



**LAKE FRANCES  
COMMUNITY DEVELOPMENT  
DISTRICT**

**MIAMI-DADE COUNTY  
REGULAR BOARD MEETING  
OCTOBER 23, 2024  
6:30 P.M.**

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

[www.lakefrancescdd.org](http://www.lakefrancescdd.org)  
786.347.2700 ext. 2700 Telephone  
877.SDS.4922 Toll Free  
561.630.4923 Facsimile

**AGENDA**  
**LAKE FRANCES COMMUNITY DEVELOPMENT DISTRICT**  
Hampton Inn & Suites - Homestead  
1<sup>st</sup> Floor Conference Room (Cove Board Room)  
2855 N.E. 9<sup>th</sup> Street  
Homestead, Florida 33033  
**REGULAR BOARD MEETING**  
October 23, 2024  
6:30 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
  - 1. June 26, 2024 Regular Board Meeting and Public Hearing.....Page 2
- G. Old Business
  - 1. Staff Report, as Required
- H. New Business
  - 1. Consider Resolution No. 2024-05 – Adopting a Fiscal Year 2023/2024 Amended Budget.....Page 5
  - 2. 2024 Legislative Update Memorandums (BCLMR).....Page 10
  - 3. Consider Resolution No. 2024-06 – Adopting Goals and Objectives.....Page 15
- I. Administrative & Operational Matters
  - 1. Update: Miami-Dade County Supervisor of Elections 2024 Qualified Candidate Results
- J. Board Member & Staff Closing Comments
- 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
142063	599475	Print Legal Ad-IPL01978730 - IPL0197873		\$777.56	2	52L

**Attention:** Laura J. Archer

Lake Frances Community Development District  
 c/o Special District Services, Inc.  
 2501A Burns Road  
 Palm Beach Gardens, Florida 33410  
 LArcher@sdsinc.org

**LAKE FRANCES COMMUNITY DEVELOPMENT DISTRICT  
 FISCAL YEAR 2024/2025 REGULAR MEETING SCHEDULE**  
**NOTICE IS HEREBY GIVEN** that the Board of Supervisors (the "Board") of the **Lake Frances Community Development District** (the "District") will hold Regular Meetings in the Hampton Inn & Suites – Homestead, 1st Floor Conference Room (Cove Board Room) located at 2855 NE 9th Street, Homestead, Florida 33033 at 6:30 p.m. on the following dates:

- October 23, 2024**
- January 22, 2025**
- February 26, 2025**
- March 26, 2025**
- April 23, 2025**
- May 28, 2025**
- June 25, 2025**
- July 23, 2025**
- August 27, 2025**
- September 24, 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 nnguyen@sdsinc.org 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 nnguyen@sdsinc.org 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.

**LAKE FRANCES COMMUNITY DEVELOPMENT DISTRICT**

[www.lakefrancescdd.org](http://www.lakefrancescdd.org)  
 IPL0197873  
 Oct 10 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:

10/10/24

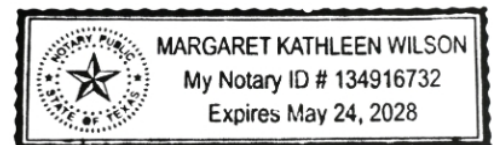
Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered a second class mail matter at the post office in Miami, in said Miami-Dade County, Florida, for a period of two years 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 10th day of October 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

**LAKE FRANCES COMMUNITY DEVELOPMENT DISTRICT  
REGULAR BOARD MEETING & PUBLIC HEARING  
JUNE 26, 2024**

**A. CALL TO ORDER**

District Manager Nancy Nguyen called the June 26, 2024, Regular Board Meeting of the Lake Frances Community Development District (the “District”) to order at approximately 6:32 p.m. in the Hampton Inn & Suites – Homestead, 1<sup>st</sup> Floor Conference Room (Cove Board Room) located at 2855 NE 9<sup>th</sup> Street, Homestead, Florida 33033.

