



**BLACK CREEK
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
SEPTEMBER 20, 2023
10:30 A.M.**

Special District Services, Inc.
8785 SW 165th Avenue, Suite 200
Miami, FL 33193
786.313.3661 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT
Lennar Homes, LLC
5505 Blue Lagoon Drive
Miami, Florida 33126
REGULAR BOARD MEETING & PUBLIC HEARING
September 20, 2023
10:30 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. May 17, 2023 Special Board Meeting.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 4
 - 2. Consider Resolution No. 2023-02 – Amending Resolution No. 2023-01.....Page 5
 - 3. Receive Public Comments on Fiscal Year 2023/2024 Final Budget
 - 4. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Final Budget.....Page 6
- H. Old Business
 - 1. Update Regarding Petition to Expand the Boundaries of the District – Sienna Reserve
- I. New Business
 - 1. Consider Resolution No. 2023-04 – Adopting a Fiscal Year 2023/2024 Meeting Schedule.....Page 14
 - 2. Consider Resolution No. 2023-05 – Adopting a Records Retention Policy.....Page 16
 - 3. Consider Resolution No. 2023-06 – Calling for a Second Landowners’ Meeting.....Page 20
 - 4. Discussion Regarding Required Ethics Training.....Page 21
 - 5. Discussion Regarding Notice to Conditionally Close Site.....Page 26
- J. Administrative & Operational Matters
 - 1. Staff Report: As Required
- K. Board Member & Staff Closing Comments
- L. Adjourn

Publication Date
2023-09-07

Subcategory
Miscellaneous Notices

NOTICE OF PUBLIC HEARING & REGULAR BOARD MEETING OF THE BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors (the "Board") of the Black Creek Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting on September 20, 2023, at 10:30 a.m., or as soon thereafter as can be heard, in a Meeting Room of Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33126.

The purpose of the Public Hearing is to receive public comment on the Fiscal Year 2023/2024 Proposed Final Budget and the Non-Ad Valorem Assessment Roll of the District. The purpose of the Regular Board Meeting is for the Board to consider any other District business which may lawfully and properly come before the Board. A copy of the District's Budget and/or the Agenda may be obtained from the District's website or at the offices of the District Manager, Special District Services, Inc., 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193, during normal business hours. The meeting is open to the public and will be conducted in accordance with the provisions of Florida law. Scheduled Meetings may be continued as found necessary to a time and place specified on the record.

There may be occasions when one or two Supervisors will participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager at (786) 313-3661 and/or toll free at 1-877-737-4922, at least seven (7) days prior to the date of the meetings. If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

Black Creek Community Development District
www.blackcreekcdd.org
8/31 9/7 23-63/0000681299M

**BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING
MAY 17, 2023**

A. CALL TO ORDER

District Manager Armando Silva called the May 17, 2023, Special Board Meeting of the Black Creek Community Development District to order at 10:44 a.m. in the Meeting Room at Lennar Homes, LLC, located at 5505 Blue Lagoon Drive, Miami, Florida 33126.

B. PROOF OF PUBLICATION

Mr. Silva presented proof of publication that notice of the Special Board Meeting had been published in the *Miami Daily Business Review* on May 9, 2023, as legally required.

C. ESTABLISH A QUORUM

Mr. Silva determined that the attendance of the following Board Members constituted a quorum and it was in order to proceed with the meeting: Vice-Chairperson Teresa Baluja and Supervisors Vanessa Perez and Marc Szasz.

Staff in attendance included: District Manager Armando Silva 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. November 16, 2022, Regular Board Meeting

Mr. Silva presented the November 16, 2022, Regular Board Meeting minutes and asked if there were any comments and/or changes. There being no comments or changes, a **motion** was made by Ms. Baluja, seconded by Ms. Perez and unanimously passed to approve the November 16, 2022, Regular Board Meeting minutes, *as presented*.

