

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

The Board of Supervisors of the Midtown Miami Community Development District held a Public Hearing and Regular Meeting on September 12, 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
Alex Miranda
Lindsey Vicha
Kiahna Perez

Chair
Vice Chair
Assistant Secretary
Assistant Secretary

Also present:

Daniel Rom
Ginger Wald (via telephone)
Gregory George

Deborah Samuel
John Oglesby

District Manager
District Counsel
Billing, Cochran, Lyles, Mauro & Ramsey,
P.A.
Operations Manager
Parking Whisperer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 2:00 p.m.

Supervisors Padula, Vicha, Perez and Miranda were present. Supervisor Riccobono was not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Consideration of Responses to Request for
Proposals for Parking Management
Services**

Mr. Rom recalled that, at the last meeting, Staff was authorized to advertise a Request for Proposals (RFP) for Parking Management Services because the current contract will expire on November 1, 2023. He introduced Consultant John Oglesby who was hired to oversee, coordinate and compile the RFP and all the responses.

Mr. Oglesby stated there was interest from five bidders; four submitted proposals and there was one alternate bid that did not make the full evaluation because it was not in the best interest of the CDD. With assistance from District Staff and Ms. Samuel, his team went through painstaking detail to ensure that an objective analysis was conveyed to the proposers. Mr. Oglesby described the level of interest received from the various respondents, the presentations that were made at the pre-bid meeting, the competitive selection criteria rankings and why Universal Parking is Staff's recommendation.

A. Affidavit of Publication

B. RFP Package

C. Respondents:

I. Lanier Parking

II. One Parking

III. SP+ Parking

IV. Universal Parking

The above items were included for informational purposes.

D. Competitive Selection Criteria/Ranking

Mr. Rom read the following scores and rankings into the record:

#1	Universal Parking	97 points
#2	One Parking	93 points
#3	SP+ Parking	90 points
#4	Lanier Parking	83 points

The Board accepted the Consultant's recommendation and the consensus was to award the contract to Universal Parking, the #1 ranked respondent.

E. Award of Contract

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, accepting the Consultant’s rankings of the four respondents to the RFP, as stated on the record, was approved.

On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, adopting the Consultant’s rankings/scoring of Universal Parking as the #1 ranked respondent, One Parking as #2, SP+ Parking as #3 and Lanier Parking as #4, as read into the record, was approved.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, awarding the Parking Management Services contract to Universal Parking, the #1 ranked respondent, and authorizing District Staff and to enter into an agreement with Parking Management Services and, if no agreement is reached, to enter into negotiations and an agreement with the #2 ranked respondent, followed by the remaining respondents in ranked order, was approved.

Ms. Wald asked if the Universal Parking proposal has information directly related to electronic vehicle charging stations. Mr. Oglesby indicated that it did not.

FOURTH ORDER OF BUSINESS

Ratification of First Amendment to Parking Facility Management Agreement

Mr. Rom asked the Board’s permission to approve the drafting of the First Amendment to the Parking Facility Management Agreement, instead of ratifying it, and authorizing the Chair to execute.

On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, authorizing Staff to draft a First Amendment to the Parking Facility Management Agreement and authorizing the Chair to execute, was approved.

FIFTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2023/2024 Budget

A. Proof/Affidavit of Publication

B. Consideration of Resolution 2023-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Rom presented Resolution 2023-08 and reviewed the Fiscal Year 2024 budget.

On MOTION by Ms. Vicha 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.

On MOTION by Mr. Padula and seconded by Ms. Perez, with all in favor, Resolution 2023-08, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Consideration of Resolution 2023-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; 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

Mr. Rom presented Resolution 2023-09 and read the title. This Resolution enables the CDD to use the services of the Property Appraiser and Tax Collector to collect the assessments to fund the adopted budget.

On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, Resolution 2023-09, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; 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.

SEVENTH ORDER OF BUSINESS**Discussion/Consideration of Tesla, Inc.,
Supercharger Agreement**

Mr. Rom stated a redlined version of the Supercharger Agreement between the CDD and Tesla, Inc., is included in the agenda.

Ms. Wald stated this is not a license agreement; it is for Tesla to be able to use a certain identified part, within the garages, for the Electric Vehicle (EV) charging station and, because Tesla kept changing the language, there is some confusion as to whether the EVs will only be for Tesla or if they will be compatible with other EVs. She wants the Board to be aware that it might just be for Tesla vehicles. She reviewed and explained the highlighted items in the agreement, including the superchargers and level 2 chargers, the possession date, term length, utilities, maintenance, District covenants, alterations, indemnifications and liens, defaults and remedies and Tesla incentives.

Ms. Samuel stated her notes indicate that 12 super chargers will be for Teslas and four will be level 2 or universal.

Ms. Wald stated it is the Board's decision whether to approve the agreement, in substantial final form based on the items she reviewed. She explained why she asked the consultant if the parking management company's proposal contained information about EV charging stations.

The Board and Staff discussed indemnification, vandalism, hazardous materials, removing "gross negligence" and "willful misconduct" verbiage from the document, negotiating the term of the agreement, the Tesla logo and how to proceed on this item.

The consensus was for Staff to have further discussions with Tesla regarding a mutual renewal term, indemnification and maintenance and for Staff to consult with the consultant about other EV options.

Ms. Wald will revise the Agreement after conferring with Tesla and the consultant and provide an update at a future meeting.

EIGHTH ORDER OF BUSINESS

Consideration of Greenberg Traurig, P.A., Invoice No. 1000386106 for CRA Audit Services

Mr. Rom presented Greenberg Traurig, P.A., Invoice No. 1000386106 for CRA Audit Services.

On MOTION by Mr. Padula and seconded by Ms. Vicha, with all in favor, Greenberg Traurig, P.A., Invoice No. 1000386106 for CRA Audit Services, was approved.

NINTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2023

On MOTION by Ms. Vicha and seconded by Mr. Padula, with all in favor, the Unaudited Financial Statements as of July 31, 2023, were accepted.

TENTH ORDER OF BUSINESS

Approval of July 11, 2023 Regular Meeting Minutes

On MOTION by Ms. Perez and seconded by Ms. Vicha, with all in favor, the July 11, 2023 Regular Meeting Minutes, as presented, were approved.

ELEVENTH 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.

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.

- **Memorandum Regarding 2023 Legislative Update**

Mr. George reviewed the pertinent items in the Memorandum regarding the 2023 Legislative Update.

C. District Engineer: Alvarez Engineers, Inc.

There was no report.

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

- **NEXT MEETING DATE: October 10, 2023 at 2:00 P.M.**
 - **QUORUM CHECK**

The October 10, 2023 meeting was cancelled.

TWELFTH ORDER OF BUSINESS

Public Comments

There were no public comments.

THIRTEENTH ORDER OF BUSINESS

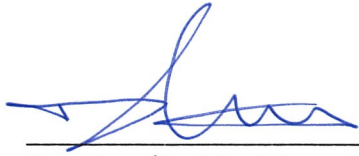
Supervisors’ Requests

There were no Supervisor’s requests.

FOURTEENTH 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.



Secretary/Assistant Secretary



Chair/Vice Chair
