



**MARSH HARBOUR
COMMUNITY DEVELOPMENT
DISTRICT**

**PALM BEACH COUNTY
REGULAR BOARD MEETING
SEPTEMBER 19, 2025
10:00 A.M.**

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

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

AGENDA
MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
Marsh Harbour Community Clubhouse
1000 Marsh Harbour Drive
Riviera Beach, Florida 33404
REGULAR BOARD MEETING
September 19, 2025
10:00 a.m.

- A. Call to Order
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- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
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- G. Old Business
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 - 1. Consider Resolution No. 2025-04 – Adopting a Fiscal Year 2024/2025 Amended Budget.....Page 6
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 - 3. Consider Approval of Hurricane Cut from Russ Total Lawn Maintenance.....Page 14
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LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald Tribune
News Herald | The Palm Beach Post
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Marsh Harbour Cdd
Marsh Harbour Cdd
2501 BURNS RD
STE A

PALM BEACH GARDENS FL 334105207

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Palm Beach Post, published in Palm Beach County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Palm Beach County, Florida, or in a newspaper by print in the issues of, on:

10/07/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/07/2024

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$233.75

Tax Amount: \$0.00

Payment Cost: \$233.75

Order No: 10630879

Customer No: 730531

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1

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MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2024/2025 REGU- LAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Marsh Harbour Community Development District will hold Regular Meetings at 10:00 a.m. in the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbour Drive, Riviera Beach, Florida 33404 on the following dates:

October 18, 2024
November 15, 2024
December 20, 2024
January 10, 2025
February 21, 2025
March 21, 2025
April 11, 2025
May 16, 2025
June 13, 2025
July 18, 2025
August 15, 2025
September 19, 2025

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may 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. Meetings 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 (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

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

**MARSH HARBOUR COMMUNITY
DEVELOPMENT DISTRICT**
www.marshharbourcdd.org
10/7/24 10630879

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
WORKSHOP
JULY 18, 2025**

A. CALL TO ORDER

The July 18, 2025, Workshop of the Marsh Harbour Community Development District (the “District”) was called to order at 10:03 a.m. in the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbour Drive, Riviera Beach, Florida 33404.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Palm Beach Post* on October 7, 2024, as part of the District’s Fiscal Year 2024/2025 Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of Chairman Allen Walker, Vice Chairman Kent Pollock (via phone) and Supervisors Judy Briggs and Tasha Mullings (via phone) did not constitute a quorum so a Workshop was called.

Staff present included: District Manager Sylvia Bethel of Special District Services, Inc.; District Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; and Onsite HOA Manager, Tara Bennett.

Ms. Bethel advised that she had spoken with Saffold Paving and has collected all the required documents from the vendor. Mr. Saffold picked up their deposit check and the estimated start date will be July 21st.

Mr. Pollock stated that when he had met with Mr. Saffold, they identified another area that requires attention. Mr. Saffold should be sending Ms. Bethel over the proposal shortly.

Ms. Bennett will reach out to Mr. Russ to obtain a proposal for the dead trees in the community.

Ms. Wald indicated that the contract expires on September 30, 2025, and will auto renew if no action is taken. Ms. Bennett stated her only concern was the sprinklers. Ms. Wald recommended that the Board utilize an irrigation specialist and keep the current landscaper. The contract includes wet checks only. Ms. Bethel will reach out to some irrigation specialists.

The Workshop was adjourned at 10:22 a.m. There were no objections.

Secretary/Assistant Secretary

Chairman/Vice Chairman

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
AUGUST 15, 2025**

A. CALL TO ORDER

The August 15, 2025, Regular Board Meeting of the Marsh Harbour Community Development District (the “District”) was called to order at 10:00 a.m. in the Marsh Harbour Community Clubhouse located at 1000 Marsh Harbour Drive, Riviera Beach, Florida 33404.

B. PROOF OF PUBLICATION

Proof of publication was presented that notice of the Regular Board Meeting had been published in the *Palm Beach Post* on October 7, 2024, as part of the District’s Fiscal Year 2024/2025 Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

It was determined that the attendance of Chairman Allen Walker, Vice Chairman Kent Pollock and Supervisors Judy Briggs, Tasha Mullings and Nadine Sampson constituted a quorum and it was in order to proceed with the meeting.

Staff present included: District Manager Sylvia Bethel of Special District Services, Inc.; District Counsel Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; and Onsite HOA Manager, Tara Bennett.

D. ADDITIONS OR DELETIONS TO THE AGENDA

Ms. Bethel stated the revision of Item F. Approval of Minutes for May 16, 2025, Regular Board Meeting, remove July 18th and add May 16th Regular Board Meeting Minutes.

