



**LOS CAYOS
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
OCTOBER 16, 2024
9:45 A.M.**

Special District Services, Inc.
2501A Burns Road
Palm Beach Gardens, FL 33410

www.loscayoscdd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
LOS CAYOS COMMUNITY DEVELOPMENT DISTRICT

Lennar Homes, LLC
5505 Blue Lagoon Drive
Miami, Fl 33126

REGULAR BOARD MEETING

October 16, 2024
9:45 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. June 19, 2024 Regular Board Meeting & PH Minutes.....Page 2
- G. Old Business
- H. New Business
 - 1. Consider Resolution No. 2024-07 – Adopting a 2023-2024 Revised Final Budget.....Page 6
 - 2. Consider Resolution No. 2024-08 – Adopting Goals and Objectives.....Page 11
- I. Administrative & Operational Matters
 - 1. Financial Report.....Page 15
- J. Board Members & Staff Closing Comments
 - 1. District Counsel Update on the 2024 Florida Legislative Session.....Page 18
 - 2. District Counsel Supplement to the Legislative Session.....Page 22
- K. Adjourn



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
142431	596095	Print Legal Ad-IPL01960510 - IPL0196051		\$764.59	2	51L

Attention: Los Cayos

Los Cayos Community Development District
 2501A Burns Road
 Palm Beach Gardens, Florida 33410

LArcher@sdsinc.org

**LOS CAYOS COMMUNITY DEVELOPMENT DISTRICT
 FISCAL YEAR 2024/2025 REGULAR MEETING SCHEDULE**
NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the **Los Cayos Community Development District** (the "District") will hold Regular Meetings at Lennar Homes, LLC located at 5505 Waterford District Drive, Miami, Florida 33126 at **9:45 a.m.** on the following dates:

- October 16, 2024**
- January 15, 2025**
- February 19, 2025**
- March 19, 2025**
- April 16, 2025**
- May 21, 2025**
- June 18, 2025**
- July 16, 2025**
- August 20, 2025**
- September 17, 2025**

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 786-347-2711 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 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 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.

LOS CAYOS COMMUNITY DEVELOPMENT DISTRICT

www.loscayosccd.org
 IPL0196051
 Sep 30 2024

**PUBLISHED DAILY
 MIAMI-DADE-FLORIDA**

**STATE OF FLORIDA
 COUNTY OF MIAMI-DADE**

Before the undersigned authority personally appeared: Mary Castro, who on oath says that he/she is CUSTODIAN OF RECORDS of The Miami Herald, a daily newspaper published at Miami in Miami-Dade County, Florida; that the attached copy of the advertisement that was published was published in said newspaper in the issue (s) of:

Publication: Miami Herald

1 insertion(s) published on:

09/30/24

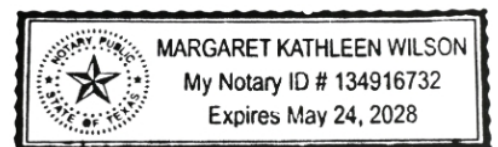
Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered a second class mail matter at the post office in Miami, in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s). The McClatchy Company complies with all legal requirements for publication in chapter 50, Florida Statutes.

Mary Castro

Sworn to and subscribed before me this 30th day of September in the year of 2024

Margaret K. Wilson

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

**LOS CAYOS COMMUNITY DEVELOPMENT DISTRICT
PUBLIC HEARING & REGULAR BOARD MEETING
JUNE 19, 2024**

A. CALL TO ORDER

The June 19, 2024, Regular Board Meeting of the Los Cayos Community Development District (the “District”) was called to order at 9:47 a.m. in the offices of Lennar Homes, LLC located at 5505 Waterford District Drive, Miami, Florida 33126.

B. PROOF OF PUBLICATION

Proof of publication was presented which showed that notice of the Regular Board Meeting had been published in *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

Mrs. Perez determined that the presence of the following Board Members constituted a quorum and all was in order to proceed with the meeting: Vice Chairperson Vanessa Perez and Supervisors Marc Szasz and Carmen Orozco.

Also in attendance were District Manager Gloria Perez of Special District Services, Inc., and District Counsel Michael Pawelczyk of Billing Cochran, Lyles, Mauro & Ramsey, P.A.

D. ADDITIONS OR DELETIONS TO 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 17, 2024, Public Hearing & Regular Board Meeting

A MOTION was made by Supervisor Orozco, seconded by Supervisor Perez and passed unanimously approving the minutes of the April 17, 2024, Public Hearing & Regular Meeting, as presented.