G. OLD BUSINESS

1. Update Regarding Kendall North Phase 3 and Kendall South Phase 4 and 5 Conveyances

Mr. Silva informed the board that the Kendall North Phase 3 conveyance package and the Kendall South Phases 4 and 5 conveyance packages were recently executed.

H. NEW BUSINESS

1. Consider Resolution No. 2023-01– Adopting a Fiscal Year 2023/2024 Proposed Budget

Resolution No. 2023-01 was presented, entitled:

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET AND NON-AD VALOREM SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

Mr. Silva read the title into the record and stated that no carryover amount would be required to balance the budget from the fund balance as of 9/30/2022. In addition, Mr. Silva stated as part of Resolution No. 2023-01, the Board must set a date for the public hearing to adopt the fiscal year 2023/2024 final budget and assessment roll. Further discussion took place on the proposed budget after which;

A **motion** was made by Ms. Baluja, seconded by Ms. Perez and passed unanimously to approve and adopt Resolution No. 2022-01, *as presented*; setting the Public Hearing for August 16, 2023, at 10:15 a.m. in Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33172; and further authorizes the publication of the notice of public hearing, as required by law.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

There were no Administrative & Operational Matters.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

There were no Board member & staff closing comments.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Ms. Baluja, seconded by Ms. Perez and passed unanimously to adjourn the Regular Board Meeting at 10:47 a.m.

Secretary/Assistant Secretary

Chairperson/Vice-Chairperson

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, 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

BLACK CREEK 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

10/10/2022

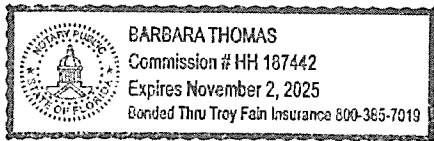
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Guillermo Garcia

Sworn to and subscribed before me this 10 day of OCTOBER, A.D. 2022

Barbara Thomas

(SEAL)
GUILLERMO GARCIA personally known to me



BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Black Creek Community Development District (the "District") will hold Regular Meetings at Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33126 at 10:30 a.m. on the following dates:

- October 19, 2022
- November 16, 2022
- March 15, 2023
- April 19, 2023
- June 21, 2023
- July 19, 2023
- September 20, 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 786-313-3661 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 786-313-3661 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.

BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT

www.blackcreekcdd.org
10/10

22-08/0000624066M

RESOLUTION NO. 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION NO. 2023-01; AMENDING THE DATE AND TIME FOR THE PUBLIC HEARING TO CONSIDER THE FISCAL YEAR 2023/2024 FINAL BUDGET AND ASSESSMENTS AND AUTHORIZING THE SECRETARY AND DISTRICT MANAGER TO TAKE CERTAIN ACTIONS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Board previously adopted Resolution 2023-01 approving a proposed budget and setting a public hearing for August 16, 2023; and

WHEREAS, due to the unforeseen inability of the Board to secure a quorum for the scheduled public hearing, said public hearing had to be re-advertised and rescheduled; and

WHEREAS, the public hearing has been rescheduled for September 20, 2023, and all other requirements and filings associated with the preparation of the fiscal year budget have been completed.

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

1. Resolution No. 2023-01 is hereby amended to change the date and time of the Public Hearing to September 20, 2023 at 10:30 a.m. in the Lennar Homes, LLC, 5505 Blue Lagoon Drive, Miami, Florida 33126, for the purpose of receiving public comments on the Proposed Fiscal Year 2022/2023 Budget.

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

PASSED, ADOPTED and EFFECTIVE this 20th day of September, 2023.

ATTEST:

**BLACK CREEK
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLACK CREEK 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 Black Creek 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 BLACK CREEK 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 20th day of September, 2023.