A **motion** was made by Mr. Walker, seconded by Mr. Pollock, and unanimously passed approving the revision 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. May 16, 2025, Regular Board Meeting

The minutes of the May 16, 2025, Regular Board Meeting were presented.

A **motion** was made by Mr. Pollock, seconded by Ms. Mullings and unanimously passed approving the minutes of the May 16, 2025, Regular Board Meeting, as presented.

G. OLD BUSINESS

1. Update on Sidewalk Repairs (Saffold Paving)

Ms. Bethel asked Ms. Bennett and Mr. Pollock to provide an update. Mr. Pollock stated that the start date was missed a few times, and the completion date was 60 to 90 days. Ms. Wald suggested reviewing the small business agreement to see if a start date/completion date was listed.

2. Discussion Regarding Dead Trees in the Community

Mr. Walker advised that there was a tree that was possibly causing damage to a water pipe. Ms. Wald stated that the District owned lakes and managed stormwater but has an easement. The District cannot remove trees on private property; that would be the homeowner or HOA's responsibility.

3. Discussion Regarding Landscaping Contract

Ms. Wald stated that the landscaping contract ends September 30, 2025, and would auto renew. The contract includes wet checks and at the Workshop it was suggested that the Board look into an irrigation spec.

4. Discussion Regarding Irrigation Repairs

Ms. Bethel stated that Mr. Russ would like to address the irrigation situation. Mr. Russ gave a presentation on the irrigation system and concluded that the District irrigates from the lakes and the lakes have a buildup of algae which is clogging the system. Ms. Wald suggested extra services from the lake vendor and provided Ms. Bethel with additional authority to authorize extra treatments when needed.

Ms. Bethel stated that she had followed up with the irrigation specialist that Mr. Walker provided and they were too busy and recommended another company. Juno Sprinklers are scheduled to come out next week. The Board directed Ms. Bethel to cancel the appointment. Ms. Wald suggested reaching out to Superior Waterway to find out what type of filters are used in the lake.

Following discussion, a **motion** was made by Mr. Pollock, seconded by Ms. Briggs and unanimously passed authorizing additional lakes services by Ms. Bethel for a not to exceed amount of \$3,000.

H. NEW BUSINESS

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

I. ADMINISTRATIVE MATTERS

There were no Administrative Matters to come before the Board.

J. BOARD MEMBER COMMENTS

There were no further comments from the Board Members.

K. ADJOURNMENT

There being no further business to come before the Board, the Regular Board Meeting was adjourned at 10:37 a.m. on a **motion** made by Mr. Pollock, seconded by Ms. Mullings and the **motion** passed unanimously.

Secretary/Assistant Secretary

Chairman/Vice Chairman

RESOLUTION NO. 2025-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING AND ADOPTING AN AMENDED FINAL FISCAL YEAR 2024/2025 BUDGET (“AMENDED BUDGET”), PURSUANT TO CHAPTER 189, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of the Marsh Harbour Community Development District (“District”) is empowered to provide a funding source and to impose special assessments upon the properties within the District; and,

WHEREAS, the District has prepared for consideration and approval an Amended Budget.

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

Section 1. The Amended Budget for Fiscal Year 2024/2025 attached hereto as Exhibit “A” is hereby approved and adopted.

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

PASSED, ADOPTED and EFFECTIVE this 19th day of September, 2025.

ATTEST:

**MARSH HARBOUR
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Marsh Harbour Community Development District

**Amended Final Budget For
Fiscal Year 2024/2025
October 1, 2024 - September 30, 2025**

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- II AMENDED FINAL DEBT SERVICE FUND BUDGET**

