



Enclave at Black Point Marina  
Community Development District

[www.enclaveatblackpointcdd.com](http://www.enclaveatblackpointcdd.com)

Yadira Monzon

Indira Jimenez

Halton Fuller

James Windley

Dennis Misigoy

January 20, 2017



# *Enclave at Black Point Marina*

## *Community Development District*

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5385 N. Nob Hill Road, Sunrise, Florida 33351  
Phone: 954-721-8681 - Fax: 954-721-9202

January 13, 2017

**Board of Supervisors**  
**Enclave at Black Point Marina**  
**Community Development District**

Dear Board Members:

The regular meeting of the Board of Supervisors of the **Enclave at Black Point Marina Community Development District** will be held on **January 20, 2017 at 11:30 a.m. at Lennar Homes, 730 NW 107th Avenue Suite 300, Miami, Florida.** Following is the advance agenda:

1. Oath of Office for Newly Elected Supervisor(s) Elected at the General Election held November 8, 2016 (Seat #1) and Landowners Election held November 18, 2016 (Seat #4)
2. Roll Call and Pledge of Allegiance
3. Organizational Matters
  - A. Consideration of **Resolution #2017-01** Canvassing and Certifying Results of the Landowners Election
  - B. Consideration of **Resolution #2017-02** Confirming the General Election Results
  - C. Consideration of **Resolution #2017-03** Declaring a Vacancy on the Board of Supervisors
  - D. Consideration of Appointment of a Qualified Elector to the Vacant Seat for Seat #3
  - E. Oath of Office for Newly Appointed Supervisor
  - F. Consideration of **Resolution #2017-04** Electing Officers
4. Approval of Minutes of the October 21, 2016 Meeting
5. Staff Reports
  - A. Attorney
  - B. Engineer
  - C. Field Manager - Monthly Report
  - D. Manager - Discussion of Meeting Location and Time
6. Supervisors Requests and Audience Comments
7. Financial Reports
  - A. Approval of Check Register
  - B. Balance Sheet and Income Statement
8. Adjournment

After the newly elected supervisors subscribes to an oath of office, we will then have quorum and be able to call the meeting to order, and then consider **Resolution #2017-01** Canvassing and Certifying the Results of the Landowners Election and **Resolution #2017-02** Confirming the General Election Results. Since no one qualified for Seat #3 in the general election, we need to consider **Resolution #2017-03** Declaring a Vacancy on the Board of Supervisors and Appointing a Qualified Elector to the Vacant Seat. Then, if we are able to appoint anyone, once we give the newly appointed supervisor the oath of office, we can consider **Resolution #2017-04** Electing Officers. Copies of the resolutions and a letter of interest from a qualified elector are enclosed for your review.

Enclosed for your review is a copy of the minutes from the October 21, 2016 meeting.

The fifth order of business is staff reports. Enclosed under the field manager's report is a copy of the monthly report.

The financial reports are also enclosed for your review and approval. The balance of the agenda is routine in nature and staff will present their reports at the meeting. Any additional documentation we receive will be provided under separate cover or presented at the meeting. If you have any questions, please contact me.

Sincerely,



Luis Hernandez  
Manager

CC: Dennis Lyles

Manuel Echezarreta

Scott Robinson

Jon Kessler

**RESOLUTION 2017-01**

**A RESOLUTION CANVASSING AND CERTIFYING THE RESULTS  
OF THE LANDOWNERS ELECTION OF SUPERVISORS HELD  
PURSUANT TO SECTION 190.006(2), FLORIDA STATUTES**

**WHEREAS**, pursuant to Section 190.006(2), Florida Statute, a landowners meeting is required to be held within 90 days of the District's creation and every two years following the creation of a Community Development District for the purpose of electing *one* Supervisor of the District; and

**WHEREAS**, following proper publication of notice thereof, such landowners meeting was held on *November 18, 2016*, at which the below recited persons were duly elected by virtue of the votes cast in his/ her respective favor; and

**WHEREAS**, the Board of Supervisors by means of this Resolution desire to canvas the votes and declare and certify the results of said election;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
SUPERVISORS OF THE ENCLAVE AT BLACK POINT MARINA  
COMMUNITY DEVELOPMENT DISTRICT;**

1. The following person is found, certified, and declared to have been duly elected as Supervisor of and for the District, having been elected by the votes cast in his/her favor as shown, to wit:

James Windley

10 Votes

2. In accordance with said statute, and by virtue of the number of votes cast for the respective Supervisor, he/she is declared to have been elected for the following term of office:

James Windley

four (4) year term

3. Said terms of office shall commence immediately upon the adoption of this Resolution.

**PASSED AND ADOPTED THIS, \_\_\_\_\_ DAY OF \_\_\_\_\_.**

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Chairman / Vice Chairman

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Secretary / Assistant Secretary

## **RESOLUTION 2017-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ENCLAVE AT BLACK POINT MARINA COMMUNITY DEVELOPMENT DISTRICT RECOGNIZING AND ACCEPTING THE MIAMI-DADE COUNTY CANVASSING BOARD'S DECLARATION AND CERTIFICATION OF THE RESULTS OF THE NOVEMBER 8, 2016 GENERAL ELECTION FOR SUPERVISORS OF THE ENCLAVE AT BLACK POINT MARINA COMMUNITY DEVELOPMENT DISTRICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Enclave at Black Point Marina Community Development District (the "District") is required to hold elections for membership of the Board of Supervisors of the District (the "Board"), pursuant to the provisions of Section 190.006, Florida Statutes; and

**WHEREAS**, an election of Board members was held on November 8, 2016, in Miami-Dade County in the manner prescribed by law for holding general elections; and

**WHEREAS**, the Supervisor of Elections of Miami-Dade County appointed inspectors and clerks of elections, prepared and furnished ballots, designated polling places, and held the election for members of the Board of Supervisors of the District; and

