



**KEYS COVE II
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
SPECIAL BOARD MEETING
& PUBLIC HEARING
DECEMBER 14, 2022
12:00 P.M.**

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

www.keyscove2cdd.org
786.303.3661 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
Palm Breeze Clubhouse
1427 SE 24th Place
Homestead, Florida 33035
SPECIAL BOARD MEETING & PUBLIC HEARING
December 14, 2022
12:00 p.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 12, 2022 Regular Board Meeting.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 6
 - 2. Receive Public Comments on
 - 3. Consider Resolution No. 2022-08 – Adopting a District Rule Pertaining to “Gate Facilities,”
Authorizing District Management to Deactivate Gate Access Cards, Transponders, & Readers..Page 8
- H. Old Business
 - 1. Security Update - Maverick Security
 - 2. Update Regarding Playground
- I. New Business
 - 1. Discussion Regarding Potential Change of Towing Company
- J. Administrative & Operational Matters
- K. Board Member & Staff Closing Comments
- L. Adjourn

Miscellaneous Notices



Published in Miami Daily Business Review on December 5, 2022

Location

Miami-Dade County,

Notice Text

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

The Board of Supervisors (the "Board") of the Keys Cove II Community Development District (the "District") will hold a Special Board Meeting on December 14, 2022, at 12:00 p.m. in the Palm Breeze Clubhouse located at 1427 SE 24th Place, Homestead, Florida 33035.

The purpose of the Special Board Meeting is for the Board to discuss a District Rule pertaining to the District Security Gate Facilities along with a fee and cost schedule for damages to District Gate Facilities and any other District business which may come before the Board. A copy of the Agenda may be obtained from the District's website or at the offices of the District Manager, 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193, during normal business hours. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. Meetings may be continued as found necessary to a time and place specified on the record.

There may be occasions when one or two Supervisors will participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at 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 meeting.

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 ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

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

Keys Cove II Community Development District
www.keyscove2cdd.org
12/5 22-30/0000633758M

**KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
OCTOBER 12, 2022**

A. CALL TO ORDER

District Manager Armando Silva called the October 12, 2022, Regular Board Meeting of the Keys Cove II Community Development District (the “District”) to order at 12:04 p.m. in the Palm Breeze Clubhouse located at 1427 SE 24th Place, Homestead, Florida 33035.

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 May 31, 2022, *as legally required*.

C. ESTABLISH A QUORUM

Mr. Silva determined that the attendance of Chairperson Melony Fogelstrom and Vice Chairperson Janine Ferreiro, and Supervisor Cynthia Portillo constituted a quorum.

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

Others in attendance: Kevin McIntyre of Maverick Security Services; and Jose Fabregas of Property Keepers Management

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. June 8, 2022, Regular Board Meeting

Mr. Silva presented the minutes of the August 10, 2022, Regular Board Meeting and asked if there were any changes. A **motion** was made by Ms. Portillo, seconded by Ms. Ferreiro and unanimously passed to approve the minutes of the August 10, 2022, Regular Board Meeting, *as presented*.

G. OLD BUSINESS

1. Discussion Regarding Maverick Security – Parking Enforcement (Commercial Vehicles) and SOS Database Update

Mr. McIntyre greeted the board and provided them with an update regarding the following items:

- **SOS Database Update:** Mr. McIntyre stated that he has been working with Mr. Jose Fabregas on updating the SOS Resident Database. Security staff has been distributing letters to each building

requesting that residents update their vehicle and contact information in order to obtain a barcode sticker to access the resident only gate. There are still approximately 246 residents left to register their information in the SOS Database System.

- **Parking Enforcement:** Mr. McIntyre stated that the parking enforcement officers have been ticketing illegally parked vehicles and the towing company has been more responsive as of late. He also stated that the towing company does not have the towing equipment capable of towing large commercial vehicles from the property but will contact them to see if “booting” is an option.

2. Discussion Regarding Playground

Mr. Silva presented the following email:

From: Pablo Jerez
Sent: Tuesday, September 6, 2022 3:27 PM
To: Armando Silva Subject:
RE: Request for information

Hello Armando, Sorry this has taken so long, Playground USA has been sending their answers in parts. This is the information I’ve gotten in regards to your request:

- They do take out permits our charge is \$3,800 and once we receive the deposit they pull the permits out.
- For the flooring the pour and place with delivery and installation is \$14.99 sq ft (Price does not include concrete Base)
- Artificial turf is \$8.99 per sq ft. Under turf padding is \$ 3.99per sq ft only used for playground safe zone area not the whole turf area.
- \$9,500 for an aluminum fence. I estimated approximately 210 feet for the area

A discussion ensued after which;

A motion was made by Mr. Ferreiro, seconded by Ms. Portillo and unanimously passed directing Mr. Silva to proceed with the playground permitting process; and thus choosing to proceed with the installation of AstroTurf as the flooring material for the playground.

H. NEW BUSINESS

1. Discussion Regarding Installation of Mulch

Mr. Silva informed the Board that the installation of red mulch within all of the District owned landscaping beds will commence before the end of the month.

2. Discussion Regarding Gate Facilities Rules

Mr. Silva presented the Board with a sample of the Gate Facilities rules and stated that these rules will assist in preventing drivers from continuing to run into the arm gates in the main entrance of the District. A discussion ensued after which the Board directed Mr. Silva to proceed with the required advertising for the adoption of the Gate Facilities Rules.

3. Discussion Regarding Access and Drainage Agreement – D.R. Horton

Mr. George provided an explanation for the Access and Drainage Agreement and stated that D.R. Horton would be granting a non-exclusive easement to the District for the purpose of maintaining the drainage system within Tract A of Towns at Seascape. A discussion ensued after which;

A motion was made by Ms. Fogelstrom, seconded by Ms. Ferreiro and unanimously passed, approving the Access and Drainage Agreement between D.R. Horton and the District, as presented.

4. Consider Resolution No. 2022-07 – Adopting a Fiscal Year 2021/2022 Amended Budget

Mr. Silva presented Resolution No. 2022-07, entitled:

RESOLUTION NO. 2022-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS COVE II 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.

Mr. Silva provided an explanation for the document and indicated that there was an operating fund balance of approximately \$601,122 at the end of the fiscal year. A discussion ensued, after which:

A **motion** was made by Ms. Fogelstrom, seconded by Ms. Ferreiro and unanimously passed adopting Resolution No. 2022-07, as presented, thereby setting the amended/revised budget for the 2021/2022 fiscal year.

5. Consider Approval of Auditor Renewal

Mr. Silva explained that at the September 11, 2019, District meeting, the Board of Supervisors (the “Board”) selected Grau & Associates to perform the year end audits for the fiscal years ended 2019, 2020, and 2021 with an option to perform the 2022 and 2023 audits.

Mr. Silva stated that management was pleased with the services provided by Grau & Associates and recommended that the Board approve the renewal option to have them perform the year end audits for the fiscal years ending in 2022 and 2023. Additionally, Mr. Silva explained the process the Board would need to take should they elect not to approve the renewal option. A discussion ensued, after which:

A **motion** was made by Ms. Ferreiro, seconded by Ms. Fogelstrom and unanimously passed approving the renewal option with Grau & Associates to perform the audits for the fiscal years ending in 2022 and 2023 in the amount of \$3,600 and \$3,700, respectively.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Discussion Regarding Meeting Time Change

This discussion item was *tabled*.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

There were no Board Member or Staff closing comments.

K. ADJOURNMENT

There being no further business to conduct, a **motion** was made by Ms. Fogelstrom, seconded by Ms. Portillo and passed unanimously to adjourn the Regular Board Meeting at 1:03 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

Miscellaneous Notices



Published in Miami Daily Business Review on November 15, 2022

Location

Miami-Dade County,

Notice Text

NOTICE OF RULE DEVELOPMENT
BY THE KEYS COVE II COMMUNITY
DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the Keys Cove II Community Development District ("District") hereby gives notice of its intention to adopt a District Rule pertaining to the District Security Gate Facilities along with a fee and cost schedule for damages to District Gate Facilities (the "Gate Facilities Rule").

The purpose and effect of the new Gate Facilities Rule is to provide for efficient and effective District operations and maintenance with respect to the security-related improvements, facilities and equipment of the District, including, but not limited to, the guardhouses, gates, gate arms, cameras, audio-visual and recording equipment, lighting, wiring, cabling, electrical facilities, and other appurtenant security and security-related improvements. The proposed Gate Facilities Rule also provides for gate damage fees and costs, and for the recovery thereof, as well as for the power of the District Manager or his or her designee to de-activate gate access cards, transponders, or readers issued to a particular unit within the District for non-payment and further provides for an appeal process to the Board of Supervisors. Specific legal authority for the adoption of the proposed Gate Facilities Rule includes Sections 120.54, 120.81, 190.011(5), 190.011(15), 190.011(16), 190.012(2)(d) and 190.035, Florida Statutes (2014).

Copies of the proposed Gate Facilities Rule may be obtained by contacting the District Manager at c/o Special District Services, Inc., 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193 or by calling (786) 347-2711.

A public hearing on the adoption of the proposed Gate Facilities Rule will be conducted by the District Board of Supervisors on December 14, 2022 at 12:00 p.m. at the Palm Breeze Clubhouse located at 1427 SE 24th Place, Homestead, Florida 33035.

Armando Silva

District Manager

KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT

11/15 22-38/0000630875M

Miscellaneous Notices



Published in Miami Daily Business Review on November 16, 2022

Location

Miami-Dade County,

Notice Text

NOTICE OF RULEMAKING AND PUBLIC HEARING ON
GATE FACILITIES RULE OF THE
KEYS COVE II COMMUNITY
DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Keys Cove II Community Development District on December 14, 2022 at 12:00 p.m. at the Palm Breeze Clubhouse located at 1427 SE 24th Place, Homestead, Florida 33035. In accord with Chapters 120 and 190, Florida Statutes, the Keys Cove II Community Development District (the "District") hereby gives the public notice of its intention to adopt a District Rule pertaining to the District Security Gate Facilities along with a fee and cost schedule for damages to District Gate Facilities (the "Gate Facilities Rule").

The purpose and effect of the new Gate Facilities Rule is to provide for efficient and effective District operations and maintenance with respect to the security-related improvements, facilities and equipment of the District, including, but not limited to, the guardhouses, gates, gate arms, cameras, audio-visual and recording equipment, lighting, wiring, cabling, electrical facilities, and other appurtenant security and security-related improvements. The proposed Gate Facilities Rule also provides for gate damage fees and costs, and for the recovery thereof, as well as for the power of the District Manager or his or her designee to de-activate gate access cards, transponders, or readers issued to a particular unit within the District for non-payment and further provides for an appeal process to the Board of Supervisors. Prior notice of rule development was published in the Miami Daily Business Review on November 15, 2022.

The proposed Gate Facilities damage fees and costs schedule is as follows:

Security Gate Facility	Fee
Gate Arm	\$100.00
Gate Post	\$100.00
Gate Panel	\$100.00
Gate Reader	\$100.00
Gate Card	\$100.00
Gate Transponder	\$100.00
Gate Access Control System	\$100.00
Gate Intercom System	\$100.00
Gate Security System	\$100.00
Gate Alarm System	\$100.00
Gate Camera System	\$100.00
Gate Lighting System	\$100.00
Gate Wiring System	\$100.00
Gate Cabling System	\$100.00
Gate Electrical System	\$100.00
Gate Other Security Equipment	\$100.00

Specific legal authority for the adoption of the proposed Gate Facilities Rule includes Sections 120.54, 120.81, 190.011(5), 190.011(15), 190.011(16), 190.012(2)(d) and 190.035, Florida Statutes (2014).

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice.

If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing held in response to a request for such a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, one or more Supervisors may participate in the public hearing by telephone. At the above location, if a public hearing is requested, there will be present a speaker telephone so that any interested party can physically attend the public hearing at the above location and be fully informed of the discussions taking place either in person or by speaker telephone device.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (786) 347-2711 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Copies of the proposed Gate Facilities Rule may be obtained by contacting the District Manager at c/o Special District Services, Inc., 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193 or by calling (786) 347-2711.

Armando Silva
District Manager
KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT
11/16 22-70/0000631128M

RESOLUTION NO. 2022-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT, ADOPTING A DISTRICT RULE PERTAINING TO “GATE FACILITIES,” AUTHORIZING DISTRICT MANAGEMENT TO DEACTIVATE GATE ACCESS CARDS, TRANSPONDERS, AND READERS UNTIL SUCH TIME PAST DUE AMOUNTS FOR GATE DAMAGE HAVE BEEN PAID TO THE DISTRICT; PROVIDING FOR GATE DAMAGE FEES AND COSTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Keys Cove II Community Development District (the “District”) was established pursuant to Chapter 190, Florida Statutes, and Miami-Dade County Ordinance No. 05-133; and

WHEREAS, the District funds, operates, and maintains certain security and security-related improvements, facilities and equipment, including guardhouses, gates, gate arms, cameras, audio-visual and recording equipment, lighting, wiring, cabling, and electrical facilities, and other appurtenant security or security-related improvements benefiting the residents and property owners within the District (collectively, the “Gate Facilities”); and

WHEREAS, the Gate Facilities, or portions thereof, are often damaged by residents, their guests, and visitors to the community, who fail to yield when gate arms are in the down or closed position, who take action to manually lift or open gates, or whose vehicles strike such facilities; and

WHEREAS, the District is responsible for the maintenance of the Gate Facilities; and

WHEREAS, when Gate Facilities are damaged and evidence is available connecting a particular vehicle or individual to the damage, the District attempts to be made whole and works towards collecting gate damage fees and costs associated with repairing said damage; and

WHEREAS, in some circumstances, residents of Keys Cove II have damaged the Gate Facilities and have refused to respond or refused to pay for damage caused to the Gate Facilities despite clear visual and documentary evidence linking the damage to a vehicle they own or which is registered to their household; and

WHEREAS, the District Board of Supervisors desires to protect the integrity, operation and aesthetics of the Gate Facilities of the District, while ensuring that those responsible for damaging the Gate Facilities pay for the repair of such damaged Gate Facilities; and

WHEREAS, the District advertised a public hearing for December 14, 2022, in order to hear and receive comments on the proposed District Rule pursuant to the requirements of Chapter 120, Florida Statutes; and

WHEREAS, after a duly advertised public hearing, the District Board of Supervisors finds it to be in the best interests of the District, the integrity and maintenance of its Gate Facilities, and the residents and property owners of the District to adopt the proposed Rule attached to this Resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT, THAT:

Section 1. The above recitals are true and correct and are incorporated in and adopted as part of this Resolution.

Section 2. The Rule attached to this Resolution as Exhibit A, is hereby adopted by the District.

Section 3. The District Manager is hereby directed to distribute this Resolution as required by Chapters 120 and 190, Florida Statutes. The District Manager is further directed to publish the Rule on the District's website, and to generally make copies of such Rule available to inspection or copying by members of the general public pursuant to Florida's Public Records Law.

Section 4. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED THIS 14th DAY OF DECEMBER, 2022.

ATTEST:

**KEYS COVE II COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman/Vice-Chairman

Exhibit A

GATE FACILITIES RULE

KEYS COVE II COMMUNITY DEVELOPMENT DISTRICT

GATE FACILITIES RULE

Adopted December 14, 2022

1.0 This rule may be cited and referred to as the Keys Cove II Community Development District (“District”) Gate Facilities Rule.

2.0 The District funds, operates, and maintains certain security and security-related improvements, facilities and equipment, including guardhouses, gates, gate arms, cameras, audio-visual and recording equipment, lighting, wiring, cabling, and electrical facilities, and other appurtenant security or security-related improvements benefiting the residents and property owners within the District (collectively, the “Gate Facilities”), which Gate Facilities are located at the two means of ingress and egress for the Keys Cove II development.

3.0 The District Manager or his or her designee (the “District Manager”) shall have the authority to de-activate all gate access cards, transponders, and readers issued to a particular unit within the District for unpaid Gate Facilities damage fees, after the following:

3.1 The District possesses video, eyewitness, or documentary evidence that a vehicle registered to the unit within the District or a guest to that unit has caused damage to the Gate Facilities of the District; and

3.2 The District has sent a correspondence to said unit, which correspondence shall (1) detail the date and location of the incident, the vehicle(s) involved, and the damage caused to the District Gate Facilities, (2) indicate that such gate damage must be paid to the District within at least thirty (30) days, and (3) indicate that all gate access cards, transponders, and readers issued to the unit will be de-activated if payment is not received by the District within said thirty (30) day period.

4.0 Prior to the expiration of the thirty (30) day period referenced in section 3.2 above, the de-activation and the Gate Facilities damage fees may be appealed in writing directly to the District Board of Supervisors, which will hear said appeal at its next regular meeting. During the time of the appeal, cards/transponders will not be de-activated.

5.0 Gate access cards and transponders may be re-activated by the District Manager upon payment of all Gate Facilities damage fees and costs to the District or when directed by the District Board of Supervisors after an appeal filed and heard pursuant to section 4.0 above.

6.0 In addition to the authority provided in Section 3.0 above, upon receiving video, eyewitness, or documentary evidence of damage to the Gate Facilities, the District Manager or his or her designee shall have the authority on behalf of the District to impose and take all appropriate and lawful means to collect from the owner or driver of any vehicle or from any individual causing damage to the Gate Facilities all fees and costs associated with damages to the Gate Facilities, including those Gate Damage Fees set forth in Section 6.0 below. Any litigation pertaining to the collection of Gate Damage Fees shall first be authorized by the District Board of Supervisors.

7.0 Gate Facilities damage fees shall be as follows:

7.1 Removing, pulling, or knocking off gate arm requiring re-attachment (no damage to gate arm or other Gate Facilities).....\$400.00;

7.2 Re-activating a de-activated gate access card, transponder, or reader.....\$30.00 per card/reader or \$50.00 per unit (covers all cards/transponders assigned to unit), whichever is less.

7.3 Damage to other Gate Facilities not referenced in this section shall be assessed at cost plus ten (10%) for administration fees.