



**BLUEWATERS
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
DECEMBER 9, 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
December 9, 2019
6:15 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. October 14, 2019 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Update Regarding Algae Along Shoreline – Eastern Lake
 - 2. Update Regarding Janitorial Services
 - 3. Staff Report as Required
- H. New Business
 - 1. Consider Amending the District Parking Rules and Setting Public Hearing Date.....Page 6
 - 2. Staff Report as Required
- I. Administrative & Operational Matters
 - 1. Discussion Regarding Year-End Meeting Schedule
- J. Board Member & Staff Closing Comments
- K. 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:

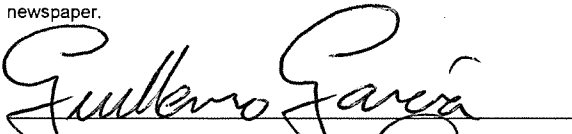
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County,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

BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT -
FISCAL YEAR 2019/2020 REGULAR MEETING SCHEDULE

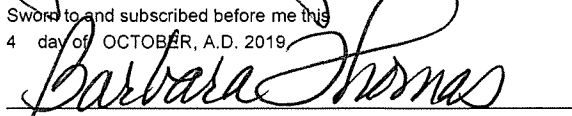
in the XXXX Court,
was published in said newspaper in the issues of

10/04/2019

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.

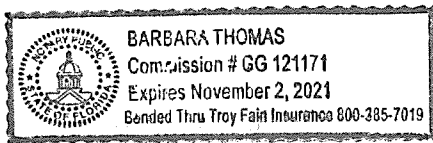


Sworn to and subscribed before me this
4 day of OCTOBER, A.D. 2019,



(SEAL)

GUILLERMO GARCIA personally known to me



BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2019/2020 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, 23255 SW 115th Avenue, Miami, Florida 33032, at 6:15 p.m. on the following dates:

October 14, 2019
December 9, 2019
February 10, 2020
March 9, 2020
April 13, 2020
May 11, 2020
June 8, 2020
September 14, 2020

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 agendas 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.bluewaterscdd.org

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19-31/0000429299M

**BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
OCTOBER 14, 2019**

A. CALL TO ORDER

District Manager Armando Silva called the October 14, 2019, Regular Board Meeting of the Bluewaters Community Development District to order at 6:30 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. Silva presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on October 4, 2019, as part of the District's Fiscal Year 2019/2020 Regular Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

Mr. Silva determined that the attendance of Chairman Warren Matthews and Supervisors Lorna Burnett and Steve Lewis constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Managers Armando Silva and Nancy Nguyen of Special District Services, Inc.; and District Counsel Vanessa Steinerts of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also in attendance were Michele Ronquillo and Jennifer Lora of First Service Residential.

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 10, 2019, Regular Board Meeting and Public Hearing

Mr. Silva presented the minutes of the June 10, 2019, Regular Board Meeting and Public Hearing and asked if there were any corrections and/or revisions. There being no changes, a **motion** was made by Mr. Lewis, seconded by Mr. Matthews and passed unanimously approving the minutes of the June 10, 2019, Regular Board Meeting and Public Hearing, *as presented*.

G. OLD BUSINESS

1. Discussion Regarding Parking Rules

Mr. Silva introduced Michele Ronquillo and Jennifer Lora of First Service Residential, who were in attendance to discuss the parking concerns within the Bluewaters Townhome area. Ms. Ronquillo stated that the residents of the Bluewaters Townhome area were requesting that the District Parking Rules be amended to set time restrictions as to how long vehicles can be stationed in the parking lots adjacent to

the mailbox kiosks. Mr. Silva stated that the Amendment to the District Parking Rules would have to go through the Florida Statutes Rulemaking Procedures, which calls for the advertising of a Public Hearing to adopt the rules. Mr. Silva suggested that one entity take charge of the enforcement of the parking rules for cost saving measures and also for more efficient enforcement of the rules. Ms. Steinerts indicated she would provide the Board with a copy of a Parking Enforcement Agreement between the District and the Bluewaters Townhome Association. A discussion ensued after which the Board requested that the District Manager provide a copy of the Amended Parking Rules and the Parking Enforcement Agreement at the upcoming meeting.

2. Staff Report, as Required

There was no Staff Report at this time.

H. NEW BUSINESS

1. Update Regarding Algae Along Shoreline – Eastern Lake

Mr. Silva advised that the eastern lake had been treated for algae by the aquatic maintenance contractor. Mr. Warren stated that there was still the presence of algae. Mr. Silva noted that Field Staff would contact the aquatic maintenance contractor to treat the algae again.

2. Consider Resolution No. 2019-04 – Adopting a FY 2018/2019 Amended Budget

Mr. Silva presented Resolution No. 2019-04, entitled:

RESOLUTION NO. 2019-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2018/2019 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Silva read the title of the resolution into the record and indicated that there was a positive Operating Fund Balance at the end of the Fiscal Year 2018/2019. He noted that this resolution would close out the Fiscal Year 2018/2019. Mr. Silva also noted that the District came in under budget for both Administrative and Maintenance Expenditures.

A **motion** was made by Mr. Lewis, seconded by Mr. Matthews and unanimously passed to approve and adopt Resolution No. 2019-04, *as presented*, thereby approving the Amended Final 2018/2019 Fiscal Year Budget.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Audit Committee Meeting

At approximately 6:48 p.m., Mr. Silva recessed the Bluewaters CDD Regular Board Meeting and simultaneously called to order a meeting of the Audit Committee.

Mr. Silva advised that the purpose of the Audit Committee meeting was to rank and recommend, in order of preference, no fewer than three (3) audit firms to perform the required auditing services for three (3) fiscal years commencing with the 2018/2019 audit and to include a 2-year renewal option.

The District Manager (“DM”), who was previously appointed to the Audit Committee, explained that only one (1) audit firm had responded to the legal advertisement requesting proposals to perform annual audits for fiscal years ending 9/30/2019, 9/30/2020, 9/30/2021 and to include a 2-year renewal option for fiscal years 9/30/2022 and 9/30/2023. Consequently, the DM asked the Audit Committee to waive the three (3) audit proposer rule and also rank the firm of Grau & Associates #1, the only qualified and responsible firm. A discussion ensued after which:

A **motion** was made by Mr. Lewis, seconded by Mr. Matthews and unanimously passed to waive the three (3) audit proposer rule and to rank the firm of Grau & Associates deemed to be most qualified to perform the auditing services (current audit firm) as #1.

There being no further Audit Committee business to conduct, Mr. Silva *adjourned* the Audit Committee Meeting and simultaneously reconvened the Regular Board Meeting at approximately 6:51 p.m. A discussion ensued after which;

A **motion** was made by Mr. Lewis, seconded by Mr. Matthews and unanimously passed authorizing the District Manager to engage the firm of Grau & Associates, a qualified and responsible auditing firm proposer (current auditor), to perform audits for the three (3) fiscal years 2019, 2020 and 2021; and the fees for the fiscal years will be \$3,500, \$3,600 and \$3,700, respectively; and to provide in the engagement a 2-year renewal option for the fiscal years 2022 and 2023; and the fees for the option years, subject to fee adjustments for inflation, will be \$3,800 and \$3,900, respectively.

2. Financial Risk Management Policy/Review – FY 2018/2019

The Board Members were 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.

3. Discussion Regarding Year-End Meeting Schedule

Mr. Silva stated that the Board would meet again on December 9, 2019.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

Mr. Matthews expressed his concern regarding the community street lighting and blockage of lighting from overgrown tree limbs. Mr. Silva noted that he would have District Field Staff contact Miami-Dade County (the "County") to attempt and find a solution to the blocked street lighting in the community. Historically, the County has stated that they do not have a budget for trimming trees. If this is the case, Mr. Silva will contact the current landscape maintenance contractor to take care of the matter.