AMENDED FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
OPERATING FUND
FISCAL YEAR 2024/2025
OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2024/2025 BUDGET 10/1/24 - 9/30/25	AMENDED FINAL BUDGET 10/1/24 - 9/30/25	YEAR TO DATE ACTUAL 10/1/24 - 8/31/25
REVENUES			
O & M Assessments	732,129	734,098	734,098
Debt Assessments	253,887	254,275	254,275
Other Revenues	0	0	0
Interest Income	720	14,500	14,134
TOTAL REVENUES	\$ 986,736	\$ 1,002,873	\$ 1,002,507
EXPENDITURES			
Supervisor Fees	11,000	7,200	6,200
Payroll Taxes - Employer	880	641	561
Engineering/Inspections	2,000	1,000	0
Lake Maintenance	11,000	11,060	10,210
Landscaping/Irrigation/Maintenance	150,000	130,000	113,502
Lighting	35,000	35,000	29,332
Security	380,000	375,000	337,875
Management	37,116	37,116	34,023
Secretarial	4,200	4,200	3,850
Legal	14,000	13,500	10,373
Assessment Roll	7,500	7,500	0
Audit Fees	3,500	3,500	3,500
Insurance	7,200	6,858	6,858
Legal Advertisements	1,400	1,400	625
Miscellaneous	800	800	460
Postage	300	100	74
Office Supplies	700	525	461
Dues & Subscriptions	175	175	175
Trustee Fee	2,500	2,500	0
Continuing Disclosure Fee	350	350	0
Website Management	2,000	2,000	1,833
Reserve	17,300	17,300	11,899
TOTAL EXPENDITURES	\$ 688,921	\$ 657,725	\$ 571,811
REVENUES LESS EXPENDITURES	\$ 297,815	\$ 345,148	\$ 430,696
Bond Payments	(238,654)	(243,256)	(243,256)
BALANCE	\$ 59,161	\$ 101,892	\$ 187,440
County Appraiser & Tax Collector Fee	(19,720)	(10,803)	(10,803)
Discounts For Early Payments	(39,441)	(33,488)	(33,488)
EXCESS/ (SHORTFALL)	\$ -	\$ 57,601	\$ 143,149
Carryover From Prior Year	0	0	0
NET EXCESS/ (SHORTFALL)	\$ -	\$ 57,601	\$ 143,149

FUND BALANCE AS OF 9/30/24
FY 2024/2025 ACTIVITY
FUND BALANCE AS OF 9/30/25

\$212,762
\$57,601
\$270,363

AMENDED FINAL BUDGET
MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND
FISCAL YEAR 2024/2025
OCTOBER 1, 2024 - SEPTEMBER 30, 2025

	FISCAL YEAR 2024/2025 BUDGET 10/1/24 - 9/30/25	AMENDED FINAL BUDGET 10/1/24 - 9/30/25	YEAR TO DATE ACTUAL 10/1/24 - 8/31/25
REVENUES			
Interest Income	500	10,000	9,501
NAV Tax Collection	238,654	243,256	229,364
Prepaid Bond Collection	0	0	0
Total Revenues	\$ 239,154	\$ 253,256	\$ 238,865
EXPENDITURES			
Principal Payments	165,000	165,000	165,000
Interest Payments	68,468	63,828	63,828
Bond Redemption	5,686	0	0
Total Expenditures	\$ 239,154	\$ 228,828	\$ 228,828
Excess/ (Shortfall)	\$ -	\$ 24,428	\$ 10,037

FUND BALANCE AS OF 9/30/24	\$222,855
FY 2024/2025 ACTIVITY	\$24,428
FUND BALANCE AS OF 9/30/25	\$247,283

Notes

Reserve Fund Balance = \$60,398*. Revenue Fund Balance = \$186,885*.

Revenue Fund Balance To Be Used To Make 11/1/2025 Interest Payment Of \$36,554.

* Approximate Amounts

Series 2015 Bond Refunding Information

Original Par Amount =	\$3,295,000	Annual Principal Payments Due:
Interest Rate =	3.24% - 5.45%	May 1st
Issue Date =	August 2015	Annual Interest Payments Due:
Maturity Date =	May 2035	May 1st & November 1st
Par Amount As Of 9/30/25 =	\$1,805,000	

RESOLUTION NO. 2025-05

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

WHEREAS, the Marsh Harbour Community Development District (the “District”) is a local unit of special-purpose government organized 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, and creating Section 189.0694, Florida Statutes; and

WHEREAS, the District adopted Resolution 2024-04 on August 16, 2024, establishing goals and objectives for the District and creating performance measures and standards to evaluate the District’s achievement of those goals and objectives; and

WHEREAS, pursuant to Section 189.0694, Florida Statutes, the District must adopt and publish on its website an annual report prior to December 1st of each year, describing the goals and objectives achieved by the district, as well as the performance measures and standards used by the district to make this determination, and any goals or objectives the district failed to achieve.

WHEREAS, the District Manager has the annual report of the District’s goals, objectives, and performance measures and standards attached hereto and made a part hereof as **Exhibit A** (the “Annual Report”) and presented the Annual Report 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 annual report of the goals, objectives and performance measures and standards.

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

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 Annual Report regarding the District’s success or failure in achieving the adopted goals and objectives and directs the District Manager to take all necessary actions to comply with Section 189.0694, Florida Statutes.

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 19th day of September, 2025.

