

RESOLUTION NO. 2023-09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MIDDLETON DOWNTOWN COMMUNITY DEVELOPMENT DISTRICT; ESTABLISHING THE MIDDLETON MAINTENANCE ADVISORY COMMITTEE; PROVIDING FOR ITS PURPOSE, FUNCTIONS, AND DUTIES; PROVIDING FOR MEMBERSHIP AND APPOINTMENT; PROVIDING FOR COMPLIANCE WITH APPLICABLE LAWS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Middleton Downtown Community Development District (“MDCDD”) and Middleton Community Development District A (“District A”) have entered into an Interlocal Governmental Agreement for Maintenance of Project Wide Improvements on September 15, 2023 (the “Interlocal Agreement”), to provide funding for the operation, maintenance, repair, and replacement of certain defined areas and improvements as provided for in Exhibit “A” of the Interlocal Agreement of general benefit to all resident and users of said areas and improvements (“Project Wide Improvements”); and

WHEREAS, the Interlocal Agreement provides that MDCDD shall coordinate and supervise the operation, maintenance, repair, and replacement of the Project Wide Improvements; and

WHEREAS, an advisory committee can provide an important communication link between governmental agencies, the public and the Middletown Downtown Community Development District Board of Supervisors (the “Board”) and can lead to improved service and decision making; and

WHEREAS, the Board wishes to establish a Maintenance Advisory Committee to provide input, explore issues and provide advice and recommendations to the Board on issues related to its aforementioned contractual obligations set forth in the Interlocal Agreement; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the Middleton Downtown Community Development District:

1. Advisory Committee Established. There is hereby established the Middleton Maintenance Advisory Committee (“MMAC”).

2. Purpose of the MMAC. The purpose of the MMAC is to provide input, explore issues, and provide advice and recommendations to the Board on issues related to the Board’s operation, maintenance, repair, and replacement of Project Wide Improvements.

3. Duties.

A. Monitor and recommend pertinent and significant aspects of the project wide operation, maintenance, repair, and replacement process as follows:

- i. Review and recommend an annual budget to the Board, review budget to actual statements and review and recommend all capital expenditures through the budget process or outside the budget process as the need develops.
 - ii. Review and recommend contract renewals and bid and proposal awards to the Board.
 - iii. Explore significant and important issues as they arise and provide advice and recommendations to the Board.
- B. Perform any other duties as assigned by the Board.

4. Membership.

- A. Initially, the MMAC shall consist of two (2) members. Each of MDCDD, and District A (individually a “District” and collectively, including all community development districts that subsequently elect to join into the Interlocal Agreement, the “Districts”) shall be requested to provide a Supervisor from that District to serve on the MMAC. Each of the Districts participating on the MMAC will also be requested to appoint an alternate member to serve and attend meetings when that District's Supervisor member cannot attend a meeting.
- B. Every District that subsequently joins into the Interlocal Agreement shall be requested to provide a Supervisor to serve on the MMAC, such that the MMAC shall always consist of the same number of members as there are parties to the Interlocal Agreement, except to the extent that a District elects not to provide a Supervisor to serve on the MMAC.
- C. The MMAC shall meet at a minimum once each quarter.
- D. There is no obligation on the Districts to provide a Supervisor to serve on the MMAC.
- E. Members of the MMAC shall serve without compensation and all members shall be able to devote the time necessary to participate in the activities of the MMAC.
- F. The term of each Supervisor or Alternate will be determined by the respective District.

5. Officers, Quorum, and Rules of Procedure.

- A. At the first meeting, and annually thereafter, the membership of the MMAC shall elect a chairperson and vice chairperson from among the members. Officers' terms shall be for one (1) year, with eligibility for re-election.
- B. The presence of a majority of members from the participating Districts shall constitute a quorum of the MMAC necessary to take action and transact business. In addition, once quorum requirements have been met, an affirmative vote of the majority of the MMAC members present at the meeting shall be necessary in order to take official action. A tie vote shall not be considered an affirmative vote.
- C. The MMAC may, by a majority vote of the entire membership of the MMAC, adopt rules of procedure for the transaction of business. The MMAC shall keep a written record of meetings, actions, findings and recommendations. Copies of all MMAC minutes, actions, reports, findings and recommendations shall be submitted to the Board.

6. Compliance with Applicable Laws.

- A. The MMAC activities shall be consistent with federal and state laws and regulations.
- B. All meetings of the MMAC shall be open to the public and subject to the applicable provisions of the Florida open meetings ("Sunshine") laws, Section 286.011, Florida Statutes.
- C. The records of the MMAC shall also be subject to the applicable provisions of the Florida Public Records Law, Chapter 119, Florida Statutes.

7. Duties of the District Manager of MDCDD or Designee for the MMAC. The duties of the District Manager or his/her designee for the MMAC shall be:

- A. To administer the activities of the MMAC in accordance with the policies of the Board and this Resolution.
- B. To provide periodic written reports to the Board on the activities of the MMAC.
- C. To provide any additional technical or administrative support as deemed appropriate by the District Manager.

8. Effective Date. This Resolution shall take effect immediately upon adoption by the Board.

DONE AND RESOLVED at The Villages, Florida, this 28th day of July, 2023.

**MIDDLETON DOWNTOWN
COMMUNITY DEVELOPMENT
DISTRICT**

ATTEST:



Kenneth C. Blocker, District Manager



Dennis Jredy, Chair, Board of Supervisors

EXHIBIT "A"

A. LANDSCAPING WITHIN RIGHT-OF-WAYS, MEDIANS, AND TRAFFIC CIRCLES, AND ASSOCIATED WALLS AND FENCING, LOCATED WITHIN OR ADJACENT TO THE FOLLOWING ROADWAYS, LESS AND EXCEPT: (I) ANY PORTIONS ADJACENT TO COMMERCIAL PROPERTY, THE VILLAGES CHARTER SCHOOLS, AND PROPERTY NOT IN MIDDLETON; (II) STREET LIGHTING ASSUMED BY THE CITY OF WILDWOOD OR SUMTER COUNTY; AND (III) VILLAGE/NEIGHBORHOOD ENTRY FEATURES NOT LISTED IN SECTION B. BELOW

1. Central Parkway from CR 470 to Marsh Bend Trail, less the traffic circle and medians lying within Central Parkway between Landstone Boulevard and Marsh Bend Trail.
2. Landstone Boulevard from Central Parkway to Bexley Trail, less any traffic circles and medians lying therein.
3. Stampeder Trail
4. Leanne Lane

B. ENTRY FEATURES

1. Central Parkway at (a) Stampeder Trail including traffic circle and (b) Landstone Boulevard

C. LAKES, SHORELINES, CONSERVATION, STORMWATER MANAGEMENT SYSTEM, BUFFER AREAS, AND GREEN SPACES

1. Maintenance obligation for the Stormwater Management System (SWMS). The SWMS includes the Stormwater Retention Basins (SRB), other Water Retention Areas (WRA), underground stormwater conveyance systems and similar areas conveyed to those Community Development Districts (CDD's) or over which CDD's have assumed maintenance but excluding such bleed down underground conveyance systems operated pursuant to the Middleton Water Conservation Authority irrigation systems and not part of the SWMS.
2. All Conservation Areas, Reserves, Preserves, Mitigation Areas and other similar areas required by the Villages of Southern Oaks Development Agreement with the City of Wildwood or required by government regulation of general application, located within the Middleton Community.
3. Green spaces associated with transportation, multi-modal, and golf cart paths and trails listed in Section D below.
4. Dry Creek where adjacent to the boundary of Middleton A CDD
5. Perimeter buffers and security improvements.

D. TRANSPORTATION TRAILS

1. Transportation, multi-modal, and golf cart paths and trails within the Project, together with associated landscaping, but excluding (a) those trails/paths lying within the paved surface of a road right-of-way, and (b) golf cart paths and trails which are part of and necessary to play any particular golf course.

E. TUNNELS

1. Tunnels, tunnel headwalls and ramps that lie within or adjacent to the roadways listed in Section A above.

F. OTHER

1. Kayak Launch
2. Dry Creek Pedestrian Path – path along the north side of Dry Creek including seating, shade structures, and enjoyment improvements, less any portions lying within Dry Creek Park