**WHEREAS**, the Supervisor of Elections of Miami-Dade County canvassed the returns of the election of District Board members by the qualified electors of the District; and

**WHEREAS**, the Miami-Dade County Canvassing Board has declared and certified the results of the election for Board members which the District desires to recognize and accept.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ENCLAVE AT BLACK POINT MARINA COMMUNITY DEVELOPMENT DISTRICT, THAT:**

1. The Board of Supervisors of the District hereby recognizes and accepts the results of the November 8, 2016, election of members of the Board of Supervisors, certified by the Miami-Dade County Canvassing Board, and as set forth in **Exhibit A** attached hereto and incorporated herein by reference.
2. The Board of Supervisors hereby recognizes the election of the following persons to a four (4) year term of office:
  - a. Dennis Misigoy Seat # 1
3. Pursuant to Section 190.006(4), Florida Statutes, upon entering into office, the persons referenced above shall take and subscribe to the oath of office as prescribed by Section 876.05, Florida Statutes.
4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
Chairman / Vice Chairman

\_\_\_\_\_  
Secretary / Assistant Secretary

**Exhibit A**

Enclave at Black Point CDD Seat 1

Dennis Misigoy



## RESOLUTION NO. 2017-03

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ENCLAVE AT BLACK POINT MARINA COMMUNITY DEVELOPMENT DISTRICT DECLARING VACANCIES ON THE BOARD OF SUPERVISORS PURSUANT TO SECTION 190.006(3)(b), FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the provisions of Section 190.006, Florida Statutes, the members of the Board of Supervisors (the "Board") of the Enclave at Black Point Marina Community Development District are to be elected by the qualified electors of the District at a general election held in November; and

**WHEREAS**, the District provided notice of the qualifying period for election to the District Board at least two (2) weeks prior to the start of the qualifying period, as required by Section 190.006(3)(b), Florida Statutes; and

**WHEREAS**, the Miami-Dade County Elections Department has confirmed that at the close of the qualifying period for election to the District Board, no electors qualified for Seat # 3 to be filled in the general election to be held on November 8, 2016 (the "General Election"); and

**WHEREAS**, pursuant to Section 190.006(3)(b), Florida Statutes, the District is required to declare the seat to be filled by the election to which no qualified elector has qualified as vacant and to appoint a qualified elector to fill such vacancy within 90 days of the second Tuesday following the General Election.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ENCLAVE AT BLACK POINT MARINA COMMUNITY DEVELOPMENT DISTRICT, THAT:**

1. The recitals above are true and correct and are hereby made a part of this Resolution.
2. The Board hereby declares Seat # 3 to be vacant, effective on the second Tuesday following the General Election.

3. The Board shall appoint a qualified elector to Seat # 3 within 90 days of the second Tuesday following the General Election, as required by Section 190.006(3)(b), Florida Statutes. Until such appointment, the incumbent board member in such seat shall remain in office
  
4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_.

**ENCLAVE AT BLACK POINT MARINA  
COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Chairman / Vice Chairman

\_\_\_\_\_  
Secretary / Assistant Secretary

## Jennifer McConnell

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**From:** Luis Hernandez  
**Sent:** Monday, December 12, 2016 5:54 PM  
**To:** Jennifer McConnell; Robin Ventura  
**Cc:** Juliana Duque  
**Subject:** FW: Seat 3 for CDD Enclave at Black Point

Ladies,

Please include the email below, as part of the coming agenda for the next meeting. Should you have any questions please let me know.

Thank you,

Luis

Luis E. Hernandez  
**GMS-SF, LLC**  
5385 N. Nob Hill Road  
Sunrise, FL 33351  
Phone: 954-721-8681 ext. 204  
Direct: 954-582-2864  
[lhernandez@gmssf.com](mailto:lhernandez@gmssf.com)

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**From:** martinezmarcos.mm [mailto:martinezmarcos.mm@gmail.com]  
**Sent:** Saturday, December 10, 2016 6:36 AM  
**To:** Luis Hernandez <lhernandez@gmssf.com>  
**Subject:** Seat 3 for CDD Enclave at Black Point

Good morning Mr. Hernandez,

My name is Marcos Martinez and I have been one of the original homeowners at the Enclave at Black Point. I have lived here since November of 2011 and in such time have seen this community develop from being completely dark and vacant to the beautify lit community we have today. I take real pride in being part of my community and know that being on the team with you I will be better able to have my neighbors voices heard.

I was planning on attending the meeting this Friday, until I just heard that it was cancelled due to a lack of quorum

I respectfully request to be considered for seat 3 of the CDD for the Enclave at Black Point.

Should you need any other information from me please feel free to write back or call my cell phone (786)-863-1060.

Thank you.

Respectfully,  
Marcos Martinez

**RESOLUTION 2017-04**

**A RESOLUTION ELECTING OFFICERS OF THE ENCLAVE AT BLACK POINT MARINA COMMUNITY DEVELOPMENT DISTRICT**

WHEREAS, the Board of Supervisors of the Enclave at Black Point Marina Community Development District at a regular business meeting following the landowners meeting held on November 18, 2016 desires to elect the below recited persons to the offices specified.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE ENCLAVE AT BLACK POINT MARINA COMMUNITY DEVELOPMENT DISTRICT:**

1. The following persons were elected to the offices shown, to wit:

_____	Chairman
_____	Vice Chairman
_____	Treasurer
_____	Secretary
_____	Assistant Secretary
_____	Assistant Secretary
_____	Assistant Secretary

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
Chairman / Vice Chairman

\_\_\_\_\_  
Secretary / Assistant Secretary

**MINUTES OF MEETING  
ENCLAVE AT BLACK POINT MARINA  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Enclave at Black Point Marina Community Development District was held on Friday, October 21, 2016 at 11:30 a.m. at Lennar Homes, 730 NW 107th Avenue, Suite 300, Miami, Florida.

Present and constituting a quorum were:

Tery Baluja	Chairperson
Yadira Monzon	Vice Chairperson
James Windley	Assistant Secretary

Also present were:

Gerry Knight	District Counsel
Luis Hernandez	District Manager
Juliana Duque	Governmental Management Services
Juan Alvarez	District Engineer

**FIRST ORDER OF BUSINESS**

**Roll Call and Pledge of Allegiance**

Mr. Hernandez called the meeting to order and called the roll. Mr. Hernandez also stated that the Pledge of Allegiance did not need to be part of this agenda due to no flag being present in the room.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of  
the August 19, 2016 Meeting**

Mr. Hernandez: Moving on, as the second part of the agenda we have approval of the minutes of the August 19, 2016 meeting. This would be the time to make any changes, corrections, additions, or deletions. If there are none, a motion to approve would be in order.

On MOTION by Ms. Monzon seconded by Ms. Baluja with all in favor, the Minutes of the August 19, 2016 Meeting were approved.
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**THIRD ORDER OF BUSINESS**

**Ratification of Second  
Amendment to Landscape  
Maintenance Agreement with  
BrightView Landscape  
Services, Inc.**

Mr. Hernandez: Moving on, the next item is ratification of the second amendment to the landscape maintenance agreement with BrightView Landscape Services, Inc. It is my understanding that the reason of the amendment is just to incorporate the new name of the entity that previously was doing business as ValleyCrest. As probably most people know, they have made a huge merge and out of that merge the new name for the entity is BrightView Landscape Services, Inc. With that being said, a recommendation from staff is to approve and ratify the second amendment to the landscape maintenance agreement with BrightView.

On MOTION by Ms. Baluja seconded by Ms. Monzon with all in favor, ratifying the Second Amendment to Landscape Maintenance Agreement with Bright View Landscape Services, Inc. was approved.

**FOURTH ORDER OF BUSINESS**

**Consideration of Addendum  
to Engagement Letter with  
Grau & Associates and  
Enclave at Black Point Marina  
CDD for Audit Services**

Mr. Hernandez: Moving on, we have consideration of the addendum to the engagement letter with Grau & Associates and Enclave at Black Point Marina CCD. At the last meeting the board approved the engagement letter with Grau & Associates but such an engagement was missing one part that pertains to the public records. The way Grau has defined how they want to do it is rather than modifying the agreement they are presenting an amendment and due to that amendment it just needs to be approved and basically what it does is it enforces and passing on all the responsibilities for any public records request relating to the audit to be held and be maintained by the auditing firm.

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With that being said, a recommendation from staff is to approve the addendum that would just be an addition to the engagement letter for those services. Yes Mr. Knight?

Mr. Knight: Yes, just to point out also, the amendment to the other agreement we just did with BrightView also includes one of the reasons and in addition to what you said, was to also put in the public records language that the law now requires.

Ms. Baluja: Ok.

Mr. Knight: And that's what we're doing here with Grau as well.

Mr. Hernandez: So with that being said, unless anyone has any questions, a motion to approve the addendum to the engagement letter between Grau & Associates and the District would be in order.

On MOTION by Ms. Baluja seconded by Ms. Monzon with all in favor, accepting the addendum to the engagement letter between Grau & Associates and Enclave at Black Point Marina CDD for audit services was approved.

## **FIFTH ORDER OF BUSINESS**

## **Staff Reports**

Mr. Hernandez: Moving on we have Staff Reports, Mr. Knight?

### **A. Attorney**

Mr. Knight: Nothing to report.

### **B. Engineer**

Mr. Hernandez: Moving on to the engineer, Juan anything that you need to report at this time?

Mr. Alvarez: No, I don't have anything.

Mr. Hernandez: Thank you very much.

**C. Field Manager**

- 1) Monthly Report**
- 2) Discussion of Hurricane Season Preparedness Plans**
- 3) Consideration of Proposal for Off-Duty Police Services**
- 4) Presentation of Current Problems with the Porter Services**
- 5) Consideration of Proposal from Tony's Nursery & Garden Service Corp. for Porter Services**

Mr. Hernandez: Moving on to Juliana?

Ms. Duque: Yes, everybody has received the monthly report. Just to let the supervisors know that we have received the consideration of proposal for the hurricane season preparedness plan from BrightView. This is done on a regular basis throughout every year but we really don't enter into those agreements because all of the post and pre-cleaning, it's already included in our contract. We also work with FEMA in case there is something major that occurs after one of those storms. So this is just for your information, and no need for any action at this point from the Board of Supervisors. The next item on the agenda is a proposal that we received from Miami-Dade County, this is for off duty police service, and just to let the supervisors know we have met with Holton Fuller, the District manager and myself in reference to the crime rate increase in the community, so they're trying to find out different ways of approaching this situation. After reviewing what can be done, this is one of the approaches that the District looked at and it seems to be reasonable, and so the total price for the off duty police services we were talking about \$55.50 per hour for the off duty officer. So this will be the amount and it will be up to the Board of Supervisors to tell us how to proceed.

