



**SUMMERVILLE
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
NOVEMBER 2, 2022
9:00 A.M.**

Special District Services, Inc.
8785 SW 165th Avenue, Suite 200
Miami, FL 33193

www.summervillecdd.org

561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT
Kendall Executive Center
8785 SW 165th Avenue, Suite 200
Miami, Florida 33193
Call-In: 877-402-9753 Access ID: 8338134
REGULAR BOARD MEETING
November 2, 2022
9:00 a.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 5, 2022 Regular Board Meeting.....Page 2
- G. Old Business
 - 1. Discussion Regarding Park and Open Space Rules & Procedures to Adopt Rules.....Page 5
- H. New Business
 - 1. Staff Report as Required
- I. Administrative & Operational Matters
 - 1. Staff Report as Required
- J. Board Member and Staff Closing Comments
- K. Adjourn

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

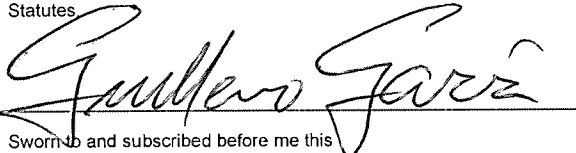
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County,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

SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT -
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

in the XXXX Court,
was published in said newspaper by print in the issues of
and/or by publication on the newspaper's website, if
authorized, on

09/23/2022

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

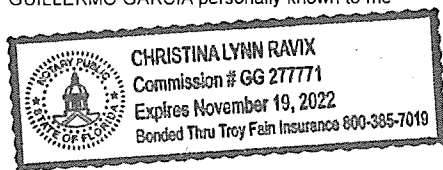


Sworn to and subscribed before me this
23 day of SEPTEMBER, A.D. 2022



(SEAL)

GUILLERMO GARCIA personally known to me



SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Summerville Community Development District (the "District") will hold Regular Meetings in the Kendall Executive Center located at 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193 at 9:00 a.m. on the following dates:

October 5, 2022
November 2, 2022
February 1, 2023
March 1, 2023
April 5, 2023
May 3, 2023
June 7, 2023
September 6, 2023

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 nnguyen@sdsinc.org 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 nnguyen@sdsinc.org 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.

SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT

www.summervillecdd.org
9/23

22-43/0000621199M

**SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
OCTOBER 5, 2022**

A. CALL TO ORDER

The October 5, 2022, Regular Board Meeting of the Summerville Community Development District (the “District”) was called to order at 9:09 a.m. in the Kendall Executive Center located at 8785 SW 165 Avenue, Suite 200, Miami, Florida 33193.

B. PROOF OF PUBLICATION

Ms. Nguyen presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on September 23, 2022, as part of the District’s Fiscal Year 2022/2023 Regular Meeting Schedule, *as legally required*.

C. ESTABLISH A QUORUM

Ms. Nguyen determined that the attendance of Chairman Lazaro Gonzalez, and Supervisors Larry Gordon, Salvador Kalil, and Bryan Rosales (who arrived at 9:04 a.m.) constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Nancy Nguyen of Special District Services, Inc.; and General Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

D. ADITIONS OR DELETIONS TO THE AGENDA

Mr. Gordon requested that the Board of Supervisors (the “Board”) discuss the open tracts in the community. Ms. Nguyen acknowledged Mr. Gordon’s requested and added the following item to the agenda:

- New Business, Item 3 – Discussion Regarding District Open Tracts

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 1, 2022, Regular Board Meeting & Public Hearing

Ms. Nguyen presented the minutes of the June 1, 2022, Regular Board Meeting and Public Hearing and asked if there were any changes.

There being no changes, a **motion** was made by Mr. Kalil, seconded by Mr. Gordon and passed unanimously approving the minutes of the June 1, 2022, Regular Board Meeting and Public Hearing, *as presented*.

G. OLD BUSINESS

1. Update Regarding Additional Street Lighting Poles

Ms. Nguyen informed the Board that Summerville Homeowner's Association, Inc. (the "HOA") has received the first electrical services bill from Florida Power and Light for the additional light poles. Ms. Nguyen stated that the bill was for one (1) month of electrical services in the amount of \$1,276.66. Ms. Nguyen indicated that if the monthly invoices continue to come in at that rate, adjustments may need to be made to the HOA contribution as what was initially decided, which was to contribute \$12,000 per annum.

H. NEW BUSINESS

1. Consider Resolution No. 2022-05 – Adopting a Fiscal Year 2021/2022 Amended Budget

Ms. Nguyen presented Resolution No. 2022-05, entitled:

RESOLUTION NO. 2022-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2021/2022 BUDGET ("AMENDED BUDGET"), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen read the title into the record and provided an explanation for the document. She indicated that there was an operating fund balance of approximately \$56,000 at the end of the fiscal year. A discussion ensued after which:

A **motion** was made by Mr. Gonzalez, seconded by Mr. Rosales and unanimously passed to adopt Resolution No. 2022-05, *as presented*, thereby setting the amended/revised budget for the 2021/2022 fiscal year.

2. Legislative Session Update Memo

Ms. Nguyen explained that District Counsel has prepared a memorandum summarizing the legislative acts that have become law during the most recent legislative session. Ms. Wald provided the Board an explanation of the laws that pertain to the District. Ms. Wald informed the Board that if they have any questions regarding these new laws, they may contact her office or visit <http://laws.flrules.org/>.

3. ADD-ON: Discussion Regarding District Open Tracts

Mr. Gordon explained that the HOA has contracted a towing company and stated that Tow Away Zone signs have also been installed. Mr. Gordon asked if the District will be contributing to the cost of the installation of the signs. Ms. Nguyen and Mr. Gonzalez explained that there is an Agreement between the District and HOA which authorizes the HOA to tow vehicles from District owned tracts. They further explained that when the Agreement was adopted, it was agreed that the HOA would assume all the costs of signs. Mr. Gordon thanked Ms. Nguyen and Mr. Gonzalez for the information.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Statement of Financial Interests/Disclosure 2021 Form 1 Update

Ms. Nguyen informed the Board that all Supervisors have filed their Statement of Financial Interests 2021 Form 1 timely.

2. General Election Candidates (Seats 2 & 5; General Election 11/8/22)

Ms. Nguyen reminded the Board that there are two (2) seats up for election this year. Ms. Nguyen stated that Mr. Kalil was elected unopposed to his seat (Seat 2).

Ms. Nguyen advised that no electors qualified for Seat 5 (Mr. Rosales); therefore, a vacancy will be declared in this seat effective the second Tuesday following the general election (November 22, 2022). Ms. Nguyen further explained that the incumbent in this seats shall remain on the Board as a holdover until the Board appoints a qualified elector to serve in such seat.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

The Board discussed the use of golf carts on the District's open tracts and inquired on what options the District has to prevent this from continuing to occur. Ms. Wald stated that the District can adopt rules for the open tracts. Furthermore, the District can then grant authority to the HOA to enforce such rules on behalf of the District. The Board consensus was to have drafts rules written up and presented during the next meeting. Following that meeting, the Board would start the Rule Making process.

Ms. Nguyen stated that the next meeting will be held on November 2, 2022.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Gonzalez, seconded by Mr. Rosales and unanimously passed to adjourn the Regular Board Meeting at approximately 9:50 a.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

SUMMERVILLE COMMUNITY DEVELOPMENT DISTRICT

PARK AND OPEN SPACE RULES

- (1) "District" shall mean the Summerville Community Development District.
- (2) "Park", "Parks", "Open Space", "Open Spaces" shall mean and include District owned areas as indicated on map attached hereto as **Exhibit "A"**.
- (3) All Parks and Open Spaces shall be used solely for the purpose or purposes for which they were designed and designated.
- (4) All persons using the Parks and Open Spaces are expected to conduct themselves in a responsible, courteous and safe manner in compliance with all applicable rules of District and Miami-Dade County.
- (5) All Parks and Open Spaces open at dawn and close at dusk daily. District grants the authority to the District Manager, or his or her designee, to temporarily change the hours of operation or close Parks when necessary to perform repairs, maintenance and/or when emergency situations may arise.
- (6) Rules and regulations applicable to Parks and Open Spaces:
 - a) Dogs and all other pets must be leashed at all times, with a leash no greater than eight (8) feet in length.
 - b) Cutting, picking, destruction or removal of trees, plants, shrubs or flowers or other property is prohibited.
 - c) Household or commercial garbage dumping is prohibited. Persons using Parks and Open Spaces shall be responsible at all times for cleanup and proper disposal of their own containers, packaging, food and other trash generated by such persons and/or pets.
 - d) Fire of any kind is prohibited.
 - e) Possession or use of fireworks of any kind is prohibited
 - f) Possession or consumption of alcoholic beverages is prohibited.
 - g) Smoking and vaping are prohibited.
 - h) Skateboards, bicycles, scooters, roller blades, roller skates or other similar devices are prohibited.
 - i) Motorized vehicles, including, but not limited to, golf carts, mopeds, gopeds and scooters are prohibited.
 - j) Causing a nuisance is prohibited.

- k) No goods, articles, services or items of any kind shall be displayed, sold or offered for sale.
- l) Commercial advertisements, private announcements, pamphlets, snipe signs and solicitations shall not be posted or circulated within Parks and Open Spaces.
- m) Glass containers are prohibited.
- n) Firearms and other weapons are prohibited.
- o) Obscene language, profanity, and loud and abusive language is prohibited.
- p) Rough housing is prohibited.
- q) Gambling of any kind is prohibited.
- r) Radios, televisions, stereo systems, vehicle sound systems, public address systems, amplified sound systems, amplified musical instruments or any other sound generating device, which may be considered a nuisance, offensive or disturbing to other persons utilizing Parks and Open Spaces or properties adjacent thereto are not permitted.

(4) Enforcement of Rules: The District Manager, or his or her designee, has full authority to enforce these rules. Violation of one or more of these rules may result in expulsion from Parks and Open Spaces and/or suspension or termination of Parks and Open Spaces privileges.

(5) The District is not responsible for any loss or damage to any private property used or stored in Parks and Open Spaces.

(6) Any person who in any manner makes use of Parks and Open Spaces or any District equipment or other structures within Parks and Open Spaces does so at their own risk. Every person shall be liable for any property damage and/or personal injury at Parks and Open Spaces, caused by such person.

Exhibit A

