



Enclave at Black Point Marina
Community Development District

www.enclaveatblackpointcdd.com

Dennis Misigoy – Chairman

James Windley – Vice Chairman

Halton Fuller – Assistant Secretary

Cary Smith – Assistant Secretary

Andell Daniels – Assistant Secretary

January 8, 2018



Enclave at Black Point Marina

Community Development District

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December 21, 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 8, 2018 at 11:30 a.m. at Alvarez Engineers, Inc., 10305 NW 41st Street, Suite 103, Doral, Florida.** Following is the advance agenda:

1. Roll Call and Pledge of Allegiance
2. Approval of Minutes of the November 13, 2017 Meeting
3. Supervisors Requests and Audience Comments
4. Presentation of the Results of the Voting for the Gate System - *separate cover pending voting*
5. Discussion and Definition of Projects as per Voting
6. Staff Reports
 - A. Attorney
 - B. Engineer
 - C. Field Manager
 - D. Manager
7. Financial Reports
 - A. Approval of Check Register
 - B. Balance Sheet and Income Statement
8. Adjournment

Meetings are open to the public and may be continued to a time, date and place certain. For more information regarding this CDD please visit the website: <http://www.enclaveatblackpointcdd.com>

**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 Monday, November 13, 2017 at 11:30 a.m. at Alvarez Engineers, Inc., 10305 NW 41st Street, Suite 103, Doral, Florida.

Present and constituting a quorum were:

Dennis Misigoy	Chairman
James Windley	Vice Chairman
Halton Fuller	Assistant Secretary
Andell Daniels	Assistant Secretary

Also present were:

Luis Hernandez	District Manager
Michael Pawelczyk	District Counsel
Juan Alvarez	District Engineer
Adam Andrews	Envera
Juliana Duque	Governmental Management Services
Jay Plant	Resident

Segment I:

FIRST ORDER OF BUSINESS

Roll Call

Mr. Hernandez called the meeting to order at 11:34 a.m. and called the roll. Mr. Windley, Mr. Fuller and Ms. Daniels were in attendance and Mr. Misigoy was attending by phone.

The meeting was recessed at 11:35 a.m.

The meeting was reconvened at 11:36 p.m.

SECOND ORDER OF BUSINESS

**Approval of the Minutes of the
October 9, 2017 Meeting**

Mr. Hernandez: The next item is approval of the minutes of the October 9, 2017 meeting. This would be the time to make any changes, corrections, additions and deletions. If none, a motion to approve would be in order.

On MOTION by Mr. Windley seconded by Ms. Daniels with all in favor, the Minutes of the October 9, 2017 Meeting were approved, as presented.

- **Gates**

Mr. Hernandez: Before we consider the agenda items, one of the main items that we have to consider, has to do with the gates and the potential for gates. Several situations have been taking place through the community, without the direct control or knowledge of the CDD. Prior to the meeting, I questioned the next step, if there were going to be gates. Juan, could you please let us know the process of getting permits for the gates and what that implies, as far as requirements?

Mr. Alvarez: As everybody knows, the right-of-ways (ROWs) inside of the CDD belong to the County. The County has specific requirements for modifying the traffic flow, such as installing gates and speed humps. They have specific criteria, such as requiring a Traffic Study, showing that gates will not impact the adjacent roads. A portion was included in a Traffic Study from Carlton Engineering. When the CDD is ready to proceed with this project, as you know, plans must be prepared for widening the entrance and presented to the County. The County will also want to know that two-thirds of residents are in favor of making these traffic flow modifications, and documentation must be provided.

Mr. Hernandez: Based on the fact that there seems to be a lot of misinformation, does the CDD have a sketch of what is going to be proposed for the gates? What does the CDD have at this point?

Mr. Alvarez: The Traffic Study shows the configuration of the gate, but some exhibits could be prepared.

Mr. Hernandez: In order for the District to be able to go to the County and prepare all of these documents, the question is whether we need the approval of two-thirds of residents or property owners.

Mr. Alvarez: They say, "residents/property owners".

Mr. Hernandez: Okay. How does that typically need to be handled? In other communities, they do not phase this type of project. Who is the one taking the lead to obtain those documents?

Mr. Alvarez: Previous examples were prepared by the HOA.

Mr. Hernandez: Is the Board working with the HOA? I don't know the details.

Mr. Fuller: Not at all.

Mr. Hernandez: Part of the reason for having Envera here today, is that the Board was in favor of starting the process, but initial steps have not been taken yet. The fact is that all of this is part of a process, but the process needs to be fulfilled, prior to the District finalizing everything that is being presented. With that being said, the recommendation will be for the CDD to provide residents/homeowners with a letter, showing the current sketch, and letting them know that, as part of the requirements, the District will need to obtain signatures from two-thirds of residents/homeowners, in order to process the permit. Will your firm be completing this process, once the documentation is presented?

Mr. Alvarez: Yes. There may be some forms for us to complete.

Mr. Hernandez: Can you give us examples of letters that needs to be provided?

Mr. Alvarez: Yes. I can give you the sketch.

Mr. Hernandez: Please correct me if I'm wrong, including Dennis who is attending by phone, but I think that the first step is to inform the community about the project. It seems like not everyone has clear understanding of what the intent is.

Mr. Fuller: Not only that, but I don't think the letter would be sufficient, whether or not we mail it to each home. We have done it in the past and I hate to keep moving backwards, in an effort to make sure that everyone is properly informed and aware of what is going on, so they are not being misguided.

Mr. Misigoy joined the meeting in person.

Mr. Misigoy: Definitely.

Mr. Fuller: So that we understand, as neighbors, perhaps we need to advertise another workshop. We've done it twice already. Maybe we should give another opportunity for residents to voice their opinion, so that they understand what's going on.

Mr. Hernandez: Okay.

Mr. Fuller: I don't want to advertise the meeting as a meeting to come out and protest. I want to make sure that we advertise the meeting as a workshop, so homeowners can learn exactly what is going on. For example, I met with a homeowner face-to-face last night. The homeowner assumed that the HOA fees were affected by this project. That's totally false. There are homeowners like that, that are upset or against the project, because they don't know the details. They don't know that funds were obtained by refinancing a bond to complete the project. You will be surprised to see that probably 80% of the homeowners, if I had to guess, didn't know that those funds were readily available and that we were moving forward. I think that it should be an informational workshop, not a "come out and fight and protest" workshop. I suggest that we send letters to the homeowners. We should make the time convenient by meeting in the evening if we need to, and meet at the library.

Ms. Daniels: We can meet at a park on a Saturday when everyone is home and have a tent there and let the people come and talk.

Mr. Fuller: I agree.

Ms. Daniels: When you go somewhere like a library, not many people are going to come. There is going to be fighting and I don't want that. You could talk to them personally and let them see exactly what's going on.

Mr. Fuller: I agree.

Mr. Hernandez: We don't have lights in the park.

Ms. Daniels: You can have it during the daytime.

Mr. Hernandez: Yes. That was going to be my comment. Trying to meet at night is going to be difficult and expensive, as you are required to have either some type of generator, or setting up lighting. Having it during the day on a Saturday, would be more appropriate. Are there any other comments?

Mr. Misigoy: I'm not opposed to it, but one concern I have is when we sit here and listen to presentations from vendors, it's a sales pitch, and I want to make sure if we are giving a presentation, we provide the information for people who have to make a decision. It doesn't have to be a sales pitch. I think some consideration needs to be thought about that as well. Beyond that, I agree that we should have something out there and encourage people to express their opinion. Yes, there is some misinformation, because our meetings are not easily accessible for the average homeowner. The average homeowner and average resident doesn't know what's going on, even after they heard that we were refinancing the bonds to fund the construction. There's still going to be an increase in the operational budget.

Mr. Fuller: I'm sorry to be interrupting you, but just to be clear, there was going to be an increase in the operational budget anyway.

Mr. Misigoy: Sure.

Mr. Fuller: Because we had not budgeted for the security that we used in the past. Let's be 100% accurate with the residents.

Mr. Misigoy: Sure.

Mr. Fuller: Let's be as clear as we can be with the residents and let them know that there is going to be an increase in the operational budget, despite the gate, having the gate or not having the gate.

Mr. Misigoy: Excuse me. I don't think we can sit here and say that there's no cost. Even if the budget remains the same, we are diverting funds from one line item to another. That's another aspect that the community needs to understand.

Mr. Fuller: For repayment due to refinancing the bonds.

Mr. Misigoy: The refinancing only covers the construction. The refinancing doesn't cover the service charge for the virtual guard, or the long-term maintenance. It

is for the construction of it for the improvements. We need to be clear about that. We can't sit here and pretend that there's no actual cost to this.

