



**VALENCIA ACRES
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
OCTOBER 17, 2024
6:30 P.M.**

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

www.valenciaacrescdd.org

786.347.2711 Telephone
877.SDS.4922 Toll Free
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AGENDA
VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT
Cafeteria of Somerset Charter School
18491 SW 134th Avenue
Miami, Florida 33177
REGULAR BOARD MEETING
October 17, 2024
6:30 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. April 18, 2024 Regular Board Meeting & PH Minutes.....Page 2
- G. Old Business
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- I. Administrative Matters
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- J. Board Member/Staff Comments
 - 1. District Counsel Update on the 2024 Florida Legislative Session.....Page 19
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- K. Adjourn

Publication Date
2024-10-07

Subcategory
Miscellaneous Notices

VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2024/2025 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Valencia Acres Community Development District will hold Regular Meetings in the Cafeteria of Somerset Academy Charter School at 18491 SW 134th Avenue, Miami, Florida 33177 at 6:30 p.m. on the following dates:

October 17, 2024

February 20, 2025

April 22, 2025

August 21, 2025

The purpose of the meetings is to conduct all 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 toll free at 1-877-737-4922 five (5) days prior to the date of the particular meeting.

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 ensure 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 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 without advertised notice.

VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT

www.valenciaacrescdd.org

IPL0197053

Oct 7 2024

**VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING & REGULAR BOARD MEETING
APRIL 18, 2024**

A. CALL TO ORDER

Mrs. Perez called the April 18, 2024, Regular Board Meeting of the Valencia Acres Community Development District (the “District”) to order at 6:30 p.m. in the Cafeteria of Somerset Charter School located at 18491 SW 134th Avenue, Miami, Florida 33177.

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 October 6, 2023, as part of the District’s Fiscal Year 2023/2024 Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of the following Supervisors constituted a quorum and it was in order to proceed with the meeting: Chairperson Yvette Bishop, Vice Chairman Ramses Bonet and Supervisors Robert Perez, Sarojini “Soma” Mohan and Sandi Rae Chamyan.

Also in attendance were District Manager Gloria Perez of Special District Services, Inc.; and General Counsel Liza Smoker of Billing, Cochran, Lyles, Mauro & Ramsey, P.A. (via phone).

D. ADDITIONS OR DELETIONS TO AGENDA

There were no additions to 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. February 18, 2024, Regular Board Meeting

Mrs. Perez presented the minutes of the February 18, 2024, Regular Board Meeting and asked if there were any corrections or additions.

A **MOTION** was made by Supervisor Perez, seconded by Supervisor Bishop and unanimously passed approving the minutes of the February 18, 2024, Regular Board Meeting, as presented.

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 Herald*** on March 29, 2024, and April 4, 2024, as legally required.

2. Receive Public Comment on Fiscal Year 2024/2025 Final Budget

Mrs. Perez opened the public comment portion of the Public Hearing to receive comments from the public on the fiscal year 2024/2025 final budget and non-ad valorem special assessments.

There being no comments from the public, the public comments portion of the public hearing was closed.

3. Consider Resolution No. 2024-03 – Adopting a Fiscal Year 2024/2025 Final Budget

Mrs. Perez presented Resolution No. 2024-03, entitled:

RESOLUTION NO. 2024-03

A RESOLUTION OF THE VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT ADOPTING A FISCAL YEAR 2024/2025 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.

A **MOTION** was made by Supervisor Bonet, seconded by Supervisor Perez and unanimously passed to adopt Resolution No. 2024-03, approving the Fiscal Year 2024/2025 Final Budget, as presented and setting the fiscal year 2024/2025 Final Budget and non-ad valorem special assessment tax roll (Assessment Levy).

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

H. OLD BUSINESS

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

I. NEW BUSINESS

1. Consider Resolution No. 2024-04 – Adopting a Fiscal Year 2024/2025 Meeting Schedule

Mrs. Perez presented Resolution No. 2024-04, entitled:

RESOLUTION NO. 2024-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2024/2025 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

Mrs. Perez read the title of the resolution into the record and noted that meetings would remain at the same location of the Cafeteria of the Somerset Charter School located at 18491 SW 134th Avenue, Miami, Florida 33177, with a start time of 6:30 p.m. on the following dates:

October 17, 2024
February 20, 2025
April 22, 2025*
August 21, 2025

**Alternate Meeting Date to Reg Schedule 3rd Thursday, to accommodate the required 60 days for the Final Budget Public Hearing.*

A **MOTION** was made by Supervisor Perez, seconded by Supervisor Bonet and unanimously passed to adopt Resolution No. 2024-04, approving the Regular Meeting Schedule for Fiscal Year 2024-2025, holding meetings at the Cafeteria of Somerset Charter School, located at 18491 SW 134th Avenue, Miami, Florida 33177, with a start time of 6:30 p.m., and authorizes the advertisement of same, as required by law.

