



**TWO LAKES
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
AUGUST 16, 2023
10:15 A.M.**

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

AGENDA
TWO LAKES COMMUNITY DEVELOPMENT DISTRICT
Lennar Homes
5505 Blue Lagoon Drive
Miami, Florida 33126
REGULAR BOARD MEETING & PUBLIC HEARING
August 16, 2023
10:15 a.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. May 17, 2023 Special Board Meeting.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 5
 - 2. Receive Public Comments on Fiscal Year 2023/2024 Final Budget
 - 3. Consider Resolution No. 2023-02 – Adopting a Fiscal Year 2023/2024 Final Budget.....Page 6
- H. Old Business
 - 1. Staff Report: As Required
- I. New Business
 - 1. Consider Approval of First Amendment to Engineering Agreement.....Page 14
 - 2. Consider Resolution No. 2023-03 – Adopting a Fiscal Year 2023/2024 Meeting Schedule.....Page 21
 - 3. Consider Resolution No. 2023-04 – Adopting a Records Retention Policy.....Page 23
 - 4. Discussion Regarding Required Ethics Training.....Page 27
- J. Administrative Matters
 - 1. Staff Report: As Required
- K. Board Member & Staff Closing Comments
- L. Adjourn

Miscellaneous Notices

Published in Miami Daily Business Review on August 3, 2023

Location

Miami-Dade County, Florida

Notice Text

NOTICE OF PUBLIC HEARING & REGULAR BOARD MEETING OF THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors (the "Board") of the Two Lakes Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting on August 16, 2023, at 10:15 a.m., or as soon thereafter as can be heard, in a Meeting Room of Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33126.

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

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

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at these meetings should contact the District Manager at (786) 313-3661 and/or toll free at 1-877-737-4922, at least seven (7) days prior to the date of the meetings.

If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

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

Two Lakes Community Development District

www.twolakescdd.org

7/27 8/3 23-44/0000675183M

**TWO LAKES COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING
MAY 17, 2023**

A. CALL TO ORDER

District Manager Armando Silva called the May 17, 2023, Special Board Meeting of the Two Lakes Community Development District (the “District”) to order at 10:23 a.m. in the Meeting Room at Lennar Homes, LLC, located at 5505 .

B. PROOF OF PUBLICATION

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

C. ESTABLISH A QUORUM

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

Staff in attendance included: District Manager Armando Silva of Special District Services, Inc.; and District Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

D. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

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

F. APPROVAL OF MINUTES

1. November 16, 2022, Regular Board Meeting

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

G. OLD BUSINESS

1. Staff Report, as Required

There was no Staff Report at this time.

H. NEW BUSINESS

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

Resolution No. 2023-01 was presented, entitled:

RESOLUTION NO. 2023-01

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

Mr. Silva read the title into the record and stated that no carryover amount would be required to balance the budget from the fund balance as of 9/30/2023. He further stated that since the overall assessments were not increasing over the 2022/2023 assessments, letters to property owners would not be required. In addition, Mr. Silva stated as part of Resolution No. 2023-01, the Board must set a date for the public hearing to adopt the fiscal year 2023/2024 final budget and assessment roll. Further discussion took place on the proposed budget after which the following motion was made:

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

2. Consider Rate Adjustment – Alvarez Engineers

Mr. Silva presented a letter from Alvarez Engineers, the District Engineer, respectfully requesting the Board’s consideration in updating the engineering hourly billing rates for engineering personnel. Mr. Silva informed the Board that the existing billing rates have been in effect since 2017. Mr. Silva also confirmed that the District’s budget includes sufficient funds for the budget line, and that the increase in billing rates will not affect the District’s budget. As per Alvarez Engineers, the billing rates will be reviewed again after a period of five (5) years. A discussion ensued, after which:

A motion was made Ms. Baluja, seconded by Ms. Krause and unanimously passed, accepting the updated billing rates proposed by Alvarez Engineers.

3. Consider Rate Adjustment – Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Ms. Wald presented a letter from Billing, Cochran, Lyles, Mauro & Ramsey, P.A., the District Counsel, respectfully requesting the Board’s consideration in updating the legal services hourly billing rates for personnel. Mr. Silva informed the Board that the existing billing rates have been in effect since 2016. Mr. Silva also confirmed that the District’s budget includes sufficient funds for the budget line, and that the increase in billing rates will not affect the District’s budget. A discussion ensued, after which:

A motion was made Ms. Baluja, seconded by Ms. Krause and unanimously passed, accepting the updated billing rates proposed by Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Staff Report, as Required

There was no Staff Report.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

There were no Board Member & staff closing comments.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Ms. Baluja, seconded by Ms. Perez and passed unanimously to adjourn the Regular Board Meeting at 10:33 a.m.

Secretary/Assistant Secretary

Chairperson/Vice-Chairperson

Miscellaneous Notices

Published in Miami Daily Business Review on August 3, 2023

Location

Miami-Dade County, Florida

Notice Text

NOTICE OF PUBLIC HEARING & REGULAR BOARD MEETING OF THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors (the "Board") of the Two Lakes Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting on August 16, 2023, at 10:15 a.m., or as soon thereafter as can be heard, in a Meeting Room of Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33126.

