RESOLUTION 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE PALM GLADES COMMUNITY DEVELOPMENT DISTRICT AMENDING AND MODIFYING THE CLUB SCHEDULE OF HOURS OF OPERATION, DUES, FEES AND CHARGES, AREAS AND FEES FOR RENTAL, RENTAL POLICIES, PROCEDURES AND REGULATIONS, TO REVISE: CERTAIN VERBIAGE, ANNUAL CLUB MEMBER DUES, CERTAIN FEES FOR RENTAL, CLEANING, AND ADDIITIONAL NECESSARY JANITORIAL SERVICES, THE RULES GOVERNING ADVANCE RESERVATIONS, RENTAL CANCELLATIONS, AND DEPOSIT FORFEITURE, PROHIBITED AND ALLOWED ITEMS AT EVENT RENTALS, AND MUSIC AT EVENT RENTALS; AMENDING THE FORM AND VERBIAGE OF THE CLUB SILVER PALMS CLUB FACILITY RENTAL AGREEMENT; ADOPTING MAILBOX FACILITIES RULES, DEFINING THE MAILBOX FACILITIES, PROVIDING FOR RULES AND REGULATIONS PERTAINING TO MAINTENANCE OF, PARKING AT, AND DAMAGE TO MAILBOX FACILITIES, PROVIDING FOR MAILBOX FACILITIES FEES AND OTHER CHARGES, AND PROVIDING FOR ADDITIONAL REMEDIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Palm Glades Community Development District (the "District") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated in unincorporated Miami-Dade County, Florida; and

WHEREAS, the District owns and operates the Club Silver Palms Clubhouse and Clubhouse parcel, consisting of clubhouse and recreational amenity facilities of the District; and

WHEREAS, the District has previously adopted and amended, pursuant to applicable Florida law, the Club Silver Palms Club Schedule of Hours of Operation, Dues, Fees and Charges, Areas and Fees for Rental, Rental Policies, Procedures and Regulations, as revised or amended, pursuant to Resolution 2018-08, adopted by the District Board of Supervisors on July 10, 2018, and Resolution 2019-01, adopted by the Board of Supervisors on November 13, 2018 (the "Club Schedule"); and

WHEREAS, in adopting the Club Schedule, as amended, the District approved the form of the Club Silver Palms Facility Rental Agreement (the "Facility Rental Agreement") for use by the Clubhouse Director; and

WHEREAS, the District owns certain parcels of real property which include mail kiosks and related improvements (the "Mailbox Facilities"), and the District is responsible for the maintenance of the Mailbox Facilities; and

WHEREAS, when Mailbox Facilities are damaged and evidence is available connecting a particular vehicle or individual to the damage, the District will attempt to be made whole and District staff will work toward collecting damage fees and costs associated with repairing or replacing said damage; and

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

WHEREAS, the District Board of Supervisors has determined that it is necessary to create and enforce certain rules, fees, and charges associated with the Mailbox Facilities (the "Mailbox Facilities Rules"); and

WHEREAS, pursuant to Section 190.011, Florida Statutes, the District is authorized to adopt and modify rules, regulations, and rates pursuant to the provisions of Chapter 120, Florida Statutes, prescribing the conduct of the business of the District, the use of the Club Silver Palms Clubhouse and recreational facilities and the Mailbox Facilities; and

WHEREAS, Section 190.035, Florida Statutes, authorizes the District to prescribe, fix, establish, modify, and collect rates, fees, and other charges for facilities and services furnished by the District; and

WHEREAS, the District advertised a public hearing for October 11, 2022, in order to hear and receive comments on the proposed amendments to the Club Schedule and the Facility Rental Agreement and on the proposed District Mailbox Facilities Rules pursuant to the requirements of Chapter 120, Florida Statutes; and

WHEREAS, the District has complied with the provisions of Chapter 120, Section 190.011, and Section 190.035, Florida Statutes, and has conducted a public hearing to address the adoption of changes and amendments to the Club Schedule and Facility Rental Agreement and the adoption of the Mailbox Facilities Rules, as contemplated herein, and as determined to be necessary by the Board of Supervisors of the District; 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 Clubhouse facilities and the Mailbox Facilities, and the residents and property owners within the boundaries of the District, and the members of Club Silver Palms, to adopt the amendments and rules set forth in this Resolution.

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

Section 1. The foregoing recitals are hereby incorporated as the findings of fact of the District Board of Supervisors.

Section 2. The following are hereby adopted by the District:

1. Revisions to the Club Schedule and the Facility Rental Agreement, as reflected in the versions attached hereto and incorporated herein as Composite Exhibit "A";
2. The Mailbox Facilities Rules, attached hereto and incorporated herein as Exhibit "B"; and

Section 3. The revised form of the Facility Rental Agreement, a copy of which is attached hereto and incorporated herein as part of Exhibit "A", is approved for use by the Clubhouse Director.

Section 4. District Counsel is hereby directed to produce an amended/updated version of the Club Schedule and Facility Rental Agreement, implementing the changes set forth in this Resolution (including the Exhibits), and is further directed to forward the amended Club Schedule, the Facility Rental Agreement, and the Mailbox Facilities Rules to the District Manager to be included in the Official Records of Proceeding of the District and posted on the District's website.

Section 5. The District Manager is hereby directed to take all actions consistent with this Resolution.

Section 6. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. If any clause, section, or other part or application of this Resolution is held by a court of competent jurisdiction to be unconstitutional or invalid, in part or as applied, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 8. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED, after a public hearing on the same and in a public meeting of the Board of Supervisors of the Palm Glades Community Development District, this **11th day of October, 2022**.

Attest:

PALM GLADES COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair
Board of Supervisors