



**KENDALL BREEZE WEST
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
SPECIAL BOARD MEETING
OCTOBER 21, 2020
7:00 P.M.**

Special District Services, Inc.
6625 Miami Lakes Drive, Suite 374
Miami Lakes, FL 33014

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AGENDA
KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING

October 21, 2020

7:00 p.m.

JOIN BY VIDEO ACCESS: <https://us02web.zoom.us/j/3341025013>

Meeting ID: 334 102 5013

Call-In: 929-436-2866

- 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. August 19, 2020 Regular Board Meeting & Public HearingPage 2
- G. Old Business
 - 1. Update Regarding Natural Forest Community (NFC) Exotic Species Removal
 - 2. Discussion Regarding Preservation Area Gates
 - 3. Discussion Regarding Sign Proximity to Speed Humps
- H. New Business
 - 1. Consider Resolution No. 2020-05 – Adopting a Fiscal Year 2019/2020 Amended Budget.....Page 7
- I. Administrative & Operational Matters
 - 1. Discussion Regarding Election Protocol and Declaring Vacancies Effective November 17th
- J. Board Member & Staff Closing Comments
- K. Adjourn

NOTICE OF SPECIAL BOARD MEETING OF THE KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT

NOTICE IS HEREBY GIVEN that the Kendall Breeze West Community Development District (the "District") will hold a Special Board Meeting (the "Meeting") of its Board of Supervisors (the "Board") on October 21, 2020, at 7:00 p.m. to be conducted by telephonic and video conferencing communications media technology pursuant to Executive Orders 20-52, 20-69, and 20-112, 20-114, 20-150, 20-179, 20-193, and 20-246 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, May 8, 2020, June 24, 2020, July 29, 2020, August 7, 2020, and September 30, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes. The Meeting is being held for the necessary public purpose of considering the Fiscal Year 2019/2020 Amended Budget. At such time the Board is so authorized and may consider any business that may lawfully and properly come before it.

While it is necessary to hold the Meeting utilizing communications media technology due to the current COVID-19 public health emergency, the District fully encourages public participation in a safe and efficient manner. Participants may attend the Meeting by accessing the District's website, www.kendallbreezewestcdd.org and clicking on the meeting link you will find on the homepage, or utilizing the following login information:

Join by URL for VIDEO ACCESS at: <https://us02web.zoom.us/j/3341025013>

OR

Call In at: 929-436-2866

Meeting ID: 334 102 5013

A copy of the budget and/or the agenda for the Meeting may be obtained at the offices of the District Manager, c/o Special District Services, Inc., at (561) 630-4922 or nnguyen@sdsinc.org (the "District Manager's Office") during normal business hours. The Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The Meeting may be continued to a date, time, and place to be specified on the record at the Meeting.

Any person requiring special accommodations in order to access and participate in the Meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (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 Manager's Office.

As indicated above, this Meeting will be conducted by media communications technology. Anyone requiring assistance in order to obtain access to the telephonic, video conferencing, or other communications media technology being utilized to conduct this Meeting should contact the District Manager's Office at least forty-eight (48) hours prior to the Meeting. Similarly, any person requiring or that otherwise may need assistance accessing or participating in this Meeting because of a disability or physical impairment is strongly encouraged to contact the District Manager's Office at least forty-eight (48) hours in advance so that arrangements may be made.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the 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.

District Manager

KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT

www.kendallbreezewestcdd.org

10/14 20-15/0000492951M

**KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING & PUBLIC HEARING
AUGUST 19, 2020**

Note: The Kendall Breeze West Community Development District (the “District”) Regular Board Meeting was held via technological means as a result of the public health emergency that exists in the State of Florida as a consequence of the COVID-19 coronavirus, in light of the guidelines established by the Centers for Disease Control for the protection of all members of the community, and with the authority granted by Executive Orders issued by Governor Ron DeSantis, including Executive Order 20-69 (Emergency Management—COVID-19—Local Government Public Meetings) authorizing the use of communications technology, as provided in Section 120.54(5)(b)2, Florida Statutes.

A. CALL TO ORDER

District Manager Nancy Nguyen called the August 19, 2020, Regular Board Meeting of the Kendall Breeze West Community Development District to order at approximately 7:04 p.m. via technological means pursuant to Executive Orders 20-52, 20-69, 20-112, 20-114, 20-150, and 20-179 issued by Governor DeSantis on March 9, 2020, March 20, 2020, April 29, 2020, May 8, 2020, June 24, 2020, and July 29, 2020, respectively, and pursuant to Section 120.54(5)(b)2., Florida Statutes.

B. PROOF OF PUBLICATION

Ms. Nguyen presented proof of publication that notice of the August 19, 2020, Regular Board Meeting had been published in the *Miami Daily Business Review* on August 6, 2020, *as legally required*.

C. ESTABLISH A QUORUM

It was determined that the virtual attendance of Chairman Eduardo Sanchez, Vice Chairperson Marianna Antunez and Supervisor Ahsaki Guilbeaux constituted a quorum and it was in order to proceed with the meeting.

Virtually attending Staff members were as follows: District Manager Nancy Nguyen of Special District Services, Inc.; and General Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also in virtual attendance was Liana Cervino, Miami, Florida.

D. ELECTION OF OFFICERS

Ms. Nguyen indicated that she had received Ms. Cervino’s Oath of Office and went on to explain the Sunshine Law and Officer responsibilities with Ms. Cervino prior to the meeting. As a result of the changes to the Board of the District, Ms. Nguyen recommended that re-election of the District’s Officers take place. She provided the following slate of names for election:

- Chairperson – Eduardo Sanchez
- Vice Chairperson – Marianna Antunez
- Secretary/Treasurer – Nancy Nguyen

- Assistant Secretaries – Ahsaki Guilbeaux, Jessica Figueroa, Liana Cervino, Armando Silva and Gloria Perez

A **motion** was made by Ms. Guilbeaux, seconded by Mr. Sanchez and passed unanimously to elect the District’s Officers, as listed above.

E. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

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

G. APPROVAL OF MINUTES

1. May 20, 2020, Special Board Meeting

The minutes of the May 20, 2020, Special Board Meeting were presented and the Board was asked if they had any changes. Ms. Antunez informed Ms. Nguyen that her name was misspelled on the minutes. Ms. Nguyen acknowledged the error.

A **motion** was made by Mr. Sanchez, seconded by Ms. Guilbeaux and unanimously passed approving the minutes of the May 20, 2020, Special Board Meeting, *as amended*.

NOTE: At approximately 7:08 p.m., Ms. Nguyen recessed the Regular Meeting and simultaneously opened the Public Hearing.

H. 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 July 30, 2020, and August 6, 2020, as legally required.

2. Receive Public Comments on Fiscal Year 2020/2021 Final Budget

Ms. Nguyen opened the public comment portion of the public hearing to receive comments on the 2020/2021 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. 2020-03 – Adopting a Fiscal Year 2020/2021 Final Budget

Ms. Nguyen presented Resolution No. 2020-03, entitled:

RESOLUTION NO. 2020-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR 2020/2021 FINAL BUDGET INCLUDING NON-AD VALOREM SPECIAL ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen read the title into the record and stated that the document provides for approving and adopting the fiscal year 2020/2021 final budget and the non-ad valorem special assessment tax roll. A discussion ensued after which:

A **motion** was made by Ms. Antunez, seconded by Mr. Sanchez and unanimously passed to approve and adopt Resolution No. 2020-03, *as presented*; thereby setting the 2020/2021 final budget and non-ad valorem special assessment tax roll.

NOTE: At approximately 7:10 p.m., Ms. Nguyen closed the Public Hearing and simultaneously reconvened the Regular Meeting.

I. OLD BUSINESS

1. Update Regarding Reflective Paving Markings on 138th Avenue

Ms. Nguyen advised that the pavement stripping and application of reflective pavement markings on SW 138th Avenue had been completed. Additional actions on this topic were not required at this time.

J. NEW BUSINESS

1. Ratify District Manager's Actions – Sidewalk Leveling Project

Ms. Nguyen reminded the Board that she sent an email on July 22, 2020, informing the Board of sidewalk elevation concerns. She further explained that the email contained three (3) proposals for the correction of the sidewalk elevation measurements at ninety-nine (99) locations, as follows:

- JCC Services Corp. \$8,950
- Arking Solutions \$9,200
- Florida Sidewalk Repair \$10,408.20

Ms. Nguyen stated that the emailed Board consensus was to engage JCC Services Corp. to correct the sidewalk elevation measurements at the 99 locations. Ms. Nguyen further advised that this project had been completed and it would be in order to ratify the District Manager's actions. A discussion ensued after which:

A **motion** was made by Ms. Guilbeaux, seconded by Ms. Cervino and unanimously passed to ratify the actions of the District Manager.

2. Consider Resolution No. 2020-04 – Adopting a Fiscal Year 2020/2021 Meeting Schedule

Ms. Nguyen presented Resolution No. 2020-04, entitled:

RESOLUTION NO. 2020-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2020/2021 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 Mr. Sanchez, seconded by Ms. Cervino and unanimously passed to approve and adopt Resolution No. 2020-04, *as presented*; thereby setting the 2020/2021 regular meeting schedule and authorizing the publication of the annual meeting schedule, as required by law.

3. Discussion Regarding Natural Forest Community (NFC) Exotic Species Removal & Proposals

Ms. Nguyen stated that the District had a pine rockland preservation area as part of their infrastructure, which must be maintained by the District. The preservation area has now reached its maturity and must be cleared of invasive/exotic species. A 5-year permit has been attained from Miami-Dade County DERM, which will allow District Staff and contractors to enter the preservation area to remove these invasive/exotic species.

An inspection of the area was conducted with DERM and it was advised that that the best plan of action would be to work in phases, starting with the perimeter of the preservation area.

To be able to gain access to the preservation area, two gate entrances will need to be installed into the current chain link fence surrounding this area. Following the clearing of the perimeter, an herbicide sweep schedule would need to be in place to keep these invasive species from reappearing.

Ms. Nguyen presented the following proposals for consideration:

Gate Installation (two 12' double door gates, each side to measure 6'):

- Arking Solutions \$3,500
- Artemisa \$1,300
- Gomez & Son \$2,280
- Trimscape: \$1,800

Perimeter Clearing of Pine Rockland Preservation Area:

- Aquagenix \$19,533 + \$2,300 = \$21,833 (15' clearing)
- Trimscape \$19,500 (15' clearing)
- Allstate Resource Mgmt., Inc \$13,715 (25' clearing)

Annual Herbicide Sweep Schedule (to be applied quarterly):

- Aquagenix \$4,020 per annum
- Trimscape \$2,800 per annum
- Allstate Resource Mgmt., Inc. \$2,100 per annum

A discussion ensued after which:

A **motion** was made by Mr. Sanchez, seconded by Ms. Antunez and unanimously passed accepting the proposal received from Artemisa in the amount of \$1,300 for the installation of two 12' double door gates.

A **motion** was made by Ms. Guilbeaux, seconded by Ms. Antunez and unanimously passed accepting the proposal received from Allstate Resource Management, Inc. in the amount of \$13,715 for the pine

rockland preservation area perimeter clearing of 25 feet; further authorizing District Counsel to create an agreement and for the District Manager to execute the agreement on behalf of the District.

A **motion** was made by Ms. Antunez, seconded by Ms. Guilbeaux and unanimously passed accepting the proposal received from Allstate Resources Management, Inc. for the annual amount of \$2,100 for the quarterly herbicide sweep of the preservation area.

K. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Staff Report, as Required

Ms. Nguyen stated that unless an emergency were to arise, the Board would not need to meet until October 21, 2020.

L. BOARD MEMBER & STAFF CLOSING COMMENTS

There were no comments from Board Members or District Staff.

M. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Sanchez, seconded by Ms. Cervino and unanimously passed to adjourn the Regular Board Meeting at approximately 7:41 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

RESOLUTION NO. 2020-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2019/2020 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Kendall Breeze 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 KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT, THAT:

Section 1. The Amended Budget for Fiscal Year 2019/2020 attached hereto as Exhibit “A” is hereby approved and adopted.

Section 2. The Secretary/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 BECOMES EFFECTIVE this 21st day of October, 2020.

ATTEST:

**KENDALL BREEZE WEST
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Kendall Breeze West Community Development District

**Amended Final Budget For
Fiscal Year 2019/2020
October 1, 2019 - September 30, 2020**

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

AMENDED FINAL BUDGET
KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT
OPERATING FUND
FISCAL YEAR 2019/2020
OCTOBER 1, 2019 - SEPTEMBER 30, 2020

	FISCAL YEAR 2019/2020 BUDGET 10/1/19- 9/30/20	AMENDED FINAL BUDGET 10/1/19- 9/30/20	YEAR TO DATE ACTUAL 10/1/19 - 9/29/20
REVENUES			
Administrative Assessments	63,886	64,172	64,172
Maintenance Assessments	23,537	23,537	23,537
Debt Assessments	118,604	118,604	118,604
Interest Income	180	160	158
TOTAL REVENUES	\$ 206,207	\$ 206,473	\$ 206,471
EXPENDITURES			
ADMINISTRATIVE EXPENDITURES			
Supervisor Fees	5,000	2,600	2,600
Payroll Taxes - Employer	385	199	199
Management	29,448	29,448	29,448
Secretarial & Field Operations	6,000	6,000	6,000
Legal	8,000	9,000	7,710
Assessment Roll	7,500	7,500	7,500
Audit Fees	3,700	3,400	3,400
Insurance	6,500	5,251	5,251
Legal Advertisements	700	900	668
Miscellaneous	1,500	1,300	981
Postage	250	85	79
Office Supplies	450	200	191
Dues & Subscriptions	175	175	175
Trustee Fees	4,100	4,089	4,089
Continuing Disclosure Fee	350	350	350
Website Management	2,000	2,000	2,000
Administrative Contingency	1,200	500	0
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 77,258	\$ 72,997	\$ 70,641
MAINTENANCE EXPENDITURES			
Engineering - Annual Report & Inspections	1,200	975	975
Street/Roadway & Stormwater Maintenance	13,200	20,000	17,400
Special Projects	7,200	13,715	4,800
Miscellaneous Maintenance	5,000	14,000	11,301
Maintenance Contingency	1,200	1,200	1,110
TOTAL MAINTENANCE EXPENDITURES	\$ 27,800	\$ 49,890	\$ 35,586
TOTAL EXPENDITURES	\$ 105,058	\$ 122,887	\$ 106,227
REVENUES LESS EXPENDITURES	\$ 101,149	\$ 83,586	\$ 100,244
Bond Payments	(111,488)	(113,093)	(113,093)
BALANCE	\$ (10,339)	\$ (29,507)	\$ (12,849)
County Appraiser & Tax Collector Fee	(4,120)	(1,986)	(1,986)
Discounts For Early Payments	(8,241)	(7,585)	(7,585)
EXCESS/ (SHORTFALL)	\$ (22,700)	\$ (39,078)	\$ (22,420)
Carryover From Prior Year	22,700	22,700	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ (16,378)	\$ (22,420)

Notes

Carryover From Prior Year Of \$22,610 was used to reduce Fiscal Year 2019/2020 Assessments.
\$19,670 Of Fund Balance To Be Used To Reduce 2020/2021 Assessments.

FUND BALANCE AS OF 9/30/19	\$125,532
FY 2019/2020 ACTIVITY	(\$39,078)
FUND BALANCE AS OF 9/30/20	\$86,454

AMENDED FINAL BUDGET
KENDALL BREEZE WEST COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND
FISCAL YEAR 2019/2020
OCTOBER 1, 2019 - SEPTEMBER 30, 2020

	FISCAL YEAR 2019/2020 BUDGET 10/1/19- 9/30/20	AMENDED FINAL BUDGET 10/1/19- 9/30/20	YEAR TO DATE ACTUAL 10/1/19 - 9/29/20
REVENUES			
Interest Income	200	588	586
NAV Tax Collection	111,488	113,093	113,093
Total Revenues	\$ 111,688	\$ 113,681	\$ 113,679
EXPENDITURES			
Principal Payments	50,000	50,000	50,000
Interest Payments	61,688	62,863	62,863
Extraordinary Principal Payments	0	0	0
Total Expenditures	\$ 111,688	\$ 112,863	\$ 112,863
Excess/ (Shortfall)	\$ -	\$ 818	\$ 816

FUND BALANCE AS OF 9/30/19	\$81,299
FY 2019/2020 ACTIVITY	\$818
FUND BALANCE AS OF 9/30/20	\$82,117

Notes

Reserve Fund Balance = \$42,800*. Revenue Fund Balance = \$32,109*.

Redemption Fund Balance = \$7,208*.

Revenue Fund Balance To Be Used To Make 11/1/2020 Interest Payment Of \$29,963.

* Approximate Amounts

Series 2004 Bond Information

Original Par Amount =	\$1,580,000	Annual Principal Payments Due:
Interest Rate =	5.875%	May 1st
Issue Date =	December 2004	Annual Interest Payments Due:
Maturity Date =	May 2034	May 1st & November 1st

Par Amount As Of 9/30/20: \$1,020,000