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

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If any person decides to appeal any decision made with respect to any matter considered at this Public Hearing and Regular Board Meeting, such person will need a record of the proceedings and such person may need to ensure that a verbatim record of the proceedings is made at their own expense and which record includes the testimony and evidence on which the appeal is based.

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Two Lakes Community Development District

www.twolakescdd.org

7/27 8/3 23-44/0000675183M

RESOLUTION NO. 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR 2023/2024 FINAL BUDGET PURSUANT TO CHAPTER 190, *FLORIDA STATUTES*; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (the “Board”) of the Two Lakes Community Development District (“District”) has prepared a Proposed Operating Fund Budget for Fiscal Year 2023/2024, and the Board is empowered to provide a funding source to operate the District and to impose special assessments upon the properties within the District, as required; and

WHEREAS, the District has held a duly advertised Public Hearing to receive public comments on the Proposed Operating Fund Budget, has considered and adopted the Fiscal Year 2023/2024 Operating Fund Budget; and is now authorized to levy non-ad valorem assessments upon the assessable properties within the District.

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

Section 1. The Operating Fund Budget for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is accepted, approved and adopted.

Section 2. The Secretary and/or Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 16th day of August, 2023.

ATTEST:

**TWO LAKES COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Two Lakes
Community Development District

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

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- V ASSESSMENT COMPARISON

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

| | FISCAL YEAR 2023/2024 BUDGET |
|--|------------------------------------|
| REVENUES | |
| Administrative Assessments | 99,094 |
| Maintenance Assessments | 163,124 |
| Debt Assessments - Series 2017 | 1,482,926 |
| Debt Assessments - Series 2019 | 1,153,711 |
| Developer Contribution - Debt | 0 |
| Other Revenue | 0 |
| Capital Funding - Stormwater Management Project | 0 |
| Interest Income | 360 |
| TOTAL REVENUES | \$ 2,899,215 |
| EXPENDITURES | |
| Administrative Expenditures | |
| Supervisor Fees | 0 |
| Management | 40,248 |
| Legal | 12,800 |
| Assessment Roll | 9,400 |
| Audit Fees | 5,900 |
| Arbitrage Rebate Fee | 1,300 |
| Insurance | 6,500 |
| Legal Advertisements | 1,500 |
| Miscellaneous | 1,300 |
| Postage | 525 |
| Office Supplies | 725 |
| Dues & Subscriptions | 175 |
| Trustee Fees | 6,500 |
| Continuing Disclosure Fee | 2,000 |
| Administrative Contingency | 4,636 |
| Total Administrative Expenditures | \$ 93,509 |
| Maintenance Expenditures | |
| Annual Engineer's Report & Inspections | 2,400 |
| Field Operations Management | 1,500 |
| Lawn & Landscape Services - Entrance Roads & Interior Tracts | 0 |
| Perimeter Berm - Lawn & Landscape Services | 0 |
| Entrance Roads & Entry Features - MTE | 0 |
| Irrigation System(s) - Interior/Exterior | 0 |
| Roadway/Street Drainage System | 35,000 |
| Street Lighting - Entry Roads | 0 |
| FP&L Power/Utility Services - Irrigation & Street Lighting | 0 |
| Lake Tract(s) Maintenance | 12,000 |
| Aquatic Maintenance | 15,000 |
| Capital Improvements Fund | 87,437 |
| Total Maintenance Expenditures | \$ 153,337 |
| TOTAL EXPENDITURES | \$ 246,846 |
| REVENUES LESS EXPENDITURES | \$ 2,652,369 |
| Bond Payments - Series 2017 | (1,393,950) |
| Bond Payments - Series 2019 | (1,084,488) |
| BALANCE | \$ 173,931 |
| County Appraiser & Tax Collector Fee | (57,977) |
| Discounts For Early Payments | (115,954) |
| EXCESS/ (SHORTFALL) | \$ - |
| Carryover From Prior Year | 0 |
| NET EXCESS/ (SHORTFALL) | \$ - |

