what was agreed on in the past. She thinks the newer equipment is much safer against high winds and is more modern looking.

On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, acknowledging that SITE Centers entered into an agreement with the sign vendor for digital and static directories currently installed in locations on CDD property and authorizing SITE to enter into a new agreement with the sign vendor to manage the directories and install directories, subject to submitting written request to the CDD, via email, was approved.

THIRD ORDER OF BUSINESS

**Consideration of RM DEV VENTURE, LLC
Temporary Revocable License Agreement
[Fence of 5th Floor Garage]**

Mr. Rom noted the Temporary Revocable License Agreement was changed, per Staff's recommendation to identify an inventory list, which will make it easier for Operations Staff to manage the area. The Developer agrees with the form of the Agreement, with the exception that the Developer believes, under the COREA, that the Agreement should be with the General Contractor not the Developer. District Staff disagrees.

Mr. Alvarez stated his opinion that the Developer's request to store construction materials needed for the building, in addition to the materials used to construct the Amenity Terrace, is logical and reasonable, from an Engineering and a logistical standpoint. He recommended accepting the request, subject to the Structural Engineer of Record for the garage providing certification that the weight will not exceed the capacity of the garage. He does not object to the CDD entering into the Agreement with the current residential tract owner identified in the COREA, the Developer, which is the same for other Agreements. Ms. Samuel noted that the fence was installed and the area is being monitored.

Ms. Wald discussed the Board's options related to the Agreement. She does not see a provision in the COREA that allows for the CDD to enter into any Agreement with the

Developer’s General Contractor. It is the Board’s decision on whether to approve anything beyond what was allowed at the last meeting, which would be to approve the Temporary Revocable License Agreement that is in the agenda.

Discussion ensued regarding the condition in Section 2 that the CDD receives a Certificate from the Certified Structural Engineer and action of the Developer to install the fence before the Agreement is executed.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the RM DEV VENTURE, LLC Temporary Revocable License Agreement for Construction Fence on 5th floor of Parking Garage, was approved.

FOURTH ORDER OF BUSINESS

Ratification of District/District Manager’s Actions and Reponses Relating to the City of Miami CRA Audit Regarding the TIR Payments

Mr. Rom stated that he should have requested this when the CRA Audit was presented at the last meeting. He expects the District to receive the funds by the end of the month.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, District/District Manager’s actions and responses relating to the City of Miami CRA Audit regarding the TIR Payments, were ratified.

FIFTH ORDER OF BUSINESS

Ratification of Engagement of Rennert Vogel Mandler & Rodriguez, P.A., for Representation Regarding 2023 Ad Valorem Property Tax Appeal

Mr. Rom presented the Rennert Vogel Mandler & Rodriguez, P.A., Engagement letter.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Engagement of Rennert Vogel Mandler & Rodriguez, P.A., for representation regarding the 2023 ad valorem property tax appeal, in a not-to-exceed amount of \$25,000, was ratified.

- **Discussion: Further Engagement**

Mr. Rom stated that Counsel offered, if needed, a not-to-exceed amount of \$100,000 to settle the tax amount or defend an appeal, which is dependent on the Magistrate’s response, due 14-days after the hearing. This will be presented for approval when appropriate.

SIXTH ORDER OF BUSINESS

Consideration of Request by Site Centers for the Approval of the Digital and Static Directories Located on CDD Property in Accordance with the COREA

This Item was presented following the Second Order of Business.

SEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of January 31, 2024

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the Unaudited Financial Statements as of January 31, 2024, were accepted.

EIGHTH ORDER OF BUSINESS

Approval of February 13, 2024 Regular Meeting Minutes

On MOTION by Mr. Miranda and seconded by Mr. Padula, with all in favor, the February 13, 2024 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 Monthly Operations Manager’s Report, which was included for informational purposes.

Ms. Samuel is anticipating further traffic delays at the entrances and exits to the garage due to illegal left turns being made onto 34th Street. She suggests engaging Traffic Engineer Juan Espinoza to provide an opinion letter on this matter. She noted residents are attending the City’s hearing related to this.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, engaging a Traffic Engineer to provide an opinion letter, in a not-to-exceed amount of \$5,000, was approved.

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.

C. District Engineer: Alvarez Engineers, Inc.

There were no District Counsel or District Engineer reports.

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

- **NEXT MEETING DATE: April 9, 2024 at 2:00 P.M.**
 - **QUORUM CHECK**

The next meeting will be on April 9, 2024, unless cancelled.

TENTH ORDER OF BUSINESS

Public Comments

There were no public comments.

ELEVENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisor's requests.

TWELFTH ORDER OF BUSINESS

Adjournment

On MOTION by Ms. Perez and seconded by Mr. Padula, with all in favor, the meeting adjourned at 2:25 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

MIDTOWN MIAMI CDD

March 12, 2024



Secretary/Assistant Secretary



Chair/Vice Chair