ATTEST:

**BLACK CREEK COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Black Creek
Community Development District

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

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- V ASSESSMENT COMPARISON

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

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
Administrative Assessments	141,654
Maintenance Assessments	354,787
Debt Assessments (2020)	263,617
Debt Assessments (2022)	1,298,238
Developer Contribution - Debt	0
Other Revenue	0
Interest Income	0
TOTAL REVENUES	\$ 2,058,296
EXPENDITURES	
Maintenance Expenditures	
Annual Engineer's Report & Inspections	2,000
Field Operations Management	1,500
Street/Roadway Maintenance/Signage	3,000
Miscellaneous Maintenance	3,000
Wall Feature Maintenance/Upkeep	4,000
Landscape Maintenance	60,000
Maintenance Contingency	260,000
TOTAL MAINTENANCE EXPENDITURES	\$ 333,500
Administrative Expenditures	
Supervisor Fees	0
Management	28,440
Legal	12,000
Legal - Extraordinary	0
Assessment Roll	6,000
Audit Fees	5,700
Arbitrage Rebate Fee	650
Insurance	6,420
Legal Advertisements	1,500
Miscellaneous	1,000
Postage	525
Office Supplies	525
Dues & Subscriptions	175
Trustee Fees	4,250
Continuing Disclosure Fee	1,000
Website Management	2,000
Administrative Contingency	62,970
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 133,155
TOTAL EXPENDITURES	\$ 466,655
REVENUES LESS EXPENDITURES	\$ 1,591,641
Bond Payments (2020)	(247,800)
Bond Payments (2022)	(1,220,344)
BALANCE	\$ 123,497
County Appraiser & Tax Collector Fee	(41,166)
Discounts For Early Payments	(82,331)
EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
BLACK CREEK 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	73,243	141,656	141,654	Expenditures Less Interest /.94
Maintenance Assessments	17,553	354,787	354,787	Expenditures/.94
Debt Assessments (2020)	263,617	263,617	263,617	Bond Payments/.94
Debt Assessments (2022)	0	1,298,238	1,298,238	Bond Payments/.94
Developer Contribution - Debt	0	0	0	
Other Revenue	0	0	0	
Interest Income	0	0	0	Projected At \$0 Per Month
TOTAL REVENUES	\$ 354,413	\$ 2,058,298	\$ 2,058,296	
EXPENDITURES				
Maintenance Expenditures				
Annual Engineer's Report & Inspections	3,373	2,000	2,000	No Change From 2022/2023 Budget
Field Operations Management	1,500	1,500	1,500	Field Operations Management
Street/Roadway Maintenance/Signage	0	3,000	3,000	No Change From 2022/2023 Budget
Miscellaneous Maintenance	7,000	3,000	3,000	No Change From 2022/2023 Budget
Wall Feature Maintenance/Upkeep	0	4,000	4,000	No Change From 2022/2023 Budget
Landscape Maintenance	0	10,000	60,000	Landscape Maintenance
Maintenance Contingency	0	310,000	260,000	Maintenance Contingency
TOTAL MAINTENANCE EXPENDITURES	\$ 11,873	\$ 333,500	\$ 333,500	
Administrative Expenditures				
Supervisor Fees	0	0	0	
Management	26,808	27,612	28,440	CPI Adjustment (Capped at 3%)
Legal	13,066	12,000	12,000	No Change From 2022/2023 Budget
Legal - Extraordinary	0	0	0	
Assessment Roll	6,000	6,000	6,000	Assessment Roll
Audit Fees	3,900	5,500	5,700	Accepted Amount For 2022/2023 Audit
Arbitrage Rebate Fee	0	650	650	Arbitrage Rebate Fee
Insurance	5,706	6,420	6,420	Insurance Estimate
Legal Advertisements	730	1,500	1,500	No Change From 2022/2023 Budget
Miscellaneous	249	1,000	1,000	No Change From 2022/2023 Budget
Postage	173	525	525	No Change From 2022/2023 Budget
Office Supplies	415	525	525	No Change From 2022/2023 Budget
Dues & Subscriptions	175	175	175	No Change From 2022/2023 Budget
Trustee Fees	4,031	4,250	4,250	No Change From 2022/2023 Budget
Continuing Disclosure Fee	500	1,000	1,000	No Change From 2022/2023 Budget
Website Management	2,000	2,000	2,000	No Change From 2022/2023 Budget
Administrative Contingency	0	64,000	62,970	Administrative Contingency
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 63,753	\$ 133,157	\$ 133,155	
TOTAL EXPENDITURES	\$ 75,626	\$ 466,657	\$ 466,655	
REVENUES LESS EXPENDITURES	\$ 278,787	\$ 1,591,641	\$ 1,591,641	
Bond Payments (2020)	(250,665)	(247,800)	(247,800)	2024 P & I Payments
Bond Payments (2022)	0	(1,220,344)	(1,220,344)	2024 P & I Payments
BALANCE	\$ 28,122	\$ 123,497	\$ 123,497	
County Appraiser & Tax Collector Fee	(3,404)	(41,166)	(41,166)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(14,012)	(82,331)	(82,331)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ 10,706	\$ -	\$ -	

DETAILED FINAL DEBT SERVICE FUND (SERIES 2020) BUDGET

BLACK CREEK 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				
Interest Income	14	25	100	Projected Interest For FY 2023/2024
Payment By Developer	0	0	0	
NAV Tax Collection	250,665	247,800	247,800	Maximum Debt Service Collection
Total Revenues	\$ 250,679	\$ 247,825	\$ 247,900	
EXPENDITURES				
Principal Payments	85,000	90,000	90,000	Principal Payment Due In 2024
Interest Payments	160,225	156,325	153,625	Interest Payments Due In 2024
Transfer To Construction Fund	6	0	0	
Bond Redemption	0	1,500	4,275	Estimated Excess Debt Collections
Total Expenditures	\$ 245,231	\$ 247,825	\$ 247,900	
Excess/ (Shortfall)	\$ 5,448	\$ -	\$ -	

Series 2020 Bond Information

Original Par Amount =	\$4,365,000	Annual Principal Payments Due =	June 15th
Interest Rate =	3.00% - 4.00%	Annual Interest Payments Due =	June 15th & December 15th
Issue Date =	January 2020		
Maturity Date =	June 2050		
Par Amount As Of 1/1/23 =	\$4,195,000		

DETAILED FINAL DEBT SERVICE FUND (SERIES 2022) BUDGET

BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT

FISCAL YEAR 2023/2024

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	8	25	100	Projected Interest For FY 2023/2024
Bond Proceeds	610,172	0	0	
NAV Tax Collection	0	1,220,344	1,220,344	Maximum Debt Service Collection
Total Revenues	\$ 610,180	\$ 1,220,369	\$ 1,220,444	
EXPENDITURES				
Principal Payments	0	245,000	260,000	Principal Payment Due In 2024
Interest Payments	0	971,769	959,649	Interest Payments Due In 2024
Bond Redemption	8.11	3,600	795	Estimated Excess Debt Collections
Total Expenditures	\$ 8	\$ 1,220,369	\$ 1,220,444	
Excess/ (Shortfall)	\$ 610,172	\$ -	\$ -	

Series 2022 Bond Information

Original Par Amount =	\$17,735,000	Annual Principal Payments Due =	June 15th
Interest Rate =	4.8% - 5.625%	Annual Interest Payments Due =	June 15th & December 15th
Issue Date =	May 2022		
Maturity Date =	June 2052		
Par Amount As Of 6/1/23 =	\$17,735,000		

Black Creek Community Development District Assessment Comparison

	Fiscal Year 2020/2021 Assessment*	Fiscal Year 2021/2022 Assessment*	Fiscal Year 2022/2023 Assessment*	Fiscal Year 2023/2024 Projected Assessment*
<u>Original Units</u>				
Administrative Assessment For Townhomes	\$ 333.25	\$ 334.37	\$ 118.05	\$ 118.05
Maintenance Assessment For Townhomes	\$ 81.64	\$ 80.16	\$ 295.66	\$ 295.66
<u>Debt Assessment For Townhomes</u>	<u>\$ 1,156.63</u>	<u>\$ 1,156.63</u>	<u>\$ 1,156.63</u>	<u>\$ 1,156.63</u>
Total	\$ 1,571.52	\$ 1,571.16	\$ 1,570.34	\$ 1,570.34
Administrative Assessment For Single Family Homes	\$ 333.25	\$ 334.37	\$ 118.05	\$ 118.05
Maintenance Assessments For Single Family Homes	\$ 81.64	\$ 80.16	\$ 295.66	\$ 295.66
<u>Debt Assessment For Single Family Homes</u>	<u>\$ 1,260.83</u>	<u>\$ 1,260.83</u>	<u>\$ 1,260.83</u>	<u>\$ 1,260.83</u>
Total	\$ 1,675.72	\$ 1,675.36	\$ 1,674.54	\$ 1,674.54
<u>Expansion Units</u>				
Administrative Assessment For Villas	\$ -	\$ -	\$ 118.05	\$ 118.05
Maintenance Assessment For Villas	\$ -	\$ -	\$ 295.66	\$ 295.66
<u>Debt Assessment For Villas</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,247.65</u>	<u>\$ 1,247.65</u>
Total	\$ -	\$ -	\$ 1,661.36	\$ 1,661.36
Administrative Assessment For Townhomes	\$ -	\$ -	\$ 118.05	\$ 118.05
Maintenance Assessment For Townhomes	\$ -	\$ -	\$ 295.66	\$ 295.66
<u>Debt Assessment For Townhomes</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,352.89</u>	<u>\$ 1,352.89</u>
Total	\$ -	\$ -	\$ 1,766.60	\$ 1,766.60
Administrative Assessment For Single Family Homes	\$ -	\$ -	\$ 118.05	\$ 118.05
Maintenance Assessments For Single Family Homes	\$ -	\$ -	\$ 295.66	\$ 295.66
<u>Debt Assessment For Single Family Homes</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,458.13</u>	<u>\$ 1,458.13</u>
Total	\$ -	\$ -	\$ 1,871.84	\$ 1,871.84

* Assessments Include the Following :

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

Notes

Net Per Unit O&M Covenant amount is \$390.00
Gross Per Unit O&M Covenant amount is \$414.89

Community Information - Original Units:

Townhomes	120
Single Family Units	99
Total Units	219

Total Units:

Original Units	219
Expansion Units	981
Total Units	1200

Community Information - Expansion Units:

Villas	418
Townhomes	420
Single Family Units	143
Total Units	981

RESOLUTION NO. 2023-04

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

WHEREAS, it is necessary for the Black Creek 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 BLACK CREEK 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 20th day of September, 2023.

ATTEST:

**BLACK CREEK
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the “Board”) of the **Black Creek Community Development District** (the “District”) will hold Regular Meetings at Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33126 at **10:30 a.m.** on the following dates:

October 18, 2023
November 15, 2023
March 20, 2024
April 17, 2024
June 19, 2024
July 17, 2024
September 18, 2024

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 786-313-3661 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 786-313-3661 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.

BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT

www.blackcreekcdd.org

PUBLISH: MIAMI DAILY BUSINESS REVIEW XX/XX/2023

RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BLACK CREEK 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 Black Creek 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 BLACK CREEK 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 20th day of September 2023.

ATTEST:

**BLACK CREEK 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 BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT ORDERING AND CALLING FOR THE SECOND LANDOWNERS’ MEETING AND PUBLIC NOTICE THEREOF FOR THE BLACK CREEK COMMUNITY DEVELOPMENT DISTRICT’S ELECTION OF MEMBERS TO THE BOARD OF SUPERVISORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Black Creek Community Development District (“District”) was established by Ordinance #19-28 of the Board of County Commissioners of Miami-Dade County, Florida, pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, as outlined in Chapter 190, Section 190.006, *Florida Statutes*, a second landowners’ election shall be announced at a public meeting of the Board at least ninety (90) days prior to the date of the landowners’ meeting, which meeting shall be held on the first Tuesday in November and for the purpose of electing three (3) supervisors; and

WHEREAS, at such meeting, each landowner shall be entitled to cast one (1) vote per acre (or fraction thereof) or one vote for each platted lot of land owned and located within the District for each person to be elected; and

WHEREAS, the two (2) candidates receiving the highest number of votes shall each serve for a four (4) year term and the one (1) candidate receiving the next largest number of votes shall serve for a two (2) year term; and

WHEREAS, at the District Board meeting scheduled for 10:30 a.m. on August 16, 2023, there were not sufficient Board members in attendance for a quorum; and in order to comply with statutory requirements regarding the announcement of the Landowners Meeting at 10:30 a.m., at the scheduled meeting location at Lennar Homes, LLC, District Counsel, Michael Pawelczyk, announced that the Landowners Meeting would be held on November 7, 2023 at 10:30 a.m. and that additional information regarding the Landowners Meeting can be obtained by contacting Armando Silva, the District Manager at Special District Services; and

WHEREAS, a Notice of the Landowners’ Meeting shall be published once a week for two (2) consecutive weeks in a newspaper of general circulation in the area of the District, the last day of such publication to be not fewer than 14 days or more than 28 days before the date of the election.

WHEREAS, attached hereto as Exhibit “A” and made a part hereof are (i) instructions (Election Procedures) on how all landowners may participate in the election, (ii) proxy form that may be utilized by the landowners at such meeting; and (iii) a sample ballot for information purposes.

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

Section 1. The above recitals are hereby adopted.

Section 2. The Landowners’ Meeting will be held on November 7, 2023 at 10:30 a.m. at Lennar Homes, LLC in the Meeting Room located at 5505 Blue Lagoon Drive, Miami, FL 33126.

Section 3. The instructions, the form of proxy; and sample ballot attached hereto as Exhibit “A” are hereby acknowledged and approved.

Section 4. A Notice of the Landowners’ Meeting shall be published as prescribed by law.

PASSED, ADOPTED and EFFECTIVE this 20th day of September, 2023.

ATTEST:

**BLACK CREEK
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairman/Vice Chairman

MEMORANDUM

TO: District Manager

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

DATE: June 6, 2023

RE: Required Ethics Training

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

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

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

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

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

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

CHAPTER 2023-121

Committee Substitute for House Bill No. 199

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

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

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

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

(7) **CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—**

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

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

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

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

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

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

(2)

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

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

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

Approved by the Governor May 24, 2023.

Filed in Office Secretary of State May 24, 2023.

LAW OFFICES
BILLING, COCHRAN, LYLES, MAURO & RAMSEY, P.A.
ESTABLISHED 1977

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PLEASE REPLY TO: FORT LAUDERDALE

CHRISTINE A. BROWN
GREGORY F. GEORGE
JOANNA R. LLERA

OF COUNSEL
CLARK J. COCHRAN, JR.
SUSAN F. DELEGAL
SHIRLEY A. DELUNA
GERALD L. KNIGHT
BRUCE M. RAMSEY

STEVEN F. BILLING, 1947-1998
HAYWARD D. GAY, 1943-2007

July 10, 2023

VIA E-MAIL & FEDEX

Armando Silva, District Manager
Special District Services
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410

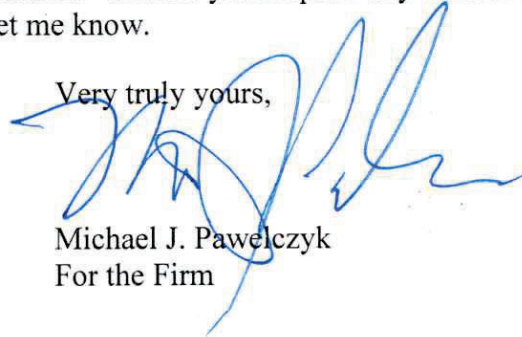
**Re: Black Creek Community Development District
Our file: 1039.19016**

Dear Armando:

I enclose a Notice of Intent to Conditionally Close a Site Using Institutional and Engineering Controls from Bilzin Sumberg, which was directed to our office as registered agent for the District on July 10, 2023. I am forwarding this to your attention as District Manager for comment, if you deem appropriate. Please note the 30-day comment period, which expires on or about August 9, 2023.

If I hear nothing further from you, I will assume that we need to do nothing further regarding this matter on behalf of the District. Should you require any further assistance from this office regarding this matter, please let me know.

Very truly yours,



Michael J. Pawelczyk
For the Firm

MJP/jmp
Enclosure

cc: Todd Wodraska, SDS (via e-mail only)

Alexandra Barshel
Tel 305.350.7233
ABarshel@bilzin.com

July 7, 2023

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Black Creek Community Development District
c/o Dennis E. Lyles
SunTrust Center, 6th Floor
515 East Las Olas Boulevard
Ft. Lauderdale, FL 33301

**Re: Notice of Intent to Conditionally Close a Contaminated Site Using
Institutional and Engineering Controls**

To Whom It May Concern:

You are receiving this notice because you are the holder of the following recorded instruments:

- Notice of Establishment of the Black Creek Community Development District recorded May 14, 2019 in Official Records Book 31441, Page 58; as affected by First Amended Notice of Establishment of the Black Creek Community Development District recorded December 29, 2020 in Official Records Book 32260, Page 1882; and
- Collateral Assignment and Assumption of Development Rights Relating to Siena Reserve recorded June 1, 2022 in Official Records Book 33217, Page 2155

(copies of which are attached hereto as **Attachment A**), on certain property owned by AG Essential Housing Multi State 1, LLC; Lennar Homes, LLC; and Siena Reserve Club, LLC (the "Owners"), located in the vicinity of SW 232nd Street and SW 130th Avenue, in Miami-Dade County, Florida (the "Property").

In connection with certain environmental site rehabilitation activities on the Property, the person responsible for site rehabilitation will be requesting that the Department of Regulatory and Economic Resources, Division of Environmental Resources Management ("DERM") approve a No Further Action with Conditions ("NFAC") Proposal with Institutional and Engineering Controls for a contaminated site relating to the Property. The Owners intend to restrict exposure to contamination in the following manner: A cap (either a minimum of two feet of clean fill or impervious surface) over contaminated soil shall be maintained, and access to groundwater and the movement of soil shall be permanently restricted at the Property, that will be set forth in a covenant running with the land ("covenant") and recorded in the public records of Miami-Dade County.

Attached to this letter is a summary of the contamination addressed by the Institutional and Engineering Controls (**Attachment B**), including the type of contamination, the affected media and the location of the contamination. Please contact the undersigned if you have any questions regarding this notice. In addition, you may contact Ms. Sandra Rezola to discuss the status of the work. Complete copies of the draft covenant are available online at <http://ecmrer.miamidade.gov>. Please use the DERM case number HWR-1014 & HWR-999 when communicating with DERM or accessing the online records.

Holders of recorded interests have 30 days from receipt of this notice to provide comments to DERM. Within the 30-day comment period, holders of recorded interests may request additional time for review. Such comments should be sent to Ms. Sandra Rezola at the Miami-Dade County Department of Regulatory and Economic Resources, Environmental Monitoring & Evaluation Section, 701 N.W. First Court, 4th Floor, Miami, FL 33136-3912 or rezols@miamidade.gov.

Sincerely,

Alexandra Barshel

Alexandra Barshel

AB: BSBPA
cc: Ms. Sandra Rezola
Attachments