

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

The Board of Supervisors of the Midtown Miami Community Development District held Public Hearings and a Regular Meeting on September 10, 2024 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 were:

Joseph Padula
Alex Miranda
Kiahna Perez
Lindsey Vicha

Chair
Vice Chair
Assistant Secretary
Assistant Secretary

Also present:

Daniel Rom
Kristen Thomas
Ginger Wald
Deborah Samuel
Jennifer Skordilis
Daniel Kron

District Manager
Wrathell, Hunt and Associates, LLC
District Counsel
Operations Manager
Public (appointed at meeting)
Public

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 2:03 p.m.

Supervisors Padula, Mirando, Vicha and Perez were present. Supervisor Riccobono was absent.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

- **Acceptance of Resignation of Lindsey Vicha from Seat 2; Term Expires November 2026, Consider Appointment of Ms. Jennifer Skordilis to Fill Unexpired Term of Seat 2 & Administration of Oath of Office to Newly Appointed Supervisor**

These items were an addition to the agenda.

Mr. Rom presented Ms. Lindsey Vicha’s resignation.

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

Mr. Padula nominated Ms. Jennifer Skordilis 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. Jennifer Skordilis to Seat 2, was approved.

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Jennifer Skordilis. He will review the following with her outside of the meeting:

- A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
- B. Membership, Obligation and Responsibilities**
- C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers**

THIRD ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2024/2025 Budget

- A. Affidavit of Publication**
- B. Consideration of Resolution 2024-04, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date**

Mr. Rom pointed out additional changes to the proposed Fiscal Year 2025 budget that was presented in detail at the last meeting. Overall, the assessment levels will decrease slightly when compared to the version of the budget approved at the last meeting.

The following changes were made to the Proposed Fiscal Year 2025 budget:

Page 7, Debt Service, Administrative, Trustee Fees: Change "3,163" to "4,041"

Page 9, Enterprise Fund, Administrative, Trustee Fees: Change "12,650" to "13,630"

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

No affected property owners or members of the public spoke.

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

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2024-04, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025, as amended; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

Consideration of Resolution 2024-05, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; 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 Mr. Miranda, with all in favor, Resolution 2024-05, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; 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

Discussion/Consideration of District Engineer's Report for Fiscal Year 2024-2025 Pursuant to Section 9.21 of the Master Trust Indenture as it Relates to Special Assessment Bonds, Series 2004

Mr. Rom stated that he reviewed the District Engineer’s Annual Trust Indenture Report, which confirms all CDD improvements are maintained and in good working order and condition, with the caveat that some upcoming projects are planned for the North-Block and South-Block Parking Garages.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the District Engineer’s Annual Trust Indenture Report for Fiscal Year 2024-2025, as it Relates to Special Assessment Bonds, Series 2004, was accepted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Public Comment and Objections to the Adoption of an Amended and Restated Fee Schedule for Resident and Non-resident Use of District Parking Facilities, Pursuant to Sections 120.54 and 190.035, Florida Statutes

A. Affidavits of Publication

- **Notice of Rule Development**
- **Notice of Rulemaking**

These items were included for informational purposes.

B. Consideration of Resolution 2024-06, Establishing and Modifying the Rates and Fees for Parking at District Parking Garage Facilities

Mr. Rom presented Resolution 2024-06 and accompanying Exhibit depicting the parking rate “minimal” increases, which are competitive and had not increased in over eight years. Ms. Wald stated that this rate increase decision is a result from the Consultant’s recommendation; the CDD completed all the steps necessary to proceed with the rate increases.

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

No affected property owners or 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. Samuel asked to defer the effective date in order to obtain the new signage.

The following change was made to Resolution 2024-06:

Page 2, Section 6: Change “immediately upon adoption” to “on September 17, 2024”

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2024-06, as amended, Establishing and Modifying the Rates and Fees for Parking at District Parking Garage Facilities, was adopted.

SEVENTH ORDER OF BUSINESS

Discussion/Consideration: Structural Engineer Proposals for Repair Work in the South and North Garages

Ms. Samuel stated that the proposals were prompted because she and Tyreke identified cracks in the garages during an on-site inspection before construction started on the Standard residences. She contacted Mr. Alvarez who indicated that a Structural Engineer should be engaged to provide a structural assessment and repair design services, so that the CDD obtains appropriate bids for the repairs.

Ms. Wald stated that, per the terms of the CDD’s Agreement with Alvarez Engineers, Inc., they will retain R&DC’s services directly.

Mr. Rom and Ms. Samuel presented the R&DC proposal for structural assessment and repair design services to repair steel elements in all the staircases in the North Garage.