Mr. Hernandez: If you would allow me just briefly give a summary of what is taking place. One of the concerns, and just to bring everything up to a perspective, is that the board was considering to go ahead and include the community to have security services. At that time, approximately 8 or 9 months ago, we were just checking with some companies. The biggest concern that we have within the community is that there is no bathroom, and it will be difficult to have a guard without a bathroom, because now you're going to have the problems that they're going off the property, where is it that they're going, what are they doing, and so on. So based on the current events and the desire as per what we understand from the home residents to have at least some perception of



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security, the creative idea is start using off duty services. What we're presenting is the cost of time, it's \$55 and change of what we need to pay per hour, per police officer, and what is being suggested and it has been in other CDDs is to have somewhere between 9 to 12 hours a week of patrol. It would be a randomly selected time, the police officer doesn't need to give the 12 entire hours there all at once, you can do it for a package of 2 or 3 hours at a time, and based on the crime, that time of the assignment of the off duty police officer could be re-arranged. No one from the community is going to know the specific time of that, and it's the best intent of the community for no one to know so that when the off duty officer is going to be in the community or not, it's not going to be publicly known. We believe, based on prior experiences that the fact of having randomly an off duty officer patrolling the community, and being there, that's going to assist as part of the problem that we have, not that it's going to completely solve it, but we believe it's at least the first step which can be done, and based on the fact that it's \$55 and change, and based on the fact of somewhere between 9 to 12 hours a week, the District will need to spend for an entire year roughly \$34,000. Although, we have already started the year, and we are almost done with the first month, and setting it up with the police will take some time, they need to find and establish the hours so that they will have off duty officers to do it. With that being said, the District is going to need to have on hand for the fiscal year that we are incurring for the 10 months, roughly \$31,500 which is the number I came up with. Now the next problem that I have as a manager is, does the District have those funds. So the first part that I need to report is that the District does have \$20,000 in contingency that could be used for these purposes with no problem. The District has \$1,500 of unassigned funds that could be assigned for this particular project, and then from the first quarter operational the District could allocate \$10,000 for this specific purpose of the off duty police officer services. With that being said, from staff that will not be a problem, there are sufficient funds within your budget to assign the \$31,500 for off-duty police officers if that's what the board wants to do. Now that you have the entire information, what we need to know from you is that the right direction or not, and if it is, does it make sense to allocate the amount that I just listed for those particular purposes.

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Mr. Windley: I think it's a good plan because I just said with all the things that we're trying to work out it was crazy, no one could agree, and it just gets confusing. So with a police officer he could pretty much control everything, we never know when he's going to come, we don't have to worry about a restroom and all that good stuff, so I think that is a great plan, if there is money there, and I think again, at the risk of being repetitive I think it's a good plan.

Ms. Baluja: And we terminate that project at any time right?

Mr. Hernandez: Certainly.

Ms. Baluja: Because if we find ourselves in a place where we need the funds for something else because something happens or whatever.

Ms. Duque: That is correct.

Mr. Hernandez: It does not provide a long term obligation. Not only that, when we're saying 9 to 12 hours you can reduce it to less hours, or you can increase it to more hours. So typically what has been done in other Districts is for some unknown reason, during the time of the holidays, crime tends to go up. Typically families tend to leave and go other places, so it is often that in other communities by the time the holiday period comes, we tend to increase those hours and instead of it being 12 hours, it would probably be 15 hours, but at the same time there are other periods where it's easy to go ahead and reduce and instead of 9 hours have 6 hours, and that's something that since no one knows exactly what is going on, the factor of surprise plays a big role.

Mr. Windley: Because talking with my neighbors a lot of them are going to be traveling starting next month until January, and what I'm getting also is, most of the break ins are happening between 1:00 and 3:00 in the morning.

Mr. Hernandez: Believe it or not, there is always some sort of pattern that takes place and part of what we do is try to work with the police. One of the benefits of having an off-duty police officer is that now you are making them feel that this is part of them, and police officers, believe it or not, they take a lot of pride in what they do, and once they have that ownership, they will provide you with that data that you can go ahead and make better decisions as to when would be those right times. They also have a problem

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that because of budgets they have restrictions so they want to go ahead and let you know when those blocked areas, when those empty spaces take place and if you can assist them you will be able to prevent that crime.

Mr. Windley: Precisely and looking at the videos a lot of the homeowners have cameras, and I was looking at the videos and this happened at 2:47 in the morning, and this happened at 1:38, so we can look at the videos and see exactly what time, so you do have videos and everybody has cameras but cameras don't stop break-ins.

Ms. Baluja: Of course.

Mr. Hernandez: Right.

Ms. Duque: Right.

Ms. Baluja: Ok so what do you need?

Mr. Hernandez: What I then would need is a motion from the board to authorize to allocate \$31,500 from the current budget to be used for off-duty police services as described. Yes sir?

Mr. Knight: Luis do we need an agreement with the police department, Miami-Dade County Police Department?

Ms. Duque: We'd have to fill out a permanent account with them.

Mr. Knight: Ok you'd open an account but is there a written agreement actually that you enter into? Some jurisdictions do have a form of agreement.

Mr. Hernandez: At least in the Town of Cutler Bay, what they do is, all you need to sign is that you agree with the amount that they will be charging you per hour and then as you set the time, you agree that those hours that you're using you will be paying them and that's it.

Ms. Duque: You set up the permanent account.

Mr. Hernandez: But there is no written agreement that provides any further obligation to the District that I'm aware of.

Mr. Knight: Ok.

Mr. Hernandez: So with that being said, a motion as stated would be in order.

On MOTION by Ms. Baluja seconded by Mr. Windley with all in favor, authorizing staff to allocate \$31,500 from the current budget to be used for off-duty police services as described and stated on the record was approved.

Mr. Hernandez: Next item.

Ms. Duque: Yes the next item is the current issues that we are experiencing with the porter services, and to bring the supervisors up to speed, we inquired a couple of months ago for some estimates and bids from different companies to provide the porter services. The current porter services that we have, the vendor is ASI, and they were providing a very good service but now during the heaviest storms that we had we noticed a lot of palm fronds on the floor. The service, I believe the standards that we were receiving were not the same. I requested a couple of times for them to pick up those palm fronds and their answer was very clear, they are very big palm fronds and they cannot provide us with that service. So at the beginning we expected that to be included but we are having big, big, problems with them and the service. So we moved forward with requesting proposals, we received a proposal from Tony's Nursery, and the amount for the same service that we are receiving right now which is 12 hours, 3 times per day, that's being done Monday, Wednesdays and Fridays per week.

