



**ANTILLIA
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING & PUBLIC
HEARING
AUGUST 4, 2023
11:00 A.M.**

Special District Services, Inc.
8785 SW 165th Avenue, Suite 200
Miami, FL 33024

www.antilliacdd.org
786.347.2711 ext. 2011 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
ANTILLIA
COMMUNITY DEVELOPMENT DISTRICT
Conference Room of the Goldbetter, Miami Business Center
1031 Ives Dairy Road
Bldg 4, Suite 228
Miami, Florida 33179
REGULAR BOARD MEETING & PUBLIC HEARING
August 4, 2023
11:00 A.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 2, 2023 Special Board Meeting.....	Page 3
G. Public Hearing	
1. Proof of Publication.....	Page 8
2. Receive Public Comments on Fiscal Year 2023/2024 Final Budget	
3. Consider Approval of Resolution No. 2023-04 – Adopting a Fiscal Year 2023/2024 Final Budget.....	Page 9
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H. New Business	
1. Consider Approval of Resolution No. 2023-05 – Records Retention Policy Adoption.....	Page 15
2. Consider Approval of Resolution No. 2023-06 – Adopting a Fiscal Year 2023/2024 Regular Meeting Schedule.....	Page 19
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2. Update on the Status of the Statement of Financial Interests Disclosure 2022 Form 1	
L. Adjourn	

MIAMI-DADE

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE:**

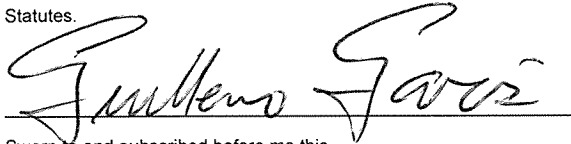
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

ANTILLIA COMMUNITY DEVELOPMENT DISTRICT - REVISED
FISCAL YEAR 2022/2023 MEETING SCHEDULE

in the XXXX Court,
was published in a newspaper by print in the issues of Miami
Daily Business Review f/k/a Miami Review on

04/11/2023

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

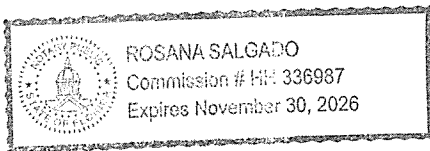


Sworn to and subscribed before me this
11 day of APRIL, A.D. 2023

SEE ATTACHED



(SEAL)
GUILLERMO GARCIA personally known to me



**ANTILLIA COMMUNITY
DEVELOPMENT DISTRICT
REVISED FISCAL YEAR 2022/2023
MEETING SCHEDULE**

The Board of Supervisors of the Antillia Community Development District will hold their regular meetings for Fiscal Year 2022/2023 at 11:00 a.m. in the Conference Room at the Goldbetter, Miami Business Center located at 1031 Ives Dairy Road, Building 4, Suite 228, Miami, Florida 33179, as follows:

April 21, 2023
May 5, 2023
May 19, 2023
June 23, 2023
August 4, 2023
August 18, 2023
September 1, 2023
September 15, 2023

The meetings are open to the public and will be conducted in accordance with the provision of Florida law for community development districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. Copies of the Agendas for any of the meetings may be obtained from the District's website at www.antilliacdd.org or by contacting the District Manager at 1-877-737-4922 five (5) days prior to the date of the particular meeting.

There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Any person who decides to appeal any decision made at the meeting with respect to any matter considered at the meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

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

District Manager

ANTILLIA COMMUNITY DEVELOPMENT DISTRICT

www.antilliacdd.org
4/11

23-33/0000656667M

**ANTILLIA COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING
JUNE 2, 2023**

A. CALL TO ORDER

The June 2, 2023, Special Board Meeting of the Antillia Community Development District (the “District”) was called to order at 11:42 a.m. in the Goldbetter Miami Business Center Conference Room located at 1031 Ives Dairy Road, Bldg. 4, Suite 228, Miami, Florida 33179.

B. PROOF OF PUBLICATION

Proof of publication was presented which showed that notice of the Special Board Meeting had been published in the *Miami Daily Business Review* on May 23, 2023, as legally required.

C. ESTABLISH A QUORUM

A quorum was established with the following Supervisors in attendance:

Chairman	Michael Caputo	Present
Vice Chairman	Timothy Smith	Present
Supervisor	Justin Frye	Present
Supervisor	Candice Smith	Present
Supervisor	Jon Seifel	Absent

Staff present included:

District Manager	Gloria Perez	Special District Services, Inc.
District Manager/C.P.A.	Andrew Karmeris (via phone)	Special District Services, Inc.
District Counsel	Ginger Wald	Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
District Engineer	Tony Quevedo (via phone)	
Bond Counsel	Steve Sanford (via phone)	Greenberg Traurig

D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions or deletions to the agenda.

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

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

F. APPROVAL OF MINUTES

1. April 21, 2023, Regular Board Meeting

The minutes of the April 21, 2023, Regular Board Meeting were presented for consideration.

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Caputo and passed unanimously approving the minutes of the April 21, 2023, Regular Board Meeting, as presented.

G. NEW BUSINESS

1. Consider Resolution No. 2023-01 – Delegation Resolution

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

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS (THE “BOARD”) OF THE ANTILLIA COMMUNITY DEVELOPMENT DISTRICT (THE “DISTRICT”) AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$14,445,000 ANTILLIA COMMUNITY DEVELOPMENT DISTRICT SPECIAL ASSESSMENT BONDS, SERIES 2023 (2023 PROJECT) (THE “2023 BONDS”) TO FINANCE CERTAIN PUBLIC INFRASTRUCTURE WITHIN THE DISTRICT; DETERMINING THE NEED FOR A NEGOTIATED LIMITED OFFERING OF THE 2023 BONDS AND PROVIDING FOR A DELEGATED AWARD OF SUCH BONDS; APPOINTING THE UNDERWRITER FOR THE LIMITED OFFERING OF THE 2023 BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT WITH RESPECT TO THE 2023 BONDS; APPROVING THE USE OF THAT CERTAIN MASTER TRUST INDENTURE PREVIOUSLY APPROVED BY THE BOARD WITH RESPECT TO THE 2023 BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST SUPPLEMENTAL TRUST INDENTURE GOVERNING THE 2023 BONDS; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY LIMITED OFFERING MEMORANDUM; APPROVING THE EXECUTION AND DELIVERY OF A FINAL LIMITED OFFERING MEMORANDUM; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT, AND APPOINTING A DISSEMINATION AGENT; APPROVING THE APPLICATION OF BOND PROCEEDS; AUTHORIZING CERTAIN MODIFICATIONS TO THE ASSESSMENT METHODOLOGY REPORT AND ENGINEER’S REPORT; PROVIDING FOR THE REGISTRATION OF THE 2023 BONDS PURSUANT TO THE DTC BOOK-ENTRY ONLY SYSTEM; AUTHORIZING THE PROPER OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE 2023 BONDS; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Mr. Sanford provided an explanation for the Delegation Resolution and the attachments, noting that this action would approve the issuance of bonds with a not to exceed amount which would not exceed 30 years. He also provided forms required for the bond purchase contract.

A discussion ensued after which the following motion was made:

A **MOTION** was made by Supervisor Frye, seconded by Supervisor Tim Smith and unanimously passed adopting Resolution No. 2023-01, as presented, authorizing the issuance and sale of not to exceed amount of \$14,445,000 Special Assessment Bonds, Series 2023 to finance certain public infrastructure within the District and further authorizing the execution of all related documents in connection with the issuance by District officials and the sale and delivery of the 2023 Bonds, as required.

2. Consider the Following Agreements, in Substantial Final Form

Ms. Wald reviewed all of the following documents:

- Assignment and Acquisition Agreement
- Collateral Assignment and Assumption of Development Rights relating to Antillia
- Completion Agreement
- Declaration of Consent to Jurisdiction of the Antillia Community Development District and to Imposition of Special Assessments
- Lien of Record of the Antillia Community Development District
- True-Up Agreement

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Caputo and passed unanimously approving the above referenced documents, in substantial final form.

3. Consider Ratification of Appraisal Proposal

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Caputo and passed unanimously ratifying and approving the Urban Group appraisal for the parcel of land where a lake is being developed in the amount of \$3,350, plus fees, as presented.

4. Accept and Receive Appraisal for District Records

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Caputo and passed unanimously accepting and receiving the appraisal report provided by the Urban Group for District records, as presented.

5. Consider Revised Engineer's Report

Mr. Quevedo provided an overview of the report and noted that the most recent changes needed to be incorporated. Costs were discussed and verification of an acreage discrepancy was requested. The lift station was also mentioned, noting that it was included in the report.

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Candice Smith and passed unanimously approving the Revised Engineer's Report, in substantial final form and subject to revisions.

6. Consider Preliminary First Supplemental Special Assessment Methodology Report

Mrs. Perez provided the report as a handout.

Mr. Karmeris provided an overview, noting that the report was based on the Engineer's Report and went over cost estimates.

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Caputo and passed unanimously approving the Preliminary First Supplemental Special Assessment Methodology Report, in substantial final form.

7. Consider Facility Management Agreement

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Candice Smith and passed unanimously approving the Facility Management Agreement Format with First Service Residential in substantial final form.

8. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Proposed Budget and Setting a Public Hearing

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

RESOLUTION 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ANTILLIA COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET FOR FISCAL YEAR 2023/2024 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW AND PROVIDING AN EFFECTIVE DATE.

For the Debt Assessment, \$100 has been added to the amount in the current Supplemental Methodology. This amount can be lowered for the Final Budget when the Bond numbers are finalized and available. The Administrative Budget is higher than last year. Regarding Maintenance, amounts have been applied for the Perimeter Landscaping, Lake Maintenance & Lift Station Maintenance and the District is well below the maximum O&M restrictive covenant amount. The estimated available funds as of 9-30-23 are anticipated to be \$5,000, should no unforeseen expenses occur. It was noted that this will be a Developer Funded Budget for 2023/2024.

A **MOTION** was made by Supervisor Tim Smith, seconded by Supervisor Caputo and unanimously passed adopting Resolution No. 2023-03, as presented, approving a Proposed Budget for FY 2023-2024 and Setting the Public Hearing for finalization for August 4, 2023, at 11:00 a.m. in the Conference Room of the Goldbetter Miami Business Center located at 1031 Ives Dairy Road, Bldg 4, Suite 228, Miami, Florida 33179; and further authorizing letters to residents and advertisements as required.

H. OLD BUSINESS

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

I. ADMINISTRATIVE MATTERS

1. Financial Update

Financials were presented in the meeting book for the Board's review. Available funds as of April 30, 2023, reflect \$3,963.38. Budget vs. Actual from October 2022 through April 2023 was also presented.

2. 2022 Form 1 – Statement of Financial Interests

Mrs. Perez reminded the Board to complete and mail in their 2022 Form 1 – Statement of Financial Interests to the Supervisor of Elections’ office by the July 1, 2023, deadline.

J. BOARD MEMBER COMMENTS

There were no further comments from the Board Members.

K. ADJOURNMENT

There being no further business to come before the Board, a **MOTION** was made by Supervisor Frye, seconded by Supervisor Tim Smith and passed unanimously adjourning the Special Board Meeting at 12:21 p.m.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

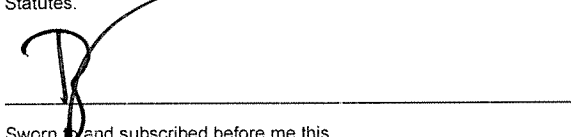
Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

ANTILLIA COMMUNITY DEVELOPMENT DISTRICT - PUBLIC HEARING AND REGULAR BOARD MEETING - AUG. 4, 2023

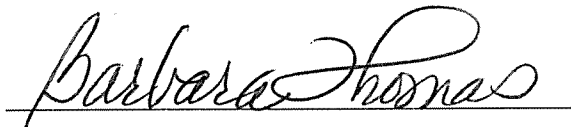
in the XXXX Court,
was published in a newspaper by print in the issues of Miami Daily Business Review f/k/a Miami Review on

07/14/2023 07/21/2023

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

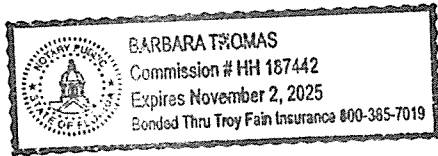


Sworn and subscribed before me this
21 day of JULY, A.D. 2023



(SEAL)

ROSANA SALGADO personally known to me



NOTICE OF ANTILLIA COMMUNITY DEVELOPMENT DISTRICT PUBLIC HEARING AND REGULAR BOARD MEETING

The Board of Supervisors (the "Board") of the Antillia Community Development District (the "District") will hold a public hearing on August 4, 2023, at 11:00 a.m. in a Conference Room at Goldbetter Maimi Business Center located at 1031 Ives Dairy Road, Bldg 4, Suite 228, Miami, Florida 33179 for the purpose of hearing comments and objections on the adoption of the budget of the District for Fiscal Year 2023/2024. A regular board meeting of the District will also be held at that time where the Board may consider agenda items and any other business that may properly come before it.

A copy of the agenda and budget may be obtained from the District's website (www.antilliacdd.org) or at the offices of the District Manager, Special District Services, located at 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193 during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting. There may be occasions when staff or Supervisors may participate by speaker telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (786) 347-2711 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

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

District Manager

ANTILLIA COMMUNITY DEVELOPMENT DISTRICT

www.antilliacdd.org

7/14-21

23-40/0000672754M

RESOLUTION NO. 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ANTILLIA COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR 2023/2024 FINAL BUDGET PURSUANT TO CHAPTER 190, *FLORIDA STATUTES*; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (the “Board”) of the Antillia Community Development District (“District”) has prepared a Proposed Operating Fund Budget for Fiscal Year 2023/2024, and the Board is empowered to provide a funding source to operate the District and to impose special assessments upon the properties within the District, as required; and

WHEREAS, the District has held a duly advertised Public Hearing to receive public comments on the Proposed Operating Fund Budget, has considered and adopted the Fiscal Year 2023/2024 Operating Fund Budget; and is now authorized to levy non-ad valorem assessments upon the assessable properties within the District.

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

Section 1. The Operating Fund Budget for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is accepted, approved and adopted.

Section 2. The Secretary and/or Assistant 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 4th day of August, 2023.

ATTEST:

**ANTILLIA COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Antillia
Community Development District

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

CONTENTS

- I FINAL BUDGET
- II DETAILED FINAL BUDGET

FINAL BUDGET
ANTILLIA COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
Administrative Assessments	0
Maintenance Assessments	0
Developer Contribution	187,385
Debt Assessments	0
Interest Income	240
TOTAL REVENUES	\$ 187,625
EXPENDITURES	
Administrative Expenditures	
Supervisor Fees	1,000
Management	39,000
Legal	30,000
Assessment Roll	6,000
Audit Fees	4,000
Arbitrage Rebate Fee	650
Insurance	6,000
Legal Advertisements	1,500
Miscellaneous	1,000
Postage	200
Office Supplies	1,000
Dues & Subscriptions	175
Website Management & ADA Compliance	2,500
Trustee Fees	4,500
Continuing Disclosure Fee	100
Total Administrative Expenditures	\$ 97,625
Maintenance Expenditures	
Engineering/Inspections	10,000
Perimeter Landscaping	20,000
Lake Maintenance	8,000
Lift Station Maintenance	20,000
Field Operations	12,000
Miscellaneous Maintenance	20,000
Total Maintenance Expenditures	\$ 90,000
TOTAL EXPENDITURES	\$ 187,625
REVENUES LESS EXPENDITURES	\$ -
Bond Payments	0
BALANCE	\$ -
County Appraiser & Tax Collector Fee	0
Discounts For Early Payments	0
EXCESS/ (SHORTFALL)	\$ -

Notes:

563 Units (Townhomes/Villas) Planned For District.

If District Was On Assessment Roll, Annual Operations & Maintenance (O&M) Assessment Would Be \$354.09 Per Unit.

Restricted Covenant O&M Amount Is \$904.26 Per Unit.

Current Estimate Of Annual Debt Assessment Is \$1,489.36 Per Unit.

Restricted Covenant Debt Amount Is \$1,510.64 Per Unit.

DETAILED FINAL BUDGET
ANTILLIA 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				
Administrative Assessments	0	0	0	Expenditures Less Interest/.94
Maintenance Assessments	0	0	0	Expenditures/.94
Developer Contribution	0	86,417	187,385	Developer Contribution
Debt Assessments	0	0	0	Bond Payments/.94
Interest Income	0	0	240	Interest Projected At \$20 Per Month
TOTAL REVENUES	\$ -	\$ 86,417	\$ 187,625	
EXPENDITURES				
Administrative Expenditures				
Supervisor Fees	0	0	1,000	Supervisor Fees
Management	0	35,750	39,000	\$3,250 X 12 Months
Legal	0	30,000	30,000	No Change From 2022/2023 Budget
Assessment Roll	0	0	6,000	As Per Contract
Audit Fees	0	0	4,000	Audit Fees
Arbitrage Rebate Fee	0	0	650	Arbitrage Rebate Fee
Insurance	0	5,000	6,000	Insurance Estimate
Legal Advertisements	0	5,000	1,500	\$3,500 Decrease From 2022/2023 Budget
Miscellaneous	0	1,500	1,000	\$500 Decrease From 2022/2023 Budget
Postage	0	200	200	No Change From 2022/2023 Budget
Office Supplies	0	2,500	1,000	\$1,500 Decrease From 2022/2023 Budget
Dues & Subscriptions	0	175	175	Annual Fee Due Department Of Economic Opportunity
Website Management & ADA Compliance	0	2,292	2,500	\$208.33 X 12 Months
Trustee Fees	0	0	4,500	Trustee Fees
Continuing Disclosure Fee	0	0	100	Continuing Disclosure Fee
Total Administrative Expenditures	\$ -	\$ 82,417	\$ 97,625	
Maintenance Expenditures				
Engineering/Inspections	0	2,000	10,000	Engineering/Inspections
Perimeter Landscaping	0	0	20,000	Perimeter Landscaping
Lake Maintenance	0	0	8,000	Lake Maintenance
Lift Station Maintenance	0	0	20,000	Lift Station Maintenance
Field Operations	0	0	12,000	Field Operations (If Applicable)
Miscellaneous Maintenance	0	2,000	20,000	Miscellaneous Maintenance
Total Maintenance Expenditures	\$ -	\$ 4,000	\$ 90,000	
TOTAL EXPENDITURES	\$ -	\$ 86,417	\$ 187,625	
REVENUES LESS EXPENDITURES	\$ -	\$ -	\$ -	
Bond Payments	0	0	0	2024 Principal & Interest Payments
BALANCE	\$ -	\$ -	\$ -	
County Appraiser & Tax Collector Fee	0	0	0	Two Percent Of Total Assessment Roll
Discounts For Early Payments	0	0	0	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ -	\$ -	\$ -	

Notes:

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Restricted Covenant O&M Amount Is \$904.26 Per Unit.

Current Estimate Of Annual Debt Assessment Is \$1,489.36 Per Unit.

Restricted Covenant Debt Amount Is \$1,510.64 Per Unit.

**CONSIDER APPROVAL OF 2023/2024
DEVELOPER'S FUNDING AGREEMENT**

**TO BE DISTRIBUTED
UNDER SEPARATE COVER**

RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ANTILLIA 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.

WHEREAS, the Antillia Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, Section 257.36(5), *Florida Statutes*, requires the District to establish and maintain an active and continuing program for the economical and efficient management of records and to provide for the appointment of a records management liaison officer (“Records Management Liaison Officer”); and

WHEREAS, the District desires for the Records Management Liaison Officer to be an employee of the District or an employee of the District Manager; and

WHEREAS, the District desires to authorize the District’s records custodian to appoint a Records Management Liaison Officer, which may or may not be the District’s records custodian; and

WHEREAS, the District desires to prescribe duties of the Records Management Liaison Officer and provide for the assignment of additional duties; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution a records retention policy (the “Records Retention Policy”) for immediate use and application.

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

SECTION 1. The District hereby authorizes the District’s records custodian to appoint a Records Management Liaison Officer and report such appointment to the appropriate State of Florida agencies. A Records Management Liaison Officer shall be an employee of the District or the District Manager. The Board, and the District’s records custodian, shall each have the individual power to remove the Records Management

Liaison Officer at any time for any reason. Immediately following the removal or resignation of a Records Management Liaison Officer, the District's records custodian shall appoint a replacement Records Management Liaison Officer.

SECTION 2. The duties of the Records Management Liaison Officer shall include the following:

- A.** Serve as the District's contact with the Florida Department of State, State Library and Archives of Florida;
- B.** Coordinate the District's records inventory;
- C.** Maintain records retention and disposition forms;
- D.** Coordinate District records management training;
- E.** Develop records management procedures consistent with the Records Retention Policy, as amended as provided herein;
- F.** Participate in the development of the District's development of electronic record keeping systems;
- G.** Submit annual compliance statements;
- H.** Work with the Florida Department of State, State Library and Archives of Florida to establish individual retention schedules for the District, from time to time and as may be necessary; and
- I.** Such other duties as may be assigned by the Board or the District's records custodian in the future.

SECTION 3. The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), *Florida Statutes*, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, *Florida Statutes*, and the General Records Schedules established by the Division. However, the District will retain certain records longer than required by the General Records Schedules established by the Division as set forth in Exhibit A. To the extent the above statute, rules or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment shall not reduce the retention times set forth in Exhibit A. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

SECTION 4. In accordance with section 668.50, Florida Statutes, and section 119.01, Florida Statutes, the Board finds that the electronic record shall be considered the official record and any paper originals are hereby duplicates which may be disposed of unless required to be preserved by any applicable statute, rule or ordinance.

SECTION 5. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. This Resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding records retention; and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED at a meeting of the District Board of Supervisors, this 4th day of August, 2023.

ATTEST:

**ANTILLIA COMMUNITY
DEVELOPMENT DISTRICT**

Print name: _____
Secretary / Assistant Secretary

Print name: _____
Chairperson, Board of Supervisors

Exhibit A: Amendments to General Records Schedules Established by the Division

Exhibit A

Amendments to General Records Schedules established by the Division

ADVERTISEMENTS: LEGAL (Item #25)

The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to proceedings under uniform method of collection of debt assessments permanently. The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to the levy of assessments securing bonds for five (5) fiscal years provided applicable audits have been released, or until three (3) calendar years after related bonds are redeemed, whichever is later.

AUDITS: INDEPENDENT (Item #56)

The District shall retain the record copy of independent audits for ten (10) fiscal years or until three (3) calendar years after all related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: DETAIL (Item #340)

The District shall retain the record copy of disbursement records relating to the use of bonds for five (5) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: SUMMARY (Item #341)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

FINANCIAL REPORTS: LOCAL GOVERNMENT ANNUAL REPORTS (Item #107)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

INCIDENT REPORT FILES (Item #241)

The District shall retain incident reports for five (5) anniversary years from the date of the incident.

MINUTES: OFFICIAL MEETINGS (PRELIMINARY/AUDIO RECORDINGS/VIDEO RECORDINGS (Item #4)

The District shall retain audio recordings of board of supervisor meetings for five (5) calendar years after adoption of the official minutes.

PROJECT FILES: CAPITAL IMPROVEMENT (Item #136)

The District shall retain the record copy of project files for projects funded with bonds for ten (10) fiscal years after completion of the project provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

REAL PROPERTY RECORDS: CONDEMNATION/DEMOLITION (Item #364)

The District shall retain the record copy of project files for condemnation/demolition projects funded with bonds for five (5) anniversary years after final action or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

REAL PROPERTY RECORDS: PROPERTY ACQUIRED (Item #172)

The District shall retain the record copy of documents related to property acquisitions funded with bonds for three (3) fiscal years after final disposition of the property provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

RESOLUTION NO. 2023-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ANTILLIA COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR THE 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 Antillia Community Development District (the "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 ANTILLIA 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 4th day of August, 2023.

ATTEST:

**ANTILLIA COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**ANTILLIA COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 MEETING SCHEDULE**

The Board of Supervisors of the Antillia Community Development District will hold their regular meetings for Fiscal Year 2023/2024 at 11:00 a.m. in the Conference Room at the Goldbetter, Miami Business Center located at 1031 Ives Dairy Road, Building 4, Suite 228, Miami, Florida 33179, as follows:

November 7, 2023*
November 17, 2023
December 15, 2023
January 19, 2024
February 16, 2024
March 15, 2024
April 19, 2024
May 17, 2024**
June 21, 2024
August 16, 2024
September 20, 2024

**Alternate Meeting Date to Regular Scheduled 3rd Friday*

*** Announce LO Mtg to be held on Nov. 5, 2024; 1st Tues in Nov. per Fla Stat 190.006(2)(b)*

The meetings are open to the public and will be conducted in accordance with the provision of Florida law for community development districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. Copies of the Agendas for any of the meetings may be obtained from the District’s website at www.antilliacdd.org or by contacting the District Manager at 1-877-737-4922 five (5) days prior to the date of the particular meeting.

There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Any person who decides to appeal any decision made at the meeting with respect to any matter considered at the meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

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

District Manager

ANTILLIA COMMUNITY DEVELOPMENT DISTRICT

www.antilliacdd.org

**ANTILLIA COMMUNITY DEVELOPMENT DISTRICT
REQUEST FOR PROPOSALS**

**District Auditing Services for Fiscal Years 2022/2023, 2023/2024 and 2024/2025
With Two Year Option (2025/2026 and 2026/2027)
Miami-Dade County, Florida**

**ANTILLIA COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION INSTRUCTIONS TO PROPOSERS**

SECTION 1. DUE DATE. Sealed proposals must be received no later than September 7, 2023 at 4:00 p.m., at the offices of District Manager, located at 2501A Burns Road, Palm Beach Gardens, Florida 33410.

SECTION 2. FAMILIARITY WITH THE LAW. By submitting a proposal, the Proposer is affirming its familiarity and understanding with all federal, state, and local laws, ordinances, rules and regulations that in any manner affect the work. Ignorance on the part of the Proposer will in no way relieve it from responsibility to perform the work covered by the proposal in compliance with all such laws, ordinances and regulations.

SECTION 3. QUALIFICATIONS OF PROPOSER. The contract, if awarded, will only be awarded to a responsible Proposer who is qualified by experience and licensing to do the work specified herein. The Proposer shall submit with its proposal satisfactory evidence of experience in similar work and show that it is fully prepared to complete the work to the satisfaction of the District.

SECTION 4. REJECTION OF PROPOSAL. Proposers shall be disqualified and their proposals rejected if the District has reason to believe that collusion may exist among the Proposers, the Proposer has defaulted on any previous contract or is in arrears on any previous or existing contract, or for failure to demonstrate proper licensure and business organization.

SECTION 5. SUBMISSION OF PROPOSAL. Submit two (2) copies of the Proposal Documents and one digital copy, and other requested attachments at the time and place indicated herein, which shall be enclosed in an opaque sealed envelope, marked with the title “Auditing Services – Antillia Community Development District” on the face of it.

SECTION 6. MODIFICATION AND WITHDRAWAL. Proposals may be modified or withdrawn by an appropriate document duly executed and delivered to the place where proposals are to be submitted at any time prior to the time and date the proposals are due. After proposals are opened by the District, no proposal may be withdrawn for a period of ninety (90) days.

SECTION 7. PROPOSAL DOCUMENTS. The proposal documents shall consist of the notice announcing the request for proposals, these instructions, the Evaluation Criteria Sheet and a proposal with all required documentation pursuant to Section 12 of these instructions (the “Proposal Documents”).

SECTION 8. PROPOSAL. In making its proposal, each Proposer represents that it has read and understands the Proposal Documents and that the proposal is made in accordance therewith.

SECTION 9. BASIS OF AWARD/RIGHT TO REJECT. The District reserves the right to reject any and all proposals, make modifications to the work, and waive any informalities or irregularities in proposals as it is deemed in the best interests of the District.

SECTION 10. CONTRACT AWARD. Within fourteen (14) days of receipt of the Notice of Award from the District, the Proposer shall enter into and execute a Contract (engagement letter) with the District.

SECTION 11. LIMITATION OF LIABILITY. Nothing herein shall be construed as or constitute a waiver of District’s limited waiver of liability contained in section 768.28, Florida Statutes, or any other statute or law.

SECTION 12. MISCELLANEOUS. All proposals shall include the following information in addition to any other requirements of the proposal documents.

- A. List position or title of all personnel to perform work on the District audit. Include resumes or each person listed; list years of experience in present position for each party listed and years of related experience.
- B. Describe proposed staffing levels, including resumes with applicable certifications.
- C. Three references from projects of similar size and scope. The Proposer should include information relating to the work it conducted for each reference as well as a name, address and phone number of a contact person.

SECTION 13. PROTESTS. Any protest regarding the Proposal Documents, must be filed in writing, at the offices of the District Manager, within seventy-two (72) hours after receipt of the Request for Proposals and Evaluation Criteria or other contract documents. The formal protest setting forth with particularity the facts and law upon which the protest is based shall be filed within seven (7) calendar days after the initial notice of protest was filed. Failure to timely file a notice of protest or failure to timely file a formal written protest shall constitute a waiver of any right to object or protest with respect to the aforesaid Request for Proposals, Evaluation Criteria, or other contract documents.

SECTION 14. EVALUATION OF PROPOSALS. The criteria to be used in the evaluation are presented in the Evaluation Criteria Sheet, contained within the Proposal Documents.

SECTION 15. REJECTION OF ALL PROPOSALS. The District reserves the right to reject any and all bids, with or without cause, and to waive technical errors and informalities, as determined to be in the best interests of the District.

**ANTILLIA COMMUNITY DEVELOPMENT DISTRICT
AUDITOR SELECTION
EVALUATION CRITERIA**

1. *Ability of Personnel (10 Points).*

(E.g., geographic locations of the firm's headquarters or permanent office in relation to the project; capabilities and experience of key personnel; evaluation of existing work load; proposed staffing levels, etc.)

2. *Proposer's Experience (10 Points).*

(E.g. past record and experience of the Proposer in similar projects; volume of work previously performed by the firm; past performance for other Community Development Districts in other contracts; character, integrity, reputation of Proposer, etc.)

3. *Understanding of Scope of Work (10 Points).*

Extent to which the proposal demonstrates an understanding of the District's needs for the services requested.

4. *Ability to Furnish the Required Services (10 Points).*

Present ability to manage this project and the extent to which the proposal demonstrates the adequacy of Proposer's financial resources and stability as a business entity necessary to complete the services required (E.g. the existence of any natural disaster plan for business operations).

5. *Price (10 Points).*

Points will be awarded based upon the price bid for the rendering of the services and reasonableness of the price to the services.

Antillia
Community Development District

**Financial Report For
June 2023**

**ANTILLIA COMMUNITY DEVELOPMENT DISTRICT
MONTHLY FINANCIAL REPORT
FISCAL YEAR 2022/2023
JUNE 2023**

	Annual Budget 10/1/22 - 9/30/23	Actual Jun-23	Year To Date Actual 10/1/22 - 6/30/23
REVENUES			
Administrative Assessments	0	0	0
Maintenance Assessments	0	0	0
Debt Assessments	0	0	0
Developer Contribution	86,417	7,879	61,837
Interest Income	0	17	98
Total Revenues	\$ 86,417	\$ 7,896	\$ 61,935
EXPENDITURES			
Administrative Expenditures			
Supervisor Fees	0	0	0
Payroll Taxes	0	0	0
Management	35,750	3,250	26,000
Legal	30,000	1,605	17,231
Assessment Roll	0	0	0
Audit Fees	0	0	0
Insurance	5,000	0	4,287
Legal Advertisements	5,000	0	3,329
Miscellaneous	1,500	0	349
Postage	200	23	452
Office Supplies	2,500	505	1,603
Dues & Subscriptions	175	0	175
Trustee Fees	0	0	0
Continuing Disclosure Fee	0	0	0
Website Management & ADA Compliance	2,292	208	1,667
Total Administrative Expenditures	\$ 82,417	\$ 5,591	\$ 55,093
Maintenance Expenditures			
Engineering/Inspections	2,000	0	3,349
Miscellaneous Maintenance	2,000	0	0
Total Maintenance Expenditures	\$ 4,000	\$ -	\$ 3,349
TOTAL EXPENDITURES	\$ 86,417	\$ 5,591	\$ 58,442
REVENUES LESS EXPENDITURES	\$ -	\$ 2,305	\$ 3,493
Bond Payments	0	0	0
BALANCE	\$ -	\$ 2,305	\$ 3,493
County Appraiser & Tax Collector Fee	0	0	0
Discounts For Early Payments	0	0	0
EXCESS/ (SHORTFALL)	\$ -	\$ 2,305	\$ 3,493

Note: Accounts Receivable Balance As Of 6/30/23 Was Paid In Full On 7/18/23.

Bank Balance As Of 6/30/23	\$ 5,097.92
Accounts Payable As Of 6/30/23	\$ 9,484.16
Accounts Receivable As Of 6/30/23	\$ 7,879.16
Available Funds As Of 6/30/23	\$ 3,492.92

Antillia Community Development District
Budget vs. Actual
October 2022 through June 2023

	<u>Oct '22 - Jun 23</u>	<u>22/23 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Income				
01-6000 · Developer Contribution	61,836.54	86,417.00	-24,580.46	71.56%
01-9410 · Interest Income (GF)	97.92	0.00	97.92	100.0%
Total Income	<u>61,934.46</u>	<u>86,417.00</u>	<u>-24,482.54</u>	<u>71.67%</u>
Expense				
01-1310 · Engineering	3,350.00	2,000.00	1,350.00	167.5%
01-1311 · Management Fees	26,000.00	35,750.00	-9,750.00	72.73%
01-1313 · Website Management fee	1,666.64	2,292.00	-625.36	72.72%
01-1315 · Legal Fees	17,230.50	30,000.00	-12,769.50	57.44%
01-1450 · Insurance	4,287.00	5,000.00	-713.00	85.74%
01-1480 · Legal Advertisements	3,329.11	5,000.00	-1,670.89	66.58%
01-1512 · Miscellaneous	348.62	1,500.00	-1,151.38	23.24%
01-1513 · Postage and Delivery	451.52	200.00	251.52	225.76%
01-1514 · Office Supplies	1,603.15	2,500.00	-896.85	64.13%
01-1540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
01-1815 · Miscellaneous Maintenance	0.00	2,000.00	-2,000.00	0.0%
Total Expense	<u>58,441.54</u>	<u>86,417.00</u>	<u>-27,975.46</u>	<u>67.63%</u>
Net Income	<u><u>3,492.92</u></u>	<u><u>0.00</u></u>	<u><u>3,492.92</u></u>	<u><u>100.0%</u></u>

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/>.