

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 Thursday, September 14, 2023, at 7:30 p.m. at 20740 Old Cutler Road, Cutler Bay, Florida.

Present and constituting a quorum were:

James Windley
Abraham Crocamo, Jr.
Navindra Singh
Andrew Jimenez

Chairman
Vice Chairman
Assistant Secretary (by phone)
Assistant Secretary

Also present were:

Juliana Duque
Jesus Lorenzo
Gregory George

District Manager
Governmental Management Services
District Counsel

FIRST ORDER OF BUSINESS

Roll Call

Ms. Duque called the meeting to order and called the roll.

SECOND ORDER OF BUSINESS

Organizational Matters

- A. Consideration of Appointment of Supervisor(s) to Fill Unexpired Term(s) of Office – Seat #3 (11/2024)**
- B. Oath of Office for Newly Appointed Supervisor(s)**
- C. Election of Officer(s)**

Ms. Duque: The next item is the organizational matters, and I would like to remind the Board of Supervisors that we have an open seat for the unexpired term of office seat #3. If there is no direction from the Board at this moment to appoint anyone, we will table this at the next meeting.

Mr. Windley: Next meeting.

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THIRD ORDER OF BUSINESS

Approval of Minutes of the July 20, 2023 Meeting

Ms. Duque: The next item is the approval of the minutes of the July 20, 2023 meeting. This is the moment to present any additions, corrections, or deletions to those. If there are none, a motion to approve them will take place.

On MOTION by Mr. Windley seconded by Mr. Crocamo with all in favor, the Minutes of the July 20, 2023 were approved.

FOURTH ORDER OF BUSINESS

Consideration of:

A. Resolution #2023-06 Establishing an Electronic Signature Policy

Ms. Duque: The next item is resolution #2023-06 establishing an electronic signature policy. So, this is not required but, it will actually help the District, we could face different moments when the District can't get physical signatures, so this resolution pretty much gives the parameters to establish the documents of authenticity when it's signed electronically. So, a motion to consider resolution #2023-06 will take place.

On MOTION by Mr. Windley seconded by Mr. Crocamo with all in favor, Resolution #2023-06 establishing an electronic signature policy was approved.

B. Resolution #2023-07 Adoption of Records Retention Policy

Ms. Duque: Moving forward, the next item is resolution #2023-07 adoption of records retention policy. So, as the Board is aware, GMS is the records custodian of the District and this has been approved by the Board before so pretty much this resolution formalizes that even more. The resolution provides the appointment by GMS to be the records liaison and this resolution also adopts the retention policy. The schedule is attached to the resolution and that is provided by Florida Statutes. The resolution also designates the electronic copy of the District's records as the official records of the District.

Mr. Windley: I'm sorry, how long are the records maintained presently, how many years?

Mr. George: There's a records retention schedule and then in here, in the exhibit, they also have some of them already listed, like some of your financial records with the bonds.

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Ms. Duque: And you will be able to see it in the attachment on the exhibit, and I don't know it by heart but, you can see it there.

Mr. George: Yes, it's exhibit A that describes the different types of records and also how long they should be kept.

Ms. Duque: Correct.

Mr. Crocamo: Right, depending on some of them are 3 years, some of them are 10 years.

Ms. Duque: Correct.

Mr. Windley: Ok.

Ms. Duque: So, once again, a motion to adopt resolution #2023-07 will take place.

On MOTION by Mr. Windley seconded by Mr. Jimenez with all in favor, Resolution #2023-07 Adoption of Records Retention Policy was approved.

C. Second Amendment to District Management Agreement between Enclave at Black Point Marina and Governmental Management Services – South Florida, LLC

Ms. Duque: Let's move forward then to the second amendment to District Management Agreement between Enclave at Black Point Marina and GMS.

Mr. George: Alright, so this is the second amendment to your District Management Agreement, the original agreement was signed in 2006, and again there was an amendment in 2020, and the purpose of this agreement is to include an update for addresses for the notice of the District, indemnification provisions, insurance requirements, a financial advisor disclaimer, the E-Verify provision required by law, some other public records provisions, and a special conditions provision. So, all of those will be added to the agreement as stated here in the amendment, and this would be appropriate for you guys to accept this second amendment.

On MOTION by Mr. Windley seconded by Mr. Crocamo with all in favor, accepting the Second Amendment to District Management Agreement between Enclave at Black Point Marina CDD and Government Management Services – South Florida, LLC was approved.

September 14, 2023**Enclave at Black Point Marina CDD****D. Estimates with People's Choice Pressure Cleaning, Inc.**

Ms. Duque: Then the next item is, and we're getting close to our beautiful season, so we have received a proposal to pressure clean all the areas, District areas, pressure clean all of the sidewalks on Cutler Road, the entrances, the swales and the curbs on the medians, and the roundabouts which is \$3,400 and there are additional areas that are not part of the CDD that we have always done, those include the sidewalks that run along the Turnpike, near the bushes at SW 229th Lane and 105th Court, and also pressure wash the sidewalks, swales, and curbs along the canal near SW 226th Street and 10369 SW 224th Terrace. So, it's the same amount that we have always paid, the same company that we have used.

Mr. Crocamo: And I know it's good that they do that one over there because that one has all those trees so it always gets all those stains in there.

Ms. Duque: Correct, so if the Board approves with both estimates, the amount is \$4,400 so I will need a motion from the Board.

On MOTION by Mr. Jimenez seconded by Mr. Crocamo with all in favor, accepting both estimates from People's Choice Pressure Cleaning, Inc. for pressure cleaning around the entire community in the amount of \$4,400 was approved.

FIFTH ORDER OF BUSINESS**Ratification of Long-Term
Agreement for Property Use
with Cornerstone Church**

Ms. Duque: The next item that we have is ratification of long-term agreement for property use with Cornerstone Church. As the Board knows we use the facility to meet, so this is pretty much the renewal of that agreement, and if the Board agrees I will need a motion to ratify it.

On MOTION by Mr. Windley seconded by Mr. Crocamo with all in favor, ratifying the long-term agreement for property use with Cornerstone Church was approved.

September 14, 2023**Enclave at Black Point Marina CDD****SIXTH ORDER OF BUSINESS****Approval of Florida Insurance Alliance Districts Package Application with Egis Insurance & Risk Advisors**

Ms. Duque: The next item that we have is the approval of Florida Insurance Alliance Districts Package Application with Egis Insurance & Risk Advisors. So, this is just the packet application that we work with Egis Insurance, nothing has been changed, it's the same coverage, and same schedule but, we like to bring that back to the Board of Supervisors so that they are part of the records of the District, so a motion to approve will take place.

On MOTION by Mr. Windley seconded by Mr. Jimenez with all in favor, accepting the Florida Insurance Alliance Districts Package Application with Egis Insurance & Risk Advisors was approved.

SEVENTH ORDER OF BUSINESS**Staff Reports**

Ms. Duque: Let's move forward to staff reports, attorney.

A. Attorney – Memorandum on 2023 Legislative Update

Mr. George: Alright, since the meeting is moving so quickly, I'll slow us down a little bit here, so I'll go over our 2023 legislative update quickly. At the last meeting, I told you guys the most important thing to remember, which was the new 4-hour ethics training requirement, that takes place in January, it is effective January 1st, but you guys need to be aware of it. The first law just deals with contracts for construction services, and a requirement that if you have a punch list that's listed on the agreement whereby everyone understands the times in which you're supposed to pay, how much you can withhold if there's some kind of issue, so now that's just codifying it in law. Number two is dealing with affordable housing and local governments' ability to preempt the building of affordable housing, they also have those hours but, it's applicable to you guys as Special District Supervisors. Item number three deals with, well I'm going to skip over three because you don't have any development orders coming along. Item four is dealing with ESG and the bonds, and you cannot invest in environmental, social, and corporate governance bonds, and you can't take into consideration social political

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ideology beliefs when dealing with your contracts, so that's just something you guys are kind of aware of and now that's a new law that was passed that kind of makes it clear. Item five deals with the band of certain applications and websites, you don't have any District devices or internet services but, if you did then we would talk about the list of things that you guys can't be on, so no more TikTok. Item six deals with contracting with companies that are owned by foreign entities, and we have the countries listed here in the footnote, so just be checking in case the Church is owned by the Republic of North Korea or something, then we probably shouldn't meet here. Items seven and eight deal with public records exemptions, that were set to expire, and they were saved from repeal which was building plans, blueprints, and security systems. So, that's our legislative update, and the new session will be upon us soon, so that's it.

Ms. Duque: Thank you so much for that Gregory.

B. Engineer

Ms. Duque: Moving on, I have nothing to report under the engineer report.

C. Field Manager**1) Monthly Report****2) Nuisance Alligator Guide**

Ms. Duque: So, let's move forward to the field manager's report, go ahead Jesus.

Mr. Lorenzo: So, real quick, I'm going to skip over the landscaping, unless you guys have any questions on that. The main topic would be the fountain, as everybody knows the second fountain, we've been having issues, and Hall Fountains believes it's the heat that the electrical panel is getting, they put strips in there and the heat was pretty high and they've been having this issue in other lakes. They suggested putting a fan and some type of enclosure, and we've already ordered the parts with Allstar Electric and they should be coming in October, they're on backorder so we'll get that installed soon. Then lastly, but not least, we installed some additional signage at the lakes, and the electrical enhancements for the medians will start likely next week. So, we're working with the landscaper but, unfortunately, we don't have the plans for the irrigation system that's there, we'll have to wait and see when we get there. So, we're

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going to turn off the system to eliminate any issues but, once they know where it's running, they'll be able to avoid any other damages. Do you guys have any questions for me?

Mr. Windley: No.

Mr. Jimenez: For the roads, can we ask a question? I believe the association, there's a new management lady.

Ms. Duque: They have a new property manager, yes.

Mr. Jimenez: So, she's been trying to do maybe the speed bumps, like the community in the back, are you guys aware of that?

Ms. Duque: Really, no we're not aware.

Mr. Jimenez: Ok.

Ms. Duque: But remember the road doesn't have anything to do with us.

Mr. Crocamo: The road has nothing to do with us over here.

Ms. Duque: Right, nothing to do with us, and that's good.

Mr. Crocamo: I do know that, remember we did the thing where we went ahead and we were giving them power to go ahead and if they had to ticket or tow, but I think they mentioned something the other day that they need to legalize them and have something in writing.

Ms. Duque: Yes, that's the last conversation that we had with the HOA is that in the rules and regulations, remember but, with the rules and regulations the Board of Supervisors can adopt the rules and regulations. (inaudible comment)

Mr. Crocamo: Ok, so they're working on that.

Ms. Duque: Yes, and I'm surprised that Miami-Dade County is going to allow speed bumps.

Mr. Jimenez: Well, we don't know yet.

Ms. Duque: Ok.

Mr. Crocamo: Well, I know that they came in and they did everything already and, apparently, they said yes but, we're going to have to pay for it, the HOA.

Ms. Duque: But at least it's a solution, so that's positive.

Mr. Crocamo: Right, and I know they're waiting for the final on that.

Ms. Duque: That's good. Thank you for that information, Andrew.

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Mr. Lorenzo: Before I leave the field report area, I reported a unit on 229th Lane that's throwing debris back there into the canal, it's either the second house or the third house from the corner.

Mr. Crocamo: Ok.

Mr. Lorenzo: I already sent the pictures to the manager on Tuesday.

Mr. Crocamo: Ok, good.

Ms. Duque: So, you're done with your report?

Mr. Lorenzo: Yes.

Ms. Duque: Are there any other questions for Jesus? Not hearing any we can move forward. The next item that we want to present is the nuisance alligator guide, and what we recommend from the Board of Supervisors is to give us a direction to send an email to the property manager so that she can email blast this alligator nuisance guide to your entire community. I mean we do live in Florida, and they are all over the place, there are canals, there are lakes in the District, so I think it's important to make people more aware of the situation, and I think additional steps one way or another help. So, do have direction from the Board to proceed as stated?

Mr. Crocamo: Absolutely, and if they can add on there too because I know for a fact there are right now, and to be aware of the nuisance of water moccasins, there is some in that back canal right now.

D. Manager – Discussion of Financial Disclosure Report from the Commission on Ethics and Reminder to File Annual Form

Ms. Duque: Ok, let's move forward to the next item which is, as the Board is aware we had an accident on the rotunda at the entrance of the community. When we had that accident, you might recall this has been presented to the Board in different opportunities already, we went back to the insurance company, and we tried to recover the money that we used to repair the landscape. The answer that we received from them was that the police report didn't have any stipulations about property damage, so they were not going to pay us. So, we reached out to the police department and they actually added to the report all of the language in terms of the property damage because we had pictures, pictures of the cars, and everything was provided so they added that and that report was sent to the insurance company, and even though they

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said, ok, yes, we're going to make payment, and that was like about a month ago that we couldn't get any answers, no responses. So, the Board allowed us to move forward with a demand letter which was worded by Gregory, and it was sent to the person that had the accident. So, the letter was sent and now we are waiting for payment. It's my understanding and Jesus did you reach out to the insurance company?

Mr. Lorenzo: Yes, they requested our W-9 Form, and we sent it to them about a month ago and I assumed they were going to send the payment, but they haven't sent the payment from what I know.

Ms. Duque: And we checked with the accounting department, and we have not received the payment yet. They said that we're going to get the payment, and it's \$5,000 in change, so we really want to get this money back, and I think at this moment we have done everything.

Mr. George: Right, and I'm going to ask to bring it up because the 30 days have passed without further direction from you guys. I'm not going to do anything further because it also looks like there's some movement from the insurance company as far as at least requesting the W-9 Form because I called them several times and I think me calling them, sending emails, and then they finally responded to Jesus about it, so we'll see what happens for the next meeting.

Ms. Duque: Ok, so that's the first update, the next item is discussion of financial disclosure report from the Commission on Ethics and a reminder to file the annual form. So, once again, Navindra they're still waiting on the form, they have not received it, and we sent several emails to Navindra, so everybody has filed but Navindra.

Mr. George: And it's a personal responsibility, if you get a fine there's not much we can do to help, so just a word of caution.

Ms. Duque: Correct.

EIGHTH ORDER OF BUSINESS**Financial Reports****A. Approval of Check Register**

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Ms. Duque: So, let's move forward then to the financial reports, tab A is approval of the Check Register, and B tab is the Balance Sheet and Income Statement. Unless there are any questions about those, a motion to approve them will take place.

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

NINTH ORDER OF BUSINESS**Supervisors Requests and Audience Comments**

Ms. Duque: Are there any Supervisor's requests? Not hearing any, and there is no audience present today, so no audience comments.

TENTH ORDER OF BUSINESS**Adjournment**

Ms. Duque: A motion to adjourn will take place.

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

DocuSigned by:



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Secretary / Assistant Secretary

DocuSigned by:



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Chairman / Vice Chairman