DETAILED FINAL BUDGET
TWO LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

| | FISCAL YEAR 2021/2022 ACTUAL | FISCAL YEAR 2022/2023 BUDGET | FISCAL YEAR 2023/2024 BUDGET | COMMENTS |
|--|------------------------------------|------------------------------------|------------------------------------|---|
| REVENUES | | | | |
| Administrative Assessments | 101,148 | 99,094 | 99,094 | Expenditures Less Interest/.94 |
| Maintenance Assessments | 163,463 | 163,124 | 163,124 | Expenditures/.94 |
| Debt Assessments - Series 2017 | 1,486,350 | 1,482,926 | 1,482,926 | Bond Payments/.94 |
| Debt Assessments - Series 2019 | 1,153,853 | 1,153,711 | 1,153,711 | Bond Payments/.94 |
| Developer Contribution - Debt | 0 | 0 | 0 | |
| Other Revenue | 0 | 0 | 0 | |
| Capital Funding - Stormwater Management Project | 106 | 0 | 0 | |
| Interest Income | 8 | 360 | 360 | Projected At \$30 Per Month |
| TOTAL REVENUES | \$ 2,904,928 | \$ 2,899,215 | \$ 2,899,215 | |
| EXPENDITURES | | | | |
| Administrative Expenditures | | | | |
| Supervisor Fees | 0 | 0 | 0 | |
| Management | 37,956 | 39,084 | 40,248 | CPI Adjustment (Capped At 3%) - Includes Website Management |
| Legal | 11,603 | 12,800 | 12,800 | No Change From 2022/2023 Budget |
| Assessment Roll | 9,400 | 9,400 | 9,400 | No Change From 2022/2023 Budget |
| Audit Fees | 5,500 | 5,600 | 5,900 | Accepted Amount For 2022/2023 Audit |
| Arbitrage Rebate Fee | 1,300 | 1,300 | 1,300 | No Change From 2022/2023 Budget |
| Insurance | 5,706 | 6,500 | 6,500 | Insurance Estimate |
| Legal Advertisements | 712 | 1,600 | 1,500 | \$100 Decrease From 2022/2023 Budget |
| Miscellaneous | 411 | 1,450 | 1,300 | \$150 Decrease From 2022/2023 Budget |
| Postage | 103 | 550 | 525 | \$25 Decrease From 2022/2023 Budget |
| Office Supplies | 306 | 750 | 725 | \$25 Decrease From 2022/2023 Budget |
| Dues & Subscriptions | 175 | 175 | 175 | Annual Dues Payment To Dept Of Economic Opportunity |
| Trustee Fees | 6,500 | 6,500 | 6,500 | No Change From 2022/2023 Budget |
| Continuing Disclosure Fee | 1,500 | 2,000 | 2,000 | No Change From 2022/2023 Budget |
| Administrative Contingency | 0 | 5,800 | 4,636 | Administrative Contingency |
| Total Administrative Expenditures | \$ 81,172 | \$ 93,509 | \$ 93,509 | |
| Maintenance Expenditures | | | | |
| Annual Engineer's Report & Inspections | 5,165 | 2,400 | 2,400 | No Change From 2022/2023 Budget |
| Field Operations Management | 1,500 | 1,500 | 1,500 | No Change From 2022/2023 Budget |
| Lawn & Landscape Services - Entrance Roads & Interior Tracts | 0 | 15,000 | 0 | Line Item Eliminated |
| Perimeter Berm - Lawn & Landscape Services | 0 | 36,000 | 0 | Line Item Eliminated |
| Entrance Roads & Entry Features - MTE | 0 | 8,400 | 0 | Line Item Eliminated |
| Irrigation System(s) - Interior/Exterior | 0 | 10,000 | 0 | Line Item Eliminated |
| Roadway/Street Drainage System | 0 | 8,400 | 35,000 | \$26,600 Increase From 2022/2023 Budget |
| Street Lighting - Entry Roads | 0 | 11,400 | 0 | Line Item Eliminated |
| FP&L Power/Utility Services - Irrigation & Street Lighting | 0 | 16,000 | 0 | Line Item Eliminated |
| Lake Tract(s) Maintenance | 5,516 | 12,000 | 12,000 | No Change From 2022/2023 Budget |
| Aquatic Maintenance | 13,630 | 7,000 | 15,000 | \$8,000 Increase From 2022/2023 Budget |
| Capital Improvements Fund | 27,868 | 25,237 | 87,437 | Capital Improvements Fund |
| Total Maintenance Expenditures | \$ 53,679 | \$ 153,337 | \$ 153,337 | |
| TOTAL EXPENDITURES | \$ 134,851 | \$ 246,846 | \$ 246,846 | |
| REVENUES LESS EXPENDITURES | \$ 2,770,077 | \$ 2,652,369 | \$ 2,652,369 | |
| Bond Payments - Series 2017 | (1,415,024) | (1,393,950) | (1,393,950) | 2024 Principal & Interest Payments |
| Bond Payments - Series 2019 | (1,098,482) | (1,084,488) | (1,084,488) | 2024 Principal & Interest Payments |
| BALANCE | \$ 256,571 | \$ 173,931 | \$ 173,931 | |
| County Appraiser & Tax Collector Fee | (27,933) | (57,977) | (57,977) | Two Percent Of Total Assessment Roll |
| Discounts For Early Payments | (111,385) | (115,954) | (115,954) | Four Percent Of Total Assessment Roll |
| EXCESS/ (SHORTFALL) | \$ 117,253 | \$ - | \$ - | |
| Carryover From Prior Year | 0 | 0 | 0 | Carryover From Prior Year |
| NET EXCESS/ (SHORTFALL) | \$ 117,253 | \$ - | \$ - | |

DETAILED FINAL DEBT SERVICE (SERIES 2017) FUND BUDGET
TWO LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

| | FISCAL YEAR 2021/2022 | FISCAL YEAR 2022/2023 | FISCAL YEAR 2023/2024 | |
|----------------------------|--------------------------|--------------------------|--------------------------|-----------------------------------|
| REVENUES | ACTUAL | BUDGET | BUDGET | COMMENTS |
| Interest Income | 8,525 | 25 | 100 | Projected Interest For 2023/2024 |
| NAV Tax Collection | 1,420,064 | 1,393,950 | 1,393,950 | Maximum Debt Service Collection |
| Total Revenues | \$1,428,589 | \$1,393,975 | \$1,394,050 | |
| EXPENDITURES | | | | |
| Principal Payments | 415,000 | 435,000 | 455,000 | Principal Payment Due In 2024 |
| Interest Payments | 976,663 | 956,350 | 938,950 | Interest Payments Due In 2024 |
| Bond Redemption | 0 | 2,625 | 100 | Estimated Excess Debt Collections |
| Total Expenditures | \$1,391,663 | \$1,393,975 | \$1,394,050 | |
| Excess/ (Shortfall) | \$36,926 | \$0 | \$0 | |

Series 2017 Bond Information

| | | |
|---------------------------|---------------|--------------------------------|
| Original Par Amount = | \$21,685,000 | Annual Principal Payments Due: |
| Interest Rate = | 3.25% - 5.0% | December 15th |
| Issue Date = | June 2017 | Annual Interest Payments Due: |
| Maturity Date = | November 2047 | June 15th & December 15th |
| Par Amount As Of 1/1/23 = | \$19,710,000 | |

DETAILED FINAL DEBT SERVICE (SERIES 2019) FUND BUDGET
TWO LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

| | FISCAL YEAR 2021/2022 | FISCAL YEAR 2022/2023 | FISCAL YEAR 2023/2024 | |
|-------------------------------|--------------------------|--------------------------|--------------------------|-----------------------------------|
| REVENUES | ACTUAL | BUDGET | BUDGET | COMMENTS |
| Interest Income | 6,358 | 25 | 100 | Projected Interest For 2023/2024 |
| NAV Tax Collection | 1,118,573 | 1,084,488 | 1,084,488 | Maximum Debt Service Collection |
| Total Revenues | \$1,124,931 | \$1,084,513 | \$1,084,588 | |
| EXPENDITURES | | | | |
| Principal Payments | 380,000 | 405,000 | 420,000 | Principal Payment Due In 2024 |
| Interest Payments | 694,188 | 676,638 | 664,487 | Interest Payments Due In 2024 |
| Transfer To Construction Fund | 2,511 | 0 | 0 | |
| Bond Redemption | 0 | 2,876 | 101 | Estimated Excess Debt Collections |
| Total Expenditures | \$1,076,698 | \$1,084,513 | \$1,084,588 | |
| Excess/ (Shortfall) | \$48,233 | \$0 | \$0 | |

Series 2019 Bond Information

| | | |
|---------------------------|----------------|--------------------------------|
| Original Par Amount = | \$19,050,000 | Annual Principal Payments Due: |
| Interest Rate = | 3.0% - 4.0% | December 15th |
| Issue Date = | September 2019 | Annual Interest Payments Due: |
| Maturity Date = | December 2049 | June 15th & December 15th |
| Par Amount As Of 1/1/23 = | \$17,905,000 | |

Two Lakes Community Development District Assessment Comparison

| | Original Projected Debt Assessment Before Discount* | Fiscal Year 2020/2021 Assessment Before Discount* | Fiscal Year 2021/2022 Assessment Before Discount* | Fiscal Year 2022/2023 Assessment Before Discount* | Fiscal Year 2023/2024 Projected Assessment Before Discount* |
|--|--|--|--|--|--|
| <u>Original Units</u> | | | | | |
| Administrative For Villa Units | \$0.00 | \$59.54 | \$59.39 | \$59.38 | \$59.38 |
| Maintenance For Villa Units | \$0.00 | \$97.94 | \$97.94 | \$97.94 | \$97.94 |
| <u>Debt For Villa Units</u> | <u>\$1,474.19</u> | <u>\$1,472.00</u> | <u>\$1,472.00</u> | <u>\$1,472.00</u> | <u>\$1,472.00</u> |
| Total For Villa Units | \$1,474.19 | \$1,629.48 | \$1,629.33 | \$1,629.32 | \$1,629.32 |
| Administrative For Townhome Units | \$0.00 | \$59.39 | \$59.38 | \$59.38 | \$59.38 |
| Maintenance For Townhome Units | \$0.00 | \$97.94 | \$97.94 | \$97.94 | \$97.94 |
| <u>Debt For Townhome Units</u> | <u>\$1,526.84</u> | <u>\$1,524.50</u> | <u>\$1,524.50</u> | <u>\$1,524.50</u> | <u>\$1,524.50</u> |
| Total For Townhome Units | \$1,526.84 | \$1,681.83 | \$1,681.82 | \$1,681.82 | \$1,681.82 |
| Administrative For Single Family Units | \$0.00 | \$59.39 | \$59.38 | \$59.38 | \$59.38 |
| Maintenance For Single Family Units | \$0.00 | \$97.94 | \$97.94 | \$97.94 | \$97.94 |
| <u>Debt For Single Family Units</u> | <u>\$1,579.48</u> | <u>\$1,577.00</u> | <u>\$1,577.00</u> | <u>\$1,577.00</u> | <u>\$1,577.00</u> |
| Total For Single Family Units | \$1,579.48 | \$1,734.33 | \$1,734.32 | \$1,734.32 | \$1,734.32 |
| <u>Expansion Units</u> | | | | | |
| Administrative For Villa Units | \$0.00 | \$59.39 | \$59.38 | \$59.38 | \$59.38 |
| Maintenance For Villa Units | \$0.00 | \$97.94 | \$97.94 | \$97.94 | \$97.94 |
| <u>Debt For Villa Units</u> | <u>\$1,555.00</u> | <u>\$1,555.00</u> | <u>\$1,555.00</u> | <u>\$1,555.00</u> | <u>\$1,555.00</u> |
| Total For Villa Units | \$1,555.00 | \$1,712.33 | \$1,712.32 | \$1,712.32 | \$1,712.32 |
| Administrative For Townhome Units | \$0.00 | \$59.38 | \$59.38 | \$59.38 | \$59.38 |
| Maintenance For Townhome Units | \$0.00 | \$97.94 | \$97.94 | \$97.94 | \$97.94 |
| <u>Debt For Townhome Units</u> | <u>\$1,658.00</u> | <u>\$1,658.00</u> | <u>\$1,658.00</u> | <u>\$1,658.00</u> | <u>\$1,658.00</u> |
| Total For Townhome Units | \$1,658.00 | \$1,815.32 | \$1,815.32 | \$1,815.32 | \$1,815.32 |
| Administrative For Single Family Units | \$0.00 | \$59.38 | \$59.38 | \$59.38 | \$59.38 |
| Maintenance For Single Family Units | \$0.00 | \$97.94 | \$97.94 | \$97.94 | \$97.94 |
| <u>Debt For Single Family Units</u> | <u>\$1,866.00</u> | <u>\$1,866.00</u> | <u>\$1,866.00</u> | <u>\$1,866.00</u> | <u>\$1,866.00</u> |
| Total For Single Family Units | \$1,866.00 | \$2,023.32 | \$2,023.32 | \$2,023.32 | \$2,023.32 |