2. Consider District Engineer Agreement

Ms. Smoker advised that she had reviewed the engineering agreement and there were a few statutory provisions that should be added. She noted if the Board wishes to approve the Engineering Agreement, she recommends that they do so in substantial final form pending legal review and acceptance. District Counsel will provide the District Engineer with the language to be added to the Agreement.

A **MOTION** was made by Supervisor Bonet, seconded by Supervisor Chamyan and unanimously passed approving the District Engineer Agreement, in substantial final form pending legal review.

J. ADMINISTRATIVE MATTERS

1. Financial Report

Mrs. Perez presented the financials in the meeting book and briefly reviewed them with the Board, pointing out that available funds as of March 31, 2024, were \$117,493.88.

A **MOTION** was made by Supervisor Perez, seconded by Supervisor Bishop and passed unanimously ratifying and approving the financials, as presented.

2. SDS Ethics Training

Mrs. Perez provided an overview of the information provided in the Ethics Training Memorandum.

3. 2023 Form 1- Statement of Financial Interests

Mrs. Perez advised that this year's filing requirement, a completed 2023 Form 1 must be submitted prior to July 1, 2024, using the Electronic Filing System of the Florida Commission on Ethics, which can be accessed via a link at Login - Electronic Financial Disclosure Management System floridaethics.gov. She also noted that you will no longer be able to file your completed Form 1 through your local Supervisor of Elections' office.

4. 2024 General Election and Candidate Qualifying Period

Mrs. Perez advised. pursuant to the Miami-Dade County Supervisor of Elections' website, the 2024 General Election and Candidate Qualifying Period runs from noon, Monday, June 10, 2024 through noon, Friday, June 14, 2024.

Mrs. Perez added that the seats up for election with terms expiring this year were as follows:

Seat 3 Sarojini "Soma" Mohan

Seat 4 Ramses Bonet

Seat 5 Sandi Chamyan

K. BOARD MEMBER/STAFF COMMENTS

There were no further comments.

L. ADJOURNMENT

There being no further business to come before the Board, a MOTION was made by Supervisor Bishop, seconded by Supervisor Bonet adjourning the Regular Board Meeting at 6:45 p.m. The MOTION carried unanimously.
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ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

RESOLUTION NO. 2024-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2023/2024 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Valencia Acres 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 VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT, THAT:

Section 1. The Amended Budget for Fiscal Year 2023/2024 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 17th day of October, 2024.

ATTEST:

**VALENCIA ACRES
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Valencia Acres
Community Development District

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

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- II AMENDED FINAL DEBT SERVICE FUND BUDGET**

AMENDED FINAL BUDGET
VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT
OPERATING FUND
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET 10/1/23 - 9/30/24	AMENDED FINAL BUDGET 10/1/23 - 9/30/24	YEAR TO DATE ACTUAL 10/1/23 - 9/29/24
REVENUES			
O & M Assessments	45,856	46,588	46,588
Debt Assessments	101,283	101,283	101,283
Interest Income	240	5,150	5,120
TOTAL REVENUES	\$ 147,379	\$ 153,021	\$ 152,991
EXPENDITURES			
Supervisor Fees	4,000	5,400	5,400
Payroll Taxes (Employer)	305	413	413
Engineering/Inspections	1,000	0	0
Management	15,000	15,000	15,000
Legal	7,000	7,000	5,633
Assessment Roll	4,000	4,000	4,000
Audit Fees	3,700	3,300	3,300
Insurance	6,600	6,594	6,594
Legal Advertisements	650	3,300	2,117
Miscellaneous	400	400	192
Postage	175	200	190
Office Supplies	325	125	85
Dues & Subscriptions	175	175	175
Trustee Fee	2,550	2,500	2,500
Continuing Disclosure Fee	350	350	350
Website Management	1,750	1,750	1,750
TOTAL EXPENDITURES	\$ 47,980	\$ 50,507	\$ 47,699
REVENUES LESS EXPENDITURES	\$ 99,399	\$ 102,514	\$ 105,292
Bond Payments	(95,206)	(96,612)	(96,612)
BALANCE	\$ 4,193	\$ 5,902	\$ 8,680
County Appraiser & Tax Collector Fee	(2,943)	(1,423)	(1,423)
Discounts For Early Payments	(5,885)	(5,365)	(5,365)
EXCESS/ (SHORTFALL)	\$ (4,635)	\$ (886)	\$ 1,892
Carryover From Prior Year	4,635	4,635	0
NET EXCESS/ (SHORTFALL)	\$ 0	\$ 3,749	\$ 1,892

FUND BALANCE AS OF 9/30/23
FY 2023/2024 ACTIVITY
FUND BALANCE AS OF 9/30/24

\$98,040
(\$886)
\$97,154

Notes

Carryover from prior year of \$4,635 was used to reduce Fiscal Year 2023/2024 Assessments.
\$5,600 of Fund Balance to be used to reduce 2024/2025 Assessments.

AMENDED FINAL BUDGET
VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET 10/1/23 - 9/30/24	AMENDED FINAL BUDGET 10/1/23 - 9/30/24	YEAR TO DATE ACTUAL 10/1/23 - 9/29/24
REVENUES			
Interest Income	100	2,250	2,241
NAV Tax Collection	95,136	96,612	96,612
Total Revenues	\$ 95,236	\$ 98,862	\$ 98,853
EXPENDITURES			
Principal Payments	65,638	65,638	65,638
Interest Payments	29,598	30,821	30,821
Total Expenditures	\$ 95,236	\$ 96,459	\$ 96,459
Excess/ (Shortfall)	\$ -	\$ 2,403	\$ 2,394

FUND BALANCE AS OF 9/30/23	\$32,103
FY 2023/2024 ACTIVITY	\$2,403
FUND BALANCE AS OF 9/30/24	\$34,506

Notes

Revenue Fund Balance = \$34,506*.

Revenue Fund Balance To Be Used To Make 11/1/2024 Interest Payment Of \$14,296.

* Approximate Amounts

Series 2016 Bond Refunding Information

Original Par Amount =	\$1,265,410	Annual Principal Payments Due:
Interest Rate =	3.5% - 5.8%	May 1st
Issue Date =	July 2016	Annual Interest Payments Due:
Maturity Date =	May 2034	May 1st & November 1st
Par Amount As Of 9/30/24 =	\$799,149	

RESOLUTION 2024-06

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT ADOPTING GOALS, OBJECTIVES, AND PERFORMANCE MEASURES AND STANDARDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Valencia Acres Community Development District (the “District”) is a local unit of special-purpose government created and existing under and pursuant to Chapters 189 and 190, *Florida Statutes*, as amended; and

WHEREAS, effective July 1, 2024, the Florida Legislature adopted House Bill 7013, codified as Chapter 2024-136, Laws of Florida (“HB 7013”) and creating Section 189.0694, *Florida Statutes*; and

WHEREAS, pursuant to HB 7013 and Section 189.0694, *Florida Statutes*, beginning October 1, 2024, the District shall establish goals and objectives for the District and create performance measures and standards to evaluate the District’s achievement of those goals and objectives; and

WHEREAS, the District Manager has prepared the attached goals, objectives, and performance measures and standards and presented them to the Board of the District; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution the attached goals, objectives and performance measures and standards.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The District Board of Supervisors hereby adopts the goals, objectives and performance measures and standards as provided in **Exhibit “A”**. The District Manager shall take all actions to comply with Section 189.0694, *Florida Statutes*, and shall prepare an annual report regarding the District’s success or failure in achieving the adopted goals and objectives for consideration by the Board of the District.

SECTION 3. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 4. This resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this _17th_ day of _____October_____, 2024.

ATTEST:

**VALENCIA ACRES COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair

Exhibit “A”: Performance Measures/Standards and Annual Reporting

EXHIBIT “A”

Program/Activity: **District Administration**

Goal: Remain compliant with Florida Law for all District meetings

Objectives:

- Notice all District regular meetings, special meetings, and public hearings
- Conduct all post-meeting activities
- District records retained in compliance with Florida Sunshine Laws

Performance Measures:

- All Meetings publicly noticed as required.
 Achieved: Yes ☐ **No** ☐
- Meeting minutes and post-meeting action completed.
 Achieved: Yes ☐ **No** ☐
- District records retained as required by law.
 Achieved: Yes ☐ **No** ☐

Program/Activity: **District Finance**

Goal: Remain Compliant with Florida Law for all district financing activities

Objectives:

- District adopted fiscal year proposed budget and the final fiscal year budget.
- District amended fiscal year budget within 60 days following the end of the fiscal year.
- Process all District finance accounts receivable and payable
- Support District annual financial audit activities

Performance Measures:

- District adopted fiscal year proposed budget and the final fiscal year budget.
 Achieved: Yes ☐ **No** ☐
- District amended budget within 60 days following the end of the fiscal year.
 Achieved: Yes ☐ **No** ☐
- District accounts receivable/payable processed for the year.
 Achieved: Yes ☐ **No** ☐
- “No findings” for annual financial audit (yes/no)
 Achieved: Yes ☐ **No** ☐
 - If “yes” explain: _____

Program/Activity: District Operations

Goal: Insure, Operate and Maintain District owned Infrastructure & assets

Objectives:

- Annual renewal of District insurance policy(s).
- Obtain all necessary contracted services for District operations and infrastructure.
- Determine all vendors are in compliance with District contracts.

Performance Measures:

- District insurance policies reviewed and in place.
Achieved: Yes ☐ **No** ☐
- Contracted Services obtained for all District operations.
Achieved: Yes ☐ **No** ☐
- All District contracts in compliance.
Achieved: Yes ☐ **No** ☐

Valencia Acres
Community Development District

**Financial Report For
September 2024**

Valencia Acres Community Development District
Expenditures
October 2023 through September 2024

	Oct 23 - Sept 24	23/24 Budget	\$ Over Budget	% of Budget
Income				
363.100 · O & M Assessments	46,587.87	45,856.00	731.87	101.6%
363.810 · Debt Assessments	101,283.00	101,283.00	0.00	100.0%
363.820 · Debt Assessment-Paid To Trustee	-96,611.68	-95,206.00	-1,405.68	101.48%
363.830 · County Appraiser & Tax Coll Fee	-1,423.26	-2,943.00	1,519.74	48.36%
363.831 · Discounts For Early Payments	-5,365.06	-5,885.00	519.94	91.17%
369.401 · Interest Income	5,119.92	240.00	4,879.92	2,133.3%
369.402 · Carryover From Prior Year	0.00	4,635.00	-4,635.00	0.0%
Total Income	49,590.79	47,980.00	1,610.79	103.36%
Expense				
511.131 · Supervisor Fees	5,400.00	4,000.00	1,400.00	135.0%
511.132 · Payroll Taxes	413.10	305.00	108.10	135.44%
511.310 · Engineering/Inspections	0.00	1,000.00	-1,000.00	0.0%
511.311 · Management Fees	15,000.00	15,000.00	0.00	100.0%
511.315 · Legal Fees	5,632.50	7,000.00	-1,367.50	80.46%
511.318 · Assessment/Tax Roll	4,000.00	4,000.00	0.00	100.0%
511.320 · Audit Fees	3,300.00	3,700.00	-400.00	89.19%
511.450 · Insurance	6,594.00	6,600.00	-6.00	99.91%
511.480 · Legal Advertisements	2,116.66	650.00	1,466.66	325.64%
511.512 · Miscellaneous	191.77	400.00	-208.23	47.94%
511.513 · Postage and Delivery	190.34	175.00	15.34	108.77%
511.514 · Office Supplies	84.95	325.00	-240.05	26.14%
511.540 · Dues, License & Subscriptions	175.00	175.00	0.00	100.0%
511.733 · Trustee Fees	2,500.00	2,550.00	-50.00	98.04%
511.734 · Continuing Disclosure Fee	350.00	350.00	0.00	100.0%
511.750 · Website Management	1,749.96	1,750.00	-0.04	100.0%
Total Expense	47,698.28	47,980.00	-281.72	99.41%
Net Income	1,892.51	0.00	1,892.51	100.0%