Mr. Hernandez: I want to clarify that you already adopted a budget for Fiscal Year 2018, which includes virtual gate services for \$35,000 and security for \$15,000.

Mr. Misigoy: We discussed at the June meeting, removing money from what we were paying as far as police patrols.

Mr. Fuller: Absolutely

Mr. Misigoy: People have varying opinions. Some say that the construction cost doesn't cost anyone any money, but in reality, if we look at the entire picture, we can always go back to the fact that if you don't go through with all of these projects, we have money that could be paid against the bonds, that will reduce the cost, although minimally. We said that every cent counts, the last time we were here in terms of giving people back their money. If we don't do these projects, people get some of their money back, which can offset whatever other costs we have

Ms. Daniels: So we get money back if we don't do this project. Will you give me a check?

Mr. Misigoy: No, but your property tax will decrease.

Ms. Daniels: How much?

Mr. Misigoy: I don't think we calculated it, but, if you don't spend money on this project, you have the money to pay against the bonds. I don't know what it comes down to per unit.

Mr. Fuller: I just want to make sure that we clarify this. These little plays on words, is what has our neighbors in an uproar, when we don't explicitly let them know what is going on.

Mr. Misigoy: What play on words?

Mr. Fuller: Like, for instance, when you say, "We can divert money and get it back".

Mr. Misigoy: That's not a play on words. That's a fact.

Mr. Windley: It's misleading.

Mr. Misigoy: What's misleading about it?

Mr. Windley: Whenever you use the word "diverting".

Mr. Misigoy: I didn't say "diverting".

Mr. Fuller: You've been against this project from the beginning. You said that if we bring someone out, we are going to hear a sales pitch.

Mr. Misigoy: There's a difference between a sales pitch and providing information.

Ms. Daniels: That's why it is better to meet inside of the community, not in a library or church. It needs to be somewhere where everybody can come out and talk without somebody standing there telling them negative things.

Mr. Misigoy: I agree 100%

Mr. Fuller: Having said that, can we move forward?

Mr. Hernandez: Certainly. I need the Board to define the time. Several things need to be take place, such as the arrangements and determining the date for the advertisement. Dennis made a good point. If it is going to be held outside, we don't have a crystal ball to determine how the weather is going to be.

Mr. Misigoy: At least plan a contingency and an alternate date to give ourselves a window to work with.

Mr. Hernandez: Correct. We had a community that was supposed to have a movie night, and on that night, there was 100% chance of rain. We don't have control over that, but I want to have a contingency plan, so we can address that.

Ms. Daniels: What about having tents?

Mr. Hernandez: If it's going to be for the entire community, you need to have a tent that can hold 600 people.

Ms. Daniels: I wasn't talking about that type of tent. I'm talking about something that you carry to a football game, sit at a table, have a banner, etc.

Mr. Fuller: We could have a 10x10 tent, not a big party tent.

Mr. Misigoy: If we had the turnout that we had at the library, a 10x10 tent is not sufficient.

Mr. Fuller: The turnout that we had at the library was about 15 people. We could sit here and be opposed at every idea.

Mr. Hernandez: I think the point that Dennis is trying to make is to set a realistic expectation. The concern that I have is, if I'm going to be sitting under a tent making a presentation, people are sitting outside to the elements and if it's a sunny day, people will be melting while I'm trying to make my presentation. I'm trying to see what the right fit is. I suggest that you have it early, like at 9:30 a.m. or 10:00 a.m., at the latest, so if we have a sunny day, it's not going to be as hot as having it at noon.

Mr. Fuller: I just don't want to spend useless money on tents.

Mr. Hernandez: They are not that expensive.

Ms. Duque: I think each chair was \$1 and a 10x10 tent was \$20.

Mr. Fuller: I'm all for it.

Ms. Daniels: You can send out something and let everybody know, such as putting out door hangers, so that everyone can come.

Mr. Fuller: Absolutely.

Ms. Daniels: So you can at least say that you tried.

Mr. Hernandez: What date do you want to do this?

Mr. Fuller: Either before Thanksgiving or after Thanksgiving.

Mr. Hernandez: Before Thanksgiving is going to be extremely difficult.

Ms. Duque: When is the next meeting?

Mr. Windley: December 11.

Mr. Hernandez: If you try to have it during the week, we are going to have the same issue.

Mr. Fuller: I'm free on either December 9 or December 15, which are Saturdays.

Mr. Misigoy: I'm curious in terms of everything that needs to be coordinated. Is this simply a workshop, or is it going to be tied to us getting the two-thirds approval? We need to be prepared in terms of what the ballot will look like that we are going to give to people.

Mr. Hernandez: People aren't going to be voting, unless you define what you want to do. That's something as a group that I want you to guide us on.

Ms. Daniels: We could get signatures.

Mr. Hernandez: That's what I was hoping to have, so when we have the presentation, people can express their opinion.

Mr. Pawelczyk: They can mail their ballot after the workshop.

Mr. Hernandez: Or if it is ready, they can hand it to us. My opinion is that the purpose of the workshop is to let them know what the sketch shows. I will be presenting financials. You will be able to provide any comments that the Board needs to provide, and then people can express whatever opinion they may have, in favor or against. At the end, we would wrap up the entire presentation. We need to have approval of at least two-thirds, in order to get this permit. That's the intent of the workshop.

Mr. Fuller: I think the homeowners would be overjoyed to have a chance to voice their opinions.

Ms. Daniels: There would be one ballot per household.

Mr. Pawelczyk: Luis will check the addresses. Staff will have to verify that we have the two-thirds approval before applying to the County.

Mr. Hernandez: Correct.

Mr. Pawelczyk: Because the County will do the same thing. I know that, because they've done it on similar type projects.

Mr. Fuller: Absolutely.

Mr. Pawelczyk: Staff will verify addresses.

Mr. Hernandez: The day that is going to work for us is Saturday, December 9. Does that work for the Board?

Mr. Fuller: Yes.

Ms. Daniels: Yes.

Mr. Misigoy: I can manage it.

Mr. Hernandez: The next item to decide on is the time.

Mr. Fuller: We should have it early.

Mr. Hernandez: What time do you consider to be early? Is 9:30 a.m. good enough? I would rather have it early, like at 9:30 a.m., so you can start the workshop at 10:00 a.m. If we set it at 10:00 a.m., people will start to show up around 10:30 a.m.

Mr. Pawelczyk: I don't think you need a lawyer there. I don't come out to these types of things, but if you need me there, we will find a way to be there. I sit through many baseball and soccer games and it is hot at 10:00 a.m. That's up to you, but if you were to start at 9:00 a.m., you can probably end quicker. The hottest time in Florida is between 10:00 a.m. and 2:00 p.m., from what everybody tells me. I'm just bringing that to your attention.

Ms. Duque: In December, it could be 66 degrees.

Mr. Pawelczyk: It could be, but we don't see those days very often anymore. It will be up to you guys to decide what is best for you. As a parent, I feel it's easier to either have my kid's games scheduled at 8:00 a.m. or 9:00 a.m., or at 6:00 p.m. or 7:00 p.m. The more you move towards the middle of the day, the more you can't do anything. That's certainly a Board decision.

Mr. Fuller: It doesn't matter to me, but I believe if homeowners want to be informed and be a part of the process, they will be there no matter what time it is.

Ms. Daniels: Exactly.

Mr. Fuller: That's fine.

Mr. Hernandez: What would you like to do if it's raining on December 9th? Did you want to move it to December 10th at the same time?

Mr. Misigoy: Sounds good to me.

Ms. Daniels: Me too.

Mr. Hernandez: If the weather does not permit it on December 9th, it will be moved to December 10th. Does that work for the group?

Mr. Fuller: Yes.

Mr. Windley: Yes.

Ms. Daniels: Yes.

Mr. Misigoy: Sure.

Mr. Hernandez: Since all Supervisors will be attending, we will advertise it.

Mr. Fuller: Are we able to have our meeting at the same time, since we already have a quorum, so we don't have to meet in December?

Mr. Hernandez: That would be fine. Instead of meeting on December 11th, we will meet on December 9th. Part of the intent is to hear people's opinion, and rather than making this a debate, let's try to express what the intent is. If anything needs to be corrected regarding the intent, let's limit it to that. I don't want to start a debate from a homeowner who doesn't believe that a gate isn't going to be working. We could spend days discussing that, and I don't think that's the purpose of this workshop.

Mr. Fuller: No.

Mr. Hernandez: The purpose is to provide some facts and quantify the statement that you are working, so that they will be able to see the affect and what it means for the homeowners.

