



**ISLANDS AT DORAL (NE)
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
OCTOBER 10, 2023
7:00 P.M.**

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

www.islandsatdoralnecdd.org

786.347.2711 Telephone
877.SDS.4922 Toll Free
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AGENDA
ISLANDS AT DORAL (NE)
COMMUNITY DEVELOPMENT DISTRICT
Doral Legacy Park – 2nd Floor Conference Room
11400 NW 82nd Street
Doral, Florida 33178
REGULAR BOARD MEETING
October 10, 2023
7:00 p.m.

- A.** Call to Order
- B.** Proof of Publication.....Page 1
- C.** Establish Quorum
- D.** Additions or Deletions to Agenda
- E.** Comments from the Public for Items Not on the Agenda
- F.** Approval of Minutes
 - 1. June 13, 2023 Regular Board Meeting & PH Minutes.....Page 2
- G.** Old Business
- H.** New Business
 - 1. Consider Resolution No. 2023-05 – Adopting an Amended Final FY 2022/2023 Budget.....Page 5
- I.** Administrative Matters
 - 1. Financial Update.....Page 10
 - 2. Update on the Status of the Statement of Financial Interests Disclosure 2022 Form 1
- J.** Board Member/Staff Comments and Requests
 - 1. District Counsel Update on the 2023 Florida Legislative Session.....Page 14
 - 2. District Counsel Update on the 2023 Required Ethics Training.....Page 19
- K.** Adjourn

Publication Date
2023-09-29

Subcategory
Miscellaneous Notices

ISLANDS AT DORAL (NE) COMMUNITY
DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 REGULAR
MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Islands at Doral (NE) Community Development District will hold Regular Meetings at 7:00 p.m. in the Doral Legacy Park, 2nd Floor Conference Room, located at 11400 NW 82nd Street, Doral, Florida 33178, on the following dates:

October 10, 2023

January 9, 2024

March 12, 2024

May 14, 2024

September 10, 2024

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (786) 347-2711 Ext. 2011 and/or at 1-877-737-4922 five (5) days prior to the date of the particular meeting.

From time to time one or two Supervisors may participate by telephone; therefore a speaker telephone will be present as required, at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (786) 347-2711 Ext 2011 and/or at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

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

ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT

www.islandsdoralnecdd.org

9/29 23-38/0000685964M

**ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING & REGULAR BOARD MEETING
JUNE 13, 2023**

A. CALL TO ORDER

The June 13, 2023, Regular Board Meeting of the Islands at Doral (NE) Community Development District (the “District”) was called to order at 7:01 p.m. in the Second Floor Conference Room of Doral Legacy Park located at 11400 NW 82nd Street, Doral, Florida 33178.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on September 30, 2022, as part of the District’s Fiscal Year 2021/2022 Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of Chairman Jesus Arias, Vice Chairman Nestor Garcia and Supervisor Dunia Cuneo constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Gloria Perez of Special District Services, Inc.; General Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; and District Engineer Juan Alvarez of Alvarez Engineering.

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 11, 2023, Regular Board Meeting

The April 11, 2023, Regular Board Meeting minutes were presented for approval.

A MOTION was made by Supervisor Garcia, seconded by Supervisor Cuneo and unanimously passed approving the minutes of the April 11, 2023, Regular Board Meeting, as presented.
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Mrs. Perez then recessed the Regular Board Meeting and opened the Public Hearing.

G. PUBLIC HEARING

1. Proof of Publication

Proof of publication was presented that notice of the Public Hearing had been published in the *Miami Daily Business Review* on May 24, 2023, and May 31, 2023, as legally required.

2. Receive Public Comment on Fiscal Year 2023/2024 Final Budget

There was no public comment on the Fiscal Year 2023/2024 Final Budget.

Mrs. Perez then closed the Public Hearing and reconvened the Regular Board Meeting.

3. Consider Resolution No. 2023-02 – Adopting a Fiscal Year 2023/2024 Final Budget

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

RESOLUTION NO. 2023-02

A RESOLUTION OF THE ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2023/2024 BUDGET.