**VALENCIA ACRES COMMUNITY DEVELOPMENT DISTRICT
MONTHLY FINANCIAL REPORT
SEPTEMBER 2024**

	Annual Budget 10/1/23 - 9/30/24	Actual Sep-24	Year To Date Actual 10/1/23 - 9/30/24
REVENUES			
O & M Assessments	45,856	0	46,588
Debt Assessments	101,283	0	101,283
Other Revenue	0	0	0
Interest Income	240	0	5,120
Total Revenues	\$ 147,379	\$ -	\$ 152,991
EXPENDITURES			
Supervisor Fees	4,000	0	5,400
Payroll Taxes	305	0	413
Engineering/Inspections	1,000	0	0
Management	15,000	1,250	15,000
Legal	7,000	0	5,633
Assessment Roll	4,000	4,000	4,000
Audit Fees	3,700	0	3,300
Insurance	6,600	0	6,594
Legal Advertisements	650	0	2,117
Miscellaneous	400	0	192
Postage	175	0	190
Office Supplies	325	1	85
Dues & Subscriptions	175	0	175
Trustee Fee	2,550	0	2,500
Continuing Disclosure Fee	350	350	350
Website Management	1,750	146	1,750
Total Expenditures	\$ 47,980	\$ 5,747	\$ 47,699
Revenues Less Expenditures	\$ 99,399	\$ (5,747)	\$ 105,292
Bond Payments	(95,206)	0	(96,612)
Balance	\$ 4,193	\$ (5,747)	\$ 8,680
County Appraiser & Tax Collector Fee	(2,943)	0	(1,423)
Discounts For Early Payments	(5,885)	0	(5,365)
EXCESS/ (SHORTFALL)	\$ (4,635)	\$ (5,747)	\$ 1,892
Carryover From Prior Year	4,635	0	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ (5,747)	\$ 1,892

Bank Balance As Of 9/30/24	\$ 106,079.26
Accounts Payable As Of 9/30/24	\$ 6,146.58
Accounts Receivable As Of 9/30/24	\$ -
Available Funds As Of 9/30/24	\$ 99,932.68

**VALENCIA ACRES CDD
TAX COLLECTIONS
2023-2024**

#	ID#	PAYMENT FROM	DATE	FOR	Tax Collect Receipts	Interest Received	Commissions Paid	Discount	Net From Tax Collector	O & M Assessment Income (Before Discounts & Fee)	Debt Assessment Income (Before Discounts & Fee)	O & M Assessment Income (After Discounts & Fee)	Debt Assessment Income (After Discounts & Fee)	Debt Assessments Paid to Trustee
									\$ 147,139.00	\$45,856.00	\$ 101,283.00	\$45,856.00	\$ 101,283.00	
									\$ 138,311.00	\$43,105.00	\$ 95,206.00	\$43,105.00	\$ 95,206.00	\$ 95,206.00
1	1	Miami-Dade Tax Collector	11/20/23	NAV Taxes	\$ 17,891.15		\$ (171.70)	\$ (721.81)	\$ 16,997.64	\$ 5,567.73	\$ 12,323.42	\$ 5,289.66	\$ 11,707.98	\$ 11,707.98
2	2	Miami-Dade Tax Collector	11/24/23	NAV Taxes	\$ 10,232.90		\$ (98.23)	\$ (409.30)	\$ 9,725.37	\$ 3,184.50	\$ 7,048.40	\$ 3,026.56	\$ 6,698.81	\$ 6,698.81
3	3	Miami-Dade Tax Collector	12/08/23	NAV Taxes	\$ 101,305.71		\$ (972.54)	\$ (4,052.07)	\$ 96,281.10	\$ 31,526.55	\$ 69,779.16	\$ 29,962.89	\$ 66,318.21	\$ 66,318.21
4	4	Miami-Dade Tax Collector	12/27/23	NAV Taxes	\$ 3,069.87		\$ (29.67)	\$ (102.33)	\$ 2,937.87	\$ 955.35	\$ 2,114.52	\$ 914.27	\$ 2,023.60	\$ 2,023.60
5	5	Miami-Dade Tax Collector	01/09/24	NAV Taxes	\$ 2,310.61		\$ (22.41)	\$ (69.32)	\$ 2,218.88	\$ 719.06	\$ 1,591.55	\$ 690.52	\$ 1,528.36	\$ 1,528.36
6	Int - 1	Miami-Dade Tax Collector	02/27/24	Interest		\$ 140.46			\$ 140.46	\$ 140.46		\$ 140.46		\$ -
7	6	Miami-Dade Tax Collector	03/08/24	NAV Taxes	\$ 1,023.29		\$ (10.13)	\$ (10.23)	\$ 1,002.93	\$ 318.45	\$ 704.84	\$ 312.12	\$ 690.81	\$ 690.81
8	Int - 2	Miami-Dade Tax Collector	03/20/24	Interest		\$ 9.87			\$ 9.87	\$ 9.87		\$ 9.87		\$ -
9	7	Miami-Dade Tax Collector	04/25/24	NAV Taxes	\$ 3,333.91		\$ (33.34)	\$ -	\$ 3,300.57	\$ 1,037.51	\$ 2,296.40	\$ 1,027.13	\$ 2,273.44	\$ 2,273.44
10	8	Miami-Dade Tax Collector	05/08/24	NAV Taxes/Interest	\$ 1,023.29	\$ 38.78	\$ (10.54)		\$ 1,051.53	\$ 357.23	\$ 704.84	\$ 353.73	\$ 697.80	\$ 697.80
11	9	Miami-Dade Tax Collector	06/10/24	NAV Taxes/Interest	\$ 1,023.29	\$ 30.70	\$ (10.54)		\$ 1,043.45	\$ 349.15	\$ 704.84	\$ 345.66	\$ 697.79	\$ 697.79
12	10	Miami-Dade Tax Collector	06/24/24	NAV Taxes/Interest (TC)	\$ 6,139.74	\$ 276.30	\$ (64.16)		\$ 6,351.88	\$ 2,401.01	\$ 4,015.03	\$ 2,377.00	\$ 3,974.88	\$ 3,974.88
13	Int - 3	Miami-Dade Tax Collector	07/29/24	Interest		\$ 21.00			\$ 21.00	\$ 21.00		\$ 21.00		\$ -
14									\$ -					\$ -
15									\$ -					\$ -
16									\$ -					\$ -
17									\$ -					\$ -
					\$ 147,353.76	\$ 517.11	\$ (1,423.26)	\$ (5,365.06)	\$ 141,082.55	\$ 46,587.87	\$ 101,283.00	\$ 44,470.87	\$ 96,611.68	\$ 96,611.68