Mr. Pawelczyk: The other question is whether you just want to make this a workshop only, which to Luis' point, is almost recommended. He is already advertising this as a special meeting. If December 11th doesn't work, you can schedule something for December 18th. If something comes out of the workshop, he can schedule these meetings now, since he is already advertising. It is not going to cost you anything additional. If you want to discuss your holiday schedule, maybe you want to add a meeting in there, and then you can determine whether you are going to meet on December 11th or December 18th, depending on your schedule. You might as well discuss it now.

Mr. Hernandez: Not only that, once you are facing the community, you lose control. Let's be realistic. If we say 9:00 a.m., in a perfect scenario, it would be at least two hours before we are done with the workshop. Now we are close to 11:00 a.m., and we don't have a meeting place like the one we have right now. We are going to be sitting outside in the elements, sweating and trying to have a meeting. If that's what you want, I have no problem with it.

Mr. Fuller: The only thing that I was trying to do was to avoid meeting in December, because we don't have to.

Mr. Misigoy: I'm not opposed to not meeting until January.

Mr. Hernandez: It was determined that it is necessary for us to create this package and submit to the County. If you want, we could have everything ready, and once we have the package, we can check with the County to see if we are able to get the permit. Even if we have two-thirds of residents saying, "Yes, we want the gate", the County could come back and say no, for whatever reason and there's nothing we can do. Why have a meeting scheduled, even if we have two-thirds of the community say "Yes, that's what we want", if the answer from the County is no.

Mr. Misigoy: In terms of the process, the projects that we talked about that goes beyond just the gate. We have the fence on the side and the covered area adjacent to the circle. Would all of those projects be under that same two-thirds requirement, or is it strictly based on the gate itself, which would be obstructing entry into the community?

Mr. Hernandez: Just the gate. That's the only part that is creating an obstruction of the County road and the only one that has that restriction. The other two projects that you listed, the fence and the shade structure, have nothing to do with it. We need to get direction on what you want, so that we can give you a concise price.

Mr. Misigoy: That sounds good.

Mr. Hernandez: To answer Halton's question, based on the timetable, even if the Board wants to meet in December, there is not much that could be achieved, because we still would be waiting to hear from the County.

Mr. Fuller: So we are looking at not meeting in December. Is that what you are saying?

Mr. Hernandez: Yes, based on what I have heard so far. We need to have the workshop, put all of the signatures together, get authorization for the engineer to start the process and getting the permit. Once we have the permit, we can come back to the Board.

Mr. Pawelczyk: It seems like you are asking whether it is appropriate to have a workshop in early December, or wait until January.

Mr. Hernandez: No. We need to have the workshop anyway, but I don't think we need to have an actual meeting, because we don't have any particular issues to discuss. Even if the community moves forward with everything that is intended at this point, the County is not going to be giving us a permit the next day.

Mr. Fuller: If we are going to meet, let's go ahead and meet. If we don't need to meet, that's even better.

THIRD ORDER OF BUSINESS

Ratification of Engagement Letter with Grau & Associates to perform the Audit for Fiscal Year Ending September 30, 2017

Mr. Hernandez: You may recall that Grau & Associates was the firm that was chosen by the Audit Selection Committee to perform the audit. What you have in front of you is the engagement letter from Grau & Associates. I reviewed it and it contains the amount approved at the time. For that reason, the recommendation from staff is to move forward with the engagement letter from Grau & Associates. This is only to perform the audit for the year ending September 30, 2017.

On MOTION by Mr. Misigoy, seconded by Mr. Fuller, with all in favor, ratifying the Grau & Associates Engagement Letter to Perform the Audit for the Fiscal Year Ending September 30, 2017, was approved.

FOURTH ORDER OF BUSINESS

Discussion on Correspondence Related to Gate and Fence Projects

Mr. Hernandez: We received a letter from Jay and Kristie Pacquing, stating that they were against the fence and the gate. Since then, some flyers were distributed and I received an email from Jose Rivera on November 10, asking why he did not receive the flyer. I replied to Mr. Rivera that the District did not distribute any flyers. Then I

received emails from Jay Plant, Juan Ferrer, Marcos Cannon, Inelda Mendez and a resident who did not state their name. None of them would like to have a gate.

Mr. Plant: I was in favor of the gate.

Mr. Hernandez: I'm sorry. Four were against and one was in favor. It's really up to the Board to define what was presented, will resolve this debate, and whether it makes sense for the community to have the gate or not. What I want the Supervisors to know is that District staff is here to work with what the Board wants. Let us know what you want to do and we will try to help you attain it. The next step has already been approved, which is the workshop. Hopefully that will provide sufficient information, so homeowners will know exactly what the next steps are. Does anyone have any questions on the gate or fence projects?

Mr. Misigoy: Yes, but I will talk about it later, under the Ninth Order of Business, regarding my thoughts as far as the other projects. Regarding the correspondence, I was concerned because the flyer appears to be something official from the District and it really wasn't. I don't know what the legalities are. I don't think that I can send out a notice, and I had some concern about that, because I don't think it's legal.

Mr. Fuller: That's your opinion. I sent out a newsletter.

Mr. Misigoy: I know.

Mr. Fuller: I paid for it and distributed it. As a citizen in the community, I will continue to do it, no matter what. I didn't put anything in reference to representing the CDD. It's a blanket newsletter for people to voice their opinions and email Luis with their opinions, so we can have it on the public record. I did it and I would do it again.

Mr. Misigoy: That's fine. I'm only asking, if you're putting something out there and saying to people, "Hey, do this or do that with regards to the CDD or anything else", at least identify that it's you. I understand the point.

Mr. Fuller: I posted on Facebook that I did it, so we are making an issue out of nothing.

Ms. Daniels: Exactly.

Mr. Fuller: I did it, because residents were complaining that the details weren't getting out to the residents.

Mr. Misigoy: Could you calm down, please? I'm not yelling at anyone.

Mr. Fuller: I'm not yelling. That's my inside voice. I'm hard of hearing, so I talk loud from time-to-time. I did the newsletter.

Mr. Misigoy: Duly noted.

Mr. Fuller: I paid for it with my money.

Mr. Misigoy: I understand.

Ms. Daniels: Good idea. That way people are informed about what's going on. You just like to stir up problems, Dennis.

Mr. Misigoy: No I don't.

Ms. Daniels: Yes you do. You are always arguing.

Mr. Misigoy: I have a difference of opinion.

Ms. Daniels: No matter what it is, you argue.

Mr. Misigoy: Let me know when you are done.

Ms. Daniels: You always, always argue. You don't need to speak.

Mr. Misigoy: I do need to speak.

Ms. Daniels: No you don't. Everything that comes out of your mouth is negative.

Mr. Hernandez: Let me try to say something positive about this.

Mr. Misigoy: Hold on a second, because I'm being shouted down, and I'm trying to express what I think is a reasonable concern.

Mr. Fuller: Okay, point taken.

Mr. Windley: Can we move on?

Ms. Daniels: Exactly.

Mr. Windley: Can I say something? Do you have a problem with that Michael?

Mr. Pawelczyk: I'm not going to give an opinion on something that I don't know about and that I haven't had a chance to look at. It's not a legal issue. The legal issue is a Board member cannot act on behalf of the Board on his own, but if a Board member

put his own opinion out there, that's fine. From what I'm hearing, someone is just putting their opinion out there.

Mr. Misigoy: I recognize that you put it out there. You did not admit to a crime. You said that you put it out there after there was a negative response, and I think you acknowledged that. People get up in arms quite easily, but there was confusion, because people were looking at that and said, "Hey, what is this? Why is the CDD sending out this?"

Mr. Fuller: Let's identify who those people were.

Mr. Misigoy: Do you want me to go on Facebook and print out a list?

Mr. Fuller: Yes.

Mr. Misigoy: They were residents of the community. Are we going to waste time on this?

Mr. Fuller: I hope not, but you brought it up. The bottom line is that I did it.

Mr. Misigoy: I not going to sit here to listen to what you are saying.

Mr. Fuller: I did the newsletter. I put it out there, so homeowners can express themselves, voice their opinion and let the CDD know that they want a secured community. I put Luis' email address on it, so there would be an official record.

Mr. Misigoy: Absolutely.

Mr. Fuller: He expressed that he received five responses, one in favor and four against. What's the problem?

Mr. Misigoy: I don't see a problem with that aspect of it. I didn't say that there was a problem. I said that it was a concern, but everybody wants to yell and scream at me.

Mr. Fuller: It's always the same thing.

Mr. Hernandez: I'm not trying to get out of whatever the Board wants to discuss, but nowhere in the letter, does it identify that it is a document coming from the CDD.

Mr. Misigoy: Sure.

Mr. Hernandez: That's number one. Number two is that, based on the decision and direction that I have been getting from the Board, a letter is going to be passed on to homeowners, shortly. Hopefully, those two facts get resolved, since there is now going to be an official letter from the CDD to all homeowners.

