

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT

MIAMI-DADE COUNTY

REGULAR BOARD MEETING MAY 15, 2023 6:30 P.M.

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

www.fontainbleaulakescdd.org

786.303.3661 Telephone 877.SDS.4922 Toll Free 561.630.4923 Facsimile

AGENDA FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT

Las Ramblas Clubhouse Conference Room 9960 NW 10th Terrace Miami, Florida 33172

REGULAR BOARD MEETING

May 15, 2023 6:30 p.m.

A.	Call to Order
B.	Proof of Publication
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. April 17, 2023 Regular Board Meeting Minutes
G.	Old Business
	1. Update Greenspace Area in Southwest Quadrant of CDD - Open Soil Testing Holes
	2. Update Regarding KaBOOM! Playground Project
	3. Discussion Regarding Light Pole Relocation - 9732 NW 9th Street (Las Ramblas)
	4. Discussion Regarding Perimeter Fence
	5. Discussion Regarding Decal Scanner for Las Ramblas
Н.	New Business
	1. Discussion Regarding Modification of Declaration of Restrictions – Shoma Homes
	2. Consider Resolution No. 2023-02 – Adopting Fiscal Year 2023/2024 Proposed BudgetPage 0
I.	Administrative & Operational Matter
J.	Board Members & 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

FONTAINBLEAU LAKES 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

10/07/2022

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

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Sworn to and subscribed before me this 7 day of OCTOBER, A.D. 2022

(SEAL)

GUILLERMO GARCIA personally known to me



SARA PEREZ
Commission # HH 031797
Expires August 12, 2024
Bonded Thru Troy Fain Insurance 800-385-7019

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Fontainbleau Lakes Community Development District (the "District") will hold Regular Meetings in the Las Ramblas Clubhouse Conference Room located at 9960 NW 10th Terrace, Miami, Florida 33172 at 6:30 p.m. on the following dates:

October 17, 2022 November 21, 2022 February 20, 2023 March 20 2023 April 17, 2023 May 15, 2023 June 19, 2023 September 18, 2023

The purpose of the meetings is to conduct 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. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at 786-313-3661 and/or toll free at 1-877-737-4922 five (5) days 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 the 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 786-313-3661 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 without advertised notice.

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT

www.fontainbleaulakescdd.org

10/7

22-73/0000623301M

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT REGULAR BOARD MEETING APRIL 17, 2023

A. CALL TO ORDER

District Manager Armando Silva called the April 17, 2023, Regular Board Meeting of the Fontainbleau Lakes Community Development District (the "District") to order at 6:34 p.m. in the Las Ramblas Clubhouse Conference Room located at 9960 NW 10th Terrace, Miami, Florida 33172.

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 7, 2022, as part of the District's Fiscal Year 2022/2023 Regular Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

Mr. Silva determined that the attendance of Chairperson Edward Aparicio, Vice Chairman Timothy Toy and Supervisors Humberto Jovanovic, Miguel Garcia (via conference call), and Mayra De Torres constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance were: District Manager Armando Silva of Special District Services, Inc.; and General Counsel Scott Cochran of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Others in attendance were: Massoud Shojaee, Bill Riley and Carlos Ballbe of Shoma Homes; Oscar Galvez, Miami, FL; Flavio Vallejo, Miami, FL; Andrea Choparro, Miami, FL; Natasha Casanovas, Miami, FL; Alejandro Matos, Miami, FL; Jose Almanza, Miami; FL; Miurriel Sandoval, Miami, FL; Joan Al Abdallah, Miami, FL; Lisett Fernandez and Alex Zest of CAM Property Management; Greymar Roa, Miami, FL; Edith Rodriguez, Miami, FL; Nizme Meza-Ruiz, Miami, FL; Carlos Garcia, Miami, FL; Diego Rodriguez, Miami, FL; Daniela Ontiveros, Miami, FL; Miguel Garcia, Miami, FL.

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. February 23, 2023, Regular Board Meeting

Mr. Silva presented the minutes of the February 23, 2023, Regular Board Meeting. There being no changes or corrections, a **motion** was made by Mr. Toy, seconded by Ms. De Torres and passed unanimously approving the minutes of the February 23, 2023 Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Update Greenspace Area in Southwest Quadrant of CDD – Open Soil Testing Holes

Mr. Silva stated that yesterday, he found out that Shoma Home's Attorney, Frank Silva, no longer works with Shoma Homes. This is the reason that Mr. Silva has not receive a response back regarding the open soil testing holes but he's been given a new contact who is currently working with him on providing an update regarding the matter. More information regarding this topic will be provided at an upcoming meeting.

2. Update Regarding KaBOOM! Playground Project

Mr. Silva informed the Board that he has been having Microsft Teams meetings with KaBOOM! to discuss the logistics regarding the project. Build Day is scheduled for May 11, 2023 and there will be more than 100 volunteers that will be attending the event that will be sponsored by Delta Airlines.

3. Discussion Regarding Light Pole Relocation – 9732 NW 9th Street (Las Ramblas)

This item was tabled because the homeowner, Elizabeth Naranjo, was not in attendance.

3. Discussion Regarding Perimeter Fence Proposals

Mr. Silva provided the Board with the following proposals for the installation of approximately 5,300 linear feet of standard cascade iron fence:

- Building Unlimited Services, Inc. \$238,500 (Permit running & permit fees not included)
- Cero's Fence Contractors Corp. \$257,000.00 (Permit running & permit fees not included)
- Shekinah Fence Services \$252,100 (Includes Permit Fees and Drawings)

Mr. Silva reminded all those in attendance that the fence would go around the perimeter of the open space tracts within Las Ramblas. Such improvement will cause a one-time annual increase in non-ad valorem assessments of approximately \$935 (~\$78 per month) for the residents of Las Ramblas. A discussion ensued after which the Board consensus was to send a survey to the residents of Las Ramblas to see if the majority are in favor of the installation of a perimeter fence along the Las Ramblas community. More information regarding this topic will be presented at a future meeting.

H. NEW BUSINESS

1. Consider Resolution No. 2023-02 – Adopting a Fiscal Year 2023/2024 Proposed Budget

This item was tabled.

2. Consider Resolution No. 2023-03 – Authorizing Electronic Approvals and Check Signers

Mr. Silva presented Resolution No. 2023-03, entitled:

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT, AUTHORIZING THE ESTABLISHMENT OF A DISTRICT CHECKING/OPERATING ACCOUNT, DESIGNATING DISTRICT

OFFICIALS AND/OR AUTHORIZED STAFF TO REVIEW, APPROVE AND ISSUE PAYMENT OF EXPENDITURES, SELECTING THE SIGNATORIES THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Mr. Silva provided an explanation for the document. Due to the resignation of Luis Gonzalez, check signers for the District's operating account would be changing and it would be in order to consider the necessary changes. A discussion ensued after which:

A **motion** was made by Mr. Aparicio, seconded by Ms. De Torres and unanimously passed to approve and adopt Resolution No. 2023-03, as presented, thereby authorizing electronic approvals for expenditures and selecting Todd Wodraska, Jason Pierman, Patricia LasCasas, Armando Silva and Timothy Toy to serve as the signatories on the District's checking/operating account. Two (2) signatures will be required on each check and checks will be released after electronic approvals have been provided by the Chairperson or the Vice Chairperson in the Chairperson's absence.

3. Discussion Regarding Decal Scanner for Las Ramblas Main Entrance

Mr. Silva stated that there are ongoing issues with the License Plate Reader Access Control System in the Las Ramblas front entrance so he's been asked by the Board to inquire regarding the possibility of switching the system to a Decal Reader System. Mr. Silva provided the Board with a proposal from WAR Entertainment Inc. in the amount of \$2,090 which included the Access Control Machine, Hardware, Labor and 100 Vehicle Barcodes (more will be needed). A discussion ensued after which the Board requested that Mr. Silva obtain another proposal for the aforementioned improvements.

4. Discussion Regarding Modification of Declaration of Restrictions – Shoma Homes

Mr. Silva introduced Bill Riley (attorney), Carlos Ballbe (engineer) and Massoud Shojaee (Principal) of Shoma Homes who were in attendance to discuss the Modification of Declaration of Restrictions which requires the signature from the District.

Mr. Riley explained the purpose of the document stating that Shoma Homes has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan ("CDMP") and Future Land Use Map ("LUP") which seeks to re-designate a portion of lands within the Fontainbleau Area (not within the District boundaries) from "Parks and Recreation" to "Medium Density Residential" on the CDMP LUP map. The application number which outlines the location of the property and number of proposed residential units in Application No. CDMP20220016 which can be obtained from Miami-Dade County. Since the original CDMP and Declaration of Restrictions included the District as an entity named in the documents, then District would need to sign the new Modification of Declaration of Restrictions to allow Shoma Homes to proceed with the project.

A discussion ensued after which many residents in attendance expressed their concerns regarding the proposed Shoma project. The District Board asked Mr. Shojaee if he would fund the installation of the perimeter fence for Las Ramblas and Las Sevillas which would cost approximately \$500,000 and Mr. Shojaee stated that he could contribute \$250,000 towards the project. The District Board discussed the proposal from Mr. Shojaee and decided that they would like to review the Modification of Declaration of Restrictions further with the District Attorney and come up with a list of items they would like to have addressed by Shoma Homes prior to signing the Modification of Declaration of Restrictions. This topic will be further discussed at either a Special Meeting on May 2nd or the Regular Board Meeting on May 15th.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Staff Report, as Required

There was not staff report at this time.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

Ms. De Torres stated that she would like for the Board to consider hosting an Easter Egg Hunt and Halloween event every year for the community. Mr. Silva stated that he would integrate the cost to the proposed budget that will be presented at the next meeting.

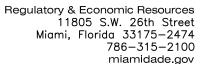
There being no further business to co	ome before the Board, a motion was made by Ms. De Torres,
seconded by Mr. Toy and passed unar	nimously to adjourn the Regular Board Meeting at 8:57 p.m.
Secretary/Assistant Secretary	Chairperson/Vice Chairperson













STANDARD OPEN ALUMINUM FENCE

(NO SOLID BACKING ALLOWED)

ADDRESS:					
FENCE HEIGHT:	FT	FENCE LENGTH:	<u>FT</u>	DATE:	

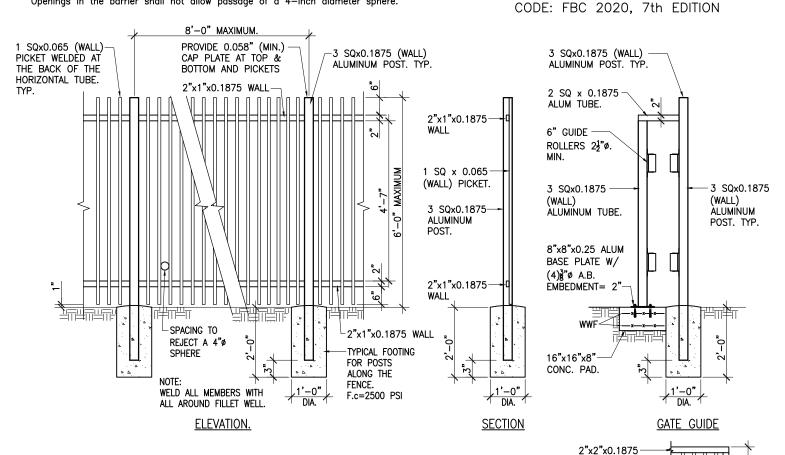
IMPORTANT FOR USE AS A POOL BARRIER ******

Outdoor swimming pools shall be provided with a barrier complying with Florida Building Code Sections 454.2.17.1.1 through 454.2.17.1.14. Access gates shall be equipped with a self-closing self-latching locking device located no less than 54 inches from the bottom of the gate. The device release mechanism shall be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap. Gates that provide access to the swimming pool must open outward away from the pool.

The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool.

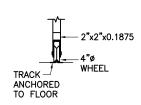
The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool. .

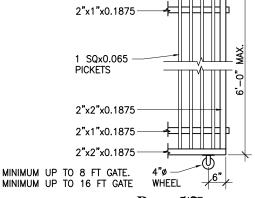
Openings in the barrier shall not allow passage of a 4-inch diameter sphere.



NOTES:

- ALUMINUM MEMBERS IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PROTECTED AS PER ADMI-2015. (ALUMINUM DESIGN MANUAL AND SPECIFICATIONS). M-7 THRU M7.3.
- THIS DETAIL DOES NOT COVER ELECTRICAL AND ZONING REQUIREMENTS.
- 3. MEMBER SIZES ARE MINIMUM VALUES.





Page 440E



Attention:	Pablo Jerez		Project: Security System
Title:	Special District Services		Project: CCTV
	Community Development District		P.O. Number:
Address:	2501 A Burns Rd		Invoice Number: W39529
	Palm Beach Gardens, FL 33410		Term: 30 days
Date:	Apr 4, 2023 1:00 AM	<	pending

LAS RAMBLAS DECAL READER SYSTEM

****** MATERIALS *******	QUANTITY	UNIT PRICE	COST
U2000 RFID access control machines which integrate functions of UHF readers and controllers.	1	750.00	750.00
UHF Stick Label Tags	100	5.00	500.00
	0	0.00	0.00
Hardware	1	160.00	160.00
	0	0.00	0.00
	0	0.00	0.00
Labor Company rate 85 x H (min 3 hour) \$ 255.00	8	85.00	680.00
		Subtotal	\$2,090.00
ADJUSTMENT EXEMPTION TAX FOR CDD		0.00%	\$0.00
		TOTAL	\$2,090.00

NOTE: Contractor agrees to perform the work and use the materials in accordance with the descriptions within this contract. Any alteration(s) from the above specifications and/or materials will be executed only upon written change and will be added to contract; total charges will be the revised total of the contract, for Internet or Smart Phone Monitoring. One Years Warranty, ONLY covers equipments malfunction from factory Damage under fire, heavy impact, vandalism or extreme weather conditions avoid warranty

Alex Reutlinger	Las Ramblas

^{***} DEPOSIT MUST BE 50 % OF THE TOTAL AMOUNT *** THE OTHER 50% WILL BE DUE WHEN JOB IS DONE.

This instrument was prepared byor under the supervision of:

Name: Address: William W. Riley, Esq. The Riley Law Finn 16343 SW 256 Street

16343 SW 256 Street Homestead, Florida

33031

(Space reserved for Clerk of

MODIFICATION OF DECLARATION OF RESTRICTIONS RECORDED AT OFFICIAL RECORDS BOOK 23413, PAGE 1136 AND OFFICIAL RECORDS BOOK 26955, PAGE 0908 AND OFFICIAL RECORDS BOOK 29816, PAGE 3447 (COLLECTIVELY THE "RECORDED DECLARATIONS")

WHEREAS, the undersigned Fontainbleau Lakes, LLC, a Florida limited liability company, Fontainebleau Lakes CDD, a community development district, 901 NW 97 Miami Owner, LLC, a Delaware limited liability company, and 1062 NW 87 Miami Owner, LLC, a Delaware limited liability company (hereinafter collectively referred to as the "Owner") hold the fee simple title to the lands in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property", which is supported by the Opinion of Title; and

WHEREAS, Fontainbleau Lakes, LLC, filed an application designated as "Application No. 3" of the April 2004 Miami-Dade County Comprehensive Development Master Plan ("CDMP") Amendment Cycle to amend the CDMP Future Land Use Plan Map ("LUP") for the properties described therein, inclusive of the Property (the "First Application"); and

WHEREAS, a Declaration of Restrictions was recorded in the Public Records of Miami-Dade County in Official Records Book 23413, at Page 1136, in connection with the First Application, which placed certain restrictions on the lands made subject thereto (the "2004 Declaration"); and

WHEREAS, Fontainbleau Lakes, LLC, filed an application designated as "Application No. 8" of the April 2008 CDMP Amendment Cycle to, among other things, delete from the 2004 Declaration certain properties described therein (the "Second Application"); and

WHEREAS, a First Modification of the Declaration was recorded in the Public Records of Miami-Dade County in Official Records Book 26955, at Page 0908, in connection with the Second Application; and

WHEREAS, Keep Bleau Green Committee, Inc. filed an application designated as "Application No. 7" of the November 2014 CDMP Amendment Cycle to, among other

things, amend the CDMP LUP map for portions of properties described in the Declaration (the "Third Application"); and

WHEREAS, a Second Modification of the Declaration was recorded in the Public Records of Miami-Dade County in Official Records Book 29816, at Page 3447, connection with the Third Application; and

WHEREAS, the Owner has applied for an amendment to the CDMP LUP in the October 2022 Cycle and said amendment is identified as Application No. CDMP20220016 (the "Application"); and

WHEREAS the Application seeks to re-designate that portion of the Property legally described in Exhibit "B" from "Parks and Recreation" to "Medium Density Residential" on the CDMP LUP map.

NOW, THEREFORE, in order to assure the Miami-Dade County that the representations made by the owner during consideration of the Application will be abided by, the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- A. Paragraph 1 of the 2004 Declaration, as modified, shall be deleted in its entirety.
- B. Paragraphs 2 and 7 of the 2004 Declaration, as modified, shall now read:
 - Number of Units. Notwithstanding the density and number of residential units that may be permitted by the land use designation sought by the Owner, development of the Property as described in the Declaration, as amended, shall not exceed a total of one thousand one hundred ninety-nine (1,199) residential dwelling units and a maximum of three hundred seventy-five (375) residential dwelling units on Tract C of Fontainebleau East as recorded in Plat Book 168, Page 26, of the Public Records of Miami-Dade County, Florida.
 - (7) <u>Modification, Amendment, Release.</u> This Declaration of Restrictions may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then owner(s) of the property, including joinders of all mortgagees, provided that the same is also approved by the Board of County

Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject provisions governing amendments Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County accordance with applicable Commissioners. in procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

C. <u>Roadway Improvement Program</u>: Fontainbleau Lakes, LLC shall use commercially reasonable efforts to obtain all necessary construction permits from Miami-Dade County for the following roadway improvements.

- i. An improvement to the existing eastbound left-turn extension at the intersection of Fontainebleau Boulevard and NW 97th Avenue to include a 50± foot taper and 300± feet of storage; and
- ii. The creation of a four-leg intersection at Fontainebleau Boulevard, lying west of the community center for Keep Bleau Green Committee, Inc. located at 8905 Fontainebleau Boulevard, that provides east-west and north-south vehicular connectivity.

The applications to permit the foregoing roadway improvements shall be in substantial conformity with the conceptual plan entitled "Fontainebleau East Roadway Improvements," prepared by Pascual Perez Kiliddjian & Associates, signed and sealed the ____ day of ______, 2023 as attached hereto as Exhibit "C" (hereinafter referred to as the "Planned Roadway Improvements"). Provided that the Planned Roadway Improvements are approved by Miami-Dade County, the same shall be fully funded and constructed on behalf of Fontainbleau Lakes, LLC, which shall post a performance bond or other instrument approved by Miami-Dade County guaranteeing the Planned Roadway Improvements prior to the issuance of a certificate of occupancy for the increased density described herein.

- D. <u>Covenant Running with the Land</u>. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.
- E. <u>Term.</u> This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.
- F. <u>Enforcement</u>. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to

recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

- G. <u>County Inspections.</u> As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
- H. Authorization for Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.
- I. <u>Election of Remedies</u>. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
- J. <u>Presumption of Compliance</u>. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or successor municipality), and inspections made and approval of occupancy given by the County (or successor municipality), then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.
- K. <u>Severability</u>. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
- L. Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application by the Board of County Commissioners. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this

Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

- M. <u>Acceptance of Declaration</u>. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.
- N. Owner. The term Owner shall include all heirs, assigns, and successors in interest.

EXECUTION PAGES FOLLOW

IN WITNESS WHEREOF, w , 2023.	e have hereunto set our han	ds and seal this day of
WITNESSES:		
Sign: Print:	FONTAINBLEAU la Florida limited liab	LAKES, LLC. bility company.
	BY:	
Sign: Print:	Sign:	
STATE OF FLORIDA, COU		
, as limited liability company, on	of Forbehalf of the corporation. H	day of, 2023, by ntainbleau Lakes, LLC, a Florida le is personally known to or has
produced	as identification and did ta	ke an oath.
	NOTA	ARY PUBLIC:
	Sign:	
	Print:	
		State of Florida at Large (Seal) My Commission Expires

IN WITNESS WHERE, 2023.	OF, we have hereunto set our hands and seal this day of
WITNESSES:	
Sign: Print:	Fontainebleau Lakes CDD a community development district.
	BY:
Sign: Print:	Sign:
	Address:
STATE OF FLORIDA,	COUNTY OF MIAMI-DADE
, 8	nt was acknowledged before this day of, 2023, by as of Fontainebleau Lakes CDD, a at district, on behalf of the corporation. He is personally known to on
	as identification and did take an oath.
	NOTARY PUBLIC:
	Sign:
	Print:
	State of Florida at Large (Seal) My Commission Expires

IN WITNESS WHEREOF, v	we have hereunto set our hands and seal this day of
WITNESSES:	
Sign: Print:	901 NW 97 MIAMI OWNER, LLC a Delaware limited liability company.
	BY:
Sign: Print:	Sign:
	Address:
STATE OF FLORIDA, COU	
, as Delaware limited liability co	as acknowledged before this day of, 2023, by of 901 NW 97 Miami Owner, LLC, a ompany, on behalf of the corporation. He is personally known to as identification and did take an oath.
	NOTARY PUBLIC:
	Sign:
	Print: State of Florida at Large (Seal) My Commission Expires

IN WITNESS WHEREO, 2023.	F, we have hereunto set our hands and seal this day of
WITNESSES:	
Sign: Print:	1062 NW 87 MIAMI OWNER, LLC a Delaware limited liability company.
	BY:
Sign: Print:	Sign:
	Address:
STATE OF FLORIDA, O	COUNTY OF MIAMI-DADE
, as	t was acknowledged before this day of, 2023, by of 1062 NW 87 Miami Owner, LLC, a company, on behalf of the corporation. He is personally known to
	as identification and did take an oath.
	NOTARY PUBLIC:
	Sign:
	Print: State of Florida at Large (Seal) My Commission Expires

EXHIBIT "A"

LEGAL DESCRIPTION AND SKETCH OF COVENANT AREA

ALL OF FONTAINEBLEAU EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 168, PAGE 26, OF THE PUBLIC RECORDS OF MIAMIDADE COUNTY, FLORIDA, LESS THE FOLLOWING:

TRACTS "A" AND "B" OF "FONTAINEBLEAU CIVIC, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 173, PAGE 69, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND:

TRACT "A" OF FONTAINEBLEAU PARK PLAZA, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 170, PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 4,774,806.9± SQUARE FEET (109.6144± ACRES) MORE OR LESS.



EXHIBIT "B"

LEGAL DESCRIPTION OF THE AREA SUBJECT TO THE LAND USE CHANGE

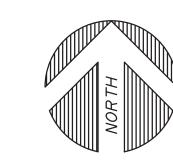
TRACT "C" OF "FONTAINEBLEAU EAST", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 168, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE FOLLOWING:

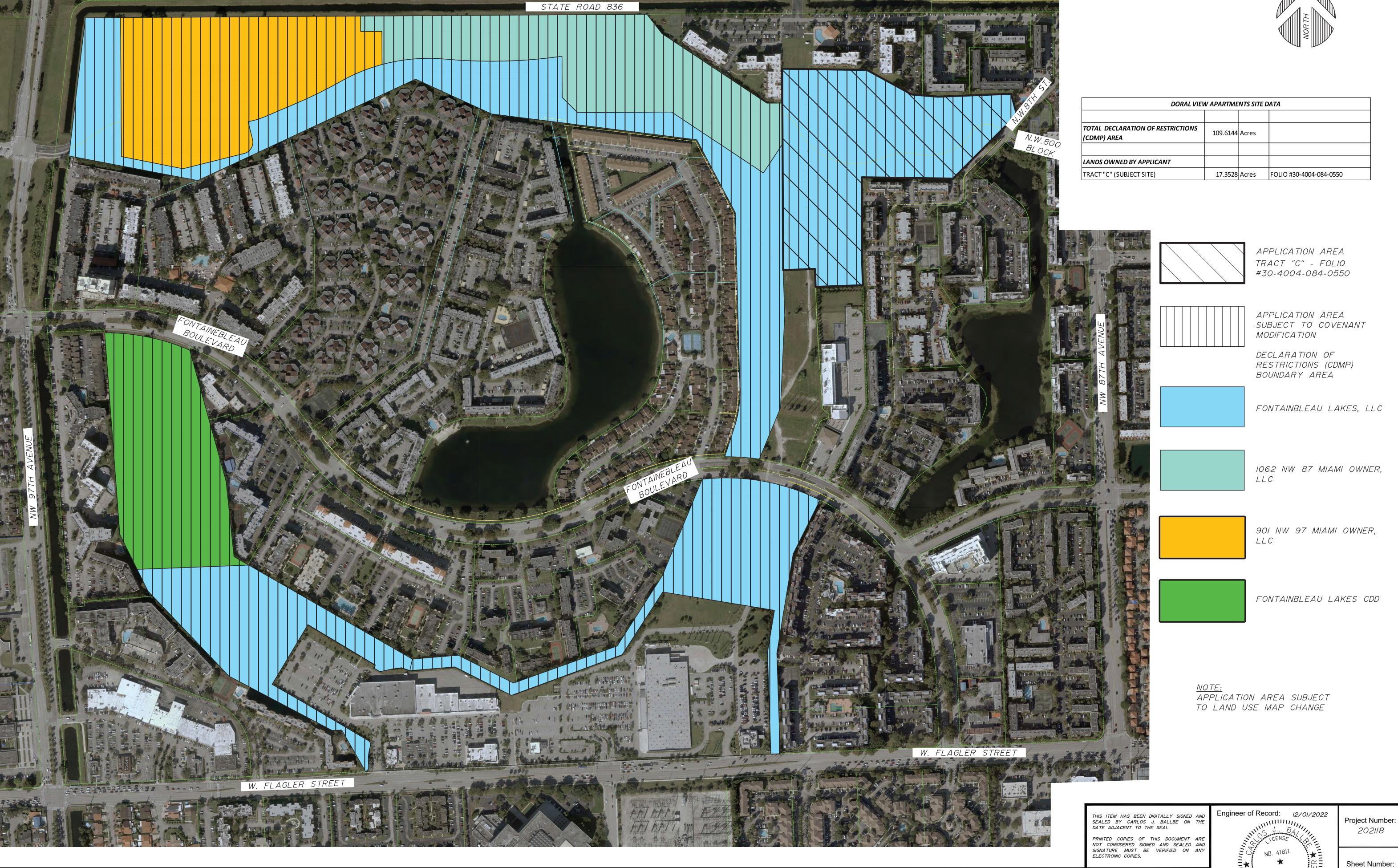
A PORTION OF TRACT "C", "FONTAINEBLEAU EAST", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 168, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID TRACT "C", BEING A POINT ON A CURVE FROM WHICH A RADIAL LINE BEARS SOUTH 28°42'20" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, BEING ALONG THE SOUTH LINE OF SAID TRACT "C", ALSO BEING THE NORTH RIGHT-OF-WAY LINE PF FONTAINEBLEAU BOULEVARD, HAVING A RADIUS OF 1200.92 FEET, A CENTRAL ANGLE OF 07°46'23", FOR AM ARC DISTANCE OF 162.92 FEET TO THE SOUTHWESTERLY CORNER OF SAID TRACT "C"; THENCE NORTH 24°37'46" EAST ON A NON-RADIAL LINE, THIS AND THE FOLLOWING FIVE (5) COURSES BEING ALONG A WESTERLY LINE OF SAID TRACT "C", 269.61 FEET; THENCE NORTH 71°15'43" EAST 45.00 FEET; THENCE NORTH 11°35'53" EAST 20.00 FEET; THENCE NORTH 48°03'56" WEST 45.00 FEET; THENCE NORTH 01°26'00" WEST 490.74 FEET: THENCE NORTH 00°14'00" EAST 140.84 FEET: THENCE SOUTH 89°46'00" EAST 245.50 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT "C": THENCE SOUTH 00°14'00" WEST, THIS AND THE FOLLOWING COURSE BEING ALONG SAID EASTERLY LINE, 626.30 FEET; THENCE SOUTH 28°42'20" WEST 435.15 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 755,888 SQUARE FEET (17.3528 ACRES) MORE OR LESS.

EXHIBIT "C"

PLANNED ROADWAY IMPROVEMENTS





2737 Northeast 30th Place Fort Lauderdale, Florida 33306

Phone: (954) 491-7811

Authorization No. CA-26426

Designed by: CJB Date: 10/2021

Checked by: <u>CJB</u> Date: <u>IO/202I</u>

NO. DATE BY

REVISION

DATE BY

REVISION

Civil Engineering • Planning • Surveying

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12/01/2022

Carlos J. Ballbé

Registered Engineer Number 41811 State of Florida

EXHIBIT "B" - LOCATION MAP

DORAL VIEW APARTMENTS

RESOLUTION NO. 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET AND NON-AD VALOREM SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors ("Board") of the Fontainbleau Lakes Community Development District ("District") is required by Section 190.008(2)(a), *Florida Statutes*, to approve a Proposed Budget for each fiscal year; and,

WHEREAS, the Proposed Budget including the Assessments for Fiscal Year 2023/2024 has been prepared and considered by the Board.

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

2023/2024 attached hereto as Exhibit "A"	is approved and adopted.
	hereby scheduled for
PASSED, ADOPTED and EFFE	CTIVE this 15 th day of May, 2023.
ATTEST:	FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
By:	By:
Secretary/Assistant Secretary	Chairperson/Vice-Chairperson

Fontainbleau Lakes Community Development District

Proposed Budget For Fiscal Year 2023/2024 October 1, 2023 - September 30, 2024

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Ш	DETAILED PROPOSED BUDGET
IV	DETAILED PROPOSED MAINTENANCE BUDGET
V	DETAILED PROPOSED DEBT SERVICE FUND BUDGET
VI	ASSESSMENT COMPARISON

PROPOSED BUDGET

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024
REVENUES	BUDGET
Administrative Assessments	92,836
Maintenance Assessments	478,723
Perimeter Fence Assessments	287,234
Debt Assessments	463,915
Other Revenues	0
Interest Income	240
TOTAL REVENUES	\$ 1,322,948
EXPENDITURES	
ADMINISTRATIVE EXPENDITURES	
Supervisor Fees	3,000
Payroll Taxes (Employer)	230
Management	31,956
Secretarial & Field Operations	6,300
Legal	13,000
Assessment Roll	10,000
Audit Fees	3,300
Arbitrage Rebate Fee	650
Insurance	9,145
Legal Advertisements	800
Miscellaneous	2,200
Postage	600
Office Supplies	800
Dues & Subscriptions	175
Trustee Fee	3,250
Continuing Disclosure Fee	350
Website Management	1,750
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 87,506
TOTAL MAINTENANCE EXPENDITURES	\$ 450,000
TOTAL PERIMETER FENCE EXPENDITURES	\$ 270,000
TOTAL EXPENDITURES	\$ 807,506
DEVENUES LESS EXPENDITURES	\$ 515,442
REVENUES LESS EXPENDITURES	\$ 515,442
Bond Payments	(436,080)
BALANCE	\$ 79,362
	,
County Appraiser & Tax Collector Fee	(26,454)
Discounts For Early Payments	(52,908)
EXCESS/ (SHORTFALL)	-
Carryover From Prior Year	0
NET EXCESS/ (SHORTFALL)	-

PROPOSED MAINTENANCE BUDGET

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

EXPENDITURES	FISCAL YEAR 2023/2024 BUDGET
MAINTENANCE EXPENDITURES	
Engineering/Annual Report/Inspections	4,000
Lake Tract Aquatic Maintenance (Includes Parcel 1)	14,000
Annual Landscape & Irrigation Maintenance	110,000
Landscaping Upkeep	40,000
Irrigation Systems Maintenance (North & South)	10,000
Community Lighting Upkeep (North & South)	15,000
FP&L - Power - Street Lighting (North & South)	18,000
FP&L - Power - Irrigation Pump Stations (N & S)	3,000
FP&L - Power - Lift Stations (North & South)	5,000
Roadways & Street Maintenance (North & South)	35,000
Fountain Maintenance (Tract A)	3,000
Entrance/Exit Gate Maintenance/Repairs (N & S)	10,000
Hurricane Preparedness/Miscellaneous	15,000
Lift Station Maintenance (North & South)	25,000
Miscellaneous Improvements (North & South)	42,000
Dumpster Rental	1,000
Capital Improvements Fund	100,000
TOTAL MAINTENANCE EXPENDITURES	\$ 450,000
EXTRAORDINARY EXPENDITURES	
Steel Perimeter Fence - Las Ramblas	270,000
TOTAL SECURITY EXPENDITURES	\$ 270,000

DETAILED PROPOSED BUDGET

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	1			
REVENUES	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
Administrative Assessments	89,368			Expenditures Less Interest/.94
Maintenance Assessments	352,926			Expenditures Less Carryover/.94
Perimeter Fence Assessments	(002,020			Expenditures/.94
Debt Assessments	463.916			Bond Payments/.94
Other Revenues	2,900			Bond F dymonio, o F
Interest Income	56			Interest Estimated At \$20 Per Month
TOTAL REVENUES	\$ 909,166		\$ 1,322,948	Interest Estimated At \$201 et Month
TOTAL NEVEROLO	000,100	V 004,200	1,022,040	
EXPENDITURES				
ADMINISTRATIVE EXPENDITURES				
Supervisor Fees	2,100	3,000	3,000	Supervisor Fees
Payroll Taxes (Employer)	16	230	230	Supervisor Fees * 7.65%
Management	29,148	30,012	31,956	CPI Adjustment
Secretarial & Field Operations	6,300	6,300	6,300	No Change From 2022/2023 Budget
Legal	14,709	12,500	13,000	\$500 Increase From 2022/2023 Budget
Assessment Roll	10,000	10,000	10,000	As Per Contract
Audit Fees	3,100	3,200	3,300	Accepted Amount For 2022/2023 Audit
Arbitrage Rebate Fee	650	650	650	No Change From 2022/2023 Budget
Insurance	7,62	9,145	9,145	Insurance Estimate
Legal Advertisements	36	800	800	No Change From 2022/2023 Budget
Miscellaneous	2,113	2,200	2,200	No Change From 2022/2023 Budget
Postage	452	600	600	No Change From 2022/2023 Budget
Office Supplies	653	800	800	No Change From 2022/2023 Budget
Dues & Subscriptions	175	175		No Change From 2022/2023 Budget
Trustee Fee	3,249	3,250		No Change From 2022/2023 Budget
Continuing Disclosure Fee	350			No Change From 2022/2023 Budget
Website Management	1,750	1,750	1,750	No Change From 2022/2023 Budget
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 82,892	\$ 84,962	\$ 87,506	,
TOTAL MAINTENANCE EXPENDITURES	\$ 461,224	\$ 358,000	\$ 450,000	
TOTAL PERIMETER FENCE EXPENDITURES	\$ -	\$ -	\$ 270,000	Las Ramblas
TOTAL EXPENDITURES	\$ 544,116	\$ 442,962	\$ 807,506	
TOTAL EXICENSITIONES	ψ 344,110	442,302	Ψ 007,000	
REVENUES LESS EXPENDITURES	\$ 365,050	\$ 461,327	\$ 515,442	
Bond Payments	(443,545	(436,080)	(436,080)	2024 Principal & Interest Payments
BALANCE	\$ (78,495) \$ 25,247	\$ 79,362	
County Appraisar & Tay Collector Foo	(0.750	(19.093)	(26.454)	Two Percent Of Total Assessment Poll
County Appraiser & Tax Collector Fee Discounts For Early Payments	(8,752			Two Percent Of Total Assessment Roll Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ (118,244) \$ (29,000)	\$ -	
,	(112,211	(==,==0)		
Carryover From Prior Year	(29,000	0	Carryover From Prior Year
NET EXCESS/ (SHORTFALL)	\$ (118,244) \$ -	\$ -	