**B. PROOF OF PUBLICATION**

Ms. Nguyen presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on October 13, 2023, as part of the District’s Fiscal Year 2023/2024 Meeting Schedule, legally required.

**C. ESTABLISH A QUORUM**

Ms. Nguyen determined that the attendance of Chairman David Lumpkin, Vice Chairman Gabriel Pedrini (who arrived at 6:35 p.m.) and Supervisors Nelson Peña and Julio Morales constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance included: District Manager Nancy Nguyen of Special District Services, Inc.; and General Counsel Gregory George of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

**D. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA**

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

**E. APPROVAL OF MINUTES**

**1. February 28, 2024, Regular Board Meeting**

Ms. Nguyen presented the minutes of the February 28, 2024, Regular Board Meeting and asked if there were any changes. There being no changes, a **motion** was made by Mr. Peña, seconded by Mr. Pedrini and unanimously passed approving the minutes of the February 28, 2024, Regular Board Meeting, as presented.

**NOTE:** At approximately 6:42 p.m., Ms. Nguyen recessed the Regular Meeting and simultaneously opened the Public Hearing.

**F. PUBLIC HEARING**

**1. Proof of Publication**

Ms. Nguyen presented proof of publication that notice of the Public Hearing had been published in the *Miami Herald* on June 6, 2024, and June 13, 2024, as legally required.

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

Ms. Nguyen opened the public comment portion of the Public Hearing to receive comments on the 2024/2025 fiscal year final budget and non-ad valorem special assessments. There being no comments, Ms. Nguyen closed the public comment portion of the Public Hearing.

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

Ms. Nguyen presented Resolution No. 2024-03, entitled:

#### **RESOLUTION NO. 2024-03**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE FRANCES COMMUNITY DEVELOPMENT DISTRICT APPROVING AND ADOPTING A FISCAL YEAR 2024/2025 FINAL BUDGET INCLUDING NON-AD VALOREM SPECIAL ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Nguyen stated that the document provides for approving and adopting the fiscal year 2024/2025 final budget and the non-ad valorem special assessment tax roll. A discussion ensued after which:

A **motion** was made by Mr. Lumpkin, seconded by Mr. Peña and unanimously passed to approve and adopt Resolution No. 2024-03, as presented; thereby setting the 2024/2025 final budget and non-ad valorem special assessment tax roll.

**NOTE:** At approximately 6:49 p.m., Ms. Nguyen closed the Public Hearing and simultaneously reconvened the Regular Meeting.

### **G. OLD BUSINESS**

#### **1. Update Regarding Fence Extension Request (Julio Morales)**

Mr. Morales explained that at this time he was no longer seeking a fence extension for his lot. Mr. Morales explained that he would let the District Manager know if he starts the process again.

### **H. NEW BUSINESS**

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

Ms. Nguyen presented Resolution No. 2024-04, entitled:

#### **RESOLUTION NO. 2024-04**

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

Ms. Nguyen provided an explanation for the document. A discussion ensued after which:

A **motion** was made by Mr. Peña, seconded by Mr. Pedrini and unanimously passed to approve and adopt Resolution No. 2024-04, as presented; thereby setting the 2024/2025 regular meeting schedule and authorizing the publication of the annual meeting schedule, as required by law.

## **I. ADMINISTRATIVE & OPERATIONAL MATTERS**

### **1. Staff Report as Required**

Board members were reminded of the importance of electronically completing their individual 2023 Statement of Financial Interests Form 1 through the Florida Commission on Ethics Electronic Financial Disclosure Management System (EFDMS). The deadline for submittal is July 1, 2024.

Board members were reminded that beginning January 1, 2024, elected and appointed officers of independent special districts are required to complete four (4) hours of ethics training annually. Board members were also reminded that they received an email with links to training options.

The Board requested that Ms. Nguyen resend the Form 1 and ethics training emails. Ms Nguyen acknowledged the Board's request.

