

**MINUTES OF MEETING  
LAKES BY THE BAY SOUTH  
COMMUNITY DEVELOPMENT DISTRICT**

A regular meeting of the Board of Supervisors of the Lakes by the Bay South Community Development District was held on Monday, December 19, 2016 at 9:30 a.m. at the Isles at Bayshore Club, 21864 SW 93<sup>rd</sup> Path, Cutter Bay, Florida 33190.

Present and constituting a quorum:

Bill Pacetti	Chairman
Melissa Vazquez	Vice Chairman
Ana Jo	Assistant Secretary
Danny Dinicola	Assistant Secretary
Elaine Rodriquez	Assistant Secretary

Also present were:

Luis Hernandez	District Manager
Michael Pawelczyk	District Counsel
Juan Alvarez	District Engineer
Daniel Finz	Government Management Services
Juliana Duque	Governmental Management Services
Janine Oliveira	FirstService Residential
Christina Tudor	FirstService Residential
Jim Hapel	Virtual Guard
Ted Belloise	Envera

**Segment I:**

**FIRST ORDER OF BUSINESS**

**Roll Call and Pledge of Allegiance**

Mr. Hernandez called the meeting to order and called the roll. Mr. Hernandez led the Pledge of Allegiance.

**SECOND ORDER OF BUISNESS**

**Approval of the Minutes of the  
November 28, 2016 Meeting**

Mr. Hernandez: Moving forward, the second item for the board's consideration at this point would be the approval of the minutes of November 28, 2016 meeting. This

would be the time to make any changes, corrections, additions or deletions. If there is none, a motion to approve would be in order.

Ms. Jo: I have one correction on page 9.

Mr. Hernandez: Page 9.

Ms. Jo: Yes it says that Juliana was the one who negotiated and knew what machines were bought, she was not the one who negotiated the machines, it was you, Luis.

Mr. Hernandez: Which statement is she referring to?

Ms. Vazquez: Right here, on page 9, it's what Ana said.

Mr. Hernandez: So what you're indicating is that instead of saying Juliana, it should say Luis?

Ms. Jo: Yes.

Mr. Hernandez: Ok, no problem that will be changed to say Luis.

On MOTION by Ms. Vazquez seconded by Ms. Jo with all in favor the minutes of the November 28, 2016 meeting with the indicated change were approved.
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**THIRD ORDER OF BUSINESS**

**Staff Reports**

**A. Attorney**

Mr. Hernandez: Moving on to staff reports, Mr. Pawelczyk anything to be presented at this time?

Mr. Pawelczyk: Nothing from my office, no.

Mr. Hernandez: Thank you very much.

**B. Engineer**

Mr. Hernandez: Juan do you mind if we just leave yours to be part of the workshop so that we can have an open discussion on that matter?

Mr. Alvarez: That will be fine.

Mr. Hernandez: Perfect.

**C. Club Manager - Monthly Report**

Mr. Hernandez: Moving on to the club manager, Christina?

Ms. Tudor: Good morning everyone. Just to follow up on some pending items, some of these have already been completed but, the first one, site maintenance, they already got that logged, on the order, so they're not going to be starting the door handles until the first week of January, so that's pending. All Star Electric has completed the installation of all the exterior lighting, as you'll see and you probably saw as you walked in. There was just one error, we're missing two of the round flush ones, which went underneath both exits. We forgot to count those, so we did ask them to please proceed in fixing the two, you won't see it on this side but they're on the exterior, so that's what they're doing today, but overall they're done. Aqua Blue Lighting is still pending, they were going to start a couple of times but then they had some issues with an adapter and the stakes. So hopefully they're starting soon but they're not going to start this until next year since this is the holiday week. As the manager, I did have Bob's Plumbing, I had an issue with two of the showers that kept dripping because the valve was broken, which we kept trying to fix but it needed to be totally repaired and all the chains were always breaking so they did complete all the showers which now have all new valves, all new handles, and all new chains. So that's all completed and that's just something that needed to get done, just wear and tear after many years.

Mr. Hernandez: If I could hold you on that one for that matter, what I will need at this point would be a motion to ratify invoice #82309 which is the one that she is referring. It's for a total of \$588.50.

On MOTION by Ms. Vazquez seconded by Mr. Dinicola with all in favor, ratifying the invoice from Bob's Plumbing Co. for a total amount of \$588.50 to repair the pool shower valves, chains and handles was approved.

Ms. Tudor: And just to follow up on our holiday event on December 10th, we had a very large turnout even though it was kind of a rainy day. The trolley cart worked out phenomenally, and if people didn't get picked up at their monuments, they were jumping

in and taking rides, when you were going, so it was very enjoyable. Santa showed up right on time before they had an emergency, so they dumped him off real quick, so that worked out great. The food was great, we had it catered so thank you for the sponsorship from FirstService Residential on their share. So overall the event was great, we had over 500 people attend and I just think it went very well, considering too, as I said the weather was not really working in our favor but it didn't stop the folks from coming. So that concludes my report, unless you have any specific questions.

Ms. Jo: No questions, I just wanted to congratulate Christina and her staff they did a wonderful job as usual. So it was really good, and thank you to Santa and Mrs. Clause.

Mr. Pacetti: Luis can I just say something?

Mr. Hernandez: Sure.

Mr. Pacetti: I don't know how long I've been on this board, about 7 years now I think, maybe 6 or 7 years.

Ms. Tudor: 5 years with me.

Mr. Pacetti: I can tell you that honestly I had an experience with a little girl, 7 years old, I told you, it just broke my heart, and all the kids would come up, and I'd ask them what do you want for Christmas, and all this little girl talked about was, she said, I don't want anything, all I want is my family to be happy for Christmas, and that just killed me. I never had that before, and I wish I could remember who that little girl was, because I'd buy her gifts or something, but apparently there's some issues with the family or something, she was just like heartbroken basically, it brought tears to my eyes, I just couldn't believe it, but I just had to say that. So I think what Christina did was great, it was the best experience, and the busiest I've ever seen, so hats off to you and your crew.

Ms. Tudor: Thank you.

Ms. Jo: And the trolley was a great idea.

Mr. Pacetti: Yes awesome.

Ms. Jo: That was a big success.

Mr. Hernandez: Unless anyone has any other questions for Christina, I will be moving on to the next item.

**D. Field Manager – Monthly Report**

Mr. Hernandez: Under the field manager, Juliana?

Ms. Duque: Other than the report, I do have a couple of items that will be discussed during our workshop section, unless anybody has any questions in reference to the report.

Ms. Vazquez: I do have one question, as the CDD are we allowed to approach the Special Taxing District for the gate to complain, because my gate on my side, which I know this isn't our responsibility, but the gate on my side has been out, it was 6 weeks at the last meeting, and now it's been another 3 weeks, and it's been a long time.

Mr. Hernandez: Just for you to know, a Special Taxing District has nothing to do with you as a supervisor.

Ms. Vazquez: Right, I know, but I'm saying, we're still an entity that represents this association, so we can't contact them and say, hey this gate hasn't been working.

Mr. Pawelczyk: You can.

Mr. Hernandez: You could as a homeowner call them.

Mr. Pawelczyk: You have the CDD do it, but I'm just telling you that in my opinion, you as a resident, your neighbor as a resident, each of you as residents will have more of an impact than the CDD.

Ms. Vazquez: But we have residents in the Cove that have called and complained, and it's still not fixed, and the thing is at first there was one guard, one, who would put the cones on the residential side so you had to go through that way, but if he's not on the shift, the cones are moved to the side and the guard sits inside, like the guard doesn't even come out anymore sometimes because there's no point, the resident side is just open, and it has been for months now.

Ms. Jo: Yes, and I've noticed that they did fix the one on this side, but they never fixed the other side.

Ms. Vazquez: Right.

Mr. Pawelczyk: Do you have any of that documented, that you could document when the gates are down?

Ms. Vazquez: Maybe pictures.

Ms. Duque: Maybe there is an email.

Mr. Pawelczyk: Pictures, I don't need pictures, I'm just saying, we're trying to get them to look at our issue.

Ms. Jo: Maybe you have to have some kind of a log, saying listen I called you on September 12th to tell you about this.

Mr. Hernandez: That would help.

Ms. Vazquez: Because I went on the record at the last meeting saying that it was out, and I'm going on the record again, so it's been at least, I've documented it at two meetings that it has not been fixed once.

Mr. Pawelczyk: I think after, I know they have several petitions they're addressing.

Ms. Vazquez: I know and we're always the last one, I mean just put the cones out at least so that you're regulating it.

Mr. Pawelczyk: Well the problem is, we can't tell them what to do unfortunately, but I would like more ammunition, if you will, so after the new year when we go back to them again and say, look we want to take it over, can we take this over, this responsibility, so your Special Taxing District assessment in the future years would be zero, and then we would have to increase our budget amount that same amount to cover that cost. So that's just one less thing they would have to deal with when we could deal with it on a local level, and I do not want to discuss this today, but I talked with one of the gentlemen that was here today to present for the cameras, this is the perfect place for, if you're not going to do it and have somebody onsite, so this is a perfect place for virtual guards because the roads are public, but at least you get a camera, and you get a picture of Mike Pawelczyk driving his black car coming in with his license plate tag, and you get me every time I come in when the gate closes. Whereas now, I come in, and 8 out of 10 times I come through that gate, it's open, and 6 out of 10 times he's in the bathroom, but 8 out of 10 times it's just open. I basically look in there, he doesn't even look, and I just keep going, and I say ok.

Ms. Duque: There is a change on the staff, they recently had changes with the staff, and I was contacting someone about the painting and all of that, and they referred to another lady that is pretty much in charge, so I could reach out to her because we were

with one light bulb that was broken on the ground and I contacted the District probably like a month, and finally with that lady, they came and fixed it last week. So we can give a shout out to her and see.

Mr. Pawelczyk: And like I said, I think it's worth a call from the District, but I think you guys as residents, and your neighbors should be calling because our last contact with someone in the Special Taxing District Services was, that's something we would like to consider because it's a pain in the butt for them, it's very difficult for them to manage the Special Taxing District that requires so much attention like a security gate, as opposed to a Street Lighting Taxing District, but we just can't get them to do something about it. So I guess the more ammunition, the better, and you can even forward that information directly to me and I'll just put it in a file, as you're aware of it, but Juliana, maybe we can call on a conference call, you and I can call together, and then we can just put the bug in her ear, and I don't know who she is but maybe she can take it up to her boss and say something.

Mr. Hernandez: We already spoke to the boss.

Mr. Pawelczyk: I know, and we're trying to do everything we can without making them never want to talk to us, and I think that's the right approach because this is, as we've talked about, this is basically a year in advance process because of the money, we have to increase our budget, and you guys don't want to pay twice, it's not like the county is going to give you a rebate on your Special Taxing District Services.

Ms. Vazquez: So we really have until September to figure all of this out.

Mr. Hernandez: Before September, ideally it would be to recognize that it's going to take place somewhere in April or May, so that we can follow all the required steps, but to actually implement it at the end of September, that would be the ideal way.

Mr. Pawelczyk: So our plan within our office on this particular item is after the new year, so in January to try to talk to them again to see if they have some time that opened up to address this, and hopefully that's the case. I know it's before them now, and it's all wrapping up.

Mr. Hernandez: But the part that can be said is that the more complaints that they get from the homeowners side, the more likely they're going to try to minimize those

problems because the way they handle things is, they're in the political arena, so if a commissioner asks them for any specifics, or something that is a problem for the constituents, then most likely they need to address it and correct it, so the more people that are complaining right now, the more effective their actions will be.

Ms. Vazquez: Do you have their contact information?

Mr. Hernandez: I can send that to you.

Ms. Vazquez: Ok.

