



**BLUEWATERS
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
FEBRUARY 11, 2019
6:15 P.M.**

Special District Services, Inc.
6625 Miami Lakes Drive, Suite 374
Miami Lakes, FL 33014

www.bluewaterscdd.org
305.777.0761 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT
Somerset Academy Silver Palms-Cafeteria Room
23255 S.W. 115th Avenue
Miami, Florida, 33032
REGULAR BOARD MEETING
February 11, 2019
6:15 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Discussion Regarding Holdover Board Member, Vacancy (Seat #2) and Appointment
- E. Administer Oath(s) of Office and Review Board Member Duties and Responsibilities
- F. Election of Officers
 - Chairperson
 - Vice Chairperson
 - Secretary/Treasurer
 - Assistant Secretaries
- G. Additions or Deletions to Agenda
- H. Comments from the Public for Items Not on the Agenda
- I. Approval of Minutes
 - 1. October 8, 2018 Regular Board Meeting.....Page 2
- J. Old Business
 - 1. Discussion Regarding Mail Box Banks – Townhome Section
- K. New Business
 - 1. Discussion Regarding Fiscal Year 2019/2020 Proposed Budget
- L. Administrative & Operational Matters
 - 1. Discussion Regarding Street Lighting and Tree Trimming
 - 2. Discussion Regarding Janitorial/Porter Services for Community Debris Removal
 - 3. Discussion Regarding Supervisor Compensation
 - 4. Discussion Regarding Miscellaneous Community Items: Hurricane Shutters, Entrance Landscaping, Lighting Improvements and Storm Drainage
- M. Board Member & Staff Closing Comments
- N. Adjourn

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared CHRISTINA RAVIX, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2018/2019 REGULAR MEETING SCHEDULE

in the XXXX Court,
was published in said newspaper in the issues of

09/28/2018

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

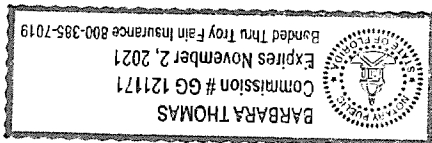
C. Ravix

Sworn to and subscribed before me this
28 day of SEPTEMBER, A.D. 2018

Barbara Thomas

(SEAL)

CHRISTINA RAVIX personally known to me



BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2018/2019 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Bluewaters Community Development District (the "District") will hold Regular Meetings in the Somerset Academy Silver Palms, Cafeteria Room, 23265 SW 115th Avenue, Miami, Florida 33032, at 6:15 p.m. on the following dates:

October 8, 2018
December 10, 2018
February 11, 2019
March 11, 2019
April 8, 2019
May 13, 2019
June 10, 2019
July 8, 2019
September 9, 2019

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at 305-777-0761 and/or toll free at 1-877-737-4922, prior to the date of the particular meeting.

From time to time one or two Board members may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Board members may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 305-777-0761 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time with no advertised notice.

BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT

www.bluewatersodd.org
6/28

18-85/0000349845M

**BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
OCTOBER 8, 2018**

A. CALL TO ORDER

District Manager Neil Kalin called the October 8, 2018, Regular Board Meeting of the Bluewaters Community Development District to order at 6:18 p.m. in the Cafeteria Room of Somerset Academy Silver Palms located at 23255 SW 115th Avenue, Miami, Florida 33032.

B. PROOF OF PUBLICATION

Mr. Kalin presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on September 28, 2018, as part of the District's Fiscal Year 2018/2019 Regular Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

Mr. Kalin determined that the attendance of Vice Chairman Jason Apolinario and Supervisors Lorna Burnett, Steve Lewis and Joey Perez constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Neil Kalin of Special District Services, Inc.; District Counsel Vanessa Steinerts of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

E. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

F. APPROVAL OF MINUTES

1. June 11, 2018, Public Hearing & Regular Board Meeting

Mr. Kalin presented the minutes of the June 11, 2018, Public Hearing & Regular Board Meeting and asked if there were any corrections and/or revisions. There being none, a **motion** was made by Mr. Apolinario, seconded by Ms. Burnett and passed unanimously approving the minutes of the June 11, 2018, Public Hearing & Regular Board Meeting, *as presented*.

G. OLD BUSINESS

1. Staff Report, as Required.

There was no Staff Report at this time.

H. NEW BUSINESS

1. Consider Resolution No. 2018-05 – Adopting a Fiscal Year 2017/2018 Amended Budget

Resolution No. 2018-05 was presented, entitled:

RESOLUTION NO. 2018-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2017/2018 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Kalin read the title of the resolution into the record and stated that the Operating Fund Balance at the end of the Fiscal Year 2017/2018 was estimated to be \$337,047 and that the District would carryover approximately \$250 of this Fund Balance to balance the Fiscal Year 2018/2019 Operating Fund Budget. In addition, he noted that the Debt Service Fund had sufficient funds to make the required debt service interest payment (\$73,950) and extraordinary mandatory bond principal payment \$45,000 due on November 1, 2018. A discussion ensued after which:

A **motion** was made by Mr. Apolinario, seconded by Ms. Burnett and unanimously passed to approve and adopt Resolution No. 2018-05, *as presented*, thereby approving the Amended Final 2017/2018 Fiscal Year Budget.

2. Discussion Regarding ADA Compliant Website, Remediation and Settlement Agreement

Mr. Kalin provided the Board with the proposed Settlement Agreement regarding the suit filed against the District related to website ADA equal access (Claim No. FDC000187 Defoe v. Bluewaters CDD). The District’s insurance will cover the cost of the settlement amount and the District will allocate funds from the annual fund balance for website remediation and the costs thereof. A discussion ensued after which;

A **motion** was made by Mr. Apolinario, seconded by Mr. Perez and unanimously passed approving, on behalf of the District, the Settlement Agreement related to Claim No. FDC000187 Defoe v. Bluewaters CDD; and authorizes Staff to remediate and bring, as soon as possible, the District’s website into full compliance regarding equal access (ADA Compliant); and further authorizes District officers to execute the Settlement Agreement, as required.

3. Discussion Regarding Mailbox Banks within Townhome Section

This item was presented on behalf of and at the request of the Townhome Section HOA Property Manager (Ms. Olson). Since there was no Townhome HOA representation at this evening’s meeting, a discussion ensued after which; a **motion** was made by Mr. Apolinario, seconded by Mr. Lewis to participate in cost sharing to replace mail boxes, as required. Prior to calling the vote, additional discussion took place after which a **motion** to withdraw the original **motion** was made by Mr. Apolinario, seconded by Mr. Lewis and passed unanimously.

This item was *deferred*.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. General Election – Procedures for Declaring Vacancies

Mr. Kalin stated that no one had qualified for Seat #2, currently held by Ms. Burnett, during the 2018 General Election. Mr. Matthews (Seat #5) and Mr. Perez (Seat #1) qualified during the 2018 General Election qualifying period and since there was no opposition, Mr. Matthews and Mr. Perez were declared “*elected unopposed.*” They will officially commence their new 4-year term of office, upon taking the oath of office, effective November 20, 2018.

Since it is anticipated that the Board will not meet again until sometime in the New Year, it would be in order to declare a vacancy in Seat #2 (currently held by Ms. Burnett), effective as of the second Tuesday (November 20, 2018) following the November General Election (November 6, 2018). Pursuant to Section 190.006, *Florida Statutes*, incumbents (Holdover Board Members) will serve no longer than ninety (90) days (from November 20, 2018) or until appointments to the vacancies have been made. A discussion ensued after which:

A **motion** was made by Mr. Apolinario, seconded by Mr. Lewis and unanimously passed declaring a vacancy in Seat #2 (currently held by Ms. Burnett), effective as of November 20, 2018; and the Board shall appoint a qualified elector within ninety (90) days from November 20, 2018, to fill said vacancy in Seat #2.

2. Discussion Regarding Annual Community Coconut Palm and Royal Palm Trimming

Mr. Kalin provided cost estimates for trimming the coconut palms (approximately 230 trees) and the royal palms (approximately 148 trees) within the District. The consensus of the Board was that the coconut palm tree trimming could wait until after the beginning of the New Year. This matter will be revisited in early 2019. The Board continued their discussions regarding the royal palm tree trimming after which;

A **motion** was made by Mr. Apolinario, seconded by Mr. Lewis and unanimously passed to authorizing the trimming of royal palm tree fronds (the “Royals”) for an amount not to exceed \$4,500 and the roadway/street median Royals will be trimmed first (approximately 78), and the remaining Royals (approximately 70) will be trimmed on an as needed basis only.

3. Financial Risk Management Policy Review – Fiscal Year 2017/2018

The Board was advised that Special District Services, Inc. (“SDS, Inc.”), acting in the capacity of District Manager, as part of best management practices and to satisfy annual audit requirements does implement certain measures and procedures to identify and mitigate financial mismanagement/fraud risks, as follows:

- a.** Each month the District’s operating/checking bank account is reconciled by an authorized person who has not deposited funds to, processed expenditures or written checks from, that particular operating/checking account; and
- b.** Each expenditure from the District’s operating/checking account requires a minimum of two (2) approvals from authorized staff and/or District officials and the respective approvals are provided by persons other than the preparer of the expenditure(s); and
- c.** All financial transactions are logged and maintained by the District Manager for record keeping purposes; and

d. A designated member of the Board, typically the Chairperson (by an electronic approval procedure), has an opportunity to review the District's expenditure(s) prior to the payment(s) being released; and

e. The District engages an independent firm, pursuant to Chapter 218.391, *Florida Statutes*, to audit the prior year's financial activities (October 1st through September 30th) from which an independent fiscal year annual audit is prepared; and

f. Within sixty (60) days of the end of each fiscal year (September 30th) the District's Board of Supervisors reviews, pursuant to Chapter 189.418(5), *Florida Statutes*, the prior year's budget relative to actual revenues and expenditures and adopts by resolution an amended/revised final budget.

4. Discussion Regarding Change of Meeting Location

This item was deferred.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

Mr. Kalin stated, unless an emergency arises, the Board would not need to meet again until early in the New Year. Everyone exchanged best wishes for the holiday season.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Apolinario, seconded by Ms. Burnett and unanimously passed to adjourn the Regular Board Meeting at 7:27 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson