



**CRESTVIEW WEST
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
LANDOWNERS' MEETING &
REGULAR BOARD MEETING
NOVEMBER 10, 2022
5:00 P.M.**

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

www.crestviewwestcdd.org
786.347.2700 ext. 2027 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS' MEETING
Miami Executive Airport
Signature Flight Support Building Conference Room
14150 SW 129th Street, Miami, Florida 33186
November 10, 2022
5:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Consider Adoption of Election Procedures.....Page 2
- E. Election of Chairperson for Landowners' Meeting
- F. Election of Secretary for Landowners' Meeting
- G. Approval of Minutes
 - 1. November 12, 2020 Landowners' Meeting Minutes.....Page 5
- H. Election of Supervisors
 - 1. Determine Number of Voting Units Represented or Assigned by Proxy.....Page 8
 - 2. Nomination of Candidates
 - 3. Casting of Ballots.....Page 9
 - 4. Ballot Tabulations
- I. Certification of the Results
- J. Landowners' Comments
- K. Adjourn

Miscellaneous Notices



Published in Miami Daily Business Review on October 26, 2022

Location

Miami-Dade County,

Notice Text

CRESTVIEW WEST COMMUNITY
DEVELOPMENT DISTRICT
NOTICE OF LANDOWNERS' MEETING AND
REGULAR BOARD MEETING

NOTICE IS HEREBY GIVEN that the Crestview West Community Development District will hold a Landowners' Meeting and Regular Board Meeting at 5:00 p.m., or as soon thereafter as can be heard, on November 10, 2022, in the Second Floor Conference Room of Signature Flight School at Miami Executive Airport located at 14150 SW 129th Street, Miami, Florida 33186.

The primary purpose of the Landowners' Meeting is to elect three (3) Supervisors to the Board of Supervisors for the Crestview West Community Development District. The purpose of the Regular Board Meeting is to consider any business that may lawfully and properly come before the Board. Copies of the Agendas for these meetings may be obtained from the District's website or by contacting the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922.

The meetings are open to the public and are conducted in accordance with the provisions of Florida law for community development districts. The meetings may be continued as found necessary to a date, time and place specified on the record. Also, there may be occasions when Staff and/or Supervisors may participate by speaker telephone.

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 these meetings should contact the District Manager at nnguyen@sdsinc.org and/or 1-877-737-4922 at least seven (7) days prior to the date of these particular meetings.

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

CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT

www.crestviewwestcdd.org

10/19-26 22-03/0000625851M



SPECIAL DISTRICT (CDD) ELECTION PROCEDURES

1. Landowners' Meeting

In accordance with the provisions of Chapter 190, Florida Statutes, it is required that an initial meeting of the Landowners of the District be held within ninety (90) days following the effective date of the rule or ordinance establishing the District and thereafter every two (2) years during the month of November for the purpose of electing Supervisors. The second election by landowners shall be held on the first Tuesday in November; thereafter, there shall be an election of supervisors every two (2) years in November on a date established by the Board of Supervisors. The assembled Landowners shall organize by electing a Chairperson, who shall preside over the meeting; and a Secretary shall also be elected for recording purposes.

2. Establishment of Quorum

Any Landowner(s) present or voting by proxy shall constitute a quorum at the meeting of the Landowners.

3. Nomination of Candidates

At the meeting, the Chairperson shall call for nominations from the floor for Candidates for the Board of Supervisors. When there are no further nominations, the Chairperson shall close the floor for nominations. The names of each Candidate and the spelling of their names shall be announced. Nominees need not be present to be nominated.

4. Voting

Each Landowner shall be entitled to cast one (1) vote for each acre (or lot parcel), or any fraction thereof, of land owned by him or her in the District, for each open position on the Board. (For example, if there are three (3) positions open, an owner of one (1) acre or less (or one lot parcel) may cast one (1) vote for each of the three (3) positions. An owner of two (2) acres (or two lot parcels) may cast two (2) votes for each of the three (3) positions.) Each Landowner shall be entitled to vote either in person or by a representative present with a lawful written proxy.

5. Registration for Casting Ballots

The registration process for the casting of ballots by Landowners or their representatives holding their proxies shall be as follows:

- a) At the Landowners' Meeting and prior to the commencement of the first casting of ballots for a Board of Supervisor position, each Landowner, or their representative if proxies are being submitted in lieu thereof, shall be directed to register their attendance and the total number of votes by acreage (or lot parcels) to which each claims to be entitled, with the elected Secretary of the meeting or the District's Manager.

- b) At such registration, each Landowner, or their representative with a lawful proxy, shall be provided a numbered ballot for the Board of Supervisor position(s) open for election. A District representative will mark on the ballot the number of votes that such Landowner, or their representative, is registered to cast for each Board of Supervisor position open for election.
- c) All Landowner proxies shall be collected at the time of registration and retained with the Official Records of the District for subsequent certification or verification, if required.

6. Casting of Ballots

Registration and the issuance of ballots shall cease once the Chairperson calls for the commencement of the casting of ballots for the election of a Board of Supervisor(s) and thereafter no additional ballots shall be issued.

The Chairperson will declare that the Landowners, or their representatives, be requested to cast their ballots for the Board of Supervisor(s). Once the ballots have been cast, the Chairperson will call for a collection of the ballots.

7. Counting of Ballots

Following the collection of ballots, the Secretary or District Manager shall be responsible for the tabulation of ballots in order to determine the total number of votes cast for each candidate that is seeking election.

At the second and subsequent landowner elections*, the two (2) candidates receiving the highest number of votes will be declared by the Chairperson as elected to the Board of Supervisors for four-year terms. The candidate receiving the next highest number of votes will fill the remaining open position on the Board of Supervisors for a two-year term, as declared by the Chairperson.

* At the final landowner election (*after the 6th or 10th year*), the candidate receiving the highest number of votes will be elected to the Board of Supervisors for a four-year term (two (2) supervisors are elected by General Election).

8. Contesting of Election Results

Following the election and announcement of the votes, the Chairperson shall ask the Landowners present, or those representatives holding proxies for Landowners, whether they wish to contest the election results. If no contests are received, said election results shall thereupon be certified.

If there is a contest, the contest must be addressed to the Chairperson and thereupon the individual casting a ballot that is being contested will be required to provide proof of ownership of the acreage (or lot parcels) for which they voted at the election within five (5) business days of the Landowners' Meeting. The proof of ownership shall be submitted to the District Manager who will thereupon consult with the District's General Counsel and together they will review the material provided and will determine the legality of the contested ballot(s). Once the contests are resolved, the Chairperson shall reconvene the Landowners' Meeting and thereupon certify the election results.

9. Recessing of Annual Landowners' Meeting

In the event there is a contest of a ballot or of the election, the Landowners' Meeting shall be recessed to a future time, date and location, at which time the election findings on the contest shall be reported in accordance with the procedure above and the newly elected Supervisor(s) shall thereupon take their Oath of Office.

10. Miscellaneous Provisions

- a) Each Landowner shall only be entitled to vote in person or by means of a representative attending in person and holding a lawful written proxy in order to cast said Landowner's votes.
- b) Proxies will not require that proof of acreage (or lot parcel) ownership be attached. Rather, proof of ownership must be provided timely by the holder of the proxy, if the proxy is contested in accordance with the procedure above.

**CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS' MEETING
NOVEMBER 12, 2020**

A. CALL TO ORDER

District Manager Nancy Nguyen called the November 12, 2020, Landowners' Meeting of the Crestview West Community Development District (the "District") to order at 5:04 p.m. in the Signature Flight Support Building Conference Room located at 14150 SW 129th Street, Miami, Florida 33186.

B. PROOF OF PUBLICATION

Ms. Nguyen presented proof of publication that notice of the Landowners' Meeting had been published in the *Miami Daily Business Review* on October 16, 2020, and October 23, 2020, as legally required.

C. ESTABLISH QUORUM

Ms. Nguyen stated that the attendance of Julian Ross, Jaime Arratia, and Karen Davila, legal owners of residential dwelling units in the District, were present and therefore, constituted a quorum and it was in order to proceed with the meeting.

Also in attendance were: District Manager Nancy Nguyen of Special District Services, Inc.; and Ginger Wald, District Counsel, Billing, Cochran, Lyles, Mauro and Ramsey, P.A.

D. CONSIDER ADOPTION OF ELECTION PROCEDURES

Ms. Nguyen presented the Election Procedures. The landowners reviewed the Election Procedures and stated that the procedures were acceptable and approved, as presented.

E. ELECTION OF CHAIR FOR LANDOWNERS' MEETING

The landowners elected Ms. Nguyen to serve as Chairperson to preside over this Landowners' Meeting.

F. ELECTION OF SECRETARY FOR LANDOWNERS' MEETING

For meeting recording purposes, the landowners elected Ms. Nguyen to serve as Secretary for this Landowners' Meeting.

G. APPROVAL OF MINUTES

1. November 18, 2018, Landowners' Meeting

Ms. Nguyen asked if there were any revisions to the November 18, 2018, Landowners' Meeting minutes. There being no revisions, a **motion** was made by Ms. Arratia, seconded by Mr. Ross and unanimously passed approving the Landowners' Meeting Minutes of November 18, 2018, as presented.

H. ELECTION OF SUPERVISORS

1. Determine Number of Voting Units Represented or Assigned by Proxy

Ms. Nguyen stated that there were a total of **3 Voting Units**, which were being represented by the landowners within the District.

2. Nomination of Candidates

Ms. Nguyen stated that the terms of office for *Karen Davila, Yunior Santiesteban and a vacant seat (Seat #5)* were expiring and it would be in order to nominate candidates to fill the expiring terms of office.

The landowners nominated the following persons to be considered for election: *Karen Davila, Monique Ross and Ana Ibarra*. Ms. Nguyen called for additional nominations from the floor. There being no further nominations, Ms. Nguyen closed the nomination portion of the Landowners' Meeting.

3. Casting of Ballots

Ms. Nguyen stated that it would now be in order to cast ballots for the candidates listed: *Karen Davila, Monique Ross and Ana Ibarra*. Furthermore, Ms. Nguyen stated that the two (2) candidates receiving the highest number of votes would each be elected to a four (4) year term of office and the remaining candidate would be elected to a two (2) year term of office, with the term of office of each successful candidate commencing upon election.

4. Ballot Tabulations

Ms. Nguyen tabulated the ballots and announced that *Karen Davila, Monique Ross and Ana Ibarra* had each received **3 votes**. The landowners' consensus resulted in Karen Davila (Seat #1) and Monique Ross (Seat #2) each serving a 4-year term of office (will serve up to the Election in November, 2024); and Ana Ibarra (Seat #5) will serve a 2-year term of office (will serve up to the Election in November, 2022).

I. CERTIFICATION OF RESULTS

Ms. Nguyen asked the landowners if there were any objections to the procedures or results of the election. There being no comments or objections to the election results or procedures, Ms. Nguyen declared the election results complete, final and certified.

J. LANDOWNERS' COMMENTS

There were no comments from the Proxy Holder.

K. ADJOURNMENT

There being no further business to discuss, the Landowners' Meeting was adjourned by acting Chairperson Nancy Nguyen at 5:14 p.m. There were no objections.

Secretary

Chairperson

LANDOWNER PROXY

CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT LANDOWNERS' MEETING

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints _____ (“Proxy Holder”) for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the **Crestview West Community Development District** to be held on November 10, 2022 at 5:00 p.m. in the 2nd Floor Conference Room at the Signature Flight Support Building, Miami Executive Airport, located at 14150 S.W. 129th Street, Miami, Florida 33186, and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may be legally considered at said meeting.

This proxy is to continue in full force and effect from the hereof until the conclusion of the annual meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

Printed Name of Legal Owner/Entity

Signature of Legal Owner (or Authorized Representative)

Date

Parcel(s) Description(s)*{Folio Number(s)}

of Units/Acres

*Insert in the space above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. [If more space is needed, identification of Parcels owned may be incorporated by reference to an attachment hereto.]

Pursuant to section 190.006(2)(b), Florida Statutes (2018), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

TOTAL NUMBER OF AUTHORIZED VOTES: _____

If the Legal Owner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g. bylaws, corporate resolution, etc.)

OFFICIAL BALLOT

BALLOT # _____

**CRESTVIEW WEST
COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS' MEETING**

ELECTION OF BOARD SUPERVISORS

NOVEMBER 10, 2022

The undersigned certifies that he/she is the owner (____) or duly authorized **representative of lawful proxy of an owner** (____) of land in the **Crestview West Community Development District**, constituting _____ Acre(s)/Lot(s)/Unit(s) and hereby casts up to the corresponding number of his/her vote(s) for the following candidate/candidates to hold the above-named open position:

Name of Candidate

Number of Votes

{The two (2) candidates receiving the highest number of votes shall each be elected for a four (4) year term each; the candidate receiving the next highest number of votes shall be elected for a two (2) year term.}

Signature: _____

Printed Name: _____

Street Address or Tax Parcel Id Number for your Real Property:

AGENDA
CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
Miami Executive Airport
Signature Flight Support Building Conference Room
14150 SW 129th Street, Miami, Florida 33186
November 10, 2022
5:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 11
- C. Seat & Welcome Elected Board Members
- D. Administer Oath of Office & Review Board Member Responsibilities and Duties
- E. Establish Quorum
- F. Election of Officers
- G. Confirmation of Landowners' Election Results
- H. Additions or Deletions to Agenda
- I. Comments from the Public for Items Not on the Agenda
- J. Approval of Minutes
 - 1. July 14, 2022 Special Board Meeting and Public Hearing.....Page 12
- K. Old Business
 - 1. Staff Report, as Required
- L. New Business
 - 1. Consider Resolution No. 2022-06 – Adopting a Fiscal Year 2021/2022 Amended Budget....Page 15
 - 2. Consider Approval of Auditor Renewal.....Page 20
 - 3. 2022 Legislative Session Update Memo.....Page 21
- M. Administrative & Operational Matters
 - 1. Staff Report, as Required
- N. Board Member & Staff Closing Comments
- O. Adjourn

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, 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, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT -
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

in the XXXX Court,
was published in said newspaper by print in the issues of
and/or by publication on the newspaper's website, if
authorized, on

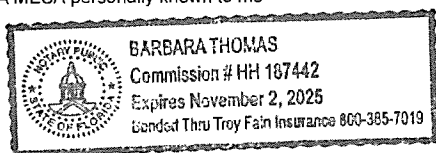
09/30/2022

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
30 day of SEPTEMBER, A.D. 2022

(SEAL)

MARIA MESA personally known to me



CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Crestview West Community Development District (the "District") will hold Regular Meetings in the Signature Flight Support 2nd Floor Conference Room at the Miami Executive Airport located at 14150 S.W. 129th Street, Miami, Florida 33186 at 5:00 p.m. on the following dates:

October 13, 2022
November 10, 2022
March 9, 2023
May 11, 2023
June 8, 2023
September 14, 2023

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922, prior to the date of the particular meeting.

From time to time one or two Board members may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Board members may be fully informed of the discussions taking place. Said 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 nnguyen@sdsinc.org 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 with no advertised notice.

Crestview WEST community development district

www.crestviewwestcdd.org

9/30

22-13/0000621845M

**CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING & PUBLIC HEARING
JULY 14, 2022**

A. CALL TO ORDER

District Manager Nancy Nguyen called the July 14, 2022, Special Board Meeting of the Crestview West Community Development District (the “District”) to order at 5:01 p.m. in the Signature Flight Support Building Conference Room located at 14150 SW 129th Street, Miami, Florida 33186.

B. PROOF OF PUBLICATION

Ms. Nguyen presented proof of publication that notice of the Special Board Meeting had been published in the *Miami Daily Business Review* on June 24, 2022, and July 1, 2022, *as legally required*.

C. ESTABLISH A QUORUM

Ms. Nguyen determined that the attendance of Chairperson Jamie Arratia and Supervisors Karen Davila and Ana Ibarra constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Nancy Nguyen of Special District Services, Inc.; and District Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

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

F. APPROVAL OF MINUTES

1. April 14, 2022, Regular Board Meeting

Ms. Nguyen presented the April 14, 2022, Regular Board Meeting minutes and asked if there were any comments and/or changes.

There being no changes, a **motion** was made by Ms. Arratia, seconded by Ms. Davila and unanimously passed approving the April 14, 2022, Regular Board Meeting minutes, *as presented*.

NOTE: At approximately 5:02 p.m., Ms. Nguyen recessed the Special Meeting and simultaneously opened the Public Hearing.

G. PUBLIC HEARING

1. Proof of Publication

Ms. Nguyen presented proof of publication that notice of the Public Hearing had been published in the *Miami Daily Business Review* on June 24, 2022, and July 1, 2022, as legally required.

2. Receive Public Comments on Fiscal Year 2022/2023 Final Budget

Ms. Nguyen opened the public comment portion of the public hearing to receive comments on the 2022/2023 fiscal year final budget and non-ad valorem special assessments. There being no comments, Ms. Nguyen closed the public comment portion of the Public Hearing.

3. Consider Resolution No. 2022-04 – Adopting a Fiscal Year 2022/2023 Final Budget

Ms. Nguyen presented Resolution No. 2022-04, entitled:

RESOLUTION NO. 2022-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR 2022/2023 FINAL BUDGET INCLUDING NON-AD VALOREM SPECIAL ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen stated that the document provides for approving and adopting the fiscal year 2022/2023 final budget and the non-ad valorem special assessment tax roll. A discussion ensued after which:

A **motion** was made by Ms. Arratia, seconded by Ms. Davila and unanimously passed to approve and adopt Resolution No. 2022-04, *as presented*; thereby setting the 2022/2023 final budget and non-ad valorem special assessment tax roll.

NOTE: *At approximately 5:03 p.m., Ms. Nguyen closed the Public Hearing and simultaneously reconvened the Special Meeting.*

H. OLD BUSINESS

1. Staff Report, as Required

There was no Staff Report at this time.

I. NEW BUSINESS

1. Consider Resolution No. 2022-05 – Adopting a Fiscal Year 2022/2023 Meeting Schedule

Resolution No. 2022-05 was presented, entitled:

RESOLUTION NO. 2022-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen provided an explanation for the document. A discussion ensued after which:

A **motion** was made by Ms. Davila, seconded by Ms. Arratia and unanimously passed to approve and adopt Resolution No. 2022-05, *as presented*; thereby setting the 2022/2023 regular meeting schedule and authorizing the publication of the annual meeting schedule, *as required by law*.

The Board was reminded that the Landowners' Meeting will be held on November 10, 2022.

J. ADMINISTRATIVE AND OPERATIONAL MATTERS

1. Qualified Elector (Registered Voter) Certification Announcement

Ms. Nguyen advised, as of June 17, 2022, the District had 208 qualified electors. Ms. Nguyen explained that the Board Supervisors of the District will continue to be elected through Landowners' elections.

2. Financial Interests/Disclosure 2021 Form 1 – Filing Deadline: July 1, 2022

Ms. Nguyen advised that all Board Supervisors have filed their 2021 Form 1 timely.

K. BOARD MEMBER AND STAFF CLOSING COMMENTS

There were no Board member closing comments.

L. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Ms. Arratia, seconded by Ms. Ibarra and passed unanimously to adjourn the Regular Board Meeting at approximately 5:06 p.m.

Secretary/Assistant Secretary

Chair/Vice Chair

RESOLUTION NO. 2022-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CRESTVIEW WEST 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.

WHEREAS, the Board of Supervisors (the “Board”) of the Crestview West Community Development District (the “District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

WHEREAS, the District has prepared for consideration and approval an Amended Budget.

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

Section 1. The Amended Budget for Fiscal Year 2021/2022 attached hereto as Exhibit “A” is hereby approved and adopted by the Board.

Section 2. The Secretary/Assistant Secretary of the District is authorized by the Board 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 10th day of November, 2022.

ATTEST:

**CRESTVIEW WEST
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Crestview West Community Development District

**Amended Final Budget For
Fiscal Year 2021/2022
October 1, 2021 - September 30, 2022**

CONTENTS

- I AMENDED FINAL OPERATING FUND BUDGET**
- II AMENDED FINAL DEBT SERVICE FUND BUDGET**

AMENDED FINAL BUDGET
CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT
OPERATING FUND
FISCAL YEAR 2021/2022
OCTOBER 1, 2021 - SEPTEMBER 30, 2022

	FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22	AMENDED FINAL BUDGET 10/1/21 - 9/30/22	YEAR TO DATE ACTUAL 10/1/21 - 9/29/22
REVENUES			
Administrative Assessments	50,083	50,475	50,475
Maintenance Assessments	2,234	2,234	2,234
Debt Assessments	168,769	168,770	168,770
Other Revenues	0	0	0
Interest	48	6	6
TOTAL REVENUES	\$ 221,134	\$ 221,485	\$ 221,485
EXPENDITURES			
MAINTENANCE EXPENDITURES			
Engineering - Annual Report/Inspections	900	900	0
Special Projects	600	400	0
Miscellaneous Maintenance	600	400	0
TOTAL MAINTENANCE EXPENDITURES	\$ 2,100	\$ 1,700	\$ -
ADMINISTRATIVE EXPENDITURES			
Supervisor Fees	5,000	1,600	1,600
Payroll Taxes	383	122	122
Management	19,008	19,008	19,008
Legal	7,000	7,100	6,133
Assessment Roll	6,500	6,500	6,500
Audit Fees	3,700	3,700	3,700
Insurance	5,800	5,706	5,706
Legal Advertisements	900	800	364
Miscellaneous	500	750	623
Postage	200	160	146
Office Supplies	400	375	349
Dues & Subscriptions	175	175	175
Trustee Fee	3,000	3,000	3,000
Continuing Disclosure Fee	350	350	350
Website Management	1,450	1,450	1,450
Administrative Contingency	400	400	0
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 54,766	\$ 51,196	\$ 49,226
TOTAL EXPENDITURES	\$ 56,866	\$ 52,896	\$ 49,226
REVENUES LESS EXPENDITURES	\$ 164,268	\$ 168,589	\$ 172,259
Bond Payments	(158,643)	(161,060)	(161,060)
BALANCE	\$ 5,625	\$ 7,529	\$ 11,199
County Appraiser & Tax Collector Fee	(4,422)	(2,135)	(2,135)
Discounts For Early Payments	(8,843)	(7,969)	(7,969)
EXCESS/ (SHORTFALL)	\$ (7,640)	\$ (2,575)	\$ 1,095
Carryover From Prior Year	7,640	7,640	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ 5,065	\$ 1,095

FUND BALANCE AS OF 9/30/21	\$23,186
FY 2021/2022 ACTIVITY	(\$2,575)
FUND BALANCE AS OF 9/30/22	\$20,611

Note

\$7,640 Of Fund Balance Used To Reduce 2021/2022 Assessments.

AMENDED FINAL BUDGET
CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND
FISCAL YEAR 2021/2022
OCTOBER 1, 2021 - SEPTEMBER 30, 2022

	FISCAL YEAR 2021/2022 BUDGET 10/1/21 - 9/30/22	AMENDED FINAL BUDGET 10/1/21 - 9/30/22	YEAR TO DATE ACTUAL 10/1/21 - 9/29/22
REVENUES			
Interest Income	25	440	434
NAV Tax Collection	158,643	161,060	161,060
Total Revenues	\$ 158,668	\$ 161,500	\$ 161,494
EXPENDITURES			
Principal Payments	54,000	52,000	52,000
Interest Payments	104,550	105,590	105,590
Bond Redemption	118	0	0
			.
Total Expenditures	\$ 158,668	\$ 157,590	\$ 157,590
Excess/ (Shortfall)	\$ -	\$ 3,910	\$ 3,904

FUND BALANCE AS OF 9/30/21	\$169,496
FY 2021/2022 ACTIVITY	\$3,910
FUND BALANCE AS OF 9/30/22	\$173,406

Notes

Reserve Fund Balance = \$39,758*. Revenue Fund Balance = \$133,648*.

Revenue Fund Balance To Be Used To Make 11/1/2022 Principal &

Interest Payment Of \$106,275 -

Principal Payment Of \$54,000 & Interest Payment Of \$52,275.

* Approximate Amounts

Series 2014 Bond Information

Original Par Amount =	\$2,462,000	Annual Principal Payments Due:
Interest Rate =	4.00% - 5.00%	November 1st
Issue Date =	November 2014	Annual Interest Payments Due:
Maturity Date =	November 2044	May 1st & November 1st

Par Amount As Of 9/30/22: \$2,136,000

November 10, 2022

RE: Crestview West Community Development District Auditor Renewal

At the November 14, 2019 Crestview West Community Development District Board Of Supervisors 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 9-30-23 audits.