Ms. Baluja: Per week.

Mr. Hernandez: Yes.

Ms. Duque: What did I say?

Ms. Baluja: Per day.

Ms. Duque: Oh ok I meant per week. Then the total is \$15,360 and we are currently paying \$14,880, so we are talking about an increase of \$418.

Mr. Hernandez: Let's say \$450 approximately just for rounding it up.

Ms. Baluja: And we have the room?

Mr. Hernandez: Yes, that will not be affecting materially the budget, but the biggest concern that we have is making sure that the services are kept up to the best standards that we have.

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Ms. Baluja: No I know, I was just concerned because we just allocated extra funds to the officer and now we have this extra, I just want to make sure we have it.

Mr. Hernandez: Yes.

Ms. Baluja: Ok.

Ms. Duque: So then a motion to terminate the agreement with ASI will take place, and then we would need another motion to approve Tony's Nursery and Garden for the amount of \$15,360 would be in order.

Mr. Hernandez: So let's do one at a time, and just for you to know and part of what of playing with the difference between one and the other, I'm also playing with time, because by the contract they need we need to send them the letter and give them 30 days to terminate them.

Ms. Baluja: Right.

Mr. Hernandez: So in my eyes what is going to take place with this contract is that instead of being 12 months, it's going to be 9 months, so instead of being \$450, it's going to be only \$300. So that's why it does not affect the District materially.

Ms. Baluja: Ok.

Mr. Knight: So I have a question.

Mr. Hernandez: Yes.

Mr. Knight: We have an agreement with ASI?

Mr. Hernandez: Yes.

Mr. Knight: So we're going to terminate that with 30 days notice.

Mr. Hernandez: That's exactly right.

Mr. Knight: You're going to send that out?

Mr. Hernandez: Based on the direction that I'm getting, yes.

Mr. Knight: And then you're going to enter into a new agreement with Tony's, so you have the form of the agreement that you need, or do we need something there?

Mr. Hernandez: Typically your office will provide us and just include the proposal as an exhibit.

Mr. Knight: Ok, right.

Mr. Hernandez: So I have a motion on the table, do I have anyone seconding that to approve the termination of the existing vendor?

On MOTION by Ms. Baluja seconded by Ms. Monzon with all in favor, authorizing staff to send a 30 day notice to terminate the agreement with ASI as stated on the record was approved.

Mr. Hernandez: Then the second motion would be to approve, if the board so wishes, the presented proposal from Tony's Landscaping and by doing so authorizing the District to enter into an agreement with this entity to provide services once the existing vendor terminates services.

On MOTION by Ms. Baluja seconded by Ms. Monzon with all in favor, accepting the proposal from Tony's Nursery for landscaping services and also authorizing staff to enter into an agreement with same as stated on the record was approved.

Mr. Hernandez: Back to you Juliana.

Ms. Duque: That's it, I'm done with my report.

Mr. Hernandez: Ok, thank you very much.

**D. Manager**

Mr. Hernandez: As the manager, I have nothing to report.

**SIXTH ORDER OF BUSINESS**

**Supervisors Requests and Audience Comments**

Mr. Hernandez: Moving on, supervisors request, are there any supervisors requests at this time? Not hearing any, I just need to indicate for the record once again we have no audience today.

**SEVENTH ORDER OF BUSINESS**

**Financial Reports**

**A. Approval of Check Register**

**B. Balance Sheet and Income Statement**

Mr. Hernandez: The last item to present as per the agenda would be financial reports which you will find in section 7. Tab A contains the check register, and tab B has the balance sheet and income statement. Unless anyone has any questions in regard to the financials, a motion to approve would be in order.

On MOTION Ms. Baluja by seconded by Mr. Windley with all in favor, the Check Register, Balance Sheet and Income Statement were approved.

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

Mr. Hernandez: Unless anyone has any other District business to discuss, a motion to adjourn would be in order.

On MOTION by Ms. Monzon seconded by Mr. Windley with all in favor, the meeting was adjourned.

\_\_\_\_\_  
Secretary / Assistant Secretary

\_\_\_\_\_  
Chairman / Vice Chairman

**FIELD SUPERVISOR REPORT**

***Enclave at Black Point Marina  
Community Development District***

**Field Supervisor:** Juliana Duque      **Date:** January 20, 2017      **Report:** Field Report

**LANDSCAPE**

- Regular trimming, mowing, and wet check services were provided as per contract.
- Porter service has provided labor as per agreement.
- All drains, curbs, roundabouts, and palm rings throughout District were sprayed.
- BrightView is providing landscape services as per contract. All issues were addressed and they have been proactive when a specific service is required.
- Couple of conversations with BrightView took place in reference to the Mexican heather at small round about. Plant is dying. Awaiting on report from BrightView.
- Royal palm at the entrance has been replaced.





**LAKES**

- All lakes were taken care of by District's vendor. Lake Management including algae, border grass and aquatic weed control as well as mitigation including invasive plant control.



**COMMENTS – PENDING ITEMS**

- All the scheduled drives have been done and concerns/issues addressed.
- Meeting with the HOA Management Company took place in reference to the lights at the median at the main entrance. Property manager Kristina Olson was provided with control to change the color of the median landscape lights.
- Field Supervisor has been in contact with South Florida Water Management District in reference to the maintenance of the canals.
- Off duty services have been provided by Miami-Dade off duty police department as per direction given by the Board of Supervisors.



# Enclave at Black Point Marina Community Development District

## Check Run Summary

January 20, 2017

<i>Date</i>	<i>Check Numbers</i>	<i>Amount</i>
10/26/16	612-618	\$8,078.49
12/02/16	619-623	\$11,984.99
01/05/17	624-630	\$229,765.46
Total		<u>\$249,828.94</u>

AP300R

YEAR-TO-DATE ACCOUNTS PAYABLE PREPAID/COMPUTER CHECK REGISTER RUN 1/11/17

\*\*\* CHECK DATES 10/11/2016 - 01/11/2017 \*\*\*

ENCLAVE AT BLACK POINT MARINA  
BANK A ENCLAVE AT BPM - GF

CHECK DATE	VEND#	INVOICE DATE	INVOICE	EXPENSED TO YRMO	DPT	ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	CHECK #
10/26/16	00027	11/01/16	4208	NOV 16 -	201611	320-53800-46500			JANITORIAL SVCS AMERICA SERVICE INDS.	*	1,240.00	1,240.00	000612
10/26/16	00005	9/30/16	136995	SEP 16 -	201609	310-51300-31500			GENERAL COUNSEL BILLING, COCHRAN, HEATH, LYLES,	*	501.30	501.30	000613
10/26/16	00031	10/10/16	5149298	OCT 16 -	201610	320-53800-46200			LANDSCAPE MAINT ROYAL PALM DELIVERY BRIGHTVIEW LANDSCAPE SERVICES, INC.	*	2,133.29	5,779.86	000614
		10/21/16	5162787		201610	320-53800-46200				*	3,646.57		
10/26/16	00006	10/03/16	39288	FY17	201610	310-51300-54000			SPECIAL DISRICT FEE DEPARTMENT OF ECONOMIC OPPORTUNITY	*	175.00	175.00	000615
10/26/16	00001	8/01/16	120	AUG 16 -	201608	310-51300-35100			COMPUTER TIME COMPUTER TIME COMPUTER TIME COMPUTER TIME COMPUTER TIME GMS-SF, LLC	* * V V	83.33 83.33 83.33- 83.33- 83.33- .00	.00	000616
10/26/16	00021	10/03/16	3197	OCT 16 -	201610	320-53800-46800			LAKE MAINTENANCE LAKE & WETLAND MANAGEMENT, INC.	* *	245.00 54.00	299.00	000617
10/26/16	00001	8/01/16	120	AUG 16 -	201608	310-51300-35100			COMPUTER TIME GMS-SF, LLC	*	83.33	83.33	000618
12/02/16	00030	11/02/16	10000163	NOTICE OF MEETING	201611	310-51300-48000			ALM MEDIA, LLC	*	217.16	217.16	000619
12/02/16	00005	10/31/16	137761	OCT -	201610	310-51300-31500			GENERAL COUNSEL BILLING, COCHRAN, HEATH, LYLES,	*	1,250.10	1,250.10	000620

ENCL --ENCLAVE-- PPOWERS

\*\*\* CHECK DATES 10/11/2016 - 01/11/2017 \*\*\*

ENCLAVE AT BLACK POINT MARINA  
BANK A ENCLAVE AT BPM - GF

CHECK DATE	VEND#	INVOICE DATE	INVOICE	EXPENSED TO YRMO	DPT	ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	CHECK #
12/02/16	00031	11/10/16	5173915	201611	320-53800-46200				LANDSCAPE MAINTENANCE BRIGHTVIEW LANDSCAPE SERVICES, INC.	*	2,133.29	2,133.29	000621
12/02/16	00001	11/01/16	123	201611	310-51300-34000				MANAGEMENT FEES	*	3,671.00		
		11/01/16	123	201611	310-51300-35100				COMPUTER TIME	*	83.33		
		11/01/16	123	201611	310-51300-31300				DISSEMINATION	*	208.33		
		11/01/16	123	201611	310-51300-49500				WEBSITE ADMIN	*	41.67		
		11/01/16	123	201611	310-51300-51000				OFFICE SUPPLIES	*	17.50		
		11/01/16	123	201611	310-51300-42000				POSTAGE	*	2.79		
		11/01/16	123	201611	310-51300-42500				COPIES	*	42.30		
		12/01/16	124	201612	310-51300-34000				MANAGEMENT FEES	*	3,671.00		
		12/01/16	124	201612	310-51300-35100				COMPUTER TIME	*	83.33		
		12/01/16	124	201612	310-51300-31300				DISSEMINATION	*	208.33		
		12/01/16	124	201612	310-51300-49500				WEBSITE ADMIN	*	41.67		
		12/01/16	124	201612	310-51300-42000				POSTAGE	*	2.79		
		12/01/16	124	201612	310-51300-42500				COPIES	*	11.40		
									GMS-SF, LLC			8,085.44	000622
12/02/16	00021	11/02/16	3279	201611	320-53800-46800				NOV - LAKE MAINTENANCE	*	245.00		
		11/02/16	3279	201611	320-53800-46300				NOV - FOUNTAIN MAINT	*	54.00		
									LAKE & WETLAND MANAGEMENT, INC.			299.00	000623
1/05/17	00005	11/30/16	138360	201611	310-51300-31500				NOV 16 - GENERAL COUNSEL	*	875.60		
									BILLING, COCHRAN, HEATH, LYLES,			875.60	000624
1/05/17	00031	11/30/16	5192304	201611	320-53800-46200				QTRLY RETAINAGE SEP-NOV16	*	711.12		
		12/10/16	5196831	201612	320-53800-46200				DEC 16-LANDSCAPE MAINT	*	2,133.29		
									BRIGHTVIEW LANDSCAPE SERVICES, INC.			2,844.41	000625

ENCL --ENCLAVE-- PPOWERS

\*\*\* CHECK DATES 10/11/2016 - 01/11/2017 \*\*\*

ENCLAVE AT BLACK POINT MARINA  
BANK A ENCLAVE AT BPM - GF

CHECK DATE	VEND#	INVOICE DATE	INVOICE	EXPENSED TO YRMO	DPT	ACCT#	SUB	SUBCLASS	VENDOR NAME	STATUS	AMOUNT	CHECK AMOUNT	CHECK #
1/05/17	00018	1/05/17	TAX REC	201701	300	20700	10000		ENCLAVE AT BLACK POINT MARINA CDD	*	218,957.41	218,957.41	000626
1/05/17	00001	1/02/17	JAN 17-MGMT FEES	201701	310	51300	34000			*	3,671.00		
		1/02/17	JAN 17-COMPUTER TIME	201701	310	51300	35100			*	83.33		
		1/02/17	JAN 17-DISSEMINATION SVCS	201701	310	51300	31300			*	208.33		
		1/02/17	JAN 17-WEBSITE ADMIN	201701	310	51300	49500			*	41.67		
		1/02/17	JAN 17-POSTAGE	201701	310	51300	42000			*	1.86		
		1/02/17	JAN 17-COPIES	201701	310	51300	42500			*	2.85		
									GMS-SF, LLC			4,009.04	000627
1/05/17	00015	12/02/16	AUDIT FYE 09/30/2016	201612	310	51300	32200		GRAU AND ASSOCIATES	*	1,500.00	1,500.00	000628
1/05/17	00021	12/01/16	DEC - LAKE MAINTENANCE	201612	320	53800	46800			*	245.00		
		12/01/16	DEC - FOUNTAIN MAINT	201612	320	53800	46300			*	54.00		
									LAKE & WETLAND MANAGEMENT, INC.			299.00	000629
1/05/17	00032	1/01/17	JAN 17-PORTER SERVICES	29010117	201701	320	53800	46201	TONY'S NURSERY & GARDEN	*	1,280.00	1,280.00	000630
TOTAL FOR BANK A											249,828.94		
TOTAL FOR REGISTER											249,828.94		

ENCL --ENCLAVE-- PPOWERS

# Enclave at Black Point Marina

## COMMUNITY DEVELOPMENT DISTRICT

### **COMBINED BALANCE SHEET**

December 31, 2016

	<u>Governmental Fund Types</u>		<b>Totals</b>
	<u>General</u>	<u>Debt Service</u>	<u>(Memorandum Only)</u> <b>2017</b>
<b><u>ASSETS:</u></b>			
Cash	\$438,770	---	\$438,770
Investments:			
Reserve A	---	\$216,537	\$216,537
Interest A	---	\$3	\$3
Revenue A	---	\$52,979	\$52,979
Sinking A	---	\$2	\$2
Due from General Fund	---	\$220,890	\$220,890
<b>TOTAL ASSETS</b>	<u>\$438,770</u>	<u>\$490,410</u>	<u>\$929,180</u>
<b><u>LIABILITIES:</u></b>			
Accounts Payable	\$5,519	---	\$5,519
Due to Debt Service	\$220,890	---	\$220,890
<b><u>FUND BALANCES:</u></b>			
Reserved for Debt Service	---	\$490,410	\$490,410
Unreserved	\$212,361	---	\$212,361
<b>TOTAL LIABILITIES &amp; FUND EQUITY &amp; OTHER CREDITS</b>	<u>\$438,770</u>	<u>\$490,410</u>	<u>\$929,180</u>

**ENCLAVE AT BLACK POINT MARINA  
COMMUNITY DEVELOPMENT DISTRICT**

**General Fund**

Statement of Revenues & Expenditures  
For The Period Ending December 31, 2016

Description	ADOPTED BUDGET	PRORATED BUDGET THRU 12/31/16	ACTUAL THRU 12/31/16	VARIANCE
<b>Income</b>				
Maintenance Assessments	\$108,288	\$105,395	\$105,395	\$0
<b>Total Income</b>	<b>\$108,288</b>	<b>\$105,395</b>	<b>\$105,395</b>	<b>\$0</b>
<b>Expenditures</b>				
<i>Administrative</i>				
Supervisor Fees	\$6,000	\$1,500	\$0	\$1,500
FICA Taxes	\$459	\$459	\$0	\$459
Engineering	\$5,000	\$1,250	\$0	\$1,250
Arbitrage	\$650	\$650	\$0	\$650
Dissemination	\$2,500	\$625	\$625	\$0
Attorney	\$12,000	\$3,000	\$2,126	\$874
Annual Audit	\$3,400	\$1,500	\$1,500	\$0
Trustee Fees	\$3,000	\$0	\$0	\$0
Management Fees	\$44,052	\$11,013	\$11,013	\$0
Computer Time	\$1,000	\$250	\$250	\$0
Telephone	\$150	\$38	\$20	\$18
Postage	\$750	\$188	\$12	\$176
Printing & Binding	\$500	\$125	\$56	\$69
Insurance	\$7,293	\$6,762	\$6,762	\$0
Legal Advertising	\$1,000	\$250	\$217	\$33
Other Current Charges	\$500	\$125	\$99	\$26
Website Compliance	\$500	\$125	\$125	(\$0)
Office Supplies	\$500	\$125	\$18	\$108
Dues, Licenses & Subscriptions	\$175	\$175	\$175	\$0
Capital Outlay	\$250	\$63	\$0	\$63
Operating Reserve	\$30,000	\$7,500	\$0	\$7,500
<i>Field</i>				
Landscape Maintenance	\$40,000	\$10,000	\$10,758	(\$758)
Lake Maintenance	\$5,500	\$1,375	\$735	\$640
Fountains	\$1,500	\$375	\$162	\$213
Irrigation Repairs	\$5,000	\$0	\$0	\$0
Janitorial Services	\$14,880	\$0	\$2,480	(\$2,480)
Contingency	\$20,000	\$5,000	\$0	\$5,000
<b>Total Expenses</b>	<b>\$206,559</b>	<b>\$52,472</b>	<b>\$37,131</b>	<b>\$15,340</b>
<b>Excess Revenues/Expenses</b>	<b>(\$98,271)</b>		<b>\$68,263</b>	
<b>Retained Earnings - Beginning</b>	<b>\$99,784</b>		<b>\$144,098</b>	
<b>Retained Earnings - Ending</b>	<b>\$1,513</b>		<b>\$212,361</b>	