Mr. Pawelczyk: The response will determine whether or not you can do the project. We have a four to one vote that the project is moving forward, unless the County doesn't want it to move forward.

Mr. Hernandez: Correct.

Mr. Misigoy: Are we counting the two-thirds vote?

Mr. Pawelczyk: Unless the County says that it doesn't move forward. Two-thirds is a requirement of the County.

Mr. Fuller: Since we are on this issue, and I hate to prolong this meeting, because I'm hungry, tired and frustrated at this point, but what is the legality of Board members going on Facebook, voicing their opinions and making it seem like they represent the CDD and swearing that the community was giving them partial information?

Mr. Misigoy: Can you provide me an example?

Mr. Fuller: Every post that you put on there.

Mr. Hernandez: It has nothing to do with the legal side. Let me explain to you the powers of the Board members. You have powers when we are in a meeting, but once the meeting is adjourned, you are residents of Enclave at Black Point Marina. When you voice your opinion, especially if other Supervisors are receiving that information, you may be getting into the legal grounds of what is being discussed and how that is being discussed.

Mr. Pawelczyk: Correct.

Mr. Hernandez: At the time that I imposed the oath and I provided you all of the restrictions, it was said that you were prevented from discussing with other Supervisors any matters that could come to be an issue for the District. Not knowing the details of what is being proposed and not being interested in knowing those details, I want to remind all of you, that Florida Statutes prevent you from going to any public place, to

discuss among Supervisors, matters that can only be discussed at a public meeting that has been advertised and records are going to be retained.

Mr. Fuller: Thank you for clearing that up. That has not happened.

Mr. Pawelczyk: Florida Law further provides that if a Supervisor is going on Facebook, the Supervisor has a duty to preserve the record. However, that Supervisor preserves that record, it is the Supervisor's responsibility to preserve that record. I don't know if we ever had this discussion, but I advised many Boards to stay off of Facebook. I'm only saying that it's complete misinformation.

Mr. Fuller: Absolutely.

Mr. Pawelczyk: Also, "Nextdoor" is the worst thing ever, because residents think that they can go on Nextdoor and get correct information. That's like saying, "I'm a Republican and I'm going to Fox News and get information". It's not the right information. Go to the Federal Government, the CDD, the City of Hialeah or Miami-Dade County has the correct information. Regardless, that's the problem with Facebook. There's an application out there that you can purchase to allow you to preserve the record; therefore, if a CDD Board member goes on Facebook and says, "The CDD meeting is scheduled for "blank" day, at "blank time", then there is a record.

Mr. Fuller: I have no problem with that.

Mr. Pawelczyk: Now, if you say, "I'm a CDD Supervisor and I believe this, this and this", that's not a Sunshine Law violation, technically, but it is a public records issue, so you need to preserve the record. That's why I tell people to stay off of it. If you want to express your opinion, do it in emails that are copied to Luis, or pick up the phone and call me. That's the concern with Facebook and Nextdoor.

Mr. Fuller: Correct.

Mr. Pawelczyk: I find that it puts you, as a Board member, in a difficult situation, because if one of the Board members puts something on Facebook and says, "I believe this" and another Board member happens to read it, there's an argument that the Board member who posted it, knew that it was going to make the other Board

member respond. It's a Sunshine Law violation. That's why it's best to stay off of it, because nothing good can come out of it.

Mr. Misigoy: That's fine.

Mr. Pawelczyk: You guys can do what you want, but if you are going to do it, preserve the record and watch the Sunshine Law.

Mr. Misigoy: I want to make it clear that I made a very conscientious effort, not to go on Facebook and express my opinion. The things I have said is that we have a meeting at this time, on this date, please come out if you can, send an email if you can or call if you can. At the last meeting, I said that there was a vote of three to one on this issue.

Mr. Fuller: When you don't respond to certain comments by neighbors that you know are misleading, that's the problem. You can be smart and pick and choose what you say.

Mr. Misigoy: Let's move forward.

Mr. Fuller: Yes, because what you are saying is garbage. Let's move forward. I refuse to continue this debate.

Mr. Misigoy: Then you can leave.

Mr. Fuller: Or we can adjourn the meeting.

Mr. Pawelczyk: We know that there's a difference of opinion, so let's move forward. I've given my advice on Facebook and social media. That's what I believe. I'm only doing this because I'm very conservative. I don't want any of my Board members to be brought up on allegations by the Commission on Ethics, whether you did it or not. In my legal career, I've had five Supervisors go to the Commission on Ethics and all five were denied, for obvious reasons, because the Board member didn't do anything wrong, but the allegation was there. You want to avoid that situation. To avoid that situation, avoid the appearance of impropriety. It applies to everyone. It doesn't just apply to Dennis. It applies to each and every one of you. I just want to tell you that Board business is conducted here, and if the Board wants something to go out to the community, its best to have Luis send it out.

Mr. Misigoy: Absolutely.

Mr. Hernandez: We could put it on a webpage.

Mr. Misigoy: No more comments.

Mr. Hernandez: Absolutely, yes. We all agree. I'm just telling you that's what I think. That's the best way to stay out of trouble. I have another Board in another county and a Board member that likes to be active and do a lot of things. The Board's given that person that discretion, but that can get him into trouble. He knows that, but he still chooses to do that, because he's been there long enough to know what the fine line is, as to where he can go, on behalf of the Board. The Board's already approved the project, so send a letter. We haven't entered into contracts, but the project is done and we are moving forward. If the County says no, or if three of you decide to pull back on the project, you will have to take a vote to pull back on the project. You are continuing to discuss this over and over.

Mr. Fuller: We do it at every meeting.

Mr. Misigoy: Since I keep getting shouted down every time I speak, I would like to at least speak without somebody shouting me down. To be honest with you, its slightly irritating, because I went out of my way for them to include you in that group. I'm not trying to shut you down.

Mr. Fuller: That's the point, for them to include me in that group. It's a group of people that you and you wife control.

Mr. Misigoy: Can you not shut me down one time?

Mr. Fuller: I really don't want to hear what you have to say.

Mr. Misigoy: You can leave then.

Mr. Fuller: No, how about you leave.

Mr. Misigoy: I'm not telling you to be quiet.

Mr. Pawelczyk: Say what you have to say and then we can move on.

Mr. Misigoy: I do my best to avoid saying anything negative directly towards you. I try to stick to facts. When people have misstated things about where the money

for the project is coming from, I have corrected them. When they asked how much things are going to cost, I've given them the answers from what we have done here.

Ms. Daniels: Why do they feel comfortable coming just to you?

Mr. Misigoy: They are not coming just to me. They are asking questions

Mr. Fuller: You have a forum set up on Facebook. His wife has been able to persuade the public.

Mr. Misigoy: Can I not speak and answer a question? Nobody is coming to me. No one is knocking on my door and asking me a question.

Ms. Daniels: See, you analyze it every time.

Mr. Misigoy: There's a public forum on Facebook. If you want to leave, go.

Ms. Daniels: No I don't.

Mr. Misigoy: Then don't. That's fine, but you are asking me the question and I'm trying to give you a polite answer. I am active on social media. For all sorts of reasons, they created a group for the community long before I was on the CDD, and neither my wife nor I are moderators on that group. We don't decide who goes in and out of that group. I don't get consulted about who goes in and out of that group, because if I had been consulted, your request to join the group would've been approved immediately. I'm not looking to shut anyone out, or to speak over anyone. I'm trying to disseminate information. What you say you want to do, that's what I'm trying to do, because I have confidence in where all of these things will fall at the end of the day. That's enough, so let's move forward.

FIFTH ORDER OF BUSINESS

**Discussion and Consideration of
Envera Proposal, Agreement and
Revision to Annual Budget**

- A. Proposal**
- B. Agreement**
- C. Revision to Annual Budget**

Mr. Hernandez: As I indicated earlier, at the last meeting, the Board received a presentation from Envera. At that point, the motion from the Board was to enter into an agreement with Envera; however, as I reviewed it, one of the items that was highlighted

and needed to be presented to the Board for consideration, was that the operation and maintenance (O&M) costs would have exceeded what the Board budgeted. As a result, I approached Envera and they modified the agreement in a way that the District would be able to sustain the current budget and continue to provide services. With that being said, Adam would you explain what we have done?

Mr. Andrews: Exactly as you stated, you reached out to me, a couple of weeks ago saying that the budget was slightly lower than what we proposed per month. As you know, the system includes service and maintenance for all equipment that you own. We would still provide that complete service and maintenance the package for the first year, but you won't pay for it. I think that's an \$800 discount. We also wouldn't make you pay for the kiosk for the first year, which is a savings of \$500. Overall, the monthly cost is \$4,051 a month going forward. For the first year, the cost is \$2,600, which is \$16,500 in savings for the first year. You still get all of the full benefits of the service. We just decided that in order to make that work for you guys, we would do that. It would be a five-year agreement rather than a three-year agreement.