The fees for the 9-30-2019 audit were \$3,500. The fees for the 9-30-2020 audit were \$3,600. And the fees for the 9-30-2021 audit were \$3,700. The proposed fees for the 9-30-2022 audit is \$3,800, which is the budgeted amount for audit fees for Fiscal Year 2022/2023. The proposed fee for the 9-30-2023 audit is \$3,900.

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

Special District Services, Inc.

MEMORANDUM

TO: District Manager

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

DATE: July 7, 2022

RE: 2022 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 2022 – 220, Laws of Florida (HB 7055). The legislation prohibits state agencies and local governments from paying or otherwise complying with a ransomware incident and establishes penalties and fines for certain ransomware offenses against a government entity¹. The law provides that a ransomware offense is punishable as a first degree felony. The legislation further provides that an employee or contractor of a government entity, with access to the government entity's network, who willfully and knowingly aids or abets another in the commission of a ransomware offense against the government entity commits a felony of the first degree. The law defines the severity level of a cybersecurity incident in accordance with the National Cyber Incident Response Plan. State agencies and local governments must report all ransomware incidents and high severity level cybersecurity incidents to the Cybersecurity Operations Center and the Cybercrime Office within the Florida Department of Law Enforcement as soon as possible, but no later than 12 hours after the discovery of the incident. Local Governments must also report the incident to the local sheriff's office. The legislation requires state agency and local government employees to undergo certain cybersecurity training within 30 days of employment and annually thereafter. The law requires local governments to adopt cybersecurity standards that safeguard the local government's data, information technology (IT), and IT resources. Counties with a population less than 75,000 and municipalities with a population less than 25,000 must adopt the standards by January 1, 2025. The legislation expands the purpose of the Cybersecurity Advisory Council (CAC) to include advising local governments on cybersecurity and requires the CAC to examine reported cybersecurity and ransomware incidents to develop best practice recommendations. The effective date of this act is July 1, 2022.

2. Chapter 2022 – 221, Laws of Florida (HB 7057). The legislation provides a general public record exemption in ch. 119, F.S., for the following information held by an agency:

¹ The bill defines the term "government entity" to mean any official, officer, commission, board, authority, council, committee, or department of the executive, judicial, or legislative branch of state government; state universities; and any county or municipality, special district, water management district, and any other district in this state.

- Coverage limits and deductible or self-insurance amounts of insurance or other risk mitigation coverages acquired for the protection of IT systems, operational technology systems, or data of an agency.
- Information relating to critical infrastructure.
- Network schematics, hardware and software configurations, or encryption information or information that identifies detection, investigation, or response practices for suspected or confirmed cybersecurity incidents.
- Cybersecurity incident information reported pursuant to Sections 282.318 or 282.3185, F.S.

The law also creates a public meeting exemption for any portion of a meeting that would reveal confidential and exempt information; however, any portion of an exempt meeting must be recorded and transcribed. The recording and transcript are confidential and exempt from public record requirements. The legislation provides for release of the confidential and exempt information in certain instances and authorizes agencies to report information about cybersecurity incidents in an aggregate format. The law provides for repeal of the exemptions on October 2, 2027, unless reviewed and saved from repeal by the Legislature, and provides a public necessity statement as required by the Florida Constitution. The effective date of this act is July 1, 2022.

3. Chapter 2022 – 140, Laws of Florida (HB 7001). In 2018, the electorate of Florida amended the state constitution to prohibit lobbying by certain public officers both during public service and for a six-year period after leaving public office. This legislation implements the new constitutional public officer lobbying prohibitions. The prohibitions address lobbying on issues of policy, appropriations, or procurement before the federal government, the legislature, any state government body or agency, or any political subdivision. It provides that the prohibitions apply to persons in public office on or after December 31, 2022. It authorizes the Commission on Ethics (Commission) to investigate and determine violations of the new prohibitions. The bill provides a range of penalties for violations and directs the Commission to report post-service lobbying violations and recommended punishment to the Governor for imposition of penalties. The prohibitions affect the following officers:

- Statewide elected officers;
- Members of the Legislature;
- County commissioners;
- Constitutional county officers and county charter officers;
- School board members;
- School superintendents;
- Elected municipal officers,
- Elected special district officers in special districts with ad valorem taxing authority;
- and
- Secretaries, executive directors, and other administrative heads of executive branch departments.

The effective date of this act is December 31, 2022.

4. Chapter 2022 – 97, Laws of Florida (HB 7071). The legislation provides for a number of tax reductions and other tax-related modifications designed to directly impact both families and businesses. Of interest to Special Districts is the provision that provides tax relief to parcel owners affected by a sudden and unforeseen collapse of a residential building. The law requires the tax collector to abate all taxes and non-ad valorem assessments for the year in which the destruction occurred, and the property appraiser must notify the owners of the abatement. The condition of the residential improvement on January 1 of the year the property was destroyed must have been in such a state that the residential improvement had no value due to a latent defect of the property not readily discernable by inspection. Parcel owners whose property tax is abated are not required to make a payment and property appraisers and tax collectors are prohibited from issuing tax notices. The legislation requires tax collectors to refund tax payments made for taxes levied in the year of collapse. The law requires value adjustment boards to dismiss petitions from parcel owners challenging the value of the parcel for the year of the collapse. The legislation also provides for the following sales tax holidays:

- Back to School July 25 to August 7
- Disaster Preparedness May 28 to June 10
- Energy Star Appliances September 1 to February 28
- Freedom Week² July 1 to July 7
- Tools used by Skilled Trade Workers September 3 to September 9
- Diapers July 1, 2022 to June 30, 2023
- Baby and Toddler Clothing July 1, 2022 to June 30, 2023
- Children’s Books May 14 to August 14
- Impact resistant Windows and Doors July 1, 2022 to June 30, 2024

Section 197.3195, Florida Statutes, as created by this act, applies retroactively to January 1, 2021. The effective date of this legislation is July 1, 2022.

5. Chapter 2022 – 83, Laws of Florida (HB 1411). The legislation promotes the use of floating solar facilities by requiring local governments to allow these facilities as a permitted use under certain conditions and to amend its land development regulations to promote the use of floating solar. Floating solar is a concept that refers to any type of solar array that floats atop a body of water. The legislation defines “floating solar facility” as a solar facility, as defined in s. 163.3205(2), F.S., which is located on wastewater treatment ponds, abandoned limerock mine areas, stormwater treatment ponds, reclaimed water ponds, or other water storage reservoirs. Under the law, counties and municipalities may adopt ordinances specifying buffer and landscaping requirements for floating solar facilities, however, such requirements may not exceed the requirements for similar uses involving the construction of other solar facilities that are permitted uses in agricultural land use categories and zoning districts. The effective date of this legislation is July 1, 2022.

6. Chapter 2022 – 202, Laws of Florida (HB 967). The legislation requires the turfgrass science program at the University of Florida Institute of Food and Agricultural Sciences

² Specified admissions (live music events, live sporting events, movie theater tickets, gym access, entry to fairs and festivals, etc.) and items related to recreational activities.

(UF/IFAS), in coordination with the Department of Environmental Protection (DEP), to administer certification for golf course best management practices (BMPs) in order to provide a means of documenting and ensuring compliance with BMPs for fertilizer application to golf courses. The law requires UF/IFAS to provide training and testing certification programs and to issue certificates demonstrating completion of such programs. The certification expires four years after the date of issuance, and recertification is available if an applicant completes continuing education. Persons certified in golf course BMPs are exempt from additional local training and from local ordinances relating to water and fertilizer use, blackout periods, or restrictions unless a state of emergency is declared. The legislation encourages UF/IFAS to create a registry of persons certified on its website. The effective date of this legislation is July 1, 2022.

7. Chapter 2022 – 103, Laws of Florida (HB 7049). The legislation gives a governmental agency the option to publish its legal notices on the publicly accessible website of the county in which it lies instead of in a printed newspaper or on a newspaper's website if doing so would cost less than publishing legal notices in a newspaper. The law requires a special district spanning the geographic boundaries of more than one county and opting to publish legal notices on a publicly accessible website to publish its legal notices on the publicly accessible website of each county within its boundaries. A link to legal notices published on a publicly accessible website must be conspicuously placed on or accessible through a direct link from the (1) publicly accessible website's homepage; and (2) the homepage of the website of each governmental agency publishing legal notices online. A governmental agency publishing legal notices on a publicly accessible website must (1) give notice in a newspaper or in a mailed or delivered publication, at least annually, that property owners and residents may receive legal notices from the governmental agency by first-class mail or e-mail upon registering with the agency; and (2) maintain a registry of property owners and residents who request in writing to receive legal notices from the governmental agency by mail or e-mail. The effective date of this act is January 1, 2023.

8. Chapter 2022 – 216, Laws of Florida (HB 1057). The legislation provides that when an agency is determining whether a vendor is a responsible vendor, an agency may establish financial stability criteria and require a vendor to demonstrate its financial stability. If an agency requires a vendor to demonstrate its financial stability during the competitive solicitation process, the agency must accept any of the following documents as evidence of the vendor's financial stability:

- Audited financial statements that demonstrate the vendor's satisfaction of financial stability criteria.
- Documentation of an investment grade rating from a credit rating agency designated as a nationally recognized statistical rating organization by the Securities and Exchange Commission.
- For a vendor with annual revenues exceeding \$1 billion, a letter containing a written declaration issued by the chief financial officer or controller attesting that the vendor is financially stable and meets the definition of financial stability.
- For a vendor with annual revenues of \$1 billion or less, documentation, based on criteria established by the agency, evidencing that the vendor is financially stable and meets the definition of financial stability. The criteria established by the agency must be reasonably related to the value of the contract and may not include audited financial statements.