Assessment Roll = \$147,353.76

Note: \$147,139, \$45,856, and \$101,283 are 2023/2024 Budgeted assessments before discounts and fees.

\$138,311, \$43,105, and \$95,206 are 2023/2024 Budgeted assessments after discounts and fees.

\$ 147,353.76	
\$ 517.11	\$ 141,082.55
\$ (46,587.87)	\$ (44,470.87)
\$ (101,283.00)	\$ (96,611.68)
\$ -	\$ -

MEMORANDUM

TO: District Manager

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

DATE: July 12, 2024

RE: 2024 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 2024 – 136, Laws of Florida (HB 7013). The legislation establishes a 12-year term limit for members of popularly elected bodies governing independent special districts, excluding terms starting before November 5, 2024, and excluding certain districts. Supervisors of Community Development Districts (CDDs) do not have term limits. The act provides that the boundaries of independent special districts may only be changed by general law or special act. The law revises criteria for declaring special districts inactive, to include those with no revenue, expenditures, or debt for five consecutive fiscal years, and extends the objection period for proposed inactive status declarations from 21 to 30 days. The law stipulates that a special district deemed inactive can only use funds to service outstanding debt and fulfill existing bond covenants and contractual obligations. Additionally, the law repeals section 163.3756, F.S., to align the regulations for Community Redevelopment Agencies (CRAs) with those applicable to other special districts. The bill repeals sections 165.0615 and 190.047, F.S., which allow independent special districts and CDDs, respectively, to convert to a municipality without legislative approval.

Performance Measures and Standards

The legislation also mandates special districts to establish goals, objectives, performance measures, and standards for each program and activity they undertake by October 1, 2024, or the end of their first full fiscal year, and to report annually on their achievements and performance. Furthermore, by December 1 of each subsequent year, each district must produce an annual report detailing the goals and objectives it has accomplished, the performance measures and standards used for evaluation, and any goals or objectives that were not met. The annual report must be published on the District's website.

For independent special fire control districts, the bill requires reporting on volunteer firefighter training by October 1 annually.

The legislation reduces the maximum ad valorem millage rate for mosquito control districts from 10 mills to one mill, allowing an increase to two mills via referendum, and requires submission of work plans and budgets to receive state funds. Lastly, the law prohibits the creation of new Neighborhood Improvement Districts (NIDs) after July 1, 2024, and mandates a performance review of existing NIDs by September 30, 2025.

The effective date of this act is July 1, 2024.

2. Chapter 2024 – 80, Laws of Florida (HB 433). The legislation prohibits political subdivisions from establishing, mandating, or requiring employers, including those contracting with political subdivisions, to meet heat exposure requirements not mandated by state or federal law. The law clarifies that it does not limit the authority of political subdivisions to establish heat exposure requirements¹ for their direct employees. Effective September 30, 2026, the law amends Florida’s wage and employment benefits law, prohibiting political subdivisions from controlling or affecting wages or employment benefits provided by vendors, contractors, service providers, or other parties through purchasing or contracting procedures. In addition the law prohibits using wages or employment benefits as evaluation factors or awarding preferences based on them. The law removes the ability of local governments to require a minimum wage for certain employees under contract terms and states that these revisions do not impair contracts entered into before September 30, 2026. Lastly, this act prohibits local governments from adopting or enforcing regulations on employee scheduling, including predictive scheduling, by private employers except as expressly authorized or required by state or federal law, rule, regulation, or federal grant requirements. Except as otherwise provided, the effective date of this act is July 1, 2024.

3. Chapter 2024 – 204, Laws of Florida (HB 149). The legislation raises the maximum limit for continuing contracts under the Consultants' Competitive Negotiation Act (CCNA) from an estimated per-project construction cost of \$4 million to \$7.5 million, with an annual adjustment based on the Consumer Price Index (CPI). Starting July 1, 2025, and annually thereafter, the Department of Management Services (DMS) is mandated to adjust the maximum allowable amount for each project in a continuing contract according to the change in the June-to-June CPI for All Urban Consumers, as issued by the Bureau of Labor Statistics. DMS is required to publish the adjusted amount on its website. The effective date of this act is July 1, 2024.

4. Chapter 2024 – 202, Laws of Florida (HB 59). The legislation amends section 720.303, F.S., requiring Homeowner Associations (HOAs) to provide a physical or digital copy of the HOA’s rules and covenants to all members by October 1, 2024. This requirement extends to all new members upon joining and includes providing updated copies whenever amendments to the rules or covenants occur. HOAs are authorized to set standards for the distribution method and timing for these documents. The law also stipulates that HOAs maintain certain official records, such as the HOA’s declaration of covenants and any amendments, within the state for at least seven years. These records must be accessible to parcel owners for inspection or copying, either physically or electronically. The effective date of this act is July 1, 2024

¹ A standard to control an employee’s exposure to heat or sun and mitigate its effects. This includes employee monitoring, water consumption, cooling measures, acclimation periods, informational notices, heat exposure programs, first-aid measures, protections for reporting heat exposure, and related reporting and recordkeeping.

5. Chapter 2024 – 221, Laws of Florida (HB 1203). The legislation establishes educational requirements for community association managers (CAMs) and HOA directors. By January 1, 2025, HOAs with 100 or more parcels must post certain official records on their website or application. It allows parcel owners to request a detailed accounting of any amounts owed to the HOA, and if not provided, the board forfeits any outstanding fine under specific conditions. The bill prohibits HOAs and their committees from imposing requirements on the interior of structures not visible from the frontage, adjacent property, common areas, or golf courses. The law also forbids the need for HOA or committee approval for central air-conditioning, heating, or ventilating systems if not visible from the frontage, adjacent property, common area, or golf course, and if they are similar to approved systems. Criminal penalties are introduced for HOA officers, directors, or managers accepting kickbacks. Additionally, HOAs cannot prevent homeowners from installing vegetable gardens and clotheslines in non-visible areas, and certain HOA election voting activities are classified as a first-degree misdemeanor. The effective date of this act is July 1, 2024.

6. Chapter 2024 – 44, Laws of Florida (HB 621). The legislation establishes section 82.036, F.S., creating a process for removing unauthorized persons (squatters) from residential property. Property owners or their authorized agents can file a verified complaint with the county sheriff, who, upon verifying the complainant's identity and ownership, must serve notice to the occupants to vacate immediately. The law grants immunity to the sheriff and property owner for any property loss or damage unless the removal is wrongful. It also establishes a civil cause of action for wrongful removal, allowing the wrongfully removed party to seek damages, court costs, and attorney fees. The effective date of this act is July 1, 2024.