Mr. Silva advised that July 31, 2019, was Prime Janitorial Services' last day as the janitorial company for the District. Mr. Silva presented a proposal from Compass of Miami Services, Inc. in the amount of \$18,240 per year for janitorial services. The Board requested that another proposal be obtained and if the services and fees are comparable, the Board authorizes District officials to execute an agreement not to exceed \$18,240 per year. A discussion ensued after which;

A **motion** was made by Mr. Lewis, seconded by Mr. Matthews and unanimously passed authorizing District officials to enter into an agreement with a janitorial company with an annual fee not to exceed \$18,240.

M. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Matthews, seconded by Mr. Lewis and unanimously passed to adjourn the Regular Board Meeting at 7:03 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

BLUEWATERS COMMUNITY DEVELOPMENT DISTRICT

RULES for Parking on District Property

Adopted August 4, 2014

Amended _____

- 1.1 Any vehicle parked in violation of District parking rules as set forth herein may be towed at the vehicle owner's expense by a towing contractor approved by the District Board of Supervisors, subject to the provisions of applicable ordinances of Miami-Dade County and Florida Statutes. No Parking signs shall be installed at the location of towing areas in accordance with the requirements of applicable ordinances of Miami-Dade County and Florida Statutes. All other traffic and parking rules and regulations of Miami-Dade County or the State of Florida, including the requirements of Chapter 316, Florida Statutes, are to be enforced by the Miami-Dade Police Department or approved law enforcement agency having jurisdiction thereof.
- 1.2 Except as otherwise provided by resolution of the Board of Supervisors, on-street parking is prohibited twenty-four (24) hours a day, seven (7) days a week on all District streets, roadways, thoroughfares, or rights-of-way and on all other District property.
- 1.3 Parking is prohibited upon or within all non-paved District property including, but not limited to, landscaped areas within or adjacent to any District's right-of-way. This prohibition shall remain in effect twenty-four (24) hours per day, seven (7) days per week.
- ~~1.4~~ 1.4 Parking within the overflow parking spaces on District property is prohibited from the hours of 2:00 A.M. through 5:00 A.M., seven (7) days per week.
- ~~4.4~~ 1.5 Marked law enforcement or other emergency vehicles are exempt from the parking rules prohibiting on-street parking.
- ~~4.5~~ 1.6 The enforcement of these parking rules may be suspended in whole or in part for specified periods of time, as determined by the District.
- ~~1.7~~ 1.7 No vehicle which cannot operate on its own power shall remain on District right-of-way or District property for more than twelve (12) hours.
- ~~4.6~~ 1.8 No vehicle maintenance or repair shall be permitted over or on any portion of the District road rights-of-way or other District property.
- ~~4.7~~ 1.9 Anyone operating a motor vehicle upon District road right-of-way shall do so in accordance with Florida law and posted speed limits and traffic regulations.
- ~~1.10~~ 1.10 No commercial vehicle, recreational vehicle, boat, trailer, including but not limited to boat trailers, house trailers, and trailers of every other type, kind or description,

or camper, may be kept on District right-of-way or District property. The term "commercial vehicle" shall not be deemed to include recreational or sport utility vehicles commonly referred to as SUV's up to 21'5" in length or clean "non-working" vehicles such as pick-up trucks, vans, or cars if they are used by the owner on a daily basis for normal transportation. Notwithstanding any other provision in these Parking Rules to the contrary, the foregoing provisions shall not apply to commercial vehicles or construction vehicles currently being used in connection with the construction, improvement, installation, or repair of District rights-of-way or any other District-owned or District-maintained property or facilities.

- 4.8 1.11 If District property is damaged or in need of repair as a result of violation of these rules, the District will provide an invoice to the property owner who is in violation for the reasonable cost of repair. In the event the invoice remains unpaid, the charges for the repair shall be added to the Operating and Maintenance assessment attributable to the violator's property within the District on the next ensuing tax bill.