The law does not prohibit agencies from accepting additional documentation as evidence of financial stability and it does not preclude an agency from requiring a performance bond for the duration of the contract, when appropriate. The legislation defines the term “financial stability” to mean, at a minimum, having adequate income and capital and the capacity to efficiently allocate resources, assess and manage financial risks, and maintain financial soundness through the term of the contract. The legislation is effective upon becoming law.

9. Chapter 2022 – 190, Laws of Florida (SB 1062). The relevant portion of this legislation provides that service of process against any municipal corporation, agency, board, commission, department, subdivision of the state or any county that has a governing board, council, or commission or which is a body corporate must be served on the registered agent. However, if the entity does not have a registered agent, or if the registered agent cannot be served after one good faith attempt, the entity must be served:

- On the president, mayor, chair, or other head thereof, and in the absence of the aforementioned;
- On the vice president, vice mayor, or vice chair, and in the absence of the aforementioned;
- On any member of the governing board, council, or commission, the manager of the governmental entity, or an in-house attorney for the governmental entity, and in the absence of the aforementioned;
- On any employee of the governmental entity at the main office of the governmental entity.

The effective date of this legislation is January 2, 2023.

10. Chapter 2022 – 76, Laws of Florida (SB 882). The legislation requires each of the state’s five regional water management districts (WMD), as part of its district water management plan and in cooperation with local governments, to develop a list of critical wetlands to be acquired using funds from the Land Acquisition Trust Fund. The WMD must consider the following criteria in designating a wetland for inclusion on the list:

- The ecological value of the wetland as determined by the physical and biological components of the environmental system;
- The effect of the wetland on water quality and flood mitigation;
- The ecosystem restoration value of the wetland; and
- The inherent susceptibility of the wetland to development due to its geographical location or natural aesthetics.

The law requires that before adopting or amending its list of critical wetlands, each WMD must notify property owners whose property the WMD is contemplating including on the list. A property owner who wishes to remove their property from the list must submit a letter to the WMD requesting such removal and sufficiently identifying the property. The WMD must approve the removal if those requirements are met. The effective date of this act is July 1, 2022.

11. Chapter 2022 – 121, Laws of Florida (SB 518). The legislation amends s. 163.045, F.S., to clarify that a local government may not burden a property owner’s rights to prune, trim, or remove trees on his or her own residential property if the tree “poses an unacceptable risk” to

persons or property and the property owner possesses “documentation” from a landscape architect or certified arborist. A tree poses an “unacceptable risk” if removal is the only means of practically mitigating the risk below “moderate.” The law also adds definitions for the terms “documentation” and “residential property.” The definition for “documentation” requires that an onsite assessment be made in a certain manner by a specified type of certified arborist or architect. The bill defines “residential property” as a single-family detached building located on a lot that is actively used for single-family residential purposes. The effective date of this act is July 1, 2022.

12. Chapter 2022 – 89, Laws of Florida (HB 7053). To assist local governments in resilience planning, this legislation creates the Resilient Florida Grant Program (grant program), which authorizes the Department of Environmental Protection (DEP) to provide grants to a city or county to fund the costs of community resilience planning. In addition, the law directs DEP to develop an annual Statewide Flooding and Sea Level Rise Resilience Plan (plan), which consists of a list of ranked projects submitted by cities and counties that address risks posed by flooding and sea-level rise. With respect to the plan, the legislation requires DEP to rank and include in the plan all eligible projects that were submitted for the plan and to include a detailed narrative overview describing how the plan was developed. The bill authorizes special districts that are responsible for the management and maintenance of inlets and intracoastal waterways or for the operation and maintenance of a potable water facility, a wastewater facility, an airport, or a seaport facility to submit projects for inclusion in the plan. This act is effective July 1, 2022.

13. Chapter 2022 – 266, Laws of Florida (SB 4-C). This legislation dissolves all independent special districts established by a special act prior to the ratification of the Florida Constitution on November 5, 1968, if those districts have not been reestablished, re-ratified, or otherwise reconstituted by special act or general law after such date. Such special districts will be dissolved effective June 1, 2023. The following six districts appear to operate pursuant to a charter, which predates the 1968 Florida Constitution and was not reestablished, re-ratified, or otherwise reconstituted by a special act or general law after November 5, 1968:

- Bradford County Development Authority (Bradford County)
- Sunshine Water Control District (Broward County)
- Eastpoint Water and Sewer District (Franklin County)
- Hamilton County Development Authority (Hamilton County)
- Reedy Creek Improvement District (Orange and Osceola Counties)
- Marion County Law Library (Marion County)

The law allows an independent special district affected by the bill to be re-established on or after June 1, 2023, pursuant to the requirements and limitations of ch. 189 F.S. When there is a dissolution of a special district government, the special district transfers the title to all property owned by the preexisting special district to the local general-purpose government, either a county or municipality, which shall also assume all indebtedness of the preexisting special district. This act is effective July 1, 2022.

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/>.