7. Chapter 2024 – 147, Laws of Florida (SB 7020). The legislation amends section 1.01, F.S., the statute defining “registered mail,” to broaden the range of acceptable delivery services for meeting statutory registered mail requirements in the state. The new definition of “registered mail” now explicitly includes any delivery service by the U.S. Postal Service or a private delivery service that provides proof of mailing or shipping and proof of delivery, confirmed by a receipt signed by the addressee or a responsible person at the delivery address. Additionally, “return receipt requested” is defined to encompass delivery confirmation services by the U.S. Postal Service or private delivery services that offer similar proof of delivery. These amendments are remedial in nature and apply retroactively. The effective date of this act is May 6, 2024.

8. Chapter 2024 – 263, Laws of Florida (HB 321). This legislation specifies that any individual who intentionally releases, organizes the release of, or causes the release of balloons inflated with lighter-than-air gas commits an act of littering and is subject to corresponding penalties². However, children aged six or younger who engage in such activities are exempt from noncriminal littering infractions and associated penalties. The bill removes the exemption for balloons deemed biodegradable or photodegradable by Florida Fish and Wildlife Conservation rules. It also eliminates the provision allowing citizens to petition a circuit court to prevent the release of ten or more balloons. Additionally, the bill revises definitions in section 403.413, F.S., the Florida Litter Law, to include:

² The penalty for littering generally corresponds to the amount of litter discarded. ≤ 15 pounds or ≤ 27 cubic feet = Noncriminal infraction, punishable by a civil penalty of \$150. > 15 pounds but ≤ 500 pounds or > 27 cubic feet but ≤ 100 cubic feet = First-degree misdemeanor, punishable by up to one year in jail and a \$1,000 fine. > 500 pounds or > 100 cubic feet = Third-degree felony, punishable by up to five years’ imprisonment and a \$5,000 fine. It is the duty of all law enforcement officers to enforce Florida’s Litter Law.

- “Dump,” specifying that it encompasses the intentional release, organization of the release, or causation of the release of balloons.
- “Litter,” explicitly adding balloons to the definition.

The effective date of this act is July 1, 2024.

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: August 9, 2024

RE: 2024 Legislative Update – Supplemental Information

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. Below is a summary of an additional law that was not included in the 2024 Legislative Update.

Chapter 2024 – 184, Laws of Florida (HB 7063). The legislation, among other things, amends section 787.06, F.S., to require nongovernmental entities, when a contract is executed, renewed, or extended, with a governmental entity, to provide an affidavit, signed by an officer or a representative of the nongovernmental entity under penalty of perjury, attesting that the nongovernmental entity does not use coercion for labor or services. Special districts, including community development districts, are defined as governmental entities under this statute. The effective date of this act is July 1, 2024.

For convenience, we have included a copy of the legislation referenced in this memorandum. In addition, attached is a form of the affidavit that nongovernmental entities will need to execute when entering, renewing, or extending a contract with a community development district or special district. We request that you include this supplemental 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.

Enclosures (2)

AFFIDAVIT OF COMPLIANCE WITH ANTI-HUMAN TRAFFICKING LAWS

In compliance with Section 787.06 (13), Florida Statutes, this attestation must be completed **by an officer or representative of a nongovernmental entity** that is executing, renewing, or extending a contract with _____ Community Development District (the "Governmental Entity").

The undersigned, on behalf of the entity listed below (the "Nongovernmental Entity"), hereby attests under penalty of perjury as follows:

1. Neither the Nongovernmental Entity nor any of its subsidiaries or affiliates uses coercion for labor or services, as such italicized terms are defined in Section 787.06, Florida Statutes, as may be amended from time to time.

2. If, at any time in the future, the Nongovernmental Entity uses coercion for labor or services, it will immediately notify the Governmental Entity, and no contracts may be executed, renewed, or extended between the parties.

3. I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

4. The Affiant is authorized to execute this Affidavit on behalf of the Nongovernmental Entity.

FURTHER AFFIANT SAYETH NAUGHT.

NONGOVERNMENTAL ENTITY: _____

NAME: _____

TITLE: _____

SIGNATURE: _____

DATE: _____, 20____

STATE OF FLORIDA

COUNTY OF _____

SWORN TO (or affirmed) and subscribed before me by means of [] physical presence or []
online notarization, this _____ day of _____, 20____, by
_____ in his/her capacity as _____ for
_____ (name of Nongovernmental Entity).

NOTARY PUBLIC

____ Personally Known OR
____ Produced Identification

Type of Identification Produced