Mr. Pawelczyk: Given the discussion, this is the first time that I've been made aware of the County requirements with Juan coming in. Is this premature? We don't even know if we can do it.

Mr. Hernandez: That was going to be my point.

Mr. Pawelczyk: Just so the Board knows, I worked with Envera's lawyer. He's easy to work with and we've worked with them on other Envera agreements. The form of the agreement was finalized within the last week, but now with the information that's being provided by the District engineer, if you are going to enter into this agreement, we need to account for this so we don't pay any money until we get the permits.

Mr. Andrews: You won't have to pay.

Mr. Pawelczyk: I understand, but that's not what the agreement says. If the Board wants to proceed, we should have a contingency in there.

Mr. Andrews: Absolutely.

Mr. Hernandez: In all of our efforts to have an agreement, the right time for the Board to move forward and execute a document, would be when we receive the permit from Miami-Dade County.

Mr. Andrews: Our system wouldn't require any special permitting, because you aren't putting any actual mechanical gates in. Ours is the kiosk and camera. Our system wouldn't be held back by this. Many systems have been in place without the gates.

Mr. Hernandez: I want the Board to be aware that not having an agreement means that prices could change.

Mr. Andrews: Correct.

Mr. Hernandez: As long as you have a provision that limits, if nothing happens with the County, you will be forcing them to honor what is already in the agreement.

Mr. Andrews: Right.

Mr. Hernandez: As the manager, the only concern that I have is if anything happens, I would rather have them stick to a price and to an obligation, as long as it doesn't affect us.

Mr. Fuller: In reference to the physical gates, to move forward with the video surveillance system, like you just mentioned, we wouldn't have to have that same requirement, since he said no permitting was involved. If we wanted to nix the gates, we still want to be able to see who's coming and going.

Mr. Andrews: We could put in the license plate cameras ahead of time. We have communities that have passive gates.

Mr. Fuller: That's a good option.

Mr. Andrews: For example, we had a community where, a couple of weeks ago, a mother was bringing in some groceries out of her car and her purse was stolen, along with some of the groceries. We were able to work with the authorities and pulled the license plate logs for everyone that came in and identified who the perpetrator was.

Mr. Fuller: Perfect.

Mr. Andrews: The monthly price won't change. To be honest, most of this pricing remains the same. The only thing that I couldn't promise is the 35% discount for you that we offer.

Mr. Hernandez: Not only that, the intent is not to have the December meeting. As long as there's a provision, Mike correct me if I'm wrong, but it would include a provision that eliminates the entire agreement, pending the permits are not approved by the County.

Mr. Pawelczyk: Correct.

Mr. Hernandez: Then the recommendation from staff would be to have a motion approving the Remote Monitoring Service Agreement with Hidden Eyes, LLC dba Envera Systems.

Mr. Pawelczyk: In substantially final form.

Mr. Fuller MOVED to approve the Remote Monitoring Service Agreement with Hidden Eyes, LLC dba Envera Systems, in substantial final form.

Mr. Misigoy: Are we talking about approving something, including the contingency?

Mr. Pawelczyk: That is correct.

Mr. Misigoy: Make sure that we have the contingency, and if we don't have approval from the homeowners, are we setting in stone what the revised agreement will be at that point, or are we going to revise the agreement?

Mr. Pawelczyk: It is to authorize entering into this agreement, subject to me and your attorney, including a provision requiring that the CDD gain the two-thirds approval, but that only applies to the gate system.

Mr. Hernandez: Correct.

Mr. Pawelczyk: It doesn't apply to the cameras, etc. Is that correct?

Mr. Hernandez: It applies to the gate.

Mr. Pawelczyk: The contingency only applies to the gate. There is still a motion on the floor. If we don't have a gate, do we know how much the cost is without the gate, or is it the same cost?

Mr. Hernandez: No, there's a breakdown.

Mr. Pawelczyk: Do you know what I'm saying?

Mr. Misigoy: Yes. You are absolutely right. I agree with you.

Mr. Fuller: I had a neighbor who said that we might not want the gate upfront, but we can still put a fence along the canal.

Mr. Pawelczyk: There isn't a canal.

Mr. Fuller: Right. I'm simply saying that it gives us the flexibility to be able to do something at the end of the day.

Mr. Pawelczyk: The contingency of the County, which is why Dennis is bringing this up, I think, is because we need two-thirds approval if we are going to have the gate arm.

Mr. Fuller: Right.

Mr. Pawelczyk: So if we don't have the gate arm, because the County says that we don't have the two-thirds approval, do we still want the cameras and the license plate reader? I think your answer is yes, we do, but I don't know the answer to that question.

Mr. Hernandez: That needs to be clarified in the motion, because it is being limited exclusively to the gate system. To answer the question of what we would need to put down, Exhibit C allows us to quantify, separately, the cost for the gate and any other surveillance system that is installed.

Mr. Pawelczyk: What are you releasing Envera to do? If you are approving this agreement now, under your motion, you're releasing Envera to do everything it can, except for the gates.

Ms. Duque: Can you add any language under the terms of the agreement, or would the motion be sufficient?

Mr. Pawelczyk: We can do whatever the Board wants. If we can't do the gate arms, do we want to not do anything, and come up with a different solution, or do you still want the cameras out there without the gate?

Mr. Misigoy: When do we make that decision? Are we deciding now, if we can't put the arm up, that we just do everything but the arm, or are we saying if we end up not being able to put the arm up, we are going to decide then? The question is when do we decide, and if we decide now, what do we decide?

Mr. Fuller: We should move forward with everything that we can do to secure this community. If the gate arm isn't approved by two-thirds vote, we should install the camera system.

Mr. Hernandez: The motion on the floor is only contingent to the gates, everything else will move forward.

Mr. Fuller MOVED to approve the Remote Monitoring Service Agreement with Hidden Eyes, LLC dba Envera Systems, in substantial final form, contingent upon the approval of the gate arms, and Mr. Windley seconded the motion.

Mr. Hernandez: Is there any further discussion? Not hearing any,

On VOICE VOTE, with all in favor, approving the Remote Monitoring Service Agreement with Hidden Eyes, LLC dba Envera Systems, in substantial final form, contingent upon the approval of the gate arms, was approved.

Mr. Windley: Crime is increasing in our neighborhood, like you wouldn't believe, every day.

Mr. Hernandez: Based on that statement, it makes sense to have any kind of surveillance that could be installed as soon as we can.

Mr. Andrews: Right. If the gates didn't get approved, you can have a change order for passive surveillance.

Mr. Pawelczyk: In other words, you might not get the two-thirds approval this year, but the infrastructure will pretty much be there. If we needed to go back, next year or two years from now, and try to get the two-thirds approval, maybe the community would want it then. Who knows, but at least you could have Envera there.

Mr. Hernandez: We will get the signatures for Adam and move forward.

Mr. Pawelczyk: He needs to make the change.

Mr. Hernandez: That is correct. I will hold the signatures until the legal part is finalized.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution #2018-01
Enacting a Policy Regarding
Supervisor Participation in Public
Board Meetings Telephonically or By
Electronic Media Technology**

Mr. Hernandez: Now we need to consider Resolution #2018-01, enacting a policy regarding Supervisor participation in public meetings telephonically or by electronic media technology.

Mr. Misigoy MOVED to adopt Resolution #2018-01, Enacting a Policy Regarding Supervisor Participation in Public Meetings Telephonically or by Electronic Media Technology, and Mr. Fuller seconded the motion.

Mr. Hernandez: Is there any further discussion?

Mr. Fuller: Is this in reference to Board members attending by phone?

Mr. Hernandez: That is correct. Is there any further discussion? Not hearing any,

On VOICE VOTE, with all in favor, Resolution #2018-01, Enacting a Policy Regarding Supervisor Participation in Public Meetings Telephonically or by Electronic Media Technology, was adopted.

SEVENTH ORDER OF BUSINESS **Consideration of Resolution
#2018-02 Amending the Fiscal
Year 2017 Debt Service Fund
Budget**

Mr. Hernandez: Now we need to consider Resolution #2018-02.

Mr. Misigoy: What change are we looking at?

Mr. Hernandez: At the time that the District finalized the fiscal year budget, we have to balance the accounts. The original 2007A bonds were paid off, and the Series 2017 bonds are now being issued. By recognizing and approving this, it allows the District to financially clear the Series 2007A bonds and implant the 2017 bonds.

Mr. Misigoy: There are no changes in the raw amounts?

Mr. Hernandez: No.

Mr. Misigoy MOVED to adopt Resolution #2018-02 Amending the Fiscal Year 2017 Debt Service Fund Budget, and Mr. Fuller seconded the motion.

Mr. Hernandez: Is there any further discussion? Not hearing any,

On VOICE VOTE, with all in favor, Resolution #2018-02 Amending the Fiscal Year 2017 Debt Service Fund Budget, was adopted.

EIGHTH ORDER OF BUSINESS **Discussion and Consideration of
Revising Fiscal Year 2018
Meeting Schedule**

Mr. Hernandez: I received a request for discussion and consideration of revising the Fiscal Year 2018 meeting schedule. I tried to accommodate meeting at night in a place closer to the community.

Mr. Misigoy: The proposal is simple. We keep stating that we want people to know what's going on. As I repeatedly stated, it would be good to consistently have

meetings at times when others can attend. This is a proposal pending selection of a meeting location for the evening, since this location would be available during evenings. I think some place 20 to 30 miles out of the District is not practical. This is setting ourselves to make a commitment that, upon approval by this Board of a location for an after-hours meeting, we would adopt a rotating schedule. I think I discussed before where we would have two months at this current meeting time and two months at a meeting time in the evening. I propose 7:00 p.m. If anyone wanted to suggest 6:30 p.m. or 7:30 p.m., I am indifferent to that change, but this is fairly straightforward.

Mr. Fuller: I prefer to keep the meeting time the same at this location where it's free. Any special meetings, we can have a different location, such as a park or library in the neighborhood. Once again, we discussed month-after-month the same discussion, that the meetings are supposed to be at the convenience of the Supervisors. We have Supervisors that work at night. We already discussed this. I don't know why we are bringing up another resolution to discuss it again. If the other Supervisors would like to entertain it, I am fine with it, but I don't agree with the motion.

Mr. Misigoy: The reason I keep bringing this up is because it hasn't been resolved. Every time I do this, it gets voted down, so I keep bringing it up, because residents in the community want this to happen, at least residents that I spoke to. I have not polled 240 homes. If we want to do that, we can talk about doing that. That's part of why I keep bringing it up. You mentioned that we have a Board member who works in the evenings. We have the same number of Board members who work during the day, as work during the evening. I know that Mr. Windley and Mr. Smith are retired. I assume that you have the flexibility. I know that you were able to meet during the evening when you were on the HOA Board. You were also able to make the meetings that we had after hours.

Mr. Fuller: You moved the meetings for the HOA Board and no one showed.

Mr. Misigoy: Let's try to stick to what's relevant. This is what the proposal is.

Mr. Fuller: I voiced my opinion.

Mr. Misigoy: But you are interrupting me.

Mr. Fuller: We do this every month and you pledge that you are going to do it every month.

Mr. Misigoy: Sure, why not? You can disagree.

Mr. Fuller: I'm getting frustrated.

Mr. Misigoy: I understand.

Mr. Pawelczyk: He made his presentation. Is there a motion?

Mr. Misigoy MOVED to revise the Fiscal Year 2018 meeting schedule, as discussed. The motion died for lack of a second.

Ms. Daniels: I work at night and get off at 8:30 a.m.

Mr. Pawelczyk: I am trying to follow some procedure to move the meeting along. Dennis has every right as a Board member to make a request to the Board and make a motion. If it dies for a lack of a second or is voted down, it's not going to move forward. At this point, under the rules of the District, he certainly has every right to do that on behalf of his constituents.

Mr. Misigoy: Thank you. Let's be clear about this. We don't have separate areas within the District. The same people that got me elected or re-elected, are the same people that want this change. If you decide that you want to keep the seat after next year, these are the same people that are going to run.

NINTH ORDER OF BUSINESS

Authorization for Binding the Board's Approval of All Contracts and Vendor Agreements Related to Construction or Installation of any 2017 Improvements to a Poll of District Residents

Mr. Misigoy: Part of this is based on the County requirements; however, it's up to the rest of the Board, to determine their level of commitment to include members of the community. We are forced in terms of the gate to receive approval from the

community, at least as far as putting in the gate arm. Based on what we talked about already, that should give us more room, in terms of the gate, because the gate also includes surveillance and other aspects. For the County requirement, I would like to reach out to the community, so I would like to piggyback on the County requirement. The County has a requirement of two-thirds approval, for us to move forward with the gate arm. I would like to piggyback off of that and not just ask them about the gate arm, but ask them about the system as a whole, the fence along the trail and about the covered area adjacent to the circle. That's basically all it is. We talked about this and it's gotten heated in this meeting and I don't want things to get heated. I want us to be calm. I want to diffuse situations. I know Mr. Fuller also wants to diffuse situations. That's why he's meeting with homeowners and trying to talk people down to where they are not agitated, which I think is great. What I would like to do is to get it away from the Board's deciding this and that, but since we already have to anyway, let's piggyback off of that and we can wash our hands and do whatever the community wants to do. That's my two cents about it. Therefore, I make a motion.

Mr. Fuller: I thought at the December meeting, we were going to include all of that.

Mr. Hernandez: No. The December meeting is just for the gate. The only requirement so far for a two-thirds vote by residents, is just for the gate, due to the fact that the roads are owned by Miami-Dade County.

Mr. Misigoy: I'm looking at this as an opportunity. If we already have to do this as a County requirement, let's step up rather than just doing what the County requires, and let's include the community's views for all of these items. Since we all profess to want to serve the community and engage the community and do what the community wants, I think it's incumbent on us to know what the community wants and I think this is a great opportunity.

Mr. Hernandez: There is a motion on the table. Does anyone second it?

Mr. Misigoy: If you believe that there is support in the community for it, this should be a win-win. This should be great for you guys, because it doesn't add anything to it.

Mr. Fuller: We approve.

Mr. Misigoy: Whatever you people think, there's a small group.

Mr. Fuller: No. Just like you killed the gazebo that was going to go up.

Mr. Misigoy: Negative. It didn't pass the County spec. I can look up the records for you to show the inspections that failed.

Mr. Fuller: You don't have to.

Mr. Misigoy: Great.

Mr. Misigoy MOVED to piggyback on the County requirement for the gate arm and take a poll of District residents before signing any agreements to proceed with District projects by two-thirds vote. The motion died for lack of a second.

TENTH ORDER OF BUSINESS

Staff Reports

Mr. Hernandez: Moving on to Staff Reports, Mike, do you have anything to present?

A. Attorney

Mr. Pawelczyk: I don't have anything further to report, unless the Board has any questions.

B. Engineer

There being none, the next item followed.

C. Field Manager

Mr. Hernandez: Juliana, do you have anything to report?

Ms. Duque: In addition to the report, the only item that I would like to make the Supervisors know about, is that I have been in contact with the HOA regarding the

street signs. If we all call the County, it's going to be better. I'm not aware of any of those being replaced yet. They were left on CDD property, so I am following up with the HOA Property Manager to make sure that's taken care of. Some of the debris from the hurricane was left on CDD property. I have been advising the HOA Property Manager that this cannot be taking place. An email needs to go to the entire community, letting them know that the homeowner cannot dump their debris on CDD property. I have nothing else.

Mr. Fuller: Who is responsible for streetlamps in the community?

Ms. Duque: I think that's FPL. I only found one that has a number. Not all of them have numbers. You need to report them by the location of the house.

Mr. Fuller: I'm just trying to figure out if they are ours.

Mr. Hernandez: They are not the CDD's property.

Ms. Duque: They don't belong to the CDD and I don't think they are owned by the HOA. I reported the pole by the location. There is an App that you can use.

Mr. Misigoy: Regarding debris on CDD land, are we speaking in reference to any specific part or just in general with the community? I heard or saw a report from a homeowner about the area immediately outside of the front walls. I believe they were thinking that they were under the CDD. I wasn't sure if it would be under the County. Is the area immediately outside of the wall under our responsibility?

Ms. Duque: No, that's not a concern. There were in the medians.

Mr. Misigoy: I understand. There was a pile close to the first lake. We removed it.

Mr. Hernandez: Who is maintaining the portion in front of the walls?

Ms. Duque: BrightView is helping us with the hedge, but the easement is not CDD property. Its common property.

Mr. Misigoy: So between the sidewalk and the wall, we own.

Ms. Duque: Yes.

D. Manager

Mr. Hernandez: I have nothing to report.

Segment II: Workshop Section

(At this point the Board went into the workshop section to discuss the following items)

~ Discussion on District Projects

Segment III:

ELEVENTH ORDER OF BUSINESS

**Authorization or Approvals
Requiring Board Action for
Items Discussed During
Workshop**

Mr. Hernandez: We are back on the record and nothing is to be approved at this point.

TWELFTH ORDER OF BUSINESS

Financial Reports

- A. Approval of Check Register**
- B. Balance Sheet and Income Statement**

Mr. Hernandez: You have the Check Register, Balance Sheet and Income Statement. Unless anyone has any questions on the financials, a motion to approve would be in order.

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

THIRTEENTH ORDER OF BUSINESS

**Supervisors Requests and
Audience Comments**

Mr. Hernandez: Are there Supervisors requests?

Mr. Misigoy: At the October meeting, I received an email about a quorum the morning of the meeting. Even if you say that you can make the meeting, everyone has lives, everyone is working and your time is valuable. The only request I have is that we set a deadline for the District Management Company to either announce the quorum or

cancel the meeting, 24 hours ahead of the meeting, to make sure that everybody knows ahead of time that the meeting is occurring. We either have a quorum or we don't, just so that its established at least a day in advance. That's the trap I fell into last time and I don't want that to happen with anyone else. That's my request and motion that we resolve to set that requirement.

Mr. Fuller: We don't need a motion for that.

Mr. Pawelczyk: What Dennis is asking is for the Supervisors to respond to Luis' emails by a certain time, before the meeting, regarding the quorum. That's what he's asking.

Mr. Misigoy: I'm just using the example last month. The quorum was announced at 9:00 a.m. for the 11:30 a.m. meeting for the October meeting.

Ms. Daniels: No.

Mr. Pawelczyk: There was a nuance with that one, because I didn't attend that meeting.

Mr. Hernandez: I wasn't here either. The process from my office starts taking place 10 days before the meeting. We send reminders to the Supervisors about the meeting. By Statute, we are required to send out the email and post the agenda seven days ahead of the meeting. Typically, we only contact the Supervisors. I don't know what took place in October, because I wasn't here, but by the prior Monday, if a quorum was not met, the email from my office would indicate that we cannot hold the meeting, because we don't have a quorum. That is why we try to secure a quorum. At the same time, it may be that Supervisors may have said that they would be attending, but they have an emergency. That's completely out of my control and out of the control of my office. The Monday before the meeting, you will receive an email confirming whether or not the quorum was met.

Mr. Misigoy: I have the email from October 9 at 8:44 a.m. from Lyz. This is the confirmation that at least three Board Members will be attending the meeting. The meeting was at 11:30 a.m. the same day. That's my concern about it.

Mr. Pawelczyk: There was an email that was sent out the day before saying that the meeting was cancelled because there wasn't a quorum.

Mr. Misigoy: I didn't receive a cancellation notice.

Ms. Daniels: I don't recall that.

Mr. Hernandez: If there was a mistake from my office, we will correct it and it will never happen again.

Mr. Misigoy: I'm not saying that it was a mistake, because I don't know that there is a restriction. There was an announcement ahead of time and we tried to establish a quorum. I know that they reached out to other folks. I wasn't sure if I was going to be able to attend, so I wasn't counted down for the quorum. I thought that I was going to have to call in. I found out that there was going to be a meeting on my way to work.

Mr. Fuller: You are telling us that we will know a week out.

Mr. Misigoy: Yes. I want to make sure that what we are delineating is going to be a week out. Are we going to establish a quorum a week out? That's what I'm questioning.

Mr. Hernandez: By Statute, we need to post the agenda. At the time that we post the agenda, we only do it if we have a quorum. If not, we don't post it. The Monday before the meeting, you will receive an email from my office, confirming that we have a quorum. The only instance that I want everybody to be aware of, is if we secured a quorum and something happened to one of the Supervisors, that would occur at the last minute, but it's not going to be the norm. The norm is the confirmation for either having a quorum or not, which will be sent out a week before the meeting.

Mr. Misigoy: I understand, in terms of the agenda being sent. That's been consistent. The only concern that I have, is typically what I've seen, is when I receive an email saying that the quorum was confirmed and the meeting would be held, or would be cancelled, it wasn't the day of. This was one occurrence. Maybe it hasn't been a problem for anyone else.

November 13, 2017

Enclave at Black Point Marina CDD

Mr. Hernandez: I will be emailing you the reason that took place, and I can guarantee you that it will not happen again.

Mr. Misigoy: Thank you.

Mr. Hernandez: Are there any other requests or comments from the Supervisors? Not hearing any, are there audience comments? Not hearing any,

FOURTEENTH 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 Mr. Misigoy seconded by Ms. Daniels with all in favor, the meeting was adjourned.

Secretary / Assistant Secretary

Chairman / Vice Chairman

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

Check Run Summary

January 8, 2018

<i>Date</i>	<i>Check Numbers</i>	<i>Amount</i>
11/17/17	708-711	\$6,082.74
12/11/17	712-717	\$9,913.57
12/14/17	718-720	\$45,407.90
Total		<u>\$61,404.21</u>

*** CHECK DATES 11/02/2017 - 12/20/2017 ***

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 #
11/17/17	00031	11/10/17	5494155	201711 320-53800-46200 NOV 17 - LANDSCAPE MAINT	BRIGHTVIEW LANDSCAPE SERVICES, INC.	*	2,133.29	2,133.29	000708
11/17/17	00006	10/02/17	70862	201710 310-51300-54000 SPECIAL DISTRICT FEE FY18	DEPARTMENT OF ECONOMIC OPPORTUNITY	*	175.00	175.00	000709
11/17/17	00001	11/01/17	136	201711 310-51300-34000 NOV 17 - MGMT FEES	GMS-SF, LLC	*	2,671.00	3,176.45	000710
		11/01/17	136	201711 310-51300-35100 NOV 17 - COMPUTER TIME		*	83.33		
		11/01/17	136	201711 310-51300-31300 NOV 17 - DISSEMINATION		*	208.33		
		11/01/17	136	201711 310-51300-49500 NOV 17 - WEBSITE ADMIN		*	41.67		
		11/01/17	136	201711 310-51300-51000 NOV 17 - SUPPLIES		*	23.48		
		11/01/17	136	201711 310-51300-42000 NOV 17 - POSTAGE		*	4.14		
		11/01/17	136	201711 310-51300-42500 NOV 17 - COPIES		*	144.50		
11/17/17	00021	7/05/17	4075	201707 320-53800-46800 JUL 17 - LAKE MAINTENANCE		LAKE & WETLAND MANAGEMENT, INC.	*		
		7/05/17	4075	201707 320-53800-46300 JUL 17 - FOUNTAIN MAINT	*		54.00		
		11/02/17	4455	201711 320-53800-46800 NOV 17 - LAKE MAINTENANCE	*		245.00		
		11/02/17	4455	201711 320-53800-46300 NOV 17 - FOUNTAIN MAINT	*		54.00		
12/11/17	00030	11/30/17	10000277	201711 310-51300-48000 NOTICE OF WORKSHP MEETING	ALM MEDIA, LLC		*	66.58	66.58
12/11/17	00005	10/31/17	145241	201710 310-51300-31500 OCT 17 - GENERAL COUNSEL	BILLING, COCHRAN, HEATH, LYLES,	*	2,688.00	2,688.00	000713
12/11/17	00031	11/28/17	5520286	201711 320-53800-46200 NOV 17-QUARTLY RETAINAGE	BRIGHTVIEW LANDSCAPE SERVICES, INC.	*	711.10	711.10	000714

ENCL --ENCLAVE-- PPOWERS

*** CHECK DATES 11/02/2017 - 12/20/2017 ***

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	AMOUNTCHECK..... AMOUNT #
12/11/17	00001	12/01/17 137	201712 310-51300-34000	MGMT FEES-DEC 17	*	2,671.00	
		12/01/17 137	201712 310-51300-35100	COMPUTER TIME-DEC 17	*	83.33	
		12/01/17 137	201712 310-51300-31300	DISSEM AGNT SVCS-DEC 17	*	208.33	
		12/01/17 137	201712 310-51300-49500	WEBSITE ADMIN-DEC 17	*	41.67	
		12/01/17 137	201712 310-51300-51000	SUPPLIES-DEC 17	*	17.50	
		12/01/17 137	201712 310-51300-42000	POSTAGE-DEC 17	*	5.06	
		12/01/17 137	201712 310-51300-42500	COPIES-DEC 17	*	141.00	
							GMS-SF, LLC
						3,167.89	000715
12/11/17	00015	12/01/17 16122	201712 310-51300-32200	AUDIT FYE 09/30/17	*	2,000.00	
							GRAU AND ASSOCIATES
						2,000.00	000716
12/11/17	00032	12/01/17 29120117	201712 320-53800-46201	PORTER SERVICES-DEC 17	*	1,280.00	
							TONY'S NURSERY & GARDEN
						1,280.00	000717
12/14/17	00031	12/10/17 5530392	201712 320-53800-46200	DEC 17 - LANDSCAPE MAINT	*	2,133.29	
							BRIGHTVIEW LANDSCAPE SERVICES, INC.
						2,133.29	000718
12/14/17	00035	12/08/17 120817	201712 320-53800-49400	CHAIRS/TENT	*	250.00	
							DREAM PARTY
						250.00	000719
12/14/17	00018	12/14/17 TAX REC	201712 300-20700-10000	TRANSFER OF TAX RECEIPTS	*	43,024.61	
							ENCLAVE AT BLACK POINT MARINA CDD
						43,024.61	000720
							TOTAL FOR BANK A
						61,404.21	
							TOTAL FOR REGISTER
						61,404.21	

ENCL --ENCLAVE-- PPOWERS

Enclave at Black Point Marina

COMMUNITY DEVELOPMENT DISTRICT

COMBINED BALANCE SHEET

November 30, 2017

	<u>Governmental Fund Types</u>			<u>Totals</u>
	<u>General</u>	<u>Debt Service</u>	<u>Capital Projects</u>	<u>(Memorandum Only) 2018</u>
<u>ASSETS:</u>				
Cash	\$84,682	---	---	\$84,682
Investments:				
<u>Series 2017</u>				
Reserve	---	\$111,656	---	\$111,656
Interest	---	\$109	---	\$109
Revenue	---	\$7,001	---	\$7,001
Acquisition & Construction	---	---	\$250,730	\$250,730
Cost of Issuance	---	---	\$11,482	\$11,482
Unamortized Premium	---	\$0	---	\$0
Due from General Fund	---	\$4,781	---	\$4,781
TOTAL ASSETS	<u>\$84,682</u>	<u>\$123,548</u>	<u>\$262,213</u>	<u>\$470,443</u>
<u>LIABILITIES:</u>				
Accounts Payable	\$3,466	---	---	\$3,466
Due to Debt Service	\$4,781	---	---	\$4,781
<u>FUND BALANCES:</u>				
Reserved for Debt Service	---	\$123,548	---	\$123,548
Reserved for Capital Projects	---	---	\$262,213	\$262,213
Unreserved	\$76,436	---	---	\$76,436
TOTAL LIABILITIES & FUND EQUITY & OTHER CREDITS	<u>\$84,682</u>	<u>\$123,548</u>	<u>\$262,213</u>	<u>\$470,443</u>

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

General Fund

Statement of Revenues & Expenditures
For The Period Ending November 30, 2017

Description	ADOPTED BUDGET	PRORATED BUDGET THRU 11/30/17	ACTUAL THRU 11/30/17	VARIANCE
Income				
Maintenance Assessments	\$164,160	\$3,421	\$3,421	\$0
Total Income	\$164,160	\$3,421	\$3,421	\$0
Expenditures				
<i>Administrative</i>				
Supervisor Fees	\$6,000	\$1,000	\$800	\$200
FICA Taxes	\$459	\$459	\$61	\$398
Engineering	\$5,000	\$833	\$0	\$833
Arbitrage	\$650	\$650	\$0	\$650
Dissemination	\$2,500	\$417	\$417	\$0
Attorney	\$12,000	\$2,000	\$2,688	(\$688)
Annual Audit	\$3,400	\$0	\$0	\$0
Trustee Fees	\$3,000	\$0	\$0	\$0
Management Fees	\$44,052	\$7,342	\$5,342	\$2,000
Computer Time	\$1,000	\$167	\$167	\$0
Telephone	\$150	\$25	\$0	\$25
Postage	\$750	\$125	\$6	\$119
Printing & Binding	\$500	\$83	\$249	(\$166)
Insurance	\$7,293	\$6,762	\$6,762	\$0
Legal Advertising	\$1,000	\$167	\$67	\$100
Other Current Charges	\$500	\$83	\$72	\$11
Website Compliance	\$500	\$83	\$83	(\$0)
Office Supplies	\$500	\$83	\$41	\$42
Dues, Licenses & Subscriptions	\$175	\$175	\$175	\$0
Capital Outlay	\$250	\$42	\$0	\$42
<i>Field</i>				
Security	\$15,000	\$2,500	\$281	\$2,220
Virtual Guard Gate	\$35,000	\$5,833	\$0	\$5,833
Landscape Maintenance	\$30,000	\$5,000	\$4,978	\$22
Landscape Replacement	\$10,000	\$1,667	\$0	\$1,667
Lake Maintenance	\$5,500	\$917	\$490	\$427
Fountains	\$1,500	\$250	\$108	\$142
Irrigation Repairs	\$5,000	\$833	\$0	\$833
Janitorial Services	\$15,360	\$2,560	\$2,560	\$0
Contingency	\$7,994	\$1,332	\$0	\$1,332
Porter Services	\$0	\$0	\$0	\$0
Total Expenses	\$215,033	\$41,389	\$25,346	\$16,043
Excess Revenues/Expenses	(\$50,873)		(\$21,925)	
Retained Earnings - Beginning	\$50,873		\$98,360	
Retained Earnings - Ending	\$0		\$76,436	

ENCLAVE AT BLACK POINT MARINA

COMMUNITY DEVELOPMENT DISTRICT

DEBT SERVICE FUND - SERIES 2017

Statement of Revenues & Expenditures

For The Period Ending November 30, 2017

	<u>PROPOSED BUDGET</u>	<u>PRORATED THRU 11/30/17</u>	<u>ACTUAL THRU 11/30/17</u>	<u>VARIANCE</u>
<u>REVENUES:</u>				
Special Assessments - A	\$226,954	\$4,781	\$4,781	\$0
Interest Income	\$0	\$0	\$227	\$227
<i>TOTAL REVENUES</i>	<u>\$226,954</u>	<u>\$4,781</u>	<u>\$5,008</u>	<u>\$227</u>
<u>EXPENDITURES:</u>				
Interest Expense - 11/1	\$37,223	\$37,223	\$37,223	(\$0)
Interest Expense - 05/1	\$54,919	\$0	\$0	\$0
Principal Expense - 05/1	\$0	\$0	\$0	\$0
<i>TOTAL EXPENDITURES</i>	<u>\$92,141</u>	<u>\$37,223</u>	<u>\$37,223</u>	<u>(\$0)</u>
EXCESS REVENUES (EXPENDITURES)	<u>\$134,812</u>		<u>(\$32,215)</u>	
FUND BALANCE - Beginning	\$0		\$155,762	
FUND BALANCE - Ending	<u>\$134,812</u>		<u>\$123,548</u>	

ENCLAVE AT BLACK POINT MARINA

COMMUNITY DEVELOPMENT DISTRICT

CAPITAL PROJECTS FUND - SERIES 2017

Statement of Revenues & Expenditures

For The Period Ending November 30, 2017

	<u>ADOPTED BUDGET</u>	<u>PRORATED THRU 11/30/17</u>	<u>ACTUAL THRU 11/30/17</u>	<u>VARIANCE</u>
<u>REVENUES:</u>				
Interest Income	\$0	\$0	\$382	\$382
TOTAL REVENUES	<u>\$0</u>	<u>\$0</u>	<u>\$382</u>	<u>\$382</u>
<u>EXPENDITURES:</u>				
Improvements	\$0	\$0	\$0	\$0
Cost of Issuance	\$0	\$0	\$0	\$0
TOTAL EXPENDITURES	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
EXCESS REVENUES (EXPENDITURES)	<u>\$0</u>		<u>\$382</u>	
FUND BALANCE - Beginning	\$0		\$261,831	
FUND BALANCE - Ending	<u>\$0</u>		<u>\$262,213</u>	

ENCLAVE AT BLACK POINT MARINA

COMMUNITY DEVELOPMENT DISTRICT

Bond Issue:	<u>Series 2007A Special Assessment Bonds</u>
Original Issue Amount:	\$3,380,000
Interest Rate:	5.40%
Maturity Date:	May 1, 2037
Reserve Fund Requirement:	Lesser of:
	(i) Max Annual Debt Service for Bonds Outstanding
	(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)
5/1/2017	(\$75,000)
5/1/2017 Special	(\$20,000)
6/30/2017 Special	(\$2,770,000)
Current Bonds Outstanding:	<u><u>\$0</u></u>

Bond Issue:	<u>Series 2017 Special Assessment Refunding Bonds</u>
	\$7,790,000
Interest Rate:	1.750% - 4.000%
Maturity Date:	May 1, 2037
Reserve Fund Requirement:	\$111,331.25

Bonds outstanding - 6/29/2017	\$3,085,000
Less:	

Current Bonds Outstanding:	<u><u>\$3,085,000</u></u>
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