Mrs. Perez read the title of the resolution into the record and stated that it provides for approving and adopting the fiscal year 2023/2024 Final Budget and the non-ad valorem special assessment tax roll (Assessment Levy).

A **MOTION** was made by Supervisor Garcia, seconded by Supervisor Cuneo and unanimously passed adopting Resolution No. 2023-02, approving the Fiscal Year 2023/2024 Final Budget, as presented and setting the fiscal year 2023/2024 Final Budget and non-ad valorem special assessment tax roll (Assessment Levy).

H. OLD BUSINESS

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

I. NEW BUSINESS

1. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Meeting Schedule

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

RESOLUTION NO. 2023-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ISLANDS AT DORAL (NE) 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.

The District will hold Regular Meetings at **7:00 p.m.** in the Doral Legacy Park 2nd Floor Conference Room located at 11400 NW 82nd Street, Doral, Florida 33178, on the following dates:

October 10, 2023 *Amended Budget*
January 9, 2024
March 12, 2024 *Proposed Budget*
May 14, 2024 *Final Budget*
September 10, 2024

A **MOTION** was made by Supervisor Garcia, seconded by Supervisor Cuneo and unanimously passed adopting Resolution No. 2023-03, approving the Regular Meeting Schedule for Fiscal Year 2023-2024 by holding meetings in Doral Legacy Par, 2nd Floor Conference Room located at 11400 NW 82nd Street,

Doral, Florida 33178, with the start time of 7:00 p.m., and authorizes the advertisement of same, as required by law.

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

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

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ISLANDS AT DORAL (NE) 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.

A **MOTION** was made by Supervisor Garcia, seconded by Supervisor Cuneo and unanimously passed adopting Resolution No. 2023-04, as presented.

J. ADMINISTRATIVE MATTERS

1. Financial Update

Mrs. Perez presented the financials in the meeting book and briefly reviewed them. She pointed out that the available funds as of May 31, 2023, were \$84,816.17.

2. 2022 Form 1 – Statement of Financial Interests

Mrs. Perez advised the Board that they should be receiving in the mail their 2022 Form 1 – Statement of Financial Interests and to complete it and send in to the Supervisor of Elections' office by the July 1, 2023, deadline.

K. BOARD MEMBER/STAFF COMMENTS

There were no further Board Member or staff comments.

L. ADJOURNMENT

There being no further business to come before the Board, a **MOTION** was made by Supervisor Arias, seconded by Supervisor Garcia and passed unanimously adjourning the Regular Board Meeting at 7:17 p.m.

ATTEST:

Secretary/Assistant Secretary

Chairman/Vice-Chair

RESOLUTION NO. 2023-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2022/2023 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Islands at Doral (NE) Community Development District (“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 ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT, THAT:

Section 1. The Amended Budget for Fiscal Year 2022/2023 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 EFFECTIVE this 10th day of October, 2023.

ATTEST:

**ISLANDS AT DORAL (NE)
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Islands At Doral (NE)
Community Development District

**Amended Budget For
Fiscal Year 2022/2023
October 1, 2022 - September 30, 2023**

CONTENTS

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

AMENDED FINAL BUDGET
ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT
OPERATING FUND
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2022/2023 BUDGET 10/1/22 - 9/30/23	AMENDED FINAL BUDGET 10/1/22 - 9/30/23	YEAR TO DATE ACTUAL 10/1/22 - 9/29/23
REVENUES			
Administrative Assessments	57,108	58,749	58,749
Maintenance Assessments	7,447	7,448	7,448
Debt Assessments	554,723	554,725	554,725
Interest Income	120	4,900	4,799
TOTAL REVENUES	\$ 619,398	\$ 625,822	\$ 625,721
EXPENDITURES			
MAINTENANCE EXPENDITURES			
Maintenance Contingency	5,700	5,700	0
Engineering/Inspections	1,300	1,248	1,248
TOTAL MAINTENANCE EXPENDITURES	\$ 7,000	\$ 6,948	\$ 1,248
ADMINISTRATIVE EXPENDITURES			
Supervisor Fees	5,000	1,800	1,800
Payroll Taxes (Employer)	400	138	138
Management	31,452	31,452	31,452
Secretarial	4,200	4,200	4,200
Legal	9,000	8,000	6,063
Assessment Roll	7,500	7,500	7,500
Audit Fees	3,700	3,700	3,700
Arbitrage Rebate Fee	650	650	650
Insurance	6,200	6,134	6,134
Legal Advertisements	600	450	170
Miscellaneous	850	600	383
Postage	375	175	165
Office Supplies	450	250	223
Dues & Subscriptions	175	175	175
Trustee Fees	4,100	4,080	4,080
Continuing Disclosure Fee	350	350	350
Website Management	2,000	2,000	2,000
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 77,002	\$ 71,654	\$ 69,183
TOTAL EXPENDITURES	\$ 84,002	\$ 78,602	\$ 70,431
REVENUES LESS EXPENDITURES	\$ 535,396	\$ 547,220	\$ 555,290
Bond Payments	(524,213)	(529,918)	(529,918)
BALANCE	\$ 11,183	\$ 17,302	\$ 25,372
County Appraiser & Tax Collector Fee	(11,461)	(5,987)	(5,987)
Discounts For Early Payments	(22,922)	(21,650)	(21,650)
EXCESS/ (SHORTFALL)	\$ (23,200)	\$ (10,335)	\$ (2,265)
Carryover From Prior Year	23,200	23,200	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ 12,865	\$ (2,265)

FUND BALANCE AS OF 9/30/22	\$68,461
FY 2022/2023 ACTIVITY	(\$10,335)
FUND BALANCE AS OF 9/30/23	\$58,126

Notes
Carryover from prior year of \$23,200 was used to reduce Fiscal Year 2022/2023 Assessments.
\$24,070 of Fund Balance to be used to reduce 2023/2024 Assessments.

AMENDED FINAL BUDGET
ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2022/2023 BUDGET 10/1/22 - 9/30/23	AMENDED FINAL BUDGET 10/1/22 - 9/30/23	YEAR TO DATE ACTUAL 10/1/22 - 9/29/23
REVENUES			
Interest Income	25	13,482	13,382
NAV Tax Collection	524,213	529,918	529,918
Total Revenues	\$ 524,238	\$ 543,400	\$ 543,300
EXPENDITURES			
Principal Payments	275,000	275,000	275,000
Interest Payments	122,526	125,703	125,703
Additional Principal Payments	126,712	110,000	110,000
Total Expenditures	\$ 524,238	\$ 510,703	\$ 510,703
Excess/ (Shortfall)	\$ -	\$ 32,697	\$ 32,597

FUND BALANCE AS OF 9/30/22	\$495,622
FY 2022/2023 ACTIVITY	\$32,697
FUND BALANCE AS OF 9/30/23	\$528,319

Notes

Reserve Fund Balance = \$220,067*. Revenue Fund Balance = \$308,252*.

Revenue Fund Balance To Be Used To Make 11/1/2023 Interest Payment Of \$56,499 and Extraordinary Principal Payment Of \$110,000.

* Approximate Amounts

Series 2014 Bond Refunding Information

Original Par Amount =	\$5,925,000	Annual Principal Payments Due:
Interest Rate =	3.85%	May 1st
Issue Date =	April 2014	Annual Interest Payments Due:
Maturity Date =	May 2029*	May 1st & November 1st
Par Amount As Of 9/30/23 =	\$2,935,000	

*Original Principal Amount Due In May 2029: \$2,225,000

*Current Principal Amount Due In May 2029: \$1,365,000

Islands At Doral (NE)
Community Development District

**Financial Report For
September 2023**

Islands at Doral (NE) Community Development District
Budget vs. Actual
October 2022 through September 2023

	<u>Oct 22 - Sept 23</u>	<u>22/23 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Income				
363.100 · Admin Assessment Income	58,749.39	57,108.00	1,641.39	102.87%
363.101 · Maint Assessment Income	7,448.20	7,447.00	1.20	100.02%
363.810 · Debt Assessment	554,725.10	554,723.00	2.10	100.0%
363.820 · Debt Assessment-Paid To Trustee	-529,918.30	-524,213.00	-5,705.30	101.09%
363.830 · Assessment Fees	-5,987.47	-11,461.00	5,473.53	52.24%
363.831 · Discounts For Early Payments	-21,649.82	-22,922.00	1,272.18	94.45%
369.401 · Interest Income	4,798.87	120.00	4,678.87	3,999.06%
369.402 · Carryover From Prior Year	0.00	23,200.00	-23,200.00	0.0%
Total Income	<u>68,165.97</u>	<u>84,002.00</u>	<u>-15,836.03</u>	<u>81.15%</u>
Expense				
511.122 · Payroll Expense	137.70	400.00	-262.30	34.43%
511.131 · Supervisor Fee	1,800.00	5,000.00	-3,200.00	36.0%
511.305 · Maintenance Contingency	0.00	5,700.00	-5,700.00	0.0%
511.310 · Engineering	1,247.50	1,300.00	-52.50	95.96%
511.311 · Management Fees	31,452.00	31,452.00	0.00	100.0%
511.312 · Secretarial Fees	4,200.00	4,200.00	0.00	100.0%
511.315 · Legal Fees	6,063.00	9,000.00	-2,937.00	67.37%
511.318 · Assessment/Tax Roll	7,500.00	7,500.00	0.00	100.0%
511.320 · Audit Fees	3,700.00	3,700.00	0.00	100.0%
511.330 · Arbitrage Rebate Fee	650.00	650.00	0.00	100.0%
511.450 · Insurance	6,134.00	6,200.00	-66.00	98.94%
511.480 · Legal Advertisements	170.30	600.00	-429.70	28.38%
511.512 · Miscellaneous	383.25	850.00	-466.75	45.09%
511.513 · Postage and Delivery	164.83	375.00	-210.17	43.96%
511.514 · Office Supplies	223.40	450.00	-226.60	49.64%
511.540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
511.733 · Trustee Fees	4,079.63	4,100.00	-20.37	99.5%
511.734 · Continuing Disclosure Fee	350.00	350.00	0.00	100.0%
511.750 · Website Management	1,999.92	2,000.00	-0.08	100.0%
Total Expense	<u>70,430.53</u>	<u>84,002.00</u>	<u>-13,571.47</u>	<u>83.84%</u>
Net Income	<u><u>-2,264.56</u></u>	<u><u>0.00</u></u>	<u><u>-2,264.56</u></u>	<u><u>100.0%</u></u>

**ISLANDS AT DORAL (NE) COMMUNITY DEVELOPMENT DISTRICT
MONTHLY FINANCIAL REPORT
SEPTEMBER 2023**

	Annual Budget 10/1/22 - 9/30/23	Actual Sep-23	Year To Date Actual 10/1/22 - 9/30/23
REVENUES			
Administrative Assessments	57,108	0	58,749
Maintenance Assessments	7,447	0	7,448
Debt Assessments	554,723	0	554,725
Interest Income	120	0	4,799
Total Revenues	\$ 619,398	\$ -	\$ 625,721
MAINTENANCE EXPENDITURES			
Maintenance Contingency	5,700	0	0
Engineering/Inspections	1,300	0	1,248
TOTAL MAINTENANCE EXPENDITURES	\$ 7,000	\$ -	\$ 1,248
ADMINISTRATIVE EXPENDITURES			
Supervisor Fees	5,000	0	1,800
Payroll Taxes (Employer)	400	0	138
Management	31,452	2,621	31,452
Secretarial	4,200	350	4,200
Legal	9,000	0	6,063
Assessment Roll	7,500	7,500	7,500
Audit Fees	3,700	0	3,700
Arbitrage Rebate Fee	650	0	650
Insurance	6,200	0	6,134
Legal Advertisements	600	0	170
Miscellaneous	850	0	383
Postage	375	8	165
Office Supplies	450	3	223
Dues & Subscriptions	175	0	175
Trustee Fees	4,100	0	4,080
Continuing Disclosure Fee	350	350	350
Website Management	2,000	166	2,000
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 77,002	\$ 10,998	\$ 69,183
TOTAL EXPENDITURES	\$ 84,002	\$ 10,998	\$ 70,431
Revenues Less Expenditures	\$ 535,396	\$ (10,998)	\$ 555,290
Bond Payments	(524,213)	0	(529,918)
Balance	\$ 11,183	\$ (10,998)	\$ 25,372
County Appraiser & Tax Collector Fee	(11,461)	0	(5,987)
Discounts For Early Payments	(22,922)	0	(21,650)
Excess/ (Shortfall)	\$ (23,200)	\$ (10,998)	\$ (2,265)
Carryover from Prior Year	23,200	0	0
Net Excess/ (Shortfall)	\$ -	\$ (10,998)	\$ (2,265)
Bank Balance As Of 9/30/23	\$ 77,194.42		
Accounts Payable As Of 9/30/23	\$ 10,998.16		
Accounts Receivable As Of 9/30/23	\$ -		
Available Funds As Of 9/30/23	\$ 66,196.26		