* Assessments Include the Following :

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

Note: Covenant Amount (After Discounts & Fees)

For Original Units = \$248.00

\$248.00/.94 = \$263.82

Covenant Amount (After Discounts & Fees)

For Expansion Units = \$262.00

\$262.00/.94 = \$278.72

Community Information - Original Units (Original):

| | |
|----------------------------|------------|
| Villa Units | 347 |
| Townhome Units | 420 |
| <u>Single Family Units</u> | <u>209</u> |
| Total Area One Units | 976 |

Total Units

| | |
|-------------------------|------------|
| Original Units: | 982 |
| <u>Expansion Units:</u> | <u>687</u> |
| Total Units: | 1,669 |

Community Information - Original Units (Current):

| | |
|----------------------------|------------|
| Villa Units | 407 |
| Townhome Units | 372 |
| <u>Single Family Units</u> | <u>203</u> |
| Total Area One Units | 982 |

Community Information - Expansion Units:

| | |
|----------------------------|------------|
| Villa Units | 246 |
| Townhome Units | 248 |
| <u>Single Family Units</u> | <u>193</u> |
| Total Expansion Units | 687 |

**FIRST AMENDMENT TO
ENGINEERING AGREEMENT**

THIS FIRST AMENDMENT TO ENGINEERING AGREEMENT (“First Amendment”) is entered into as of the ____ day of _____, 2023, by and between:

TWO LAKES COMMUNITY DEVELOPMENT DISTRICT, local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, whose address is 2501A Burns Road, Palm Beach Gardens, Florida 33410 (the “District”);

and

ALVAREZ ENGINEERS, INC., a Florida corporation, having as its principal address at 8935 NW 35th Lane, Suite 101, Doral, Florida 33172 (the “Engineer”).

WHEREAS, District entered into an Engineering Agreement, dated January 18, 2017 (collectively, the “Agreement”), with Engineer to provide District Engineer services to the Two Lakes Community Development District; and

WHEREAS, District and Engineer have agreed to amend the Agreement to provide for an updated billing rate schedule and staff classifications, as well as other necessary revisions; and

WHEREAS, at its meeting of May 17, 2023, the Board of Supervisors of the District authorized its proper officials to enter into this First Amendment to Engineering Agreement between the District and Engineer.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, the parties agree as follows:

Section 1. The parties agree that the foregoing recitals are true and correct and are hereby incorporated into this First Amendment.

Section 2. The Agreement is hereby amended to replace Schedule “A” with the revised Alvarez Engineers, Inc.: Hourly Personnel Rates for Year 2023, attached hereto and incorporated by reference as Exhibit “A-1”. The revised hourly rates shall be effective beginning no earlier than June 1, 2023.

Section 3. Article 14 of the Agreement, entitled “PUBLIC RECORDS” is hereby replaced with the following:

ARTICLE 14 PUBLIC RECORDS

A. Engineer shall, pursuant to and in accordance with Section 119.0701, Florida Statutes, comply with the public records laws of the State of Florida, and specifically shall:

1. Keep and maintain public records required by the District to perform the services or work set forth in this Agreement; and
2. Upon the request of the District's custodian of public records, provide the District with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law; and
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the Agreement if the Engineer does not transfer the records to the District; and
4. Upon completion of the Agreement, transfer, at no cost to the District, all public records in possession of the Engineer or keep and maintain public records required by the District to perform the service or work provided for in this Agreement. If the Engineer transfers all public records to the District upon completion of the Agreement, the Engineer shall destroy any duplicate public records that are exempt or confidential and exempt from public disclosure requirements. If the Engineer keeps and maintains public records upon completion of the Agreement, the Engineer shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the District, upon request from the District's custodian of public records, in a format that is compatible with the information technology systems of the District.

B. Engineer acknowledges that any requests to inspect or copy public records relating to this Agreement must be made directly to the District pursuant to Section 119.0701(3), Florida Statutes. If notified by the District of a public records request for records not in the possession of the District but in possession of the Engineer, the Engineer shall provide such records to the District or allow the records to be inspected or copied within a reasonable time. Engineer acknowledges that should Engineer fail to provide the public records to the District within a

reasonable time, Engineer may be subject to penalties pursuant to Section 119.10, Florida Statutes.

C. IF THE ENGINEER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE ENGINEER'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT/CONTRACT, THE ENGINEER MAY CONTACT THE CUSTODIAN OF PUBLIC RECORDS FOR THE OWNER AT:

**SPECIAL DISTRICT SERVICES, INC.
2501A BURNS ROAD
PALM BEACH GARDENS, FLORIDA 33410
TELEPHONE: 561-630-4922
EMAIL: ASILVA@SDSINC.ORG**

Section 4. Article 15 of the Agreement, entitled "VERIFICATION OF EMPLOYMENT STATUS" is hereby replaced with the following:

ARTICLE 15 E-VERIFY

The Engineer, on behalf of itself and its subcontractors, hereby warrants compliance with all federal immigration laws and regulations applicable to their employees. The Engineer further agrees that the District is a public employer subject to the E-Verify requirements provided in Section 448.095, Florida Statutes, and such provisions of said statute are applicable to this Agreement, including, but not limited to registration with and use of the E-Verify system. The Engineer agrees to utilize the E-Verify system to verify work authorization status of all newly hired employees. Engineer shall provide sufficient evidence that it is registered with the E-Verify system before commencement of performance under this Agreement. If the District has a good faith belief that the Engineer is in violation of Section 448.09(1), Florida Statutes, or has knowingly hired, recruited, or referred an alien that is not duly authorized to work by the federal immigration laws or the Attorney General of the United States for employment under this Agreement, the District shall terminate this Agreement. The Engineer shall require an affidavit from each subcontractor providing that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien. The Engineer shall retain a copy of each such affidavit for the term of this Agreement and all renewals thereof. If the District has a good faith belief that a subcontractor of the Engineer is in violation of Section

448.09(1), Florida Statutes, or is performing work under this Agreement has knowingly hired, recruited, or referred an alien that is not duly authorized to work by the federal immigration laws or the Attorney General of the United States for employment under this Agreement, the District promptly notify the Engineer and order the Engineer to immediately terminate its subcontract with the subcontractor. The Engineer shall be liable for any additional costs incurred by the District as a result of the termination of any contract, including this Agreement, based on Engineer's failure to comply with the E-Verify requirements referenced in this subsection.

Section 5. The Article 21 of the Agreement, entitled "NOTICES" is hereby replaced with the following:

ARTICLE 21 NOTICES

Any notice provided by this Agreement to be served in writing upon either of the parties shall be deemed sufficient if sent via overnight delivery by a nationally recognized service (i.e. Federal Express, United Parcel Service) or if mailed by registered or certified mail, return receipt requested, to the address of the party set forth below or to such other addresses as the parties hereto may designate in writing. Such notice shall be effective from the date the same is deposited in the mails, registered or certified mail, return receipt requested, first class postage prepaid and addressed as follows:

| | |
|-----------------|---|
| If to Engineer: | Juan Alvarez, P.E. Alvarez Engineers, Inc. 8935 NW 35 th Lane, Suite 101 Doral, Florida 33172 |
| If to District: | Two Lakes Community Development District Attn: District Manager 2501A Burns Road Palm Beach Gardens, Florida 33410 |
| with copy to: | Billing, Cochran, Lyles, Mauro & Ramsey, P.A. Attention: Michael J. Pawelczyk, Esq. Las Olas Square, Suite 600 515 East Las Olas Boulevard Fort Lauderdale, Florida 33301 |

Section 6. Except as otherwise set forth in this First Amendment, all other terms of the Agreement are hereby ratified, reaffirmed and shall remain in full force and effect as provided by their terms.

IN WITNESS WHEREOF, the parties hereto execute this First Amendment and further agree that it shall take effect as of the date first above written.

ALVAREZ ENGINEERS, INC., as Engineer WITNESSES:

By: _____
Juan R. Alvarez, President

Date: _____

TWO LAKES COMMUNITY DEVELOPMENT DISTRICT, as District

ATTEST:

By: _____
Teresa Baluja, Chairperson
Board of Supervisors

Armando Silva, Secretary

Date: _____

Exhibit A-1



8935 NW 35 Lane, Suite 101 Doral, FL 33172
Tel (305) 640-1345
Email Alvarez@AlvarezEng.com
Website www.alvarezeng.com

February 16, 2023

Board of Supervisors
Two Lakes Community Development District
Attn: District Manager Armando Silva
Special District Services, Inc.
2501 Burns Road
Palm Beach Gardens, FL 33410

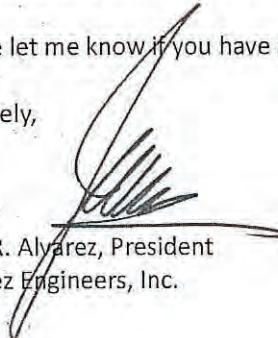
Reference: Two Lakes Community Development District
Alvarez Engineers Personnel Billing Rates
Via: Email Only: asilva@sdsinc.org

Dear Board of Supervisors,

In accordance with the terms of the Engineering Agreement, dated January 18, 2017, between Alvarez Engineers, Inc. and the CDD, I would like to respectfully request the Board of Supervisors to consider updating our hourly personnel billing rates and staff classifications to our proposed 2023 rates as shown in the attached table.

Please let me know if you have any questions or if you would like to discuss this further.

Sincerely,



Juan R. Alvarez, President
Alvarez Engineers, Inc.

| Two Lakes CDD | | | |
|-------------------------|-----------|-------------------------------|-----------|
| Current 2017 Rates | | Proposed 2023 Rates | |
| Principal | \$ 200.00 | Principal | \$ 220.00 |
| Chief Engineer | | | |
| Senior Engineer | \$ 175.00 | Senior Engineer | \$ 185.00 |
| Senior Project Engineer | | | |
| Project Manager | \$ 150.00 | Engineer 2 | \$ 160.00 |
| Project Engineer | \$ 130.00 | Engineer 1 | \$ 140.00 |
| | | Electrical Engineer | \$ 135.00 |
| Engineer | \$ 125.00 | Engineer Intern | \$ 130.00 |
| CADD | \$ 95.00 | Senior Designer | \$ 110.00 |
| | | CADD/Computer Technician | \$ 100.00 |
| | | Senior Engineering Technician | \$ 95.00 |
| Engineering Technician | \$ 85.00 | Engineering Technician | \$ 90.00 |
| Senior Administrative | \$ 80.00 | Senior Administrative | \$ 95.00 |
| Administrative | \$ 50.00 | Administrative | \$ 60.00 |

Staff Classification

Principal
 Senior Engineer
 Engineer 2
 Engineer 1
 Electrical Engineer
 Engineer Intern
 Senior Designer
 CADD/Computer Technician
 Senior Engineering Technician
 Engineering Technician
 Senior Administrative
 Administrative

Definition

Professional Engineer with 20+ years of post registration experience
 Professional Engineer with 10+ years of post registration experience
 Professional Engineer with 5+ years of post registration experience
 Professional Engineer with 0+ years of post registration experience
 Electrical Engineer with 2+ years of post-graduate experience
 Entry level with engineering degree; Engineering Intern License
 15+ years of design experience, non-registered
 Design and Drafting with 1+ year of experience
 5+ years of experience
 Entry level, with 0-4 years of experience
 Degreed executive assistant with 8+ years of experience
 Secretary / Clerical

RESOLUTION NO. 2023-03

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

WHEREAS, it is necessary for the Two Lakes Community Development District (the "District") to establish a regular meeting schedule for fiscal year 2023/2024; and

WHEREAS, the Board of Supervisors of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2023/2024 which is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT, MIAMI-DADE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2023/2024 which is attached hereto as Exhibit "A" is hereby adopted and authorized to be published.

PASSED, ADOPTED and EFFECTIVE this 16th day of August, 2023.

ATTEST:

**TWO LAKES
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**TWO LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the “Board”) of the **Two Lakes Community Development District** (the “District”) will hold Regular Meetings at Lennar Homes, LLC located at 5505 Blue Lagoon Drive, Miami, Florida 33126 at **10:15 a.m.** on the following dates:

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

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. Copies of the Agenda for any of the meetings may be obtained from the District’s website or by contacting the District Manager at 786-313-3661 and/or toll free at 1-877-737-4922, prior to the date of the particular meeting.

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

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

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 786-313-3661 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time with no advertised notice.

TWO LAKES COMMUNITY DEVELOPMENT DISTRICT

www.blackcreekcdd.org

PUBLISH: MIAMI DAILY BUSINESS REVIEW XX/XX/2023

RESOLUTION 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TWO LAKES COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR THE APPOINTMENT OF A RECORDS MANAGEMENT LIAISON OFFICER; PROVIDING THE DUTIES OF THE RECORDS MANAGEMENT LIAISON OFFICER; ADOPTING A RECORDS RETENTION POLICY; DETERMINING THE ELECTRONIC RECORD TO BE THE OFFICIAL RECORD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Two Lakes Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, Chapter 190, *Florida Statutes*, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, Section 257.36(5), *Florida Statutes*, requires the District to establish and maintain an active and continuing program for the economical and efficient management of records and to provide for the appointment of a records management liaison officer (“Records Management Liaison Officer”); and

WHEREAS, the District desires for the Records Management Liaison Officer to be an employee of the District or an employee of the District Manager; and

WHEREAS, the District desires to authorize the District’s records custodian to appoint a Records Management Liaison Officer, which may or may not be the District’s records custodian; and

WHEREAS, the District desires to prescribe duties of the Records Management Liaison Officer and provide for the assignment of additional duties; and

WHEREAS, the District’s Board of Supervisors (“Board”) finds that it is in the best interests of the District to adopt by resolution a records retention policy (the “Records Retention Policy”) for immediate use and application.

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

SECTION 1. The District hereby authorizes the District’s records custodian to appoint a Records Management Liaison Officer and report such appointment to the appropriate State of Florida agencies. A Records Management Liaison Officer shall be an employee of the District or the District Manager. The Board, and the District’s records custodian, shall each have the individual power to remove the Records Management

Liaison Officer at any time for any reason. Immediately following the removal or resignation of a Records Management Liaison Officer, the District's records custodian shall appoint a replacement Records Management Liaison Officer.

SECTION 2. The duties of the Records Management Liaison Officer shall include the following:

- A.** Serve as the District's contact with the Florida Department of State, State Library and Archives of Florida;
- B.** Coordinate the District's records inventory;
- C.** Maintain records retention and disposition forms;
- D.** Coordinate District records management training;
- E.** Develop records management procedures consistent with the Records Retention Policy, as amended as provided herein;
- F.** Participate in the development of the District's development of electronic record keeping systems;
- G.** Submit annual compliance statements;
- H.** Work with the Florida Department of State, State Library and Archives of Florida to establish individual retention schedules for the District, from time to time and as may be necessary; and
- I.** Such other duties as may be assigned by the Board or the District's records custodian in the future.

SECTION 3. The District hereby adopts as its Records Retention Policy the applicable provisions of Section 257.36(5), *Florida Statutes*, the rules adopted by the Division of Library and Information Services of the Department of State ("Division") pursuant to Section 257.36, *Florida Statutes*, and the General Records Schedules established by the Division. However, the District will retain certain records longer than required by the General Records Schedules established by the Division as set forth in Exhibit A. To the extent the above statute, rules or schedules are amended or supplemented in the future, the District's Records Retention Policy shall automatically incorporate such amendment or supplement provided that such automatic amendment shall not reduce the retention times set forth in Exhibit A. The Records Retention Policy shall remain in full force and effect until such time as the Board amends the Policy.

SECTION 4. In accordance with section 668.50, Florida Statutes, and section 119.01, Florida Statutes, the Board finds that the electronic record shall be considered the official record and any paper originals are hereby duplicates which may be disposed of unless required to be preserved by any applicable statute, rule or ordinance.

SECTION 5. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. This Resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding records retention; and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED at a meeting of the District Board of Supervisors, this 16th day of August 2023.

ATTEST:

**TWO LAKES COMMUNITY
DEVELOPMENT DISTRICT**

Print name: _____
Secretary / Assistant Secretary

Print name: _____
Chairperson, Board of Supervisors

Exhibit A: Amendments to General Records Schedules Established by the Division

Exhibit A

Amendments to General Records Schedules established by the Division

ADVERTISEMENTS: LEGAL (Item #25)

The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to proceedings under uniform method of collection of debt assessments permanently. The District shall retain mailed and published legal advertisements, and corresponding affidavits, relating to the levy of assessments securing bonds for five (5) fiscal years provided applicable audits have been released, or until three (3) calendar years after related bonds are redeemed, whichever is later.

AUDITS: INDEPENDENT (Item #56)

The District shall retain the record copy of independent audits for ten (10) fiscal years or until three (3) calendar years after all related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: DETAIL (Item #340)

The District shall retain the record copy of disbursement records relating to the use of bonds for five (5) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

DISBURSEMENT RECORDS: SUMMARY (Item #341)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after related bonds are redeemed, whichever is later.

FINANCIAL REPORTS: LOCAL GOVERNMENT ANNUAL REPORTS (Item #107)

The District shall retain the record copy of disbursement records relating to the use of bonds for ten (10) fiscal years provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

INCIDENT REPORT FILES (Item #241)

The District shall retain incident reports for five (5) anniversary years from the date of the incident.

MINUTES: OFFICIAL MEETINGS (PRELIMINARY/AUDIO RECORDINGS/VIDEO RECORDINGS (Item #4)

The District shall retain audio recordings of board of supervisor meetings for five (5) calendar years after adoption of the official minutes.

PROJECT FILES: CAPITAL IMPROVEMENT (Item #136)

The District shall retain the record copy of project files for projects funded with bonds for ten (10) fiscal years after completion of the project provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later.

REAL PROPERTY RECORDS: CONDEMNATION/DEMOLITION (Item #364)

The District shall retain the record copy of project files for condemnation/demolition projects funded with bonds for five (5) anniversary years after final action or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

REAL PROPERTY RECORDS: PROPERTY ACQUIRED (Item #172)

The District shall retain the record copy of documents related to property acquisitions funded with bonds for three (3) fiscal years after final disposition of the property provided applicable audits have been released or until three (3) calendar years after all related bonds are redeemed, whichever is later. The record copy of deeds and easements shall be kept permanently.

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.