



**SAUSALITO BAY
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
OCTOBER 3, 2024
6:15 P.M.**

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

www.sausalitobaycdd.org
786.347.2700 ext. 2027 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
SAUSALITO BAY COMMUNITY DEVELOPMENT DISTRICT
Conference Room at Kendall Executive Center
8785 SW 165th Avenue, Suite 200
Miami, Florida 33193
REGULAR BOARD MEETING
October 3, 2024
6:15 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. April 4, 2024 Regular Board Meeting & Public Hearing.....Page 2
- G. Old Business
 - 1. Staff Report, as Required
- H. New Business
 - 1. Discussion Regarding Townhomes Lake Condition.....Page 5
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 - 3. Consider Resolution No. 2024-05 – Adopting a Fiscal Year 2023/2024 Amended Budget.....Page 7
 - 4. 2024 Legislative Session Memorandums (BCLMR).....Page 12
 - 5. Consider Resolution No. 2024-06 – Adopting Goals and Objectives.....Page 17
- I. Administrative & Operational Matters
 - 1. Update: Miami-Dade County Supervisor of Election 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
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 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
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The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
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 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
142065	593799	Print Legal Ad-IPL01947870 - IPL0194787		\$764.16	2	50 L

Attention: Laura J. Archer

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

**SAUSALITO BAY COMMUNITY DEVELOPMENT DISTRICT
 FISCAL YEAR 2024/2025 REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the **Sausalito Bay Community Development District** (the "District") will hold Regular Meetings in the Conference Room at Kendall Executive Center located at 8785 SW 165th Avenue, Suite 200, Miami, Florida 33193, on the following dates: at **6:15 p.m.** on the following dates:

- October 3, 2024**
- November 7, 2024**
- February 6, 2025**
- March 6, 2025**
- April 3, 2025**
- May 1, 2025**
- June 5, 2025**
- September 4, 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.

SAUSALITO BAY COMMUNITY DEVELOPMENT DISTRICT
www.sausalitobaycdd.org
 IPL0194787
 Sep 19 2024

**PUBLISHED DAILY
 MIAMI-DADE-FLORIDA**

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

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

Publication: Miami Herald

1 insertion(s) published on:

09/19/24

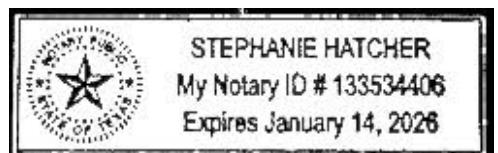
Affiant further says that the said Miami Herald is a newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered a second class mail matter at the post office in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

Mary Castro

Sworn to and subscribed before me this 19th day of September in the year of 2024

Stephanie Hatcher

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

**SAUSALITO BAY COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING & PUBLIC HEARING
APRIL 4, 2024**

A. CALL TO ORDER

District Manager Nancy Nguyen called the April 4, 2024, Regular Board Meeting of the Sausalito Bay Community Development District (the “District”) to order at 6:15 p.m. in the Kendall Executive Center Second Floor Conference Room located at 8785 SW 165 Avenue, Suite 200, Miami, Florida 333193.

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 September 25, 2023, as part of the District’s Fiscal Year 2023/2024 Regular Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

Ms. Nguyen determined that the attendance of Vice Chairman Robert Penna and Supervisors Jessica Toledano and Georgie Garcia constituted a quorum and it was in order to proceed with the meeting.

Staff members in attendance were District Manager Nancy Nguyen of Special District Services, Inc.; and District Counsel Liza Smoker 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. February 1, 2024, Regular Board Meeting

Ms. Nguyen presented the minutes of the February 1, 2024, Regular Board Meeting and asked if there were any changes.

There being no changes, a **motion** was made by Mr. Penna, seconded by Ms. Toledano and unanimously passed approving the minutes of the February 1, 2024, Regular Board Meeting, as presented.

NOTE: At approximately 6:17 p.m., Ms. Nguyen recessed the Regular Meeting and simultaneously opened the Public Hearing.

G. 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 March 15, 2024, and March 22, 2024, as legally required.

2. Receive Public Comments on Adopting a 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 SAUSALITO BAY 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. Penna, seconded by Mr. Garcia 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 6:19 p.m., Ms. Nguyen closed the Public Hearing and simultaneously reconvened the Regular Meeting.

H. OLD BUSINESS

1. Staff Report, as Required

Ms. Nguyen informed the Board that Ms. Smoker had prepared the updated Landscape Maintenance Agreement between the District and Plant Brothers. The Board thanked Ms. Smoker.

I. 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 SAUSALITO BAY 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. She stated that District meetings would continue to be held on the first Thursday of select months and asked if any changes were necessary. A discussion ensued after which:

A **motion** was made by Mr. Garcia, seconded by Ms. Toledano 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.

J. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Qualifying Period Announcement: Noon, June 10, 2024 – Noon, June 14, 2024 (Seats 3, 4, and 5)

Ms. Nguyen advised that the 4-year terms of office for Seat 3 (Yuray Rodriguez), Seat 4 (Miguel Picar), and Seat 5 (Robert Penna) were expiring in November 2024. The qualifying period for election and/or re-election has been set for Noon, June 10, 2024, through Noon, June 14, 2024. Those candidates interested in running for election can submit their qualifying documents in person to the Miami-Dade County Supervisor of Elections’ Office located at 2700 NW 87th Avenue, Miami, Florida 33172 (no earlier than fourteen days prior to commencement of the qualifying period). More information on election qualifying will be provided to those interested prior to the qualifying dates. The new terms of office would be a 4-year term through Election Day in November 2028.

Mr. Penna requested that Ms. Nguyen email him information on election qualification. Ms. Nguyen acknowledged Mr. Penna’s request.

K. BOARD MEMBER & STAFF CLOSING COMMENTS

There were no comments from Board Members or District Staff.

Ms. Smoker reminded the Board to submit their individual 2023 Form 1 by July 1, 2024. The Board requested that Ms. Nguyen resend the email with instructions on how to submit their 2023 Form 1. Ms. Nguyen acknowledged the Board’s request.

L. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Penna, seconded by Ms. Toledano and unanimously passed to adjourn the Regular Board Meeting at 6:29 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

Site name: Sausalito Bay
Inspection date: 9/13/2024
Inspection location: Lake #4

Allstate senior biologist met with Property Management staff and officers from the Sausalito Bay Homeowners Association on Friday September 13th, to discuss the condition of lake 4 and the ongoing management program. H.O.A. officers had some question regarding submersed vegetation, border grasses and overall health of the lake.

An applicator for Allstate did an initial monthly visit on 9/5/2024. He treated all 4 lakes on the property for various aquatic vegetation and algae. He also conducted an extra visit on 9/12/2024 to retreat submersed vegetation in the lakes. Some evidence of the recent treatments was observed, however it will take additional time for the products used to work and yield full results. Border grasses in lake 4 appeared to require treatment. This is likely on the priority for the next scheduled visit, however, Allstate will make an effort to conduct an additional extra visit this month to address the grasses.

The overall health of the lake appears very good. Water clarity was very good, no odor was noted at the time of the inspection, and only minor surface algae was observed. The algae observed had already succumbed to treatment from recent visits. We explained that often times after treatments, homeowners may notice floating vegetation that will take time to settle to the bottom and decompose into sediment. A biological product will be added to future treatments to help this process happen more quickly. The majority of the lake is vegetation and algae free. It appears to have a thriving fish population, indicating good dissolved oxygen levels and appropriate habitat and food.

Based on current conditions additional aeration for the lake does not appear necessary and Allstate staff will adjust the treatment program to address the priorities of the homeowners. We appreciate that the officers for the H.O.A. and Property Management staff took the time to meet with us on site and we will continue to work with you to provide excellent service and any information you need regarding the lakes at Sausalito Bay.



Thank you to all our customers. We appreciate the opportunity to serve your communities and municipalities. Many of you have been with us for over fifteen years.

We understand budgets are tight and with the current climate of inflation they may get even tighter. With this in mind we are only moving forward with a 3% increase for 2025. Please do not hesitate to contact us with any questions or concerns.

RESOLUTION NO. 2024-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SAUSALITO BAY 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 Sausalito Bay 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 SAUSALITO BAY 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 3rd day of October, 2024.

ATTEST:

**SAUSALITO BAY
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chair/Vice Chair

Sausalito Bay
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
SAUSALITO BAY 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 - 8/31/24
REVENUES			
Administrative Assessments	83,972	84,571	84,571
Maintenance Assessments	33,511	33,511	33,511
Debt Assessments	184,654	184,654	184,654
Other Revenues	0	0	0
Interest Income	300	12,750	12,458
Total Revenues	\$ 302,437	\$ 315,486	\$ 315,194
ADMINISTRATIVE EXPENDITURES			
Supervisor Fees	5,000	2,200	2,200
Payroll Taxes (Employer)	383	168	168
Management	33,096	33,096	30,338
Secretarial & Field Operations	6,180	6,180	5,665
Legal	8,000	9,000	7,385
Assessment Roll	6,000	6,000	0
Audit Fees	3,900	3,300	3,300
Insurance	6,500	6,594	6,594
Legal Advertisements	675	2,800	1,882
Miscellaneous	1,500	900	683
Postage	250	190	177
Office Supplies	425	300	232
Dues & Subscriptions	175	175	175
Trustee Fee	3,800	3,548	3,548
Continuing Disclosure Fee	350	350	0
Website Management	2,000	2,000	1,833
Administrative Contingency	700	700	0
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 78,934	\$ 77,501	\$ 64,180
MAINTENANCE EXPENDITURES			
Aquatic Maintenance (SFH - 50)	5,400	7,500	6,839
Aquatic Maintenance (TH - 23)	1,800	600	0
Lawn Maintenance (SFH - 50)	22,500	19,000	14,217
Lawn Maintenance/Lake Tracts (TH - 23)	6,000	5,000	3,779
Lake Tract Shoreline Maintenance (SFH - 50)	900	450	0
Lake Tract Shoreline Maintenance (TH - 23)	480	240	0
Miscellaneous Maintenance Expenses (SFH - 50)	8,000	4,000	0
Miscellaneous Maintenance Expenses (TH - 23)	750	375	0
Misc Grounds Maintenance/Mulch/Fertilizer	4,800	2,400	0
Engineering/Inspections	1,600	1,100	1,100
Outside Janitorial Services (SFH - 50)	3,000	1,000	200
Contingency (Tree Intallation, Etc.)	2,020	15,000	10,391
TOTAL MAINTENANCE EXPENDITURES	\$ 57,250	\$ 56,665	\$ 36,526
TOTAL EXPENDITURES	\$ 136,184	\$ 134,166	\$ 100,706
REVENUES LESS EXPENDITURES	\$ 166,253	\$ 181,320	\$ 214,488
Bond Payments	(173,575)	(176,084)	(176,084)
Balance	\$ (7,322)	\$ 5,236	\$ 38,404
County Appraiser & Tax Collector Fee	(6,043)	(2,912)	(2,912)
Discounts For Early Payments	(12,085)	(11,111)	(11,111)
Excess/ (Shortfall)	\$ (25,450)	\$ (8,787)	\$ 24,381
Carryover From Prior Year	25,450	25,450	0
Net Excess/ (Shortfall)	\$ -	\$ 16,663	\$ 24,381

FUND BALANCE AS OF 9/30/23	\$232,039
FY 2023/2024 ACTIVITY	(\$8,787)
FUND BALANCE AS OF 9/30/24	\$223,252

Notes

Carryover From Prior Year Of \$25,540 was used to reduce Fiscal Year 2023/2024 Assessments.
\$29,200 Of Fund Balance To Be Used To Reduce 2024/2025 Assessments.

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

	FISCAL YEAR 2023/2024 BUDGET	AMENDED FINAL BUDGET	YEAR TO DATE ACTUAL
REVENUES	10/1/23 - 9/30/24	10/1/23 - 9/30/24	10/1/23 - 8/31/24
Interest Income	100	8,700	8,620
NAV Tax Collection	173,575	176,084	174,169
Total Revenues	\$ 173,675	\$ 184,784	\$ 182,789
EXPENDITURES			
Principal Payments	110,000	110,000	110,000
Interest Payments	63,675	64,738	64,738
Total Expenditures	\$ 173,675	\$ 174,738	\$ 174,738
Excess/ (Shortfall)	\$ -	\$ 10,046	\$ 8,051

FUND BALANCE AS OF 9/30/23	\$171,103
FY 2023/2024 ACTIVITY	\$10,046
FUND BALANCE AS OF 9/30/24	\$181,149

Notes

Reserve Fund Balance = \$90,000*. Revenue Fund Balance = \$91,149*

Revenue Fund Balance To Be Used To Make 11/1/2024 Interest Payment Of \$30,306.

* Approximate Amounts

2013 Bond Refunding

Original Par Amount =	\$2,595,000	Annual Principal Payments Due:
Interest Rate =	1.375% - 4.00%	May 1st
Issue Date =	March 2013	Annual Interest Payments Due:
Maturity Date =	May 2035	May 1st & November 1st
Par Amount As Of 9/30/24 =	\$1,530,000	

MEMORANDUM

TO: District Manager

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

DATE: July 12, 2024

RE: 2024 Legislative Update

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

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

Performance Measures and Standards

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MEMORANDUM

TO: District Manager

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

DATE: August 9, 2024

RE: 2024 Legislative Update – Supplemental Information

As District Counsel, throughout the year we continuously monitor pending legislation that may be applicable to the governance and operation of our Community Development District and other Special District clients. Below is a summary of an additional law that was not included in the 2024 Legislative Update.

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

For convenience, we have included a copy of the legislation referenced in this memorandum. In addition, attached is a form of the affidavit that nongovernmental entities will need to execute when entering, renewing, or extending a contract with a community development district or special district. We request that you include this supplemental memorandum as part of the agenda packages for upcoming meetings of the governing boards of those special districts in which you serve as the District Manager and this firm serves as District Counsel.

Enclosures (2)

RESOLUTION 2024-06

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

WHEREAS, the Sausalito Bay 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 SAUSALITO BAY 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 5th day of October, 2024.

ATTEST:

**SAUSALITO BAY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair

Exhibit A: Performance Measures/Standards and Annual Reporting

Exhibit A

Program/Activity: District Administration

Goal: Remain compliant with Florida Law for all district meetings

Objectives:

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

Performance Measures:

- All Meetings publicly noticed as required.
Achieved: Yes **No**
- Meeting minutes and post-meeting action completed 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**