Mr. Pawelczyk: For instance, if you observe the gate is broken, and it's not fixed the next day, and you send an email to Special Taxing District Services saying this gate is broken when is it going to be repaired, or something like that, and the following week, because this is your problem, the following week you come back and it's still not repaired, you forward that email to the same guy at the Special Taxing District Services, and the commissioner, your commissioner, because then stuff will get done. So I always say, give the staff a chance, but then if it goes to the commissioner or the Special Taxing Districts boss, whoever it is, then stuff will tend to get done.

Mr. Hernandez: Right and you will be heard.

Ms. Vazquez: Ok.

Mr. Pawelczyk: Well you have a better chance of being heard because you have to remember your commissioners don't read those emails.

Mr. Hernandez: No they will have their staff read them.

Mr. Pawelczyk: Right their staff members read them and tell them, oh well you might want to look at this one.

Mr. Hernandez: But when staff sees that it's the same issue over and over again, and if it's more than one person then they start paying attention to those details.

Ms. Vazquez: Ok.

Mr. Hernandez: Unless anyone has any other questions, we can move on to the next item.

#### E. CDD Manager



Mr. Hernandez: Moving on as the CDD manager, my report will be addressed in the workshop section, so with that being said, let's move to the workshop.

**Segment II - Workshop Section:**

- ~Discussion of Clubhouse Improvements and Potential Projects
- ~Discussion on Cameras and Consideration of Proposals
- ~Discussion on Landscape Scope

**Segment III:**

**FOURTH ORDER OF BUSINESS**

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

Mr. Hernandez: Coming back to the regular meeting, the first item we have is a motion to authorize hiring the off duty officer in the amount not to exceed \$5,000 a month for approximately 3 hours per day, which will randomly be appointed and selected by GMS.

On MOTION by Ms. Rodriguez seconded by Mr. Pacetti with all in favor, authorizing staff to hire an off duty officer in an amount not to exceed \$5,000 a month, for 3 hours per day and randomly selected by GMS was approved.

Mr. Hernandez: The last item that I need to indicate is that there was an email presented by a resident requesting to have a parking request in the existing parking lot. The board has discussed it and if anyone wants to hear anything that was being said they will need to request a copy of the workshop section for today's meeting, but the board has determined based on their discussion that it is not an item for the CDD to provide solutions, therefore, it's an item that the parking area is not meant for anything else but a parking lot. The next item I have is to authorize a change order with an existing contract with Sunshine Builders in the amount of \$3,500 so that the slope and the sidewalk could be tailored to fill the new request by the City of Cutler Bay, so just a motion to authorize that change order would be in order.

On MOTION by Mr. Pacetti seconded by Ms. Rodriguez with all in favor, accepting the change order with Sunshine Builders in the amount of \$3,500 to repair the slope and widen the sidewalk, and any other necessary repairs related to this matter required by the City of Cutler Bay was approved.

**FIFTH ORDER OF BUSINESS**

**Financial Reports**

**A. Approval of Check Run Summary**

**B. Balance Sheet and Income Statement**

Mr. Hernandez: That fulfills everything I have. The next item for the board's consideration is financial reports. You have the check run summary behind tab A, of section 5, and section B has the balance sheet and income statement.

Mr. Pawelczyk: Let the record reflect that Elaine had to leave the meeting.

Mr. Hernandez: With that being said, unless anyone has any questions in regard to the financials, a motion to approve would be in order.

On MOTION by Mr. Pacetti seconded by Ms. Vazquez with all in favor the Check Run Summary and Balance Sheet and Income Statement were approved.

**SIXTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

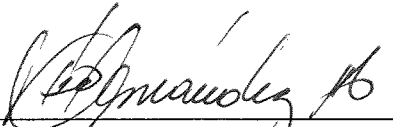
Mr. Hernandez: Are there any other supervisor requests? Not hearing any, we can just let the record reflect that we have no audience here today.

**SEVENTH 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. Pacetti seconded by Ms. Vazquez with all in favor the meeting was adjourned.

  
Assistant Secretary / Secretary

  
Chairman / Vice Chairman