**ISLANDS AT DORAL (NE) CDD
TAX COLLECTIONS
2022-2023**

#	ID#	PAYMENT FROM	DATE	FOR	Tax Collect Receipts	Interest Received	Fees	Discount	Net From Tax Collector	Admin. Assessment Income (Before Discounts & Fee)	Maint Assessment Income (Before Discounts & Fee)	Debt Assessment Income (Before Discounts & Fee)	Admin. Assessment Income (After Discounts & Fee)	Maint Assessment Income (After Discounts & Fee)	Debt Assessment Income (After Discounts & Fee)	Debt Assessments Paid to Trustee
									\$619,278.00	\$57,108.00	\$7,447.00	\$ 554,723.00	\$57,108.00	\$7,447.00	\$554,723.00	
									\$584,894.52	\$53,681.52	\$7,000.00	\$ 524,213.00	\$53,681.52	\$7,000.00	\$524,213.00	\$524,213.00
1	1	Miami-Dade Tax Collector	11/23/22	NAV Taxes	\$ 56,185.62		\$ (538.77)	\$ (2,308.29)	\$ 53,338.56	\$ 5,180.27	\$ 674.25	\$ 50,331.10	\$ 4,917.71	\$ 640.10	\$ 47,780.75	\$ 47,780.75
2	2	Miami-Dade Tax Collector	11/25/22	NAV Taxes	\$ 34,143.03		\$ (327.77)	\$ (1,365.74)	\$ 32,449.52	\$ 3,147.98	\$ 409.70	\$ 30,585.35	\$ 2,991.82	\$ 389.35	\$ 29,068.35	\$ 29,068.35
3	3	Miami-Dade Tax Collector	12/07/22	NAV Taxes	\$ 412,298.29		\$ (3,958.06)	\$ (16,492.19)	\$ 391,848.04	\$ 38,013.84	\$ 4,947.60	\$ 369,336.85	\$ 36,128.29	\$ 4,702.20	\$ 351,017.55	\$ 351,017.55
4	4	Miami-Dade Tax Collector	12/22/22	NAV Taxes	\$ 11,536.69		\$ (111.40)	\$ (397.53)	\$ 11,027.76	\$ 1,063.64	\$ 138.45	\$ 10,334.60	\$ 1,016.61	\$ 132.40	\$ 9,878.75	\$ 9,878.75
5	5	Miami-Dade Tax Collector	01/11/23	NAV Taxes	\$ 23,230.83		\$ (225.42)	\$ (689.63)	\$ 22,315.78	\$ 2,141.83	\$ 278.80	\$ 20,810.20	\$ 2,057.43	\$ 267.80	\$ 19,930.55	\$ 19,930.55
6	6	Miami-Dade Tax Collector	02/09/23	NAV Taxes	\$ 13,927.06		\$ (136.58)	\$ (268.23)	\$ 13,522.25	\$ 1,284.01	\$ 167.15	\$ 12,475.90	\$ 1,306.65	\$ 162.30	\$ 12,113.30	\$ 12,113.30
7	Int -1	Miami-Dade Tax Collector	02/13/23	Interest		\$ 337.84			\$ 337.84	\$ 337.84			\$ 337.84			\$ -
8	7	Miami-Dade Tax Collector	03/08/23	NAV Taxes	\$ 9,934.46		\$ (98.25)	\$ (109.61)	\$ 9,726.60	\$ 915.96	\$ 119.20	\$ 8,899.30	\$ 896.70	\$ 116.75	\$ 8,713.15	\$ 8,713.15
9	8	Miami-Dade Tax Collector	04/07/23	NAV Taxes	\$ 28,844.06		\$ (288.25)	\$ (18.60)	\$ 28,537.21	\$ 2,659.36	\$ 346.15	\$ 25,838.55	\$ 2,631.01	\$ 342.50	\$ 25,563.70	\$ 25,563.70
10	9	Miami-Dade Tax Collector	05/10/23	NAV Taxes/Interest	\$ 7,197.05	\$ 154.20	\$ (73.51)		\$ 7,277.74	\$ 817.70	\$ 86.40	\$ 6,447.15	\$ 809.49	\$ 85.55	\$ 6,382.70	\$ 6,382.70
11	Int -2	Miami-Dade Tax Collector	05/17/23	Interest		\$ 98.01			\$ 98.01	\$ 98.01			\$ 98.01			\$ -
12	10	Miami-Dade Tax Collector	06/07/23	NAV Taxes/Interest	\$ 1,905.30	\$ 57.16	\$ (19.64)		\$ 1,942.82	\$ 232.76	\$ 22.90	\$ 1,706.80	\$ 230.37	\$ 22.70	\$ 1,689.75	\$ 1,689.75
13	11	Miami-Dade Tax Collector	06/23/23	NAV Taxes/Interest (TC)	\$ 20,078.52	\$ 903.56	\$ (209.82)		\$ 20,772.26	\$ 2,765.18	\$ 257.60	\$ 17,959.30	\$ 2,737.46	\$ 255.05	\$ 17,779.75	\$ 17,779.75
14	Int -3	Miami-Dade Tax Collector	08/09/23	Interest		\$ 91.01			\$ 91.01	\$ 91.01			\$ 91.01			\$ -
16									\$ -							\$ -
17									\$ -							\$ -
					\$ 619,280.91	\$ 1,641.78	\$ (5,987.47)	\$ (21,649.82)	\$ 593,285.40	\$ 58,749.39	\$ 7,448.20	\$ 554,725.10	\$ 56,250.40	\$ 7,116.70	\$ 529,918.30	\$ 529,918.30

Total IAD-NE Roll = 619,280.91

Note: \$619,278, \$57,108, \$7,447 and \$554,723 are 2022/2023 Budgeted assessments before discounts and fees.
\$584,894, \$53,618, \$7,000 and \$524,213 are 2022/2023 Budgeted assessments after discounts and fees.

\$	619,280.91	
\$	1,641.78	\$ 593,285.40
\$	(58,749.39)	\$ (56,250.40)
\$	(7,448.20)	\$ (7,116.70)
\$	(554,725.10)	\$ (529,918.30)
\$	-	\$ -

MEMORANDUM

TO: District Manager

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

DATE: July 20, 2023

RE: 2023 Legislative Update

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MEMORANDUM

TO: District Manager

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

DATE: June 6, 2023

RE: Required Ethics Training

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

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

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

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

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

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

CHAPTER 2023-121

Committee Substitute for House Bill No. 199

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

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

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

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

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—

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

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

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

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

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

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

(2)

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

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

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

Approved by the Governor May 24, 2023.

Filed in Office Secretary of State May 24, 2023.