DETAILED PROPOSED MAINTENANCE BUDGET

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024 OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR	FISCAL YEAR	FISCAL YEAR	
	2021/2022	2022/2023	2023/2024	
EXPENDITURES	ACTUAL	BUDGET	BUDGET	COMMENTS
MAINTENANCE EXPENDITURES				
Engineering/Annual Report/Inspections	2,903	8,000	4,000	\$4,000 Decrease From 2022/2023 Budget
Lake Tract Aquatic Maintenance (Includes Parcel 1)	11,674	14,000	14,000	No Change From 2022/2023 Budget
Annual Landscape & Irrigation Maintenance	89,910	110,000	110,000	No Change From 2022/2023 Budget
Landscaping Upkeep	41,283	35,000	40,000	Landscaping Upkeep
Irrigation Systems Maintenance (North & South)	5,896	10,000	10,000	No Change From 2022/2023 Budget
Community Lighting Upkeep (North & South)	129,150	15,000	15,000	No Change From 2022/2023 Budget
FP&L - Power - Street Lighting (North & South)	16,789	27,000		\$9,000 Decrease From 2022/2023 Budget
FP&L - Power - Irrigation Pump Stations (N & S)	1,107	3,000		No Change From 2022/2023 Budget
FP&L - Power - Lift Stations (North & South)	3,619			No Change From 2022/2023 Budget
Roadways & Street Maintenance (North & South)	35,642			No Change From 2022/2023 Budget
Fountain Maintenance (Tract A)	1,352			No Change From 2022/2023 Budget
Entrance/Exit Gate Maintenance/Repairs (N & S)	24,155			No Change From 2022/2023 Budget
	24,133			
Hurricane Preparedness/Miscellaneous		25,000		\$10,000 Decrease From 2022/2023 Budget
Lift Station Maintenance (North & South)	19,965			No Change From 2022/2023 Budget
Miscellaneous Improvements (North & South)	77,779	32,000		\$10,000 Increase From 2022/2023 Budget
Dumpster Rental	0	1,000	1,000	No Change From 2022/2023 Budget
Capital Improvements Fund	0	0	100,000	Capital Improvements Fund
TOTAL MAINTENANCE EXPENDITURES	\$ 461,224	\$ 358,000	\$ 450,000	
EXTRAORDINARY EXPENDITURES				
Steel Perimeter Fence - Las Ramblas	0	0	270,000	Steel Perimeter Fence - Las Ramblas (Single Family & Townhomes)
TOTAL SECURITY EXPENDITURES	\$ -	\$ -	\$ 270,000	

DETAILED PROPOSED DEBT SERVICE FUND BUDGET

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2023/2024 OCTOBER 1, 2023 - SEPTEMBER 30, 2024

Bond Redemption Total Expenditures	\$	435,019	\$	436,105	6,374 436,330	Estimated Excess Debt Collections
Interest Payments		200,019		191,080		Interest Payments Due In 2024
Principal Payments		235,000		245,000	245,000	Principal Payment Due In 2024
EXPENDITURES						
Total Revenues	\$	445,989	\$	436,105	\$ 436,330	
NAV Tax Collection		443,545		436,080	436,080	Maximum Debt Service Collection
Interest Income		2,444		25	250	Projected Interest For 2023/2024
REVENUES	20	CAL YEAR 021/2022 ACTUAL	20	CAL YEAR 022/2023 UDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS

Series 2016 Bond Refunding Information

Original Par Amount = \$6,430,000 Annual Principal Payments Due = May 1st

Interest Rate = 2.00% - 4.125% Annual Interest Payments Due = May 1st & November 1st

Issue Date = October 2016

Maturity Date = May 2038

Par Amount As Of 1/1/23 = \$5,100,000

Fontainbleau Lakes Community Development District Assessment Comparison

	Fiscal Year 2020/2021 Assessment Before Discount*		Fiscal Year 2021/2022 Assessment Before Discount*		Fiscal Year 2022/2023 Assessment Before Discount*		Fiscal Year 2023/2024 Projected Assessment Before Discount*	
Administrative Assessment For Single Family	\$	215.95	\$	215.94	\$	222.71	\$	229.23
Maintenance Assessment For Single Family	\$	871.43	\$ 871.43		\$	864.20	\$	1,182.04
Perimeter Fence Assessment For Single Family <u>Debt Assessment For Single Family</u>	\$	1,224.05	\$	1,224.05	\$	1,224.05	\$ \$	935.62 1,224.05
Total	\$	2,311.43	\$	2,311.42	\$	2,310.96	\$	3,570.94
Administrative Assessment For Townhomes	\$	215.95	\$	215.94	\$	222.71	\$	229.23
Maintenance Assessment For Townhomes	\$	871.43	\$	871.43	\$	864.20	\$	1,182.04
Perimeter Fence Assessment For Townhomes <u>Debt Assessment For Townhomes</u>	\$ \$	1,064.39	\$ \$	1,064.39	\$ \$	- 1,064.39	\$ \$	935.62 1,064.39
Total	\$	2,151.77	\$	2,151.76	\$	2,151.30	\$	3,411.28
Administrative Assessment For Courtyards	\$	215.95	\$	215.94	\$	222.71	\$	229.23
Maintenance Assessment For Courtyards	\$	871.43	\$	871.43	\$	864.20	\$	1,182.04
Extraordinary Assessment For Courtyards <u>Debt Assessment For Courtyards</u>	\$ \$	- 957.95	\$ \$	- 957.95	\$ \$	- 957.95	\$ \$	- 957.95
Total \$ 2,045.33		\$	2,045.32	\$	2,044.86	\$	2,369.22	

* Assessments Include the Following :

4% Discount for Early Payments

1% County Tax Collector Fee

Community Information:

Single Family Units (Las Ramblas)	271
Townhomes (Las Ramblas)	36
Courtyards (Las Sevillas)	<u>98</u>
Total Units	405

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^{1%} County Property Appraiser Fee