ATTEST:

**MARSH HARBOUR COMMUNITY
DEVELOPMENT DISTRICT**

Print name: _____
Secretary/Assistant Secretary

Print name: _____
Chairman, Board of Supervisors

Exhibit A: Annual Report of Performance Measures/Standards

Exhibit A

Program/Activity: District Administration

Goal: Remain compliant with Florida Law for all district meetings

Objectives:

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

Performance Measures:

- All Meetings publicly noticed as required (YES)
- Meeting minutes and post-meeting action completed (YES)
- District records retained as required by law (YES)

Program/Activity: District Finance

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

Objectives:

- District adopted fiscal year budget
- District amended budget at end of fiscal year
- Process all District finance accounts receivable and payable
- Support District annual financial audit activities

Performance Measures:

- District adopted fiscal year budget (YES)
- District amended budget at end of fiscal year (YES)
- District accounts receivable/payable processed for the year (YES)
- “No findings” for annual financial audit (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)
- Contracted Services for District operations in effect
- Compliance with all required permits

Performance Measures:

- District insurance renewed and in force (YES)
- Contracted Services in force for all District operations (YES)
- Permits in compliance (YES)

From: [JOHN RUSS](#)
To: [Sylvia Bethel](#)
Subject: Tree trimming increase
Date: Tuesday, September 9, 2025 12:53:16 PM

Please considered the following factors Contributing to the price increase

- We have successfully provided this service for the past three years and are familiar with the scope and expectations.
- The community contains over 500 trees, which require extensive care and attention.
- This year, we plan to complete the project in **three days** instead of five, minimizing disruption to residents and ensuring a more efficient process.
- To achieve this timeline, we are increasing our labor force and bringing in additional equipment, including bucket lifts and wood chippers.
- In previous years, we operated at a loss due to insufficient staffing and equipment, which impacted our ability to complete the work efficiently.
- The trees have experienced significant growth, resulting in dense foliage and large overhanging limbs—especially above parking areas and structures. Extra time and care are needed to safely cut and lower these limbs without causing property damage.
- We provide **year-round landscaping services** for the community, with management having immediate access to our team for urgent needs such as broken limbs, hazardous trees, or those obstructing residents.
- Management has requested a more aggressive trimming of trees located near structures, which will result in approximately **50% more debris** compared to previous years.
- The cost of dumping debris at the Solid Waste Landfill has increased by **35%**.
- The quoted price is **not based on a per-tree rate**, which would result in an unreasonably high total. Instead, it reflects a bundled, value-conscious approach.
- Our pricing remains **on the low end** for this level of tree trimming service. We've kept it competitive out of appreciation for your continued trust and the working relationship we've built over the past two years.

[Sent from Yahoo Mail for iPhone](#)

From: JOHN RUSS
To: Sylvia Bethel
Subject: Tree trimming at Marsh Harbour
Date: Tuesday, September 9, 2025 12:52:16 PM

Russ Total Lawn Maintenance L.L.C.
1731 Ave F.
Riviera Beach Fl. 33404
John Russ

Marsh Harbour Community Development District,

The following is the proposal for the tree trimming at 1000 Marsh Harbour Drive in Riviera Beach. If you should have any questions please do not hesitate to contact me at: (561) 319-7110.

Tree Trimming Proposal Introduction

This document proposes that Russ Total Lawn Maintenance will perform the necessary Tree Trimming in an effort to maintain the beauty and safety of the property. The goal is to maintain a conspicuous landscape for residents and visitors. R.T.L.M. will be responsible for the following deliverables.

Deliverables

- Elevate and thin out all low hanging trees throughout property including walking trails
- Intercept all branches protruding toward buildings at least 5 feet
- Hurricane prune all Palm trees
- Eliminate all diseased and/or unwanted trees
- Dispose of all existing and generated debris

We have performed this service for the last two years. After evaluating the required scope of work, I found that the necessity of the trimming exceeds the demand from previous years. Therefore, requires more time and staff. Also the accessibility of over half of the trees has decreased tremendously due to the large amount of foliage throughout the community. Our goal is to **reduce risk of damage to people or property, manage tree health and direction of growth while providing clearance for vehicles or roadways.**

Compensation

Our complete price for this maintenance base on the deliverables outlined is, **\$34,500.00.**

If approved we would like to request \$17,250.00 in advance and \$17,250.00 upon completion.

Thanks again for allowing Russ Total Lawn Maintenance to submit this proposal. Our company is small enough to give your property the attention it deserves and yet we are large enough to handle the equipment and labor necessary to do the job right and on time!

MEMORANDUM

TO: District Manager

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

DATE: June 30, 2025

RE: 2025 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 2025 – 195, Laws of Florida (SB 268). The legislation creates a new public records exemption under section 119.071(4)(d)6., F.S., for certain personal identifying and locating information of specified state and local officials, members of Congress, and their family members. Specifically, the exemption applies to the partial home addresses and telephone numbers of current congressional members, public officers, their adult children and spouses. To assert the exemption, the public officer or congressional member, their family members, or employing agencies must submit a written, notarized request to each agency holding the information, along with documentation verifying the individual's eligibility. Custodