



**A.H. AT TURNPIKE SOUTH
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING & PUBLIC
HEARING
SEPTEMBER 12, 2023
6:30 P.M.**

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

www.ahturnpikesouthcdd.org

786.347.2711 Telephone
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AGENDA
A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT
Fairfield Inn & Suites – Homestead/Florida City
60 SW 352nd Street
Florida City, Florida 33034
REGULAR BOARD MEETING & PUBLIC HEARING
September 12, 2023
6:30 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. June 14, 2023 Regular Board Meeting.....Page 2
- G.** Public Hearing
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 - 2. Consider Resolution No. 2023-05 – Amending & Resetting Public Hearing Date to Adopt Fiscal Year 2023/2024 Final Budget.....Page 9
 - 3. Receive Public Comments on Fiscal Year 2023/2024 Final Budget
 - 4. Consider Resolution No. 2023-06 – Adopting a Fiscal Year 2023/2024 Final Budget.....Page 10
- H.** New Business
 - 1. Consider Resolution No. 2023-07 – Adopting a Fiscal Year 2023/2024 Meeting Schedule.....Page 19
 - 2. Discussion Regarding Pending District Engineer 2023 Report and Certifications
 - 3. Consider Termination of District Engineer Services
 - 4. Consider Approval of Interim Engineering Services.....Page 21
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- I.** Old Business
- J.** Administrative Matters
 - 1. Financial Update.....Page 32
 - 2. Update on the Status of the Statement of Financial Interests Disclosure 2022 Form 1
- K.** Board Member/Staff Comments and Requests
 - 1. District Counsel Update on the 2023 Florida Legislative Session.....Page 36
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- L.** Adjourn

Publication Date
2023-08-29

Subcategory
Miscellaneous Notices

NOTICE OF PUBLIC HEARING &
REGULAR BOARD MEETING OF THE
A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors (the "Board") of the A.H. at Turnpike South Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting on September 12, 2023, at 6:30 p.m., or as soon thereafter as can be heard, in the Fairfield Inn & Suites - Homestead/Florida City located at 60 SW 352nd Street, Florida City, Florida 33034.

The purpose of the Public Hearing is to receive public comment on the Fiscal Year 2023/2024 Proposed Final Budget of the District. The purpose of the Regular Board Meeting is for the Board to consider any other business which may properly come before it. A copy of the Budget and/or the Agenda may be obtained from the District's website (www.ahturnpiksouthcdd.org) or from the offices of the District Manager, Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410, during normal business hours. The meetings are 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 786-347-2711 and/or toll free at 1-877-737-4922, at least seven (7) days prior to the date of the meetings. If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular 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.

A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

www.ahturnpiksouthcdd.org

8/29 9/5 23-12/0000680574M

**A.H. AT TURNPIKE SOUTH
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
JUNE 14, 2023**

A. CALL TO ORDER

Mrs. Perez called the June 14, 2023, Regular Board Meeting of the A.H. at Turnpike South Community Development District (the “District”) to order at 6:41 p.m. at Fairfield Inn & Suites – Homestead/Florida City located at 60 SW 352nd Street, Florida City, Florida 33034.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on December 5, 2022, as part of the District’s Fiscal Year 2022/2023 Meeting Schedule, as legally required.

C. WELCOME AND SEAT NEW BOARD MEMBERS

Mrs. Perez welcomed and seated the new Board Members who are designated as Qualified, Active and Unopposed, pursuant to the Miami-Dade County electoral process.

Seat #2 Angelica Maria Andino Pena (Qualified, Active and Unopposed) was appointed to a 4-year term of office, which expires in November 2026; and

Seat #4 Jonathan Pena (Qualified, Active and Unopposed) was appointed to a 4-year term of office, which expires in November 2026.

D. ADMINISTER OATH OF OFFICE AND REVIEW BOARD MEMBER DUTIES & RESPONSIBILITIES

Mrs. Perez, as Notary Public in the State of Florida, administered the Oath of Office to the new Board Members. The Supervisors have been provided with their Financial Disclosure Form-1 required for this year (2022 Form-1). Mrs. Perez also provided them with information regarding “Government in the Sunshine Law”, public records and conflicts of interest, along with information on the workings and benefits of a CDD and the responsibilities and duties of Board Members. Key elements were reviewed by District Counsel.

E. CONSIDER APPOINTMENT TO VACANCY

1. Consider Marilyn Ortiz Appointment

SEAT # 3

Ms. Ortiz provided all the necessary documentation and it was determined that she was a qualified candidate eligible for appointment.

A **MOTION** was made by Supervisor Andino Pena seconded by Supervisor Jonathan Pena and unanimously passed appointing Marilyn Ortiz to fill the vacancy and unexpired term of office in Seat No. 3, which term expires in 2024.

F. ADMINISTER OATH OF OFFICE AND REVIEW BOARD MEMBER DUTIES & RESPONSIBILITIES

Mrs. Perez, as Notary Public in the State of Florida, administered the Oath of Office to the newly appointed Board Member. Supervisor Ortiz has been provided with the Financial Disclosure Form-1 required for this year (2022 Form-1). Mrs. Perez provided the newly appointed Supervisor with information regarding “Government in the Sunshine Law”, public records and conflicts of interest, along with information on the workings and benefits of a CDD and the responsibilities and duties of Board Members. Key elements were reviewed by District Counsel.

G. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance: Supervisors Angelica Maria Andino Pena, Marilyn Ortiz and Jonathan Pena and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Gloria Perez of Special District Services, Inc. and General Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, PA.

H. ELECTION OF OFFICERS

Mrs. Perez stated that it would now be in order to elect Officers of the District. She noted the roles Armando Silva, Nancy Nguyen and herself regarding appointment to office and stated that nominations would be in order for Chairperson and Vice-Chair with the remaining three Supervisors being designated as Assistant Secretaries.

The following slate of officers was nominated:

- Chairperson – Angelica Maria Andino Pena
- Vice Chairperson – Jonathan Pena
- Assistant Secretary – Marilyn Ortiz
- Secretary/Treasurer – Gloria Perez
- Assistant Secretaries - Armando Silva and Nancy Nguyen (District Managers with Special District Services, Inc., in Mrs. Perez’s absence)

A **MOTION** was made by Supervisor Jonathan Pena, seconded by Supervisor Ortiz and unanimously passed approving and electing the above indicated slate of officers, as presented.

I. CONSIDER ACCEPTANCE OF LETTER OF RESIGNATION AND DECLARE A VACANCY IN SEAT #1

A **MOTION** was made by Supervisor Ortiz, seconded by Supervisor Jonathan Pena and unanimously passed accepting Karl Albertson’s resignation from Seat No. 1, effective December 7, 2022, and simultaneously declaring a vacancy in Seat No. 1.

J. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

K. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

L. APPROVAL OF MINUTES

1. August 23, 2022, Public Hearing & Regular Board Meeting

The minutes of the August 23, 2022, Public Hearing & Regular Board Meeting were presented for consideration.

A **MOTION** was made by Supervisor Ortiz, seconded by Supervisor Andino Pena and passed unanimously approving the minutes of the August 23, 2022, Public Hearing & Regular Board Meeting, as presented.

M. NEW BUSINESS

1. Consider Meeting Location Cost Change

Mrs. Perez advised that since the last meeting when the Board approved the original quote from Fairfield by Marriott, the original price of \$184.50 had increased to \$300.00 per meeting, effective as of the date of this meeting.

A **MOTION** was made by Supervisor Ortiz, seconded by Supervisor Andino Pena and passed unanimously approving the increase in the meeting location cost for Fairfield by Marriott from \$184.50 per meeting to \$300 per meeting, as presented.

2. Consider Auditor Renewal

Mrs. Perez advised that at the November 19, 2019, District meeting, the firm of Grau & Associates was selected to perform the 9-30-2019, 9-30-2020 and 9-30-2021 year end audits of the District with an option to perform the 9-30-2022 and 9-30-2023 audits.

The fees for the 9-30-2019 audit were \$3,600; the fees for the 9-30-2020 audit were \$3,700; and the fees for the 9-30-2021 audit were \$5,300 (*fee increased due to third bond issue*). The proposed fee for the 9-30-2022 audit is \$5,400, and the proposed fee for the 9-30-2023 audit is \$5,500. The approved Audit Budget amount for Fiscal Year 2022/2023 is \$5,500.

Management is pleased with the professionalism and competence of the Grau & Associates partners and staff; therefore, management recommends that the Board approve the renewal option for the Fiscal Years Ending 9-30-2022 and 9-30-2023 audits with Grau & Associates.

A **MOTION** was made by Supervisor Jonathan Pena, seconded by Supervisor Andino Pena and unanimously passed approving the 2-year audit renewal option with Grau & Associates for the fiscal years ending 9-30-2022 and 9-30-2023; further approving the proposed fees for the 9-30-2022 audit in the amount of \$5,400, which is the budgeted amount for audit fees and the proposed fee for the 9-30-2023 audit, which is \$5,500; and further authorizing District management to attempt at negotiating a lower the cost if possible.

3. Consider Resolution No. 2023-01 – Adopting an Amended Fiscal Year 2021/2022 Budget

Mrs. Perez presented Resolution No. 2023-01, entitled:

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE A.H. AT TURNPIKE SOUTH 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.

Mrs. Perez explained, as done every year for administrative and statutory requirements, within 60 days of any given fiscal year end, the Board adopts a revised/amended budget for said year. The fiscal year ended on September 30, 2022. This is the reason it is administrative in nature (past year’s budget for past year’s expenses) and will serve as the Board’s final approval/ratification of the District’s expenditures for the past fiscal year.

A **MOTION** was made by Supervisor Ortiz, seconded by Supervisor Andino Pena and unanimously passed adopting Resolution No. 2023-01, adopting a Fiscal Year 2021/2022 Amended Budget.

4. Consider Resolution No. 2023-02 – Approving a Proposed Budget for Fiscal Year 2023/2024

Mrs. Perez presented Resolution No. 2023-02, entitled:

RESOLUTION NO. 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE AH AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

Mrs. Perez read the title of the resolution into the record and indicated that the maximum debt assessment rates of \$1,594.54 For Phase 1 and Phase 2 (as done in prior years) and \$1,578.02 will be assessed for Phase 3 pursuant to the Methodology. The O&M Assessment is slightly lower than last year. The estimated available funds anticipated as of 9-30-23 are \$80,000.00, should no unexpected expenses occur. A carryover balance in the amount of \$7,000 has been applied (\$17,400 was set up last year). Because the overall presented assessment for 2023/2024 is currently lower than the 2022/2023 assessment, letters to the homeowners will not be required.

A **MOTION** was made by Supervisor Jonathan Pena, seconded by Supervisor Ortiz and unanimously passed adopting Resolution No. 2023-02, as presented, approving a Proposed Budget for FY 2023/2024 and setting the Public Hearing for finalization for August 16, 2023, at 6:00 p.m. at the Fairfield Inn & Suites – Homestead/Florida City located at 60 SW 352nd Street, Florida City, Florida 33034 and further authorizing the required advertisements.

5. Consier Resolution No. 2023-03 – Authorizing Electronic Approvals and Check Signers

Mrs. Perez presented Resolution No. 2023-03, entitled:

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE A.H. AT TURNPIKE SOUTH 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.

Mrs. Perez provided the resolution via handout and read the title of it into the record. She also provided an explanation for the document and stated that this action was necessary due to recent changes on the Board and bank account information. Mrs. Perez added that the purpose of this action was to designate authorized staff and/or District officials to approve expenditures, via electronic or non-electronic approval processes, from the checking/operating account.

A discussion ensued after which:

A **MOTION** was made by Supervisor Ortiz, seconded by Supervisor Jonathan Pena and unanimously passed approving and adopting Resolution No. 2023-03, as presented, designating Todd Wodraska, Jason Pierman, Patricia LasCasas, Gloria Perez and Angelica Maria Andino Pena as authorized signatories on the established operating account and authorizing the electronic approval process.

6. Consider Resolution No. 2023-04 – Records Retention Policy Adoption

Mrs. Perez presented Resolution No. 2023-04, entitled:

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Perez explained that this action appoints a records liaison and designates the electronic copy of documents as the official District record. This means that only copy a needs to be signed at meetings, and once it is scanned, the original can be discarded, which will create a more economical and efficient records management system.

A **MOTION** was made by Supervisor Ortiz, seconded by Supervisor Andino Pena and unanimously passed adopting Resolution No. 2023-04, approving a Records Retention Policy as presented.

N. OLD BUSINESS

There were no Old Business items to come before the Board.

O. ADMINISTRATIVE MATTERS

1. Financial Report

Mrs. Perez presented and went over the monthly financial statements presented in the meeting book. She indicated that available funds as of May 31, 2023, were \$151,415.88.

2. Discussion Regarding District Engineering Services and Pending Reports

Mrs. Perez advised that the District was currently out of compliance with the requirements of providing an Annual Engineer’s Report to the Trustee because the District Engineer has not responded to the requests. A discussion ensued.

Supervisor Andino Pena excused herself from the meeting at approximately 7:14 p.m. and the meeting was recessed and reconvened upon her return at 7:16 p.m.

P. BOARD MEMBER/STAFF COMMENTS

Mrs. Perez advised the Board that they should be receiving in the mail their individual 2022 Form 1 (the “Form”) and to complete the Form and mail, email and/or hand deliver it to the Supervisor of Elections’ office on or prior to July 1, 2023.

Q. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 7:34 p.m. on a **MOTION** made by Supervisor Andino Pena, seconded by Supervisor Ortiz and the **MOTION** carried unanimously.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

Publication Date
2023-08-29

Subcategory
Miscellaneous Notices

NOTICE OF PUBLIC HEARING &
REGULAR BOARD MEETING OF THE
A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors (the "Board") of the A.H. at Turnpike South Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting on September 12, 2023, at 6:30 p.m., or as soon thereafter as can be heard, in the Fairfield Inn & Suites - Homestead/Florida City located at 60 SW 352nd Street, Florida City, Florida 33034.

The purpose of the Public Hearing is to receive public comment on the Fiscal Year 2023/2024 Proposed Final Budget of the District. The purpose of the Regular Board Meeting is for the Board to consider any other business which may properly come before it. A copy of the Budget and/or the Agenda may be obtained from the District's website (www.ahturnpiksouthcdd.org) or from the offices of the District Manager, Special District Services, Inc., 2501A Burns Road, Palm Beach Gardens, Florida 33410, during normal business hours. The meetings are 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 786-347-2711 and/or toll free at 1-877-737-4922, at least seven (7) days prior to the date of the meetings. If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular 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.

A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

www.ahturnpikesouthcdd.org

8/29 9/5 23-12/0000680574M

RESOLUTION NO. 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION NO. 2023-02; AMENDING THE DATE AND TIME FOR THE PUBLIC HEARING TO CONSIDER THE FISCAL YEAR 2023/2024 FINAL BUDGET AND ASSESSMENTS AND AUTHORIZING THE SECRETARY AND DISTRICT MANAGER TO TAKE CERTAIN ACTIONS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (“Board”) of the A.H. at Turnpike South Community Development District (the “District”) is required by Chapter 190.008, *Florida Statutes*, to approve a Proposed Budget for each fiscal year; and

WHEREAS, the Board previously adopted Resolution 2023-02 approving a proposed budget and setting a public hearing for August 16, 2023; and

WHEREAS, redacting the actions taken with Resolution 2023-02 due to changes to the previously approved FY 2023-2024 Proposed Budget, said public hearing had to be re-advertised and rescheduled; and

WHEREAS, the public hearing has been rescheduled for September 12, 2023, and all other requirements and filings associated with the preparation of the fiscal year budget have been completed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT, THAT:

1. Resolution No. 2023-02 is hereby amended to change the date and time of the Public Hearing to September 12, 2023 at 6:30 p.m. in the Fairfield Inn & Suites – Homestead/Florida City, 60 SW 352nd Street, Florida City, Florida 33034, for the purpose of receiving public comments on the Final Fiscal Year 2023/2024 Budget.

2. The Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with all applicable notice requirements.

PASSED, ADOPTED and EFFECTIVE this 12th day of September, 2023.

ATTEST:

**A.H. AT TURNPIKE SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

RESOLUTION NO. 2023-06

A RESOLUTION OF THE AH AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2023/2024 BUDGET.

WHEREAS, the AH at Turnpike South Community Development District (“District”) has prepared a Proposed Budget and Final Special Assessment Roll for Fiscal Year 2023/2024 and has held a duly advertised Public Hearing to receive public comments on the Proposed Budget and Final Special Assessment Roll; and,

WHEREAS, following the Public Hearing and the adoption of the Proposed Budget and Final Assessment Roll, the District is now authorized to levy non ad-valorem assessments upon the properties within the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE AH AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT THAT:

Section 1. The Final Budget and Final Special Assessment Roll for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is approved and adopted, and the assessments set forth therein shall be levied.

Section 2. The Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 12th day of September, 2023.

ATTEST:

**AH AT TURNPIKE SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

A.H. At Turnpike South
Community Development District

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

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- V DETAILED FINAL DEBT SERVICE FUND BUDGET (SERIES 2021)
- VI ASSESSMENT COMPARISON

FINAL BUDGET
A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
O&M Assessments	99,765
Debt Assessments (2015)	350,799
Debt Assessments (2016)	287,017
Debt Assessments (2021)	113,617
Interest Income	240
TOTAL REVENUES	\$ 851,438
EXPENDITURES	
Supervisor Fees	5,000
Payroll Taxes (Employer)	400
Engineering/Inspections	3,250
Management	34,944
Legal	12,500
Assessment Roll	7,500
Audit Fees	5,500
Insurance	6,700
Legal Advertisements	1,200
Miscellaneous	925
Meeting Venue	1,500
Postage	425
Office Supplies	800
Dues & Subscriptions	175
Trustee Fees	13,000
Continuing Disclosure Fee	1,200
Website Management	2,000
Mailbox Stations Services	0
Contingency	4,000
TOTAL EXPENDITURES	\$ 101,019
REVENUES LESS EXPENDITURES	\$ 750,419
Bond Payments (2015)	(329,751)
Bond Payments (2016)	(272,500)
Bond Payments (2021)	(107,936)
BALANCE	\$ 40,232
County Appraiser & Tax Collector Fee	(15,744)
Discounts For Early Payments	(31,488)
EXCESS/ (SHORTFALL)	\$ (7,000)
Carryover From Prior Year	7,000
NET EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
REVENUES				
O&M Assessments	99,808	99,804	99,765	Expenditures Less Interest/Discounts & Fees
Debt Assessments (2015)	350,800	350,799	350,799	Bond Payments/.96 Discounts & Fees
Debt Assessments (2016)	287,018	287,017	287,017	Bond Payments/.96 Discounts & Fees
Debt Assessments (2021)	107,936	113,617	113,617	Bond Payments/.96 Discounts & Fees
Interest Income	23	120	240	Estimated At \$20 Per Month
TOTAL REVENUES	\$ 845,585	\$ 851,357	\$ 851,438	
EXPENDITURES				
Supervisor Fees	0	5,000	5,000	Supervisor Fees
Payroll Taxes (Employer)	0	400	400	Projected At 8% Of Supervisor Fees
Engineering/Inspections	0	3,250	3,250	No Change From 2022/2023 Budget
Management	32,952	33,936	34,944	CPI Adjustment (Capped At 3%)
Legal	7,807	13,000	12,500	\$500 Decrease From 2022/2023 Budget
Assessment Roll	7,500	7,500	7,500	As Per Contract
Audit Fees	5,300	5,500	5,500	Accepted Amount For 2022/2023 Audit
Insurance	5,706	6,100	6,700	Fiscal Year 2022/2023 Expenditure Was \$6,134
Legal Advertisements	702	1,250	1,200	\$50 Decrease From 2022/2023 Budget
Miscellaneous	540	950	925	\$25 Decrease From 2022/2023 Budget
Meeting Venue	0	0	1,500	Meeting Venue
Postage	146	450	425	\$25 Decrease From 2022/2023 Budget
Office Supplies	456	825	800	\$25 Decrease From 2022/2023 Budget
Dues & Subscriptions	175	175	175	No Change From 2022/2023 Budget
Trustee Fees	12,184	13,000	13,000	No Change From 2022/2023 Budget
Continuing Disclosure Fee	1,200	2,000	1,200	\$800 Decrease From 2022/2023 Budget
Website Management	2,000	2,000	2,000	No Change From 2022/2023 Budget
Mailbox Stations Services	0	12,000	0	Line Item Eliminated
Contingency	0	4,000	4,000	Contingency
TOTAL EXPENDITURES	\$ 76,668	\$ 111,336	\$ 101,019	
REVENUES LESS EXPENDITURES	\$ 768,917	\$ 740,021	\$ 750,419	
Bond Payments (2015)	(334,453)	(329,751)	(329,751)	2024 Principal & Interest Payments
Bond Payments (2016)	(273,644)	(272,500)	(272,500)	2024 Principal & Interest Payments
Bond Payments (2021)	(107,936)	(107,936)	(107,936)	2024 Principal & Interest Payments
BALANCE	\$ 52,884	\$ 29,834	\$ 40,232	
County Appraiser & Tax Collector Fee	(6,966)	(15,745)	(15,744)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(26,713)	(31,489)	(31,488)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ 19,205	\$ (17,400)	\$ (7,000)	
Carryover From Prior Year	0	17,400	7,000	Carryover From Prior Year
NET EXCESS/ (SHORTFALL)	\$ 19,205	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND (SERIES 2015) BUDGET

A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2023/2024

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	20	25	100	Projected Interest For 2023/2024
NAV Tax Collection	334,453	329,751	329,751	Maximum Debt Service Collection
Prepaid Bond Collection	0	0	0	
Total Revenues	\$ 334,473	\$ 329,776	\$ 329,851	
EXPENDITURES				
Principal Payments	70,000	80,000	85,000	Principal Payments Due In 2024
Interest Payments	255,738	249,688	244,688	Interest Payments Due In 2024
Bond Redemption	0	88	163	Estimated Excess Debt Collections
Total Expenditures	\$ 325,738	\$ 329,776	\$ 329,851	
Excess/ (Shortfall)	\$ 8,735	\$ -	\$ -	

Series 2015 Bond Information

Original Par Amount =	\$4,430,000	Annual Principal Payments Due =	November 1st
Interest Rate =	5.5% - 6.25%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	February 2015		
Maturity Date =	November 2046		

Par Amount As Of 1/1/2023 = \$4,025,000

DETAILED FINAL DEBT SERVICE FUND (SERIES 2016) BUDGET

A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2023/2024

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	15	25	100	Projected Interest For 2023/2024
NAV Tax Collection	273,644	272,500	272,500	Maximum Debt Service Collection
Total Revenues	\$ 273,659	\$ 272,525	\$ 272,600	
EXPENDITURES				
Principal Payments	70,000	75,000	80,000	Principal Payments Due In 2024
Interest Payments	199,488	195,288	191,631	Interest Payments Due In 2024
Bond Redemption	0	2,237	969	Estimated Excess Debt Collections
Transfer To Construction Fund	7	0	0	
Total Expenditures	\$ 269,495	\$ 272,525	\$ 272,600	
Excess/ (Shortfall)	\$ 4,164	\$ -	\$ -	

Series 2016 Bond Information

Original Par Amount =	\$3,975,000	Annual Principal Payments Due =	November 1st
Interest Rate =	4% - 5.5%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	December 2016		
Maturity Date =	November 2047		
Par Amount As Of 1/1/2023 =	\$3,645,000		

DETAILED FINAL DEBT SERVICE FUND (SERIES 2021) BUDGET

A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2023/2024

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	6	25	100	Projected Interest For 2023/2024
NAV Tax Collection	107,936	107,936	107,936	Maximum Debt Service Collection
Total Revenues	\$ 107,942	\$ 107,961	\$ 108,036	
EXPENDITURES				
Principal Payments	40,000	40,000	40,000	Principal Payments Due In 2024
Interest Payments	75,675	64,875	63,935	Interest Payments Due In 2024
Bond Redemption	0	3,086	4,101	Estimated Excess Debt Collections
Transfer To Construction Fund	3	0	0	
Total Expenditures	\$ 115,678	\$ 107,961	\$ 108,036	
Excess/ (Shortfall)	\$ (7,736)	\$ -	\$ -	

Series 2021 Bond Information

Original Par Amount =	\$1,915,000	Annual Principal Payments Due =	May 1st
Interest Rate =	2.35% - 4%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	March 2021		
Maturity Date =	May 2051		
Par Amount As Of 1/1/2023 =	\$1,875,000		

A.H. At Turnpike South Community Development District Assessment Comparison

	Original Projected Assessment (Methodology)*	Fiscal Year 2020/2021 Assessment*	Fiscal Year 2021/2022 Assessment*	Fiscal Year 2022/2023 Assessment*	Fiscal Year 2023/2024 Projected Assessment*
O & M	\$ 265.00	\$ 217.91	\$ 211.32	\$ 211.01	\$ 210.92
Debt (221 Phase One Units)	\$ 1,594.54	\$ 1,594.54	\$ 1,594.54	\$ 1,594.54	\$ 1,594.54
Total For Phase One Units	\$ 1,859.54	\$ 1,812.45	\$ 1,805.86	\$ 1,805.55	\$ 1,805.46
O & M	\$ 265.00	\$ 217.91	\$ 211.32	\$ 211.01	\$ 210.92
Debt (180 Phase Two Units)	\$ 1,594.54	\$ 1,594.54	\$ 1,594.54	\$ 1,594.54	\$ 1,594.54
Total For Phase Two Units	\$ 1,859.54	\$ 1,812.45	\$ 1,805.86	\$ 1,805.55	\$ 1,805.46
O & M	\$ 265.00	\$ -	\$ 211.32	\$ 211.01	\$ 210.92
Debt (72 Phase Three Units)	\$ 1,578.02	\$ -	\$ 1,578.02	\$ 1,578.02	\$ 1,578.02
Total For Phase Three Units	\$ 1,843.02	\$ -	\$ 1,789.34	\$ 1,789.03	\$ 1,788.94

* Assessments Include the Following :

- 4% Discount for Early Payments
- 1% County Tax Collector Fee
- 1% County Property Appraiser Fee

Community Information:

Phase One Lots	221
Phase Two Lots	180
<u>Phase Three Lots</u>	<u>72</u>
Total	473

Phase 1 Lots Information

Total Units	221
<u>Prepayments</u>	<u>1</u>
Billed For Debt	220

RESOLUTION NO. 2023-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the A.H. at Turnpike South Community Development District ("District") to establish a regular meeting schedule for fiscal year 2023/2024; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2023/2024 which is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT, MIAMI-DADE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2023/2024 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 12th day of September, 2023.

ATTEST:

**A.H. AT TURNPIKE SOUTH
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the A.H. at Turnpike South Community Development District will hold Regular Meetings at the Fairfield Inn & Suites Homestead Florida City located at 60 SW 352nd Street, Florida City, Florida 33034, at **6:00 p.m.** on the following dates:

November 8, 2023

April 10, 2024

June 12, 2024

August 9, 2024

The purpose of these meetings is to conduct any business coming 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) 347-2711 Ext. 2011 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 Supervisors may 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. 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) 347-2711 Ext. 2011 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.

A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT

www.ahturnpikesouthcdd.org

PUBLISH: MIAMI DAILY BUSINESS REVIEW 00/00/23



8935 NW 35 Lane, Suite 101 Doral, FL 33172
Tel (305) 640-1345
Email juan.alvarez@alvarezeng.com

August 10, 2023

Ms. Gloria Perez, District Manager
AH At Turnpike South Community Development District
c/o Special District Services, Inc.
8785 SW 165 Avenue, Suite 200
Miami, FL 33193

Via email (Only): gperez@sdsinc.org

Reference: Proposal for Engineering Consulting Services
("Interim CDD Engineer")

Dear Ms. Perez:

It is our pleasure to submit this proposal to serve as Interim Engineer to AH At Turnpike South Community Development District (the "District" or "CDD"). With this letter of engagement, we are offering the District the following:

1. Scope of Services.

- Preparation of any necessary reports and applications.
- Attendance of meetings of the District's Board of Supervisors.
- Assistance in meeting with necessary parties to effectuate the issuance of bonds, special reports, feasibility studies and other tasks.
- Performance of any other duties related to the provision of infrastructure and services as requested by the District's Board of Supervisors, District Manager or District Counsel.
- Prepare, or cause to be prepared, or review construction drawings and specifications for the type of work as authorized by the District's Board of Supervisors. This may also include, but is not limited to, rendering assistance in the drafting of forms, proposal and contracts, issuance of certificates of construction and payment, assisting and/or supervising the bidding processes, and any other activity required by the District's Board of Supervisors.
- Provide general services during construction.
- Periodic visits to the construction site, or full-time construction management services, as directed by the District.
- Processing of contractors' pay estimates.
- Final inspection and requested certificates for construction including the final certification of construction.
- Consultation and advice during construction, including performing all roles and actions required of any construction contract between the District and any contractor(s) in which District Engineer is named as owner's representative or "District Engineer".



8935 NW 35 Lane, Suite 101 Doral, FL 33172
Tel (305) 640-1345
Email juan.alvarez@alvarezeng.com

2. Compensation.

Compensation for services under this Interim CDD Engineer agreement will be on an hourly basis in accordance with the Hourly Personnel Rates in Schedule "A" attached. It is our understanding that invoices are due and payable by the District thirty days after the invoice is submitted.

3. Reimbursable Expenses.

Reimbursable expenses consist of actual expenditures made by District Engineer, its employees, or its consultants in the interest of the project for the incidental items listed below:

Expenses of transportation and living when traveling in connection with a project, for long distance calls, expedited delivery fees, and fees paid for securing approval of authorities having legal control over a project. All expenditures shall be made in accordance with Chapter 112, Florida Statutes, and with the District's travel policy.


Expenses incurred in the reproduction, postage and handling of drawings and specifications except those used for in-house purposes.

4. Special Consultants.

When the Interim District Engineer retains a special consultant to assist in the provision of services, such additional special services shall be paid for on a cost basis.

Please acknowledge acceptance of this agreement by signing below. We look forward to working with the District on this project.

For the District
Date:

DocuSigned by:

91E21FBBCEDD4E0...

Juan R. Alvarez, PE
President, Alvarez Engineers, Inc

Schedule "A"

Alvarez Engineers, Inc.

2023 Hourly Personnel Billing Rates

Principal	\$ 220.00 / Hour
Professional Engineer with 20+ years of post-registration experience	
Senior Engineer	\$ 185.00 / Hour
Professional Engineer with 10+ years of post-registration experience	
Engineer 2	\$ 160.00 / Hour
Professional Engineer with 5+ years of post-registration experience	
Engineer 1	\$ 140.00 / Hour
Professional Engineer with 0+ years of post-registration experience	
Electrical Engineer	\$ 135.00 / Hour
Electrical Engineer with 2+ years of post-graduate experience	
Engineer Intern	\$ 130.00 / Hour
Entry level with engineering degree; Engineering Intern License	
Senior Designer	\$ 110.00 / Hour
15+ years of design experience, non-registered	
CADD/Computer Technician	\$ 100.00 / Hour
Design and Drafting with 1+ year of experience	
Senior Engineering Technician	\$ 95.00 / Hour
5+ years of experience	
Engineering Technician	\$ 90.00 / Hour
Entry level, with 0-4 years of experience	
Senior Administrative	\$ 95.00 / Hour
Degreed executive assistant with 8+ years of experience	
Administrative	\$ 60.00 / Hour
Secretary / Clerical	

*Billing Rates subject to change on the anniversary of this agreement

**AH AT TURNPIKE SOUTH
COMMUNITY DEVELOPMENT DISTRICT
(Miami-Dade County, Florida)**

District Engineer RFQ Proposal Packet

A) Deadline for Submittal

Proposal Due Date: On or before 3:00 p.m. on Thursday, October 19, 2023. Interested firms must submit five (5) hard copies and also send proposal via electronic PDF format.

B) AH at Turnpike South Community Development District - Background

The **AH at Turnpike South Community Development District** (the “District”) is a community development district created by Miami-Dade County in 2012, by Ordinance No. 12-60, and Boundary Amendment in 2013, Ordinance No. 13-93 and Boundary Amendment in 2019, Ordinance No. 19-117. The District encompasses approximately 95.35 acres of land in Southwest Miami-Dade County and is a 473 single family home residential community, under construction, known as AH at Turnpike South CDD. The District is located more specifically, in Section 35, Township 56S, Range 39E, Miami-Dade County, Florida consisting of two residential subdivisions, one located on the west side of the Homestead extension of the Florida Turnpike and abutting 137th Ave. and the second subdivision located on the east side of the Homestead extension of the Florida Turnpike, between SW 272nd St. and SW 280th St.

A five-person Board of Supervisors (“Board”) governs the District. Board members are currently elected by the landowner(s) on a one vote per acre/lot basis during landowners’ meetings for two and four-year terms of office. The Board is scheduled to meet on certain designated Wednesdays of certain months at 6:00 p.m. in the Fairfield Inn & Suites, located at 60 SW 352nd Street, Florida City, FL 33034. The District has the power to borrow money, issue bonds, construct, maintain and manage public improvements; and levy taxes and/or special assessments.

C) Purpose of Request

The District is soliciting proposals in accordance with section 287.055, *Florida Statutes*, the Consultants’ Competitive Negotiation Act (“CCNA”) from qualified engineering firms to serve as the Engineer for the District (the “District Engineer”) pursuant to the requirements of Chapter 190, *Florida Statutes*. Any qualified Firm interested in providing services must submit a qualification package pursuant to the CNNA and the terms and conditions set forth herein and in the hereinafter referenced Proposal Packet.

The Board has authorized the Request for Qualifications (“RFQ”) and will appoint a Professional Engineer Selection Committee (hereinafter the “Committee”) to review the proposals and make a preference recommendation of no less than three (3) Firms to the Board (or as determined by same).

The District’s Manager will thereafter enter into negotiations with the firm chosen by the Board to provide the services requested. Assuming an agreement is successfully negotiated, the selected firm will be engaged by the District as its District Engineer.

D) Proposal Submittal Instructions

Five (5) hard copies of the proposal must be submitted to the office of AH at Turnpike South Community Development District, District Manager, c/o Special District Services, Inc., 8785 SW

165th Avenue, Suite 200, Miami, Florida 33193, by no later than **3:00 p.m., EST, on Thursday, October 19, 2023** and be identified as “**Response to Request for District Engineer Qualifications for AH at Turnpike South CDD**”. Proposal must also be delivered in electronic PDF format to the District Manager via e-mail at gperez@sdsinc.org no later than **3:00 p.m., EST. on Thursday, October 19, 2023**, and be identified as “**Response to Request for District Engineer Qualifications for AH at Turnpike South CDD**” It is the applicant’s obligation to ensure that confirmation of timely receipt is obtained. Late proposals will not be accepted and a reply marked "TOO LATE" will be electronically sent.

Any corrections to a proposal prior to the Submittal Deadline must be submitted by the firm using the same PDF format methodology. No changes or corrections will be allowed after the Submittal Deadline.

Each applicant should carefully examine the attached Legal Advertisement of the RFQ and this Proposal Packet and make an electronic request to the District's Manager for interpretations or corrections of any ambiguity, inconsistency or error. Only electronic responses issued by the District Manager should be relied upon, and all such responses will be distributed to each Firm that receives a copy of the RFQ Proposal Packet.

Responses should be prepared simply, economically and provide straightforward and concise responses which satisfy the requirements of the RFQ. Emphasis should be placed on the completeness and clarity of the content. The District shall not be liable for any expenses incurred in the preparation or presentation of the responses.

E) **Timetable**

The District has established the following timetable for selection of its District Engineer; however, the schedule is subject to change at the sole discretion of the Board: Proposals are due by **3:00 p.m. on Thursday, October 19, 2023** and Board consideration is scheduled for Wednesday, November 8, 2023, during the Regular Board Meeting. Board Members may appoint themselves as the Committee for selecting the District Engineer or they may appoint an independent Committee. The District reserves the right to reject any or all proposals, to waive informalities and to re-advertise.

F) **Proposal Content**

Responses should contain the following information and be organized generally in the same order as presented below, namely:

(1) **Transmittal Letter.** Each response should include a letter of transmittal not exceeding one (1) page which must identify an officer of the firm authorized to commit to the firm's proposal. The transmittal letter must also identify the Engineer in the firm who will serve as the firm’s primary contact if the firm is selected as the District Engineer.

(2) **Firm Qualifications.** Briefly discuss the qualifications of your firm for the subject District Engineer position. Applicants should identify the structure of their firm (i.e., corporation, partnership, etc.) and provide the names of officers, partners or principals.

(3) **Personnel.** Provide a list of the proposed personnel that will be available for District Engineer related services and a brief description of their qualifications. Provide a resume for only those Engineer(s) that would likely be in charge of a District project. The Board has requested the hourly rate structure by title be included.

(4) **Standard Form No. 330.** Provide the current Standard Form No. 330 with appropriate supporting documentation as required.

(5) **Client References.** Provide between three (3) to no more than five (5) client references, with names, addresses, phone numbers and a contact person.

(6) **Insurance.** Each response should contain a statement setting forth the amount of the firm's current General Liability insurance and Professional Errors and Omissions insurance.

(7) **Business Ethics.** Disclose (i) any circumstance whereby the professional conduct of your firm or any of its engineers is currently being investigated judicially or by an administrative agency or qualification board and (ii) any prior adverse decision or settlement relating to a violation of ethical standards by your firm or one of its engineers, if any.

G) **Legal Requirements and Disclosure**

PLEASE NOTE THAT ALL RESPONSES TO THIS RFQ WILL BE A MATTER OF PUBLIC RECORD.

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for construction or repair of a public building or public works, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, *Florida Statutes*, for Category Two, for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

Federal, State, County and local laws, ordinances, rules and regulations that in any manner affect the District Engineer services covered herein shall apply. Lack of such knowledge by an applicant shall in no way be cause for relief from responsibility. Applicants must be aware of their need to comply with the following State laws: (i) Chapter 286, *Florida Statutes*, regarding "Government in the Sunshine" and (ii) Chapter 119, *Florida Statutes*, involving Florida's Public Records Law. The selected Firm will be prohibited from discriminating against any employee, applicant, or client because of race, creed, national origin, sex or age with regard to but not limited to employment practices, rates of pay or other compensation methods and training selection.

The District reserves the right to accept or reject any or all proposals and to select the proposal(s) which, in the opinion of the District, will be in the best interest of the District and its taxpayers. The District also reserves the right to reject the response of any applicant which has previously failed in the proper performance of services of a similar nature.

H) **Selection Criteria**

The selection criteria shall include, but is not limited to:

1. **Ability of Professional Personnel.** Consideration will be given to firms that possess a high degree of qualification in civil and hydrologic engineering. Consideration will also be given to firm's procedures for quality control, adequacy of personnel and areas of expertise.

2. **Past Performance.** Consideration will be given to the amount of work recently performed by the firm in Miami-Dade County. Consideration will also be given to firms that have previous experience with other similar taxing districts (i.e., Chapter 298 districts, community

development districts and other independent special districts).

3. **Ability to Meet Time and Budget Requirements.**
4. **Location.** Consideration will be given to firms with offices within Miami-Dade County. Therefore, firms should provide the location of their Miami-Dade County office, if any, and indicate whether it is the main office, the only office, branch office, etc.
5. **Recent, Current and Projected Workloads.**
6. **Quality of Responses to the RFQ.** Consideration will be given to firms which clearly and concisely respond to this RFQ.
7. **Established Business.** Consideration will be given to the history of the firm and the number of years the firm has been doing business in Florida.

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AD FORM

AH AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT NOTICE OF REQUEST FOR QUALIFICATIONS Professional Engineering Services

NOTICE IS HEREBY GIVEN in accordance with Section 287.055, *Florida Statutes*, the Consultants' Competitive Negotiation Act ("CCNA") that the AH at Turnpike South Community Development District (the "District") is soliciting responses from qualified engineering firms to serve as the Engineer for the District (the "District Engineer") pursuant to the requirements of Chapter 190, *Florida Statutes*. Any qualified firm interested in providing services must submit a qualification package pursuant to the CCNA and the terms and conditions set forth herein and in the hereinafter referenced Proposal Packet. It is the District's intent to select one (1) Professional Engineer pursuant to the provisions of the CCNA.

The services to be provided by the Professional Engineer may include, but are not necessarily limited to, Professional Engineering Services associated with any District project pursuant to applicable provisions of Chapter 189 and 190, *Florida Statutes* (the District's enabling legislation); attendance at Board meetings and various Staff meetings, as may be required in order to coordinate, consult and provide professional engineering advice on projects; preparation and provision of engineering studies, design, bidding, permitting and construction phase and inspection phase services for such construction activity as is needed in order to implement a project and the provision of assistance, review and recommendation services regarding construction payments, change orders and certifications of completions of construction activities; provision of and consultation on technical engineering standards and specifications; technical representations before and with other governmental agencies and entities and the provision of such other professional services as may be authorized by the Board.

Engineering Firms interested in submitting a proposal may contact the District Manager, Special District Services, Inc., at (786)347-2711 or e-mail: gperez@sdsinc.org between the hours of 9:00 a.m. to 5:00 p.m. Monday through Friday, to request a Proposal Packet or if there are any questions regarding this matter. Firms will be evaluated based on the following criteria, weighted as outlined in the Proposal Packet: capability to perform the professional services for District Engineer, adequacy of personnel, past record, experience, and any other factors as set forth in the Proposal Packet.

Proposals are required to be delivered to the Branch Office (Instructions in Proposal Packet): AH at Turnpike South CDD, Attn: District Manager, Special District Services, Inc., 8785 SW 165 Avenue, Suite 200, Miami, FL 33193; and also by electronic PDF format to gperez@sdsinc.org via e-mail by no later than 3:00 p.m., EST, on Thursday, October 19, 2023.

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a Bid on a Contract to provide any goods or services to a public entity, may not submit a Bid on a Contract with a public entity for the construction or repair of a public building or public work, may not be awarded or perform work as a Contractor, Supplier, Subcontractor, or Consultant under a Contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, *Florida Statutes*, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

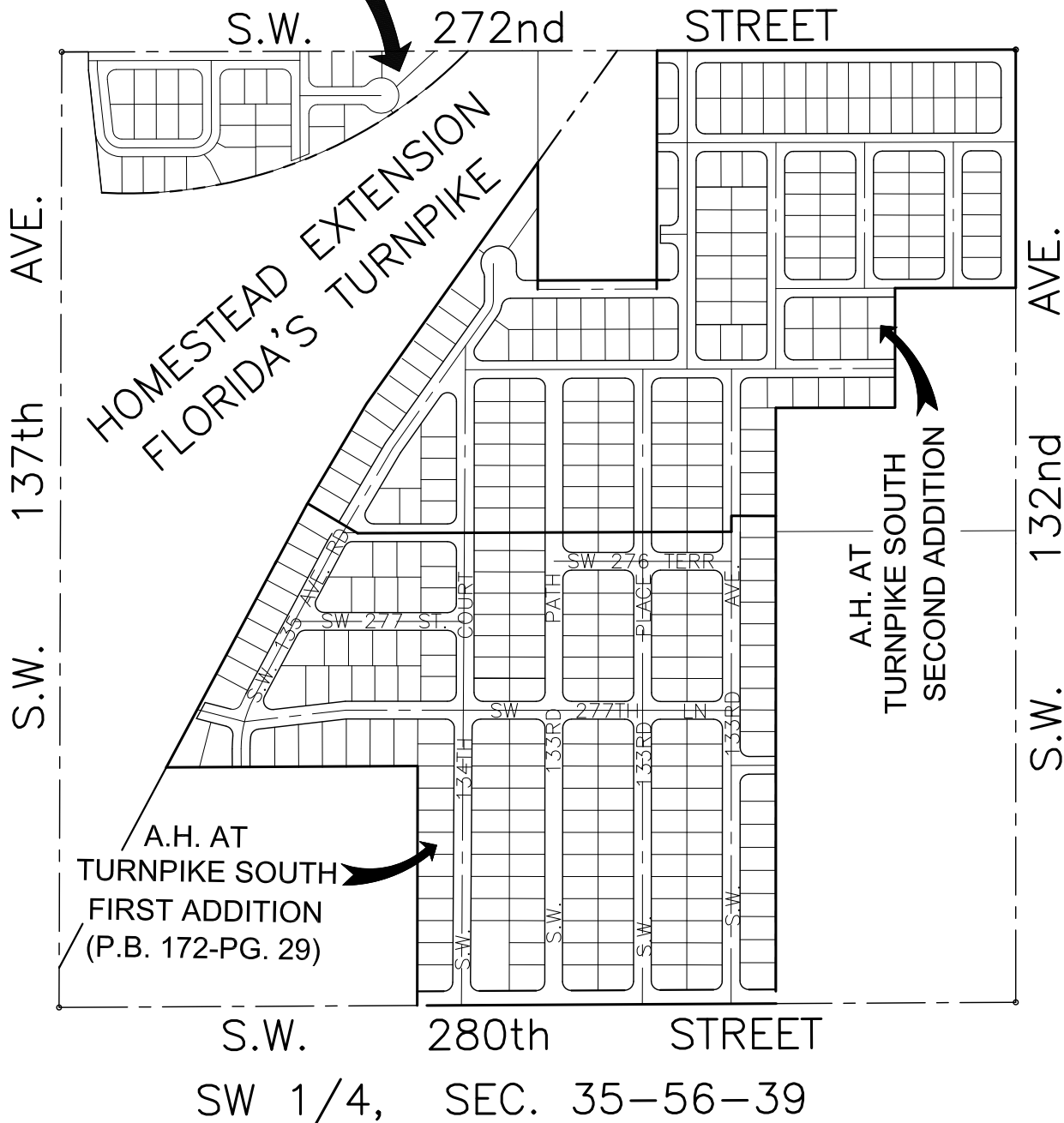
The District reserves the right to reject any or all proposals, to waive informalities and to re-advertise. There will be no fees or reimbursement paid to any Firm for responding to this RFQ.

**BOARD OF SUPERVISORS
AH AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT
PUBLISH: MIAMI-DADE DAILY BUSINESS REVIEW**

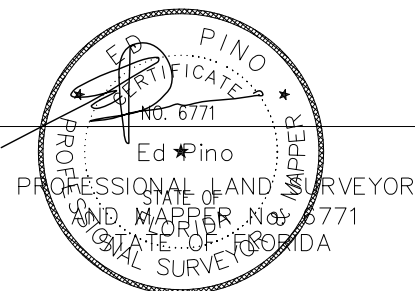
EXHIBIT A
BOUNDARY MAP

A.H. AT TURNPIKE SOUTH C.D.D. DISTRICT BOUNDARY MAP

A.H. AT
TURNPIKE SOUTH
(P.B. 170-PG. 53)



S.W. 280th STREET
SW 1/4, SEC. 35-56-39



American Services of Miami, Corp.
Consulting Engineers . Planners . Surveyors



LB 6683

9370 S.W. 72nd Street, Suite 102
Miami, Florida, 33173
PH: (305) 598-5101
FAX: (305) 598-8627
ASOMIAMI.COM

**LOS CAYOS COMMUNITY DEVELOPMENT DISTRICT
DISTRICT ENGINEER (RFQ) – SELECTION CRITERIA**

Selection Criteria

The selection criteria shall include, but is not necessarily limited to:

1. **Ability of Professional Personnel.** Consideration will be given to firms that possess a high degree of qualification in civil and hydrologic engineering. Consideration will also be given to firm's procedures for quality control, adequacy of personnel and areas of expertise.

2. **Past Performance.** Consideration will be given to the amount of work recently performed by the firm in Miami-Dade County. Consideration will also be given to firms that have previous experience with other similar taxing districts (i.e., Chapter 298 districts, community development districts and other independent special districts).

3. **Ability to Meet Time and Budget Requirements.**

4. **Location.** Consideration will be given to firms with offices within Miami-Dade County. Therefore, firms should provide the location of their Miami-Dade County office, if any, and indicate whether it is the main office, the only office, branch office, etc.

5. **Recent, Current and Projected Workloads.**

6. **Quality of Responses to the RFQ.** Consideration will be given to firms which clearly and concisely respond to this RFQ.

7. **Established Business.** Consideration will be given to the history of the firm and the number of years the firm has been doing business in Florida.

A.H. At Turnpike South
Community Development District

**Financial Report For
August 2023**

A. H. at Turnpike South Community Development District
Budget vs. Actual
October 2022 through August 2023

	<u>Oct '22 - Aug 23</u>	<u>22-23 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Income				
01-3300 · O&M Assessments	101,353.73	99,804.00	1,549.73	101.55%
01-3810 · Debt Assessments (Series 2015)	350,801.20	350,799.00	2.20	100.0%
01-3811 · Debt Assessments (Series 2016)	287,019.10	287,017.00	2.10	100.0%
01-3812 · Debt Assessments (Series 2021)	113,618.10	113,617.00	1.10	100.0%
01-3820 · Debt Assess-Pd To Trustee-2015	-334,264.15	-329,751.00	-4,513.15	101.37%
01-3821 · Debt Assess-Pd To Trustee-2016	-273,488.05	-272,500.00	-988.05	100.36%
01-3822 · Debt Assess-Pd To Trustee-2021	-108,261.50	-107,936.00	-325.50	100.3%
01-3830 · Assessment Fees	-8,202.80	-15,745.00	7,542.20	52.1%
01-3831 · Assessment Discounts	-31,936.21	-31,489.00	-447.21	101.42%
01-9410 · Interest Income (GF)	4,959.38	120.00	4,839.38	4,132.82%
01-9411 · Carryover from Prior Year	0.00	17,400.00	-17,400.00	0.0%
Total Income	<u>101,598.80</u>	<u>111,336.00</u>	<u>-9,737.20</u>	<u>91.25%</u>
Expense				
01-1310 · Engineering	1,800.00	3,250.00	-1,450.00	55.39%
01-1311 · Management Fees	31,108.00	33,936.00	-2,828.00	91.67%
01-1315 · Legal Fees	5,942.50	13,000.00	-7,057.50	45.71%
01-1318 · Assessment/Tax Roll	0.00	7,500.00	-7,500.00	0.0%
01-1320 · Audit Fees	5,400.00	5,500.00	-100.00	98.18%
01-1450 · Insurance	6,134.00	6,100.00	34.00	100.56%
01-1480 · Legal Advertisements	358.87	1,250.00	-891.13	28.71%
01-1512 · Miscellaneous	984.10	950.00	34.10	103.59%
01-1513 · Postage and Delivery	174.16	450.00	-275.84	38.7%
01-1514 · Office Supplies	324.50	825.00	-500.50	39.33%
01-1540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
01-1550 · Trustee Fees	12,721.94	13,000.00	-278.06	97.86%
01-1743 · Continuing Disclosure Fee	0.00	2,000.00	-2,000.00	0.0%
01-1750 · Website Management	1,833.26	2,000.00	-166.74	91.66%
01-1816 · Contingency	0.00	4,000.00	-4,000.00	0.0%
01-1817 · Supervisor Fees	0.00	5,000.00	-5,000.00	0.0%
01-1818 · Payroll Taxes (Employer)	0.00	400.00	-400.00	0.0%
01-1819 · Mailbox Stations Services	0.00	12,000.00	-12,000.00	0.0%
Total Expense	<u>66,956.33</u>	<u>111,336.00</u>	<u>-44,379.67</u>	<u>60.14%</u>
Net Income	<u><u>34,642.47</u></u>	<u><u>0.00</u></u>	<u><u>34,642.47</u></u>	<u><u>100.0%</u></u>

**A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT
MONTHLY FINANCIAL REPORT
AUGUST 2023**

	Annual Budget 10/1/22 - 9/30/23	Actual Aug-23	Year To Date Actual 10/1/22 - 8/31/23
REVENUES			
O&M Assessments	99,804	79	101,354
Debt Assessments (2015)	350,799	0	350,801
Debt Assessments (2016)	287,017	0	287,019
Debt Assessments (2021)	113,617	0	113,618
Direct Bill O&M	0	0	0
Direct Bill Debt (Series 2021)	0	0	0
Interest Income	120	0	4,959
Total Revenues	\$ 851,357	\$ 79	\$ 857,751
EXPENDITURES			
Supervisor Fees	5,000	0	0
Payroll Taxes	400	0	0
Engineering/Inspections	3,250	0	1,800
Management	33,936	2,828	31,108
Legal	13,000	0	5,942
Assessment Roll	7,500	0	0
Audit Fees	5,500	0	5,400
Insurance	6,100	0	6,134
Legal Advertisements	1,250	174	359
Miscellaneous	950	0	984
Postage	450	8	174
Office Supplies	825	13	325
Dues & Subscriptions	175	0	175
Trustee Fees	13,000	0	12,722
Continuing Disclosure Fee	2,000	0	0
Website Management	2,000	167	1,833
Mailbox Stations Services	12,000	0	0
Contingency	4,000	0	0
Total Expenditures	\$ 111,336	\$ 3,190	\$ 66,956
REVENUES LESS EXPENDITURES	\$ 740,021	\$ (3,111)	\$ 790,795
Bond Payments (2015)	(329,751)	0	(334,264)
Bond Payments (2016)	(272,500)	0	(273,488)
Bond Payments (2021)	(107,936)	0	(108,262)
Balance	\$ 29,834	\$ (3,111)	\$ 74,781
County Appraiser & Tax Collector Fee	(15,745)	0	(8,203)
Discounts For Early Payments	(31,489)	0	(31,936)
EXCESS/ (SHORTFALL)	\$ (17,400)	\$ (3,111)	\$ 34,642
Carryover From Prior Year	17,400		
NET EXCESS/ (SHORTFALL)	\$ -	\$ (3,111)	\$ 34,642

Bank Balance As Of 8/31/23	\$ 141,956.49
Accounts Payable As Of 8/31/23	\$ 5,214.77
Accounts Receivable As Of 8/31/23	\$ -
Available Funds As Of 8/31/23	\$ 136,741.72

**A.H. AT TURNPIKE SOUTH COMMUNITY DEVELOPMENT DISTRICT
TAX COLLECTIONS
2022-2023**

#	ID#	Payment From	DATE	FOR	Tax Collect Receipts Gross	Interest Received	Commission Paid	Discount	Net From Tax Collector	O & M Assessment Income (Before Discounts & Fees)	Maintenance Assessment Income (Before Discounts & Fees)	Series 2015 Debt Assessment Income (Before Discounts & Fees)	Series 2016 Debt Assessment Income (Before Discounts & Fees)	Series 2021 Debt Assessment Income (Before Discounts & Fees)	O & M Assessment Income (After Discounts & Fees)	Series 2015 Debt Assessment Income (After Discounts & Fees) & Paid To Trustee	Series 2016 Debt Assessment Income (After Discounts & Fees) & Paid To Trustee	Series 2021 Debt Assessment Income (After Discounts & Fees) & Paid To Trustee
									\$851,237	\$99,804	\$0	\$350,799	\$287,017	\$113,617	\$99,804	\$350,799	\$287,017	\$113,617
									\$804,003	\$93,816	\$0	\$329,751	\$272,500	\$107,936	\$93,816	\$329,751	\$272,500	\$107,936
1	1	Miami-Dade Tax Collector	11/25/22	NAV Taxes	\$ 97,433.62		\$ (935.36)	\$ (3,897.24)	\$ 92,601.02	\$ 11,419.17		\$ 40,152.40	\$ 32,854.65	\$ 13,007.40	\$ 10,852.72	\$ 38,160.90	\$ 31,225.10	\$ 12,362.30
2	2	Miami-Dade Tax Collector	12/07/22	NAV Taxes	\$ 658,229.04		\$ (6,319.02)	\$ (26,328.48)	\$ 625,581.54	\$ 77,144.39		\$ 271,256.20	\$ 221,954.85	\$ 87,873.60	\$ 73,317.99	\$ 257,802.20	\$ 210,946.15	\$ 83,515.20
3	3	Miami-Dade Tax Collector	11/23/22	NAV Taxes	\$ 14,437.29		\$ (138.58)	\$ (579.73)	\$ 13,718.98	\$ 1,691.99		\$ 5,949.65	\$ 4,868.25	\$ 1,927.40	\$ 1,607.68	\$ 5,653.65	\$ 4,626.10	\$ 1,831.55
4	4	Miami-Dade Tax Collector	12/22/22	NAV Taxes	\$ 7,205.68		\$ (69.52)	\$ (252.28)	\$ 6,883.88	\$ 844.38		\$ 2,969.50	\$ 2,429.80	\$ 962.00	\$ 806.53	\$ 2,836.90	\$ 2,321.35	\$ 919.10
5	5	Miami-Dade Tax Collector	01/11/23	NAV Taxes	\$ 18,475.83		\$ (179.04)	\$ (572.20)	\$ 17,724.59	\$ 2,165.33		\$ 7,613.90	\$ 6,230.05	\$ 2,466.55	\$ 2,077.19	\$ 7,304.35	\$ 5,976.75	\$ 2,366.30
6	6	Miami-Dade Tax Collector	02/09/23	NAV Taxes	\$ 12,605.81		\$ (123.54)	\$ (252.11)	\$ 12,230.16	\$ 1,477.36		\$ 5,194.85	\$ 4,250.70	\$ 1,682.90	\$ 1,433.21	\$ 5,040.10	\$ 4,124.05	\$ 1,632.80
7	Int - 1	Miami-Dade Tax Collector	02/13/23	Interest		\$ 430.23			\$ 430.23	\$ 430.23					\$ 430.23			
8	7	Miami-Dade Tax Collector	03/08/23	NAV Taxes	\$ 5,416.65		\$ (53.62)	\$ (54.17)	\$ 5,308.86	\$ 634.80		\$ 2,232.20	\$ 1,826.50	\$ 723.15	\$ 622.06	\$ 2,187.80	\$ 1,790.20	\$ 708.80
9	8	Miami-Dade Tax Collector	04/07/23	NAV Taxes	\$ 9,464.60		\$ (94.65)		\$ 9,369.95	\$ 1,109.15		\$ 3,900.40	\$ 3,191.50	\$ 1,263.55	\$ 1,098.00	\$ 3,861.40	\$ 3,159.60	\$ 1,250.95
10	9	Miami-Dade Tax Collector	05/10/23	NAV Taxes/Interest	\$ 5,416.65	\$ 162.51	\$ (55.78)		\$ 5,523.38	\$ 797.31		\$ 2,232.20	\$ 1,826.50	\$ 723.15	\$ 789.28	\$ 2,209.90	\$ 1,808.25	\$ 715.95
11	Int - 2	Miami-Dade Tax Collector	05/17/23	Interest		\$ 67.34			\$ 67.34	\$ 67.34					\$ 67.34			
12	10	Miami-Dade Tax Collector	06/07/23	NAV Taxes/Interest	\$ 13,528.25	\$ 405.85	\$ (139.35)		\$ 13,794.75	\$ 1,991.30		\$ 5,575.00	\$ 4,561.75	\$ 1,806.05	\$ 1,971.35	\$ 5,519.25	\$ 4,516.15	\$ 1,788.00
13	11	Miami-Dade Tax Collector	06/23/23	NAV Taxes/Interest (TC)	\$ 9,027.75	\$ 406.25	\$ (94.34)		\$ 9,339.66	\$ 1,502.20		\$ 3,724.90	\$ 3,024.55	\$ 1,182.35	\$ 1,487.06	\$ 3,687.70	\$ 2,994.35	\$ 1,170.55
14	Int - 3	Miami-Dade Tax Collector	08/09/23	Interest		\$ 78.78			\$ 78.78	\$ 78.78					\$ 78.78			
15									\$ -									
16									\$ -									
					\$851,241.17	\$ 1,550.96	\$ (8,202.80)	\$ (31,936.21)	\$ 812,653.12	\$ 101,353.73	\$ -	\$ 350,801.20	\$ 287,019.10	\$ 113,618.10	\$ 96,639.42	\$ 334,264.15	\$ 273,488.05	\$ 108,261.50

Assessment Roll = 851,241.17

Note: \$851,237, \$99,804, \$350,799, \$287,017 and \$113,617 are 2022/2023 budgeted assessments before discounts and fees.
\$804,003, \$93,816, \$329,751, \$272,500 and \$107,936 are 2022/2023 budgeted assessments after discounts and fees.

\$ 851,241.17	
\$ 1,550.96	\$ 812,653.12
\$ (101,353.73)	\$ (96,639.42)
\$ (113,618.10)	\$ (273,488.05)
\$ (287,019.10)	\$ (334,264.15)
\$ (350,801.20)	\$ (108,261.50)
\$ -	\$ (0.00)

MEMORANDUM

TO: District Manager

FROM: Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
District Counsel

DATE: July 20, 2023

RE: 2023 Legislative Update

As District Counsel, throughout the year we continuously monitor pending legislation that may be applicable to the governance and operation of our Community Development District and other Special District clients. It is at this time of year that we summarize those legislative acts that have become law during the most recent legislative session, as follows:

1. Chapter 2023 – 134, Laws of Florida (SB 346). The legislation requires contracts for construction services between a local government entity and a contractor to include a “punch list”¹ of items required to render complete, satisfactory, and acceptable the construction services contracted for, which punch list outlines the estimated cost of each item necessary to complete the work. The law requires local governments to pay all portions of the contract balance, except for 150 percent of the portion of the contract balance attributed to those projects on the punch list, within 20 days after the punch list is created, subject to certain exceptions. The legislation limits a local government’s ability to withhold payment of certain amounts under the contract to only those subject to a written good faith dispute or claims against public surety bonds. The law clarifies that a local government must pay the undisputed portions of a contract within 20 days of the request for payment. Lastly, the legislation amends the definition of “public works project” in section 255.0992, F.S., to include any construction, maintenance, repair, renovation, remodeling, or improvement activity that is paid for with state-appropriated funds. The effective date of this act is July 1, 2023.

2. Chapter 2023 – 17, Laws of Florida (SB 102). The legislation makes various changes and additions to affordable housing related programs and policies at both the state and local level. With regard to local governments, the law:

- Preempts local government requirements regarding zoning, density, and height to allow for streamlined development of affordable housing in commercial and mixed-use zoned areas under certain circumstances. Developments that meet the requirements may not require a zoning change or comprehensive plan amendment.

¹ The punch list is created within a contractually-specified timeframe after the contractor reaches substantial completion of the construction services as defined in the contract, or if that is not defined, then after the project reaches beneficial occupancy or use. If the contract is valued at less than \$10 million, then the punch list must be developed within 30 calendar days; if the contract is valued at \$10 million or more, then the punch list must be developed within 45 calendar days.

- Removes a local government’s ability to approve affordable housing on residential parcels by bypassing state and local laws that may otherwise preclude such development, while retaining such right for commercial and industrial parcels.
- Removes a provision that allows local governments to impose rent control under certain circumstances, preempting rent control ordinances entirely.
- Requires counties and cities to update and electronically publish the inventory of publicly owned properties, for counties including property owned by a dependent special district, which may be appropriate for affordable housing development.
- Authorizes the Florida Housing Finance Corporation, through contract with the Florida Housing Coalition, to provide technical assistance to local governments to facilitate the use or lease of county or municipal property for affordable housing purposes.
- Requires local governments to maintain a public written policy outlining procedures for expediting building permits and development orders for affordable housing projects.
- Provides that the Keys Workforce Housing Initiative is an exception to evacuation time requirements and that comprehensive plan and land use amendments approved under that initiative are valid.

The effective date of this act is July 1, 2023.

3. Chapter 2023 – 31, Laws of Florida (SB 1604). The law makes a number of changes relating to comprehensive plans and land development regulations. Of interest to special districts, section 4 of the legislation amends section 189.031, F.S., to preclude independent special districts from complying with the terms of any development agreement, which is executed within three months preceding the effective date of a law, which modifies the manner of selecting members of the governing body of the special district from election to appointment or appointment to election. The newly elected or appointed governing body of the special district must review within four months of taking office any such development agreement and vote on whether to seek readoption of the agreement. The law applies to any development agreement that is in effect on, or is executed after July 1, 2023, which is the effective date of this law. Section 4 of the Act expires July 1, 2028, unless reviewed and reenacted by the Legislature.

4. Chapter 2023 – 28, Laws of Florida (HB 3). This legislation codifies and extends the policy adopted by the Trustees² requiring all investment decisions relating to the state retirement system be based solely on pecuniary factors³. The law extended that policy to all funds managed by the State Board of Administration (SBA), all funds of the state Treasury, all local government retirement plans, investments of local government surplus funds, and investments of funds raised by citizen support and direct-support organizations. Investment managers who invest public funds on behalf of any of these entities may not sacrifice investment return or take additional investment risk to promote any non-pecuniary factor. The law requires any contract between a governmental

² The Governor, Chief Financial Officer, and Attorney General serve as the SBA’s Board of Trustees.

³ The term “pecuniary factor” is defined as a factor that is expected “to have a material effect on the risk or return of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.”

entity⁴ and an investment manager executed, amended, or renewed on or after July 1, 2023, to contain a provision requiring the investment manager to include a disclaimer in an external communication, if the communication is to a company in which the investment manager has invested public funds and discusses social, political, or ideological interests. The required disclaimer must state: “The views and opinions expressed in this communication are those of the sender and do not reflect the views and opinions of the people of the state of Florida.” All contracts with investment managers executed, amended, or renewed on or after July 1, 2023, may be unilaterally terminated if certain communications of an investment manager include discussion of social, political, or ideological interests and omit the required disclaimer.

In addition, the legislation prohibits bond issuers⁵ from issuing an environmental, social, and corporate governance (ESG) bond or paying for a third-party verifier that certifies or verifies that a bond may be designated or labeled as an ESG bond⁶, renders opinions or produces a report on ESG compliance, among other ESG-related services. Issuers are also prohibited from contracting with a rating agency whose ESG scores for the issuer will have a direct, negative impact on the issuer’s bond ratings.

The act further prohibits consideration of social, political, or ideological beliefs in state and local government contracting, and explicitly notes that this includes all political subdivisions of the state. Specifically, the law prohibits an awarding body from (1) requesting documentation or considering a vendor’s social, political, or ideological beliefs when determining if the vendor is a responsible vendor; or (2) giving a preference to a vendor based on the vendor’s social, political, or ideological beliefs.

Lastly, the legislation amends the definition of a “qualified public depository” to prohibit government entities from depositing funds in banks that make it a practice to deny or cancel services of their customers based on a person’s political opinions, speech, affiliations, lawful ownership or sales of firearms, production of fossil fuels or other factors related to ESG. Pursuant to current law, all public deposits may only be deposited in a qualified public depository. The effective date of this legislation is July 1, 2023.

5. Chapter 2023 – 32, Laws of Florida (SB 258). The legislation bans the use of prohibited applications⁷ on devices issued to an employee or officer by a public employer, or otherwise used on a network that is owned, operated, or maintained by a public employer. This law requires the Department of Management Services (DMS) to create and maintain a list of prohibited applications of any Internet application that it deems to present a security risk in the form of

⁴ The law defines “governmental entity” to mean a state, regional, county, municipal, special district, or other political subdivision whether executive, judicial, or legislative, including, but not limited to, a department, division, board, bureau, commission, authority, district, or agency thereof, or a public school, Florida College System institution, state university, or associated board.

⁵ Any public body corporate and politic authorized or created by general or special law and granted the power to issue bonds.

⁶ An ESG bond is any bond that has been designated or labeled as a bond that will be used to finance a project with an ESG purpose, including, but not limited to, green bonds, Certified Climate Bonds, GreenStar designated bonds, and other environmental bonds marketed as promoting a generalized or global environmental objective; social bonds marketed as promoting a social objective; and sustainability bonds and sustainable development goal bonds marketed as promoting both environmental and social objectives. It includes bonds self-designated by the issuer as ESG-labeled bonds and those designated as ESG-labeled bonds by a third-party verifier.

⁷ A “prohibited application” is defined as any application that participates in certain activities, such as conducting cyber-espionage against a public employer, and that is created, maintained, or owned by a foreign principal.

unauthorized access to, or temporary unavailability of the public employer’s records, digital assets, systems, networks, servers, or information. Public employers must block access to any prohibited application via their wireless networks and virtual private networks; restrict access to any prohibited application on any government cell phone, laptop, desktop computer, tablet computer, or other electronic device that can connect to the Internet that has been issued to an employee or officer for a work-related purpose; and retain the ability to remotely wipe and uninstall any prohibited application from any such device that is believed to have been adversely impacted by a prohibited application. The legislation requires an employee or officer of a CDD to remove any prohibited application from his or her government-issued device within 15 days of the DMS’ publication of its list of prohibited applications, and within 15 days of any subsequent update to the list of prohibited applications. The effective date of this legislation is July 1, 2023.

6. Chapter 2023 – 33, Laws of Florida (SB 264). The legislation restricts the issuance of government contracts or economic development incentives to foreign entities that are owned by, controlled by or organized under the laws of a foreign country of concern⁸. The law further prohibits a foreign principal⁹ from owning or acquiring agricultural land or other interests in real property on or within 10 miles of a military installation or critical infrastructure facility. A foreign principal that owns agricultural land acquired before July 1, 2023, may continue to hold such land and must register with the Florida Department of Agriculture and Consumer Services (DACS) by January 1, 2024. If the property owned or acquired before July 1, 2023, is on or within 10 miles of a military installation or critical infrastructure facility, the foreign principal must similarly register with the Department of Economic Opportunity by December 31, 2023. The law prohibits the People’s Republic of China, the Chinese Communist Party, its officials and members, other political party official or members, other legal entities or subsidiaries organized under the laws of, or having a principal place of business in, China or its political subdivisions, or other persons domiciled in China, who are not U.S. citizens or lawful permanent residents of the United States, from purchasing or acquiring an interest in, real property in Florida. Finally, the act amends s. 836.05, F.S., relating to criminal threats and extortion, to provide that a person who violates the statute while acting as a foreign agent for the purpose of benefitting a foreign country of concern, commits a first degree felony. The effective date of this legislation is July 1, 2023.

7. Chapter 2023 – 264, Laws of Florida (SB 7008). The legislation amends Section 119.071(3)(c)1., F.S., to save from repeal, the public records exemption for information relating to the following information held by an agency:

- Building plans;
- Blueprints;
- Schematic drawings; and

⁸ The People’s Republic of China, The Russian Federation, The Islamic Republic of Iran, The Democratic People’s Republic of Korea, The Republic of Cuba, The Venezuelan Regime of Nicolas Maduro, or The Syrian Arab Republic, including any agency of or other entity within significant control of such foreign country of concern.

⁹ “Foreign principal” means: The government or any official of the government of a foreign country of concern; A political party or member of a political party or any subdivision of a political party in a foreign country of concern; A partnership, association, corporation, organization, or other combination of persons organized under the laws of, or having its principal place of business in, a foreign country of concern, or a subsidiary of such entity; or o Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident of the United States.

- Diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development.

The effective date of this act is October 1, 2023.

8. Chapter 2023 – 75, Laws of Florida (HB 7007). The legislation removes the scheduled repeal date of the public record and public meeting exemptions for security or fire safety system plans under Sections 119.071(3)(a) and 286.0113(1), F.S., thereby maintaining the public record and public meeting exemptions for such plans. The effective date of this act is October 1, 2023.

For convenience, we have included copies of the legislation referenced in this memorandum. We request that you include this memorandum as part of the agenda packages for upcoming meetings of the governing boards of those special districts in which you serve as the District Manager and this firm serves as District Counsel. For purposes of the agenda package, it is not necessary to include the attached legislation, as we can provide copies to anyone requesting the same. Copies of the referenced legislation are also accessible by visiting this link: <http://laws.flrules.org/>.

MEMORANDUM

TO: District Manager

FROM: Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
District Counsel

DATE: June 6, 2023

RE: Required Ethics Training

On May 24, 2023, the Governor signed CS/HB 199 into law as Chapter 2023-121, Laws of Florida. Section 112.3142, Florida Statutes, requires that specified constitutional officers, elected municipal officers, and commissioners complete four (4) hours of ethics training annually. This requirement is noted on page 1 of the Form 1, Statement of Financial Interests. This legislation provides that beginning January 1, 2024, elected and appointed commissioners of community redevelopment agencies and local officers of independent special districts are now required to complete four (4) hours of ethics training annually. The training must address, at a minimum, s. 8, Art. II of the Florida Constitution (ethics for public officers and financial disclosure), the Code of Ethics for Public Officers and Employees, and the Florida Public Records Law and Open Meetings laws. The legislation specifically provides that this training requirement may be satisfied by completing a continuing legal education class or other continuing professional education class or seminar if the required subject matter is covered therein.

For current supervisors and officers, it is recommended that this training requirement be completed by July 1, 2024, so that the supervisor or officer can verify compliance with the required training on his or her Form 1, Statement of Financial Interests (2023). Elected local officers of independent special districts that assume office on or before March 31st must complete annual ethics training by December 31st of the year the term begins; however, if the term starts after March 31st, the officer is not required to complete the required ethics training until December 31st of the following year. The Legislature intends for those elected officers to receive the required training as close as possible to the date that he or she assumes office. The chart below can be used as a reference:

Date elected or appointed	Annual Training Completed By
Current Officer/Supervisor	December 31, 2024 (recommend completion by July 1, 2024)
January 1 – March 31, 2024	December 31, 2024
April 1 – December 31, 2024	December 31, 2025

The legislation also amends Section 112.313(a), Florida Statutes, clarifying the conflicts exception for public officers or employees of water control districts (Chapter 298, Florida Statutes)

or a special tax districts created by general (i.e. community development districts) or special law and which is limited specifically to constructing, maintaining, managing, and financing improvements in the land area over which the district has jurisdiction. Employment with or entering into a contractual relationship with a business entity is not prohibited and is not deemed a conflict per se; however, conduct by such officer or employee that is prohibited by or otherwise frustrates the intent of Section 112.313(7), Florida Statutes, including conduct that violates subsections (6) (misuse of public position) and (8) (disclosure of information not otherwise available to the public for personal benefit) thereof is deemed an impermissible conflict of interest.

For convenience, we have included a copy of the legislation referenced in this memorandum. We request that you include this memorandum as part of the agenda packages for upcoming meetings of the governing boards of those special districts in which you serve as the District Manager and this firm serves as District Counsel. You can expect our traditional legislative memorandum in the coming weeks, where we will summarize other legislation from the 2023 Legislative Session relevant to special districts.

CHAPTER 2023-121

Committee Substitute for House Bill No. 199

An act relating to ethics requirements for officers and employees of special tax districts; amending s. 112.313, F.S.; specifying that certain conduct by certain public officers and employees is deemed a conflict of interest; making technical changes; amending s. 112.3142, F.S.; requiring certain ethics training for elected local officers of independent special districts beginning on a specified date; specifying requirements for such training; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 112.313, Florida Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

(a) No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

1. When the agency referred to is that certain kind of special tax district created by general or special law and is limited specifically to constructing, maintaining, managing, and financing improvements in the land area over which the agency has jurisdiction, or when the agency has been organized pursuant to chapter 298, then employment with, or entering into a contractual relationship with, such business entity by a public officer or employee of such agency is shall not be prohibited by this subsection or be deemed a conflict per se. However, conduct by such officer or employee that is prohibited by, or otherwise frustrates the intent of, this section, including conduct that violates subsections (6) and (8), is shall be deemed a conflict of interest in violation of the standards of conduct set forth by this section.

2. When the agency referred to is a legislative body and the regulatory power over the business entity resides in another agency, or when the regulatory power which the legislative body exercises over the business entity or agency is strictly through the enactment of laws or ordinances, then employment or a contractual relationship with such business entity by a public officer or employee of a legislative body shall not be prohibited by this subsection or be deemed a conflict.

(b) This subsection shall not prohibit a public officer or employee from practicing in a particular profession or occupation when such practice by persons holding such public office or employment is required or permitted by law or ordinance.

Section 2. Paragraphs (d) and (e) of subsection (2) of section 112.3142, Florida Statutes, are redesignated as paragraphs (e) and (f), respectively, present paragraph (e) of that subsection is amended, and a new paragraph (d) is added to that subsection, to read:

112.3142 Ethics training for specified constitutional officers, elected municipal officers, and commissioners of community redevelopment agencies, and elected local officers of independent special districts.—

(2)

(d) Beginning January 1, 2024, each elected local officer of an independent special district, as defined in s. 189.012, and each person who is appointed to fill a vacancy for an unexpired term of such elective office must complete 4 hours of ethics training each calendar year which addresses, at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of this state. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation, if the required subject matter is covered by such class, seminar, or presentation.

(f)(e) The Legislature intends that a constitutional officer, or elected municipal officer, or elected local officer of an independent special district who is required to complete ethics training pursuant to this section receive the required training as close as possible to the date that he or she assumes office. A constitutional officer, or elected municipal officer, or elected local officer of an independent special district assuming a new office or new term of office on or before March 31 must complete the annual training on or before December 31 of the year in which the term of office began. A constitutional officer, or elected municipal officer, or elected local officer of an independent special district assuming a new office or new term of office after March 31 is not required to complete ethics training for the calendar year in which the term of office began.

Section 3. This act shall take effect July 1, 2023.

Approved by the Governor May 24, 2023.

Filed in Office Secretary of State May 24, 2023.