



**KEYS COVE II
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
SPECIAL BOARD MEETING
AUGUST 22, 2018
12:00 NOON**

Special District Services, Inc.
6625 Miami Lakes Drive, Suite 374
Miami Lakes, FL 33014

www.keyscove2cdd.org
305.777.0761 Telephone
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AGENDA
KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
Crexent Business Center, 6625 Miami Lakes Drive
3rd Floor Conference Room
Miami Lakes, Florida 33014
SPECIAL BOARD MEETING
August 22, 2018
12:00 Noon

- 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. July 19, 2018 Reconvened Regular Board MeetingPage 2
- G. Old Business
 - 1. Staff Report as Required
- H. New Business
 - 1. Staff Report: As Required
- I. Administrative & Operational Matters
 - 1. Discussion Regarding Transferring of Roadways in the North Section (Condominium Area) and Consider Legal Options Against Former Developer
 - 2. Staff Report as Required
- J. Board Member & Staff Closing Comments
- K. Adjourn

Miami Daily Business Review

Aug. 14, 2018

Miscellaneous Notices

**NOTICE OF SPECIAL BOARD MEETING OF
THE KEYS COVE II COMMUNITY
DEVELOPMENT DISTRICT**

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Keys Cove II Community Development District (the "District") will hold a Special Board Meeting on August 22, 2018, at 12:00 p.m. (Noon) in the Third Floor Conference Room of the Crexent Business Center located at 6625 Miami Lakes Drive, Third Floor, Miami Lakes, Florida 33014.

The purpose of the Special Board Meeting is for the Board to consider business related to all rights of the District, with respect to Shoma Homes Keys Cove II-Phase 2, Inc. ("Shoma"), and the matter of transferring the roadways within the District and more particularly located in the condominium area; and consider and authorize any and all legal actions against Shoma; and to consider any other District business which may lawfully and properly come before the Board.

The Special Board Meeting is 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 the referenced meeting may be obtained from the District's website or by contacting the District Manager at 305-777-0761 and/or toll free at 1-877-737-4922, prior to the date of the referenced 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 referenced meeting 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 this Special Board Meeting, 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 the referenced meeting should contact the District Manager at (305) 777-0761 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the referenced meeting.

Meetings may be cancelled from time to time without advertised notice.

KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT

www.keyscove2cdd.org
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KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
RECONVENED REGULAR BOARD MEETING
(from July 11, 2018)
JULY 19, 2018

A. CALL TO ORDER

On July 19, 2018, at 11:18 a.m., District Manager Neil Kalin reconvened the July 11, 2018, Regular Board Meeting of the Keys Cove II Community Development District in the 3rd Floor Conference Room of the Crexent Business Center located at 6625 Miami Lakes Drive, Miami Lakes, Florida 33014

B. PROOF OF PUBLICATION

Mr. Kalin presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on September 21, 2017, as legally required.

C. ESTABLISH A QUORUM

Mr. Kalin determined that the attendance of Chairman Christopher MacConnell, Vice Chairman Alfredo Pimentel and Supervisor Eddison Knights constituted a quorum and it was in order to proceed with the meeting

Staff in attendance: District Manager Neil Kalin of Special District Services, Inc.; and General Counsel Gerald Knight and Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

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

There were no minutes to come before the Board.

G. OLD BUSINESS

1. Staff Report, as Required

There was no Staff Report at this time.

H. NEW BUSINESS

1. Staff Report, as Required

There was no Staff Report at this time.

KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
RECONVENED REGULAR BOARD MEETING
(from July 11, 2018)
JULY 19, 2018

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Discussion Regarding Street/Road Rights-of-Way in the North Section (Condominium Area) of District

Messrs. Kalin and Knight explained that they had communicated with a representative from Shoma Homes regarding the transfer of roadways within the condominium area of the District from Shoma Homes at Keys Cove – Phase II, Inc. This matter has come to the forefront due to a pending real estate transaction between the current Developer (Fifteen Group) and D.R. Horton; and as a condition in the transaction, the District is to own the roadways.

As a result of the many interpretations due to various language throughout numerous documents, including, but not necessarily limited to, Recorded Plats, Keys Cove II CDD Engineer’s Report(s), Assignment and Acquisition Agreement(s) and Association documents, the Chairperson recommended that the Board consider an outside law firm to act as special counsel to determine if there are grounds for the District to file any claim against Shoma Homes at Keys Cove – Phase II, Inc. Discussions ensued after which;

A **motion** was made by Mr. Pimentel, seconded by Mr. Knights and unanimously passed to engage the services of Shutts & Bowen as special counsel to represent the Keys Cove II Community Development District (the “District”) in the matter involving any and all rights of the District with respect to Shoma Homes Keys Cove II-Phase 2, Inc. (“Shoma”), its successors, assigns and related entities, regarding the transfer of roadways within the District and more particularly, those located in the condominium area, for fees and costs in a total amount not to exceed \$20,000; and authorizing the appropriate District officials to execute the engagement letter. The initial phase of the representation will include Shutts & Bowen reviewing the aforementioned matter, including any relevant documentation, and conducting discussions, as required, with District staff and counsel to determine if there is a meritorious claim against Shoma and the nature of the claim(s), if any. Shutts and Bowen will present their findings and conclusions in a telephone conference with the District Manager, District Counsel and the District Chair (if the Chair is available) on or around August 6, 2018. Shutts and Bowen’s fees and costs for the initial phase of their representation will not exceed \$10,000.

2. Staff Report, as Required

There was no Staff Report at this time

J. BOARD MEMBER & STAFF CLOSING COMMENTS

Mr. Kalin stated that depending on Special Counsel’s determination as described above, there could be a special meeting scheduled in August.

K. ADJOURNMENT

KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
RECONVENED REGULAR BOARD MEETING
(from July 11, 2018)
JULY 19, 2018

There being no further business to conduct, the reconvened Regular Board Meeting was adjourned at 12:16 p.m. on a **motion** made by Mr. MacConnell, seconded by Mr. Knights and passed unanimously.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson