

**RESOLUTION 2018-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKES BY THE BAY SOUTH COMMUNITY DEVELOPMENT DISTRICT AMENDING AND MODIFYING SECTION 3.5 OF THE ISLES AT BAYSHORE CLUB RULES AND REGULATIONS, ENTITLED "PARKING AREAS" TO PROVIDE FOR CLARIFICATION AND SUPPLEMENTAL PARKING REGULATIONS APPLICABLE TO THE CLUBHOUSE PARKING LOT AND ROUNDABOUT, PROVIDE FOR NO PARKING AT THE LINEAR PARK OF THE DISTRICT, AND PROVIDE FOR A TEMPORARY PARKING PERMIT FOR DISTRICT VENDORS AND CONTRACTORS AND THOSE LOADING OR UNLOADING AT THE CLUBHOUSE; AUTHORIZING DISTRICT STAFF TO TAKE CERTAIN ACTIONS CONSISTENT WITH THE ADOPTION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Lakes By The Bay South Community Development District (the "District") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated in the Town of Cutler Bay, Florida;

**WHEREAS**, the District owns and operates certain clubhouse and recreational amenity facilities within the District located on Tract A, Lakes By The Bay Amber Plat, as recorded at Plat Book 161, Page 80 of the Public Records of Miami-Dade County, Florida (the "Club");

**WHEREAS**, the District owns and operates certain linear park and open space area within the District located on a portion of Tract P, Lakes By The Bay Amber Plat, as recorded at Plat Book 161, Page 80 of the Public Records of Miami-Dade County, Florida (the "Linear Park");

**WHEREAS**, the District has previously adopted and amended pursuant to applicable Florida law, the Isles at Bayshore Club Rules and Regulations, last revised or amended pursuant to Resolution 2012-09, adopted by the District Board of Supervisors on August 6, 2012 (the "Rules");

**WHEREAS**, the District Board of Supervisors has determined that it is necessary to clarify and supplement Section 3.5 of the Rules, entitled "Parking Areas" to address and provide for parking rules and prohibitions and the Club and at and in the vicinity of the Linear Park; and;

**WHEREAS**, pursuant to Section 190.011 and 190.035, Florida Statutes, the District is authorized to adopt and modify rules, regulations, and rates pursuant to the provisions of Chapter 120, Florida Statutes, prescribing the conduct of the business of the District;

**WHEREAS**, the District has complied with the provisions of Chapter 120 and Section 190.035, and has conducted a public hearing to address certain amendments to the Rules and such other related rules and policies as may be necessary to better define and regulate the use of the Club and the Linear Park, as contemplated herein; and

WHEREAS, after a public hearing on the proposed amendments to the Club Rules, the Board of Supervisors finds it to be in the best interest of the District, the residents and property owners within the District, and the members of the Club to adopt the rule amendments set forth in this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE LAKES BY THE BAY SOUTH COMMUNITY DEVELOPMENT DISTRICT, THAT:**

**Section 1.** The foregoing recitals are hereby incorporated as the findings of fact of the District Board of Supervisors.

**Section 2.** Section 3.5 of the Rules, entitled "Parking Areas" is hereby amended, as follows:

3.5 Parking Areas. Self-parking is permitted in Parking Areas identified as such. ~~No parking, standing, or stopping of any vehicles or trailers will be allowed~~ is strictly prohibited on all grassed areas, within the roundabout on the Clubhouse parcel at the entrance to the facility, or along, over, or beyond curbed areas. "**No Parking**" signs must be observed. Overnight parking in the Parking Areas is prohibited. Overnight Parking is defined as the parking of a vehicle or trailer in the Parking Areas at any time between the hours of 1:00 AM and 5:00 AM. Heavy trucks, commercial vehicles not performing services for the District or at the Clubhouse facility and trailers are prohibited from parking at any time in the Clubhouse Parking Area. Parking is strictly prohibited anywhere within the District's Linear Park located immediately adjacent to and south of the District-owned lake parcel (Tract F, Lakes By The Bay Amber Plat, Plat Book 161, Page 80) and identified at theoretical SE 223 Terrace between the SW 97 Avenue and SW 93 Path rights-of-way, and at the entrance to the Linear Park located at SW 93<sup>rd</sup> Path. There are no Parking Areas at or immediately adjacent to the Linear Park. A vehicle of a District vendor performing services on behalf of the District or any person making delivery to the Clubhouse is permitted to park the subject vehicle in an area where parking is prohibited, provided such vehicle is parked for no more than three (3) hours, the parking of the vehicle in such location is necessary for the vendor to perform the services they are hired or contracted to perform, and provided the vendor or person has obtained a temporary parking permit from the District and posted the same on the front dashboard of the vehicle. Temporary permits are valid only on the day of issuance and are available at the Clubhouse. Any vehicles parked in violation of this section are subject to being towed without notice or warning.

**Section 3.** District Counsel is hereby directed to produce an amended/updated version of the Isles at Bayshore Club Rules and Regulations, implementing the changes set forth in the



Resolution, and is further directed to forward the amended Isles at Bayshore Club Rules and Regulations to the District Manager to be included in the Official Records of Proceeding of the District and posed on the District's website.

**Section 4.** The District Manager is hereby directed to take all actions consistent with this Resolution.

**Section 5.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6.** If any clause, section or other part or application of this Resolution is held by a court of competent jurisdiction to be unconstitutional or invalid, in part or as applied, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 7.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED**, after a public hearing on the same and in a public meeting of the Board of Supervisors of the Lakes By The Bay South Community Development District, this 23 day of July, 2018.

**LAKES BY THE BAY SOUTH COMMUNITY  
DEVELOPMENT DISTRICT**

Attest:

Print name: Luis Hernandez  
Secretary/Assistant Secretary

Print name: William Patti III  
Chair, Board of Supervisors