Mr. Rom will obtain work authorizations from the District Engineer.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the Alvarez Engineers, Inc. Work Authorizations related to the R&DC proposals for structural assessment and repair design services for the South and North Garages, in the not-to-exceed amount of \$10,000 and \$43,075, respectively, were approved.

EIGHTH ORDER OF BUSINESS

Consideration of Goals and Objectives Reporting [HB7013 – Special Districts Performance Measures and Standards Reporting

Mr. Rom and Ms. Wald explained the new requirement for special districts to establish goals and objectives annually and develop performance measures and standards to assess the

achievement of the goals and objectives, publish an annual report on its website detailing the goals and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved.

Mr. Rom stated that District Management and District Counsel collaborated on identifying Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability as the key categories to focus on for Fiscal Year 2025 and develop statutorily compliant goals for each.

Mr. Rom and Ms. Wald presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, explained how the CDD will meet the goals and the ability to revise these items next year.

Discussion ensued regarding the Community Communication category, the CDD and various HOAs being able to communicate between themselves, educating residents of the CDD and HOA's different responsibilities and updating map. It was noted that the HOAs will have to research if initiating a Master HOA is possible, not the CDD.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

NINTH ORDER OF BUSINESS

Ratification Items

A. Greenberg Traurig Invoice No. 1000623049 for CRA Audit

On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, Greenberg Traurig Invoice No. 1000623049 for CRA Audit, in the amount of \$1,016, was ratified.

B. Randy Gillman Enterprises LLC Assignment and Consent Agreement (Holiday Lighting Services Agreement)

Mr. Rom stated that this is necessary because Randy Gillman Enterprises, LLC was acquired by Stallion Equities LLC. Ms. Wald stated that her Associate reviewed this and had no objection to the form of the Assignment and Consent Agreement.

On MOTION by Mr. Padula and seconded by Mr. Miranda, with all in favor, Randy Gillman Enterprises LLC Assignment and Consent Agreement related to the Holiday Lighting Services Agreement, was ratified.

TENTH ORDER OF BUSINESS

Presentation of Audited Financial Report for the Fiscal Year Ended September 30, 2023, Prepared by Berger, Toombs, Elam, Gaines and Frank (to potentially be provided under separate cover)

- A. Consideration of Resolution 2024-07, Hereby Accepting the Audited Annual Financial Report for the Fiscal Year Ended September 30, 2023**

This item was deferred.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2024

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

TWELFTH ORDER OF BUSINESS

Approval of May 14, 2024 Regular Meeting Minutes

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the May 14, 2024 Regular Meeting Minutes, as presented, were approved.

THIRTEENTH 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.

Asked about plans for electrical vehicle chargers, Ms. Samuel stated that the Parking Consultant recommended considering this once new technology is available, given the CDD’s difficulty achieving this several years ago.

- 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.

Ms. Wald discussed the 2024 legislative session matters impacting CDDs and HOAs. One change will require the CDD to incorporate some new language into its contracts; the information is outlined in various memorandums she prepared, which are available upon request.

Ms. Wald reminded the Board Members to complete the required four hours of ethics training by December 31, 2024.

Ms. Wald welcomed Candidate Daniel Kron who was unopposed for Seat 5.

- **Consideration of Resolution 2024-___, Electing and Removing Officers of the District and Providing for an Effective Date**

This item was an addition to the agenda.

Mr. Rom stated that this Resolution will be prepared.

Mr. Padula nominated the following:

Joe Padula	Chair
Alex Miranda	Vice Chair
Kiahna Perez	Assistant Secretary
Pietro Riccobono	Assistant Secretary
Jennifer Skordilis	Assistant Secretary

No other nominations were made.

This Resolution removes the following from the Board:

Lindsey Vicha	Assistant Secretary
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The following prior appointments by the Board remain unaffected by this Resolution:

Cindy Cerbone	Assistant Secretary
Daniel Rom	Assistant Secretary
Craig Wrathell	Secretary
Craig Wrathell	Treasurer
Jeff Pinder	Assistant Treasurer

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2024-___, Electing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

C. District Engineer: Alvarez Engineers, Inc.

There was no report.

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

- **NEXT MEETING DATE: October 8, 2024 at 2:00 P.M.**

- **QUORUM CHECK**

The next meeting will be held on October 8, 2024, unless cancelled.

FOURTEENTH ORDER OF BUSINESS

Public Comments

No members of the public spoke.

FIFTEENTH ORDER OF BUSINESS

Supervisors' Requests

There were no Supervisor's requests.

SIXTEENTH ORDER OF BUSINESS

Adjournment

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, the meeting adjourned at 2:56 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



Secretary/Assistant Secretary



Chair/Vice Chair