G. OLD BUSINESS

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

Mrs. Perez then recessed the Regular Board Meeting and simultaneously called to order the Public Hearing.

H. PUBLIC HEARING

1. Proof of Publication

Proof of publication was presented which showed that notice of the Public Hearing had been published in *Miami Herald* on May 30, 2024, and June 6, 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. There were no comments made at this time.

3. Consider Resolution No. 2024-05 – Adopting a Fiscal Year 2024/2025 Final Budget

Resolution No. 2024-05 was presented, entitled:

RESOLUTION NO. 2024-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOS CAYOS COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR 2024/2025 FINAL BUDGET PURSUANT TO CHAPTER 190, *FLORIDA STATUTES*; AND PROVIDING AN EFFECTIVE DATE.

Mrs. Perez read the title of the resolution into the record and stated that it provides for approving and adopting the fiscal year 2024/2025 final budget and the non-ad valorem special assessment.

A **MOTION** was made by Supervisor Perez, seconded by Supervisor Orozco and unanimously passed adopting Resolution No. 2024-05, approving the Fiscal Year 2024/2025 Final Budget, as presented.

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

I. NEW BUSINESS

1. Consider Resolution No. 2024-06 – Adopting a Fiscal Year 2024/2025 Meeting Schedule

Mrs. Perez presented Resolution No. 2024-06, entitled:

RESOLUTION NO. 2024-06

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

The Board of Supervisors (the “Board”) of the **Los Cayos Community Development District** (the “District”) will hold Regular Meetings at the offices of Lennar Homes, LLC located at 5505 Waterford District Drive, Miami, Florida 33126 at **9:45 a.m.** on the following dates:

October 16, 2024 *Amended Budget*
January 15, 2025
February 19, 2025
March 19, 2025 *Proposed Budget*
April 16, 2025

May 21, 2025 Final Budget & Announce LO Mtg for Nov 4, 2025 (2nd LO alternate date)

June 18, 2025

July 16, 2025

August 20, 2025

September 17, 2025

A **MOTION** was made by Supervisor Perez, seconded by Supervisor Orozco and unanimously passed adopting Resolution No. 2024-06, approving the Regular Meeting Schedule for Fiscal Year 2024/2025 for the Los Cayos Community Development District by holding Regular Meetings at the offices of Lennar Homes, LLC located at 5505 Waterford District Drive, Miami, Florida 33126, unless otherwise authorized, with a start time of 9:45 a.m.; and further authorizes the advertisement of same, as required by law.

2. Fill Project Update

Supervisor Szasz advised the Board that the Fill Project had been completed and he anticipates the final invoices being submitted for payment.

J. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Financial Report

Financials were presented in the meeting materials and were reviewed: Monthly Financial Report- Operating Fund (actual revenues and expenditures with fund balances and availability) and the Budget vs. Actual from October 2023 through May 2024. Available Funds as of May 31, 2024, reflect: \$656,455.60.

A motion of ratification of the financials or any further questions was requested.

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

K. BOARD MEMBER & STAFF CLOSING COMMENTS

1. 2023 Form 1 – Statement of Financial Interests

Mrs. Perez reminded the Board that the 2023 Form 1 – Statement of Financial Interests was due July 1, 2024, and indicated that it would only be accepted via electronically beginning this year by 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. as previously noted.

L. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 9:56 a.m. on a **MOTION** made by Supervisor Perez, seconded by Supervisor Orozco and passed unanimously.

ATTESTED BY:

Secretary/Assistant Secretary

Chairperson/Vice-Chair

RESOLUTION NO. 2024-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LOS CAYOS 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 Los Cayos 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 LOS CAYOS 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 16th day of October, 2024.

ATTEST:

**LOS CAYOS
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Los Cayos
Community Development District

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

CONTENTS

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

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

	FISCAL YEAR 2023/2024 BUDGET 10/1/24 - 9/30/24	AMENDED FINAL BUDGET 10/1/24 - 9/30/24	YEAR TO DATE ACTUAL 10/1/24 - 9/29/24
REVENUES			
O & M Assessments	0	0	0
Developer Contribution	119,375	59,688	29,844
Developer Contribution - Import Fill Material	2,300,000	792,199	792,119
Debt Assessments	0	0	0
Interest Income	0	40,000	39,666
TOTAL REVENUES	\$ 2,419,375	\$ 891,887	\$ 861,629
EXPENDITURES			
Administrative Expenditures			
Supervisor Fees	0	0	0
Management	39,000	39,000	39,000
Legal	40,000	20,000	17,613
Assessment Roll	0	6,000	6,000
Audit Fees	4,000	3,400	3,400
Arbitrage Rebate Fee	0	0	0
Insurance	6,000	5,000	5,000
Legal Advertisements	20,000	6,000	4,107
Miscellaneous	1,500	1,000	269
Postage	200	375	365
Office Supplies	2,000	550	503
Dues & Subscriptions	175	175	175
Website Management	2,500	2,500	2,500
Trustee Fees	0	0	0
Continuing Disclosure Fee	0	0	0
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 115,375	\$ 84,000	\$ 78,932
Maintenance Expenditures			
Engineering/Inspections	2,000	8,000	5,619
Miscellaneous Maintenance	2,000	0	0
Field Operations	0	0	0
Import Fill Material	2,300,000	2,300,000	1,790,831
TOTAL MAINTENANCE EXPENDITURES	\$ 2,304,000	\$ 2,308,000	\$ 1,796,450
TOTAL EXPENDITURES	\$ 2,419,375	\$ 2,392,000	\$ 1,875,382
REVENUES LESS EXPENDITURES	\$ -	\$ (1,500,113)	\$ (1,013,753)
Bond Payments	-	-	-
BALANCE	\$ -	\$ (1,500,113)	\$ (1,013,753)
County Appraiser & Tax Collector Fee	-	-	-
Discounts For Early Payments	-	-	-
EXCESS/ (SHORTFALL)	\$ -	\$ (1,500,113)	\$ (1,013,753)

FUND BALANCE AS OF 9/30/23	\$1,644,137
FY 2023/2024 ACTIVITY	(\$1,500,113)
FUND BALANCE AS OF 9/30/24	\$144,024

Amended Budget Fund Balances As Of 9-30-24: Import Fil: 135,067 - O&M: 8,597

AMENDED FINAL BUDGET
LOS CAYOS COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND - SERIES 2024
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	0	5,900	5,067
Bond Proceeds (Debt Service)	0	251,302	251,302
NAV Assessment Collection	0	0	0
Developer Contribution - Debt	0	0	0
Total Revenues	\$ -	\$ 257,202	\$ 256,369
EXPENDITURES			
Principal Payments	0	0	0
Interest Payments	0	72,282	72,282
Transfer To Construction Account	0	4,446	3,646
Bond Redemption	0	0	0
Total Expenditures	\$ -	\$ 76,728	\$ 75,928
Excess/ (Shortfall)	\$ -	\$ 180,474	\$ 180,441

FUND BALANCE AS OF 9/30/23	\$0
FY 2023/2024 ACTIVITY	\$180,474
FUND BALANCE AS OF 9/30/24	\$180,474

Notes

Reserve Fund Balance = \$179,020*. Interest Account Balance = \$1,454*.

12/15/2024 Interest Payment Of \$139,900 To Be Developer Funded.

Capitalized Interest Was Set-Up Through June 2024.

Capital Projects Bond Proceeds = \$5,023,698. Total Bond Proceeds = \$8,065,000.

FY 2023/2024 Cost Of Issuance = \$341,929.

Fiscal Year 2023/2024 Capital Outlay = \$4,178,970.

* Approximate Amounts

Series 2024 Bond Information

Original Par Amount =	\$5,275,000	Annual Principal Payments Due:
Interest Rate =	4.40% - 5.55%	June 15th
Issue Date =	March 2024	Annual Interest Payments Due:
Maturity Date =	June 2054	June 15th & December 15th
Par Amount As Of 9/30/24 =	\$5,275,000	

RESOLUTION 2024-08

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

WHEREAS, the Los Cayos 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 LOS CAYOS 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 16th day of October, 2024.

ATTEST:

**LOS CAYOS 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**

Los Cayos
Community Development District

**Financial Report For
September 2024**

**LOS CAYOS 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	0	0	0
Developer Contribution	119,375	0	29,844
Developer Contribution - Import Fill Material	2,300,000	0	792,119
Debt Assessments	0	0	0
Other Revenue	0	0	0
Interest Income	0	0	39,666
Total Revenues	\$ 2,419,375	\$ -	\$ 861,629
EXPENDITURES			
Administrative Expenditures			
Supervisor Fees	0	0	0
Management	39,000	3,250	39,000
Legal	40,000	0	17,613
Assessment Roll	0	6,000	6,000
Audit Fees	4,000	0	3,400
Arbitrage Rebate Fee	0	0	0
Insurance	6,000	0	5,000
Legal Advertisements	20,000	0	4,107
Miscellaneous	1,500	0	269
Postage	200	14	365
Office Supplies	2,000	3	503
Dues & Subscriptions	175	0	175
Website Management	2,500	208	2,500
Trustee Fees	0	0	0
Continuing Disclosure Fee	0	0	0
Total Administrative Expenditures	\$ 115,375	\$ 9,475	\$ 78,932
Maintenance Expenditures			
Engineering/Inspections	2,000	0	5,619
Miscellaneous Maintenance	2,000	0	0
Import Fill Material	2,300,000	0	1,790,831
Total Maintenance Expenditures	\$ 2,304,000	\$ -	\$ 1,796,450
TOTAL EXPENDITURES	\$ 2,419,375	\$ 9,475	\$ 1,875,382
REVENUES LESS EXPENDITURES	\$ -	\$ (9,475)	\$ (1,013,753)
Bond Payments	0	0	0
BALANCE	\$ -	\$ (9,475)	\$ (1,013,753)
County Appraiser & Tax Collector Fee	0	0	0
Discounts For Early Payments	0	0	0
EXCESS/ (SHORTFALL)	\$ -	\$ (9,475)	\$ (1,013,753)

Fund Balance As Of 9/30/23	\$ 1,644,137.27
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Import Fee Fund Balance = \$644,236.23

Bank Balance As Of 9/30/24	\$ 644,341.40
Accounts Payable As Of 9/30/24	\$ 13,957.19
Accounts Receivable As Of 9/30/24	\$ -
Available Funds As Of 9/30/24	\$ 630,384.21

Los Cayos Community Development District
Budget vs. Actual
October 2023 through May 2024

	<u>Oct 23 - May 24</u>	<u>23/24 Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Developer Contribution - O & M	29,843.75	119,375.00	-89,531.25	25.0%
Developer Contribution - Import Fill Material	792,119.38	2,300,000.00	-1,507,880.62	34.44%
O&M Assessments	0.00	0.00	0.00	0.0%
Debt Assessments	0.00	0.00	0.00	0.0%
Debt Assessment - Pd To Trustee	0.00	0.00	0.00	0.0%
County Appaiser & Tax Collector Fee	0.00	0.00	0.00	0.0%
Discounts For Early Payments	0.00	0.00	0.00	0.0%
Other Revenue	0.00	0.00	0.00	0.0%
Interest Income	39,665.82	0.00	39,665.82	100.0%
Total Income	<u>861,628.95</u>	<u>2,419,375.00</u>	<u>-1,557,746.05</u>	<u>35.61%</u>
Expense				
Supervisor Fees	0.00	0.00	0.00	0.0%
Management	39,000.00	39,000.00	0.00	100.0%
Legal Fees	17,612.50	40,000.00	-22,387.50	44.03%
Assessment Roll	6,000.00	0.00	6,000.00	100.0%
Audit Fees	3,400.00	4,000.00	-600.00	85.0%
Arbitrage Rebate Fee	0.00	0.00	0.00	0.0%
Insurance	5,000.00	6,000.00	-1,000.00	83.33%
Legal Advertisements	4,106.62	20,000.00	-15,893.38	20.53%
Miscellaneous	268.59	1,500.00	-1,231.41	17.91%
Postage and Delivery	364.64	200.00	164.64	182.32%
Office Supplies	502.85	2,000.00	-1,497.15	25.14%
Dues & Subscriptions	175.00	175.00	0.00	100.0%
Website Management	2,499.96	2,500.00	-0.04	100.0%
Trustee Fees	0.00	0.00	0.00	0.0%
Continuing Disclosure Fee	0.00	0.00	0.00	0.0%
Engineering/Inspections	5,618.75	2,000.00	3,618.75	280.94%
Miscellaneous Maintenance	0.00	2,000.00	-2,000.00	0.0%
Import Fill Material	1,790,833.10	2,300,000.00	-509,166.90	77.86%
Total Expense	<u>1,875,382.01</u>	<u>2,419,375.00</u>	<u>-543,992.99</u>	<u>77.52%</u>
Net Ordinary Income	<u>-1,013,753.06</u>	<u>0.00</u>	<u>-1,013,753.06</u>	<u>100.0%</u>
Net Income	<u><u>-1,013,753.06</u></u>	<u><u>0.00</u></u>	<u><u>-1,013,753.06</u></u>	<u><u>100.0%</u></u>

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