## **J. BOARD MEMBER & STAFF CLOSING COMMENTS**

Mr. Peña explained that his belief was that the signs that were added on Tract "B" deterred loiterers for a while, but additional signs would be helpful. He requested that "NO TRESPASSING" signs be added to the existing sign posts. The consensus of the Board was to add two additional "NO TRESPASSING" signs to the existing sign posts. Ms. Nguyen acknowledged the Board's request.

## **K. ADJOURNMENT**

There being no further business to come before the Board, a **motion** was made by Mr. Morales, seconded by Mr. Peña and unanimously passed adjourning the Regular Board Meeting at 6:57 p.m.

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Secretary/Assistant Secretary

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Chair/Vice Chair

**RESOLUTION NO. 2024-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE LAKE FRANCES 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 (the “Board”) of the Lake Frances Community Development District (the “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 LAKE FRANCES COMMUNITY DEVELOPMENT DISTRICT, THAT:**

**Section 1.** The Amended Budget for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is hereby approved and adopted by the Board.

**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 23<sup>rd</sup> day of October, 2024.

**ATTEST:**

**LAKE FRANCES  
COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Chair/Vice Chair

Lake Frances  
Community Development District

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



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

**AMENDED FINAL BUDGET**  
**LAKE FRANCES COMMUNITY DEVELOPMENT DISTRICT**  
**OPERATING FUND**  
**FISCAL YEAR 2023/2024**  
**OCTOBER 1, 2023 - SEPTEMBER 30, 2024**

	FISCAL YEAR 2023/2024 BUDGET 10/1/23 - 9/30/24	AMENDED FINAL BUDGET 10/1/23 - 9/30/24	YEAR TO DATE ACTUAL 10/1/23 - 9/29/24
<b>REVENUES</b>			
Administrative Assessments	61,242	61,495	61,495
Maintenance Assessments	17,096	17,097	17,097
Debt Assessments	146,840	146,841	146,841
Other Revenues	0	0	0
Interest Income	480	9,675	9,651
<b>TOTAL REVENUES</b>	<b>\$ 225,658</b>	<b>\$ 235,108</b>	<b>\$ 235,084</b>
<b>EXPENDITURES</b>			
<b>ADMINISTRATIVE EXPENDITURES</b>			
Supervisor Fees	3,000	1,400	1,400
Payroll Taxes (Employer)	230	107	107
Management	34,488	34,488	34,488
Legal	9,600	9,400	7,838
Assessment Roll	6,000	6,000	6,000
Audit Fees	3,200	3,200	3,200
Insurance	6,700	6,594	6,594
Legal Advertisements	725	3,000	1,994
Miscellaneous	900	1,100	909
Meeting Room Rental	900	593	593
Postage	200	350	339
Office Supplies	400	300	239
Dues & Subscriptions	175	175	175
Trustee Fee	4,000	4,000	4,000
Continuing Disclosure Fee	350	350	350
Website Mangement	2,000	2,000	2,000
Administrative Contingency	1,200	600	0
<b>TOTAL ADMINISTRATIVE EXPENDITURES</b>	<b>\$ 74,068</b>	<b>\$ 73,657</b>	<b>\$ 70,226</b>
<b>MAINTENANCE EXPENDITURES</b>			
Aquatic Maintenance (Lake Tract)	3,600	3,500	2,490
Lawn & Landscape Maintenance	7,200	7,200	6,000
Engineering/Annual Report/Inspections	1,750	1,100	1,100
Field Operation Management	1,620	1,620	1,620
Maintenance Contingency	1,900	950	0
<b>TOTAL MAINTENANCE EXPENDITURES</b>	<b>\$ 16,070</b>	<b>\$ 14,370</b>	<b>\$ 11,210</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 90,138</b>	<b>\$ 88,027</b>	<b>\$ 81,436</b>
<b>REVENUES LESS EXPENDITURES</b>	<b>\$ 135,520</b>	<b>\$ 147,081</b>	<b>\$ 153,648</b>
Bond Payments	(138,030)	(139,737)	(139,737)
<b>BALANCE</b>	<b>\$ (2,510)</b>	<b>\$ 7,344</b>	<b>\$ 13,911</b>
County Appraiser & Tax Collector Fee	(4,503)	(2,165)	(2,165)
Discounts For Early Payments	(9,007)	(8,729)	(8,729)
<b>EXCESS/ (SHORTFALL)</b>	<b>\$ (16,020)</b>	<b>\$ (3,550)</b>	<b>\$ 3,017</b>
Carryover From Prior Year	16,020	16,020	0
<b>NET EXCESS/ (SHORTFALL)</b>	<b>\$ -</b>	<b>\$ 12,470</b>	<b>\$ 3,017</b>
FUND BALANCE AS OF 9/30/23		\$204,793	
FY 2023/2024 ACTIVITY		(\$3,550)	
FUND BALANCE AS OF 9/30/24		\$201,243	

**Notes**

Carryover From Prior Year Of \$16,020 was used to reduce Fiscal Year 2023/2024 Assessments  
\$18,400 Of Fund Balance To Be Used To Reduce 2024/2025 Assessments.

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

	<b>FISCAL YEAR 2023/2024 BUDGET 10/1/23 - 9/30/24</b>	<b>AMENDED FINAL BUDGET 10/1/23 - 9/30/24</b>	<b>YEAR TO DATE ACTUAL 10/1/23 - 9/29/24</b>
<b>REVENUES</b>			
Interest Income	100	<b>6,925</b>	6,901
NAV Tax Collection	138,030	<b>139,737</b>	139,737
<b>Total Revenues</b>	<b>\$ 138,130</b>	<b>\$ 146,662</b>	<b>\$ 146,638</b>
<b>EXPENDITURES</b>			
Principal Payments	81,000	<b>81,000</b>	81,000
Interest Payments	53,585	<b>54,800</b>	54,800
Bond Redemption	3,545	<b>0</b>	0
<b>Total Expenditures</b>	<b>\$ 138,130</b>	<b>\$ 135,800</b>	<b>\$ 135,800</b>
<b>Excess/Shortfall</b>	<b>\$ -</b>	<b>\$ 10,862</b>	<b>\$ 10,838</b>

FUND BALANCE AS OF 9/30/23	\$136,579
FY 2023/2024 ACTIVITY	\$10,862
FUND BALANCE AS OF 9/30/24	\$147,441

**Notes**

Reserve Fund Balance = \$78,207\*. Revenue Fund Balance = \$69,234\*.  
Interest Fund Balance Used To Make 11/1/2024 Interest Payment Of \$26,185.  
\* Approximate Amounts

**Series 2018 Bond Refunding Information**

Original Par Amount =	\$1,812,000	Annual Principal Payments Due:
Interest Rate =	3.00% - 4.00%	May 1st
Issue Date =	February 2018	Annual Interest Payments Due:
Maturity Date =	May 2037	May 1st & November 1st
Par Amount As Of 9/30/24=	\$1,352,000	

## MEMORANDUM

TO: District Manager

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

DATE: July 12, 2024

RE: 2024 Legislative Update

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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 requirements<sup>1</sup> 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

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<sup>1</sup> 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 penalties<sup>2</sup>. 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:

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<sup>2</sup> 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

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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)



## RESOLUTION 2024-06

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

**WHEREAS**, the Lake Frances 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 LAKE FRANCES 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 23<sup>rd</sup> day of October, 2024.

**ATTEST:**

**LAKE FRANCES COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary/Assistant Secretary

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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 as evidenced by District Management's records.  
**Achieved: Yes**  **No**
- District records retained as required by law, and readily available to the public.  
**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 by June 15 and the final fiscal year budget by September 30.
- 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 by June 15 and the final fiscal year budget by September 30.  
**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 contracts with District.

**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**