**ENCLAVE AT BLACK POINT MARINA**  
**COMMUNITY DEVELOPMENT DISTRICT**

**DEBT SERVICE FUND**  
Statement of Revenues & Expenditures  
For The Period Ending December 31, 2016

	<u>ADOPTED BUDGET</u>	<u>PRORATED THRU 12/31/16</u>	<u>ACTUAL THRU 12/31/16</u>	<u>VARIANCE</u>
<b><u>REVENUES:</u></b>				
Interest Income	\$0	\$0	\$212	\$212
Special Assessments - A	\$227,026	\$220,890	\$220,890	\$0
<b><i>TOTAL REVENUES</i></b>	<u>\$227,026</u>	<u>\$220,890</u>	<u>\$221,102</u>	<u>\$212</u>
<b><u>EXPENDITURES:</u></b>				
<b><u>Series A</u></b>				
Interest Expense - 11/1	\$77,355	\$77,355	\$77,355	\$0
Interest Expense - 05/1	\$77,355	\$0	\$0	\$0
Principal Expense - 05/1	\$75,000	\$0	\$0	\$0
<b><i>TOTAL EXPENDITURES</i></b>	<u>\$229,710</u>	<u>\$77,355</u>	<u>\$77,355</u>	<u>\$0</u>
<b>EXCESS REVENUES (EXPENDITURES)</b>	<u>(\$2,684)</u>		<u>\$143,747</u>	
FUND BALANCE - Beginning	\$130,403		\$346,663	
FUND BALANCE - Ending	<u>\$127,719</u>		<u>\$490,410</u>	



# ENCLAVE AT BLACK POINT MARINA

## COMMUNITY DEVELOPMENT DISTRICT

Bond Issue:	<b><u>Series 2007A Special Assessment Bonds</u></b>
Original Issue Amount:	\$3,380,000
Interest Rate:	5.40%
Maturity Date:	May 1, 2037
Reserve Fund Requirement:	Lesser of: <b>(i) Max Annual Debt Service for Bonds Outstanding</b> (ii) 125% of Average Debt Service for Bonds Outstanding (iii) 10% of Original proceeds

Bonds outstanding - 9/30/13	\$3,065,000
Less: 11/1/2013	\$0
5/1/2014	(\$65,000)
5/1/2015	(\$65,000)
5/1/2016	(\$70,000)
Current Bonds Outstanding:	<b><u><u>\$2,865,000</u></u></b>

Bond Issue:	<b><u>Series 2007B Special Assessment Bonds</u></b>	
	\$7,790,000	
Interest Rate:	7.250%	**Rate Increased from 5.2% in 2011 when maturity date was extended.
Maturity Date:	May 1, 2016	
Reserve Fund Requirement:	<b>(i) Max Annual Debt Service for Bonds Outstanding</b> (ii) 125% of Average Debt Service for Bonds Outstanding (iii) 10% of Original proceeds	

Bonds outstanding - 9/30/13	\$655,000
Less: 11/1/2013	(\$495,000)
2/1/2014	(\$65,000)
5/1/2014	(\$30,000)
8/1/2014	(\$65,000)
Current Bonds Outstanding:	<b><u><u>\$0</u></u></b>

# Enclave at Black Point Marina

Community Development District  
Tax Collections  
Fiscal Year Ending September 30, 2017

Date Received	Gross Tax Received	Commissions	Discounts	Interest	Penalties	Net Amount Received	\$ 241,440.00 Debt Service Fund 67.70%	\$ 115,200.00 General Fund 32.30%	\$ 356,640.00 Total 100.00%
11/17/2016	\$ 5,944.00	\$ 235.38	\$ 59.44			\$ 5,649.18	\$ 3,824.41	\$ 1,824.77	\$ 5,649.18
11/27/2016	\$ 71,328.00	\$ 2,824.59	\$ 713.28			\$ 67,790.13	\$ 45,892.91	\$ 21,897.22	\$ 67,790.13
12/8/2016	\$ 234,788.00	\$ 9,297.61	\$ 2,347.88			\$ 223,142.51	\$ 151,064.18	\$ 72,078.33	\$ 223,142.51
12/19/2016	\$ 28,234.00	\$ 1,103.35	\$ 282.34			\$ 26,848.31	\$ 18,175.91	\$ 8,672.40	\$ 26,848.31
12/28/2016	\$ 2,972.00	\$ 88.27	\$ 29.72			\$ 2,854.01	\$ 1,932.12	\$ 921.89	\$ 2,854.01
						\$ -	\$ -	\$ -	\$ -
						\$ -	\$ -	\$ -	\$ -
						\$ -	\$ -	\$ -	\$ -
						\$ -	\$ -	\$ -	\$ -
						\$ -	\$ -	\$ -	\$ -
						\$ -	\$ -	\$ -	\$ -
						\$ -	\$ -	\$ -	\$ -
						\$ -	\$ -	\$ -	\$ -
<b>TOTALS</b>	<b>\$ 337,322.00</b>	<b>\$ 13,313.82</b>	<b>\$ 3,373.22</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 320,634.96</b>	<b>\$ 220,889.53</b> 91%	<b>\$ 105,394.61</b> 91%	<b>\$ 326,284.14</b>

001.300.20700.10000

Per Section 9.07, Master Trust Indenture:

\_\_\_\_\_

Patti Powers, Treasurer

Officer's Certification: \_\_\_\_\_ Date: \_\_\_\_\_

This information is correct. \_\_\_\_\_

<i>Transfer To Debt Service</i>		
Date	Amount	Check #s

	1/5/2017	\$ 218,957.41	626
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V#18

	\$ 218,957.41
<b>Balance to Transfer</b>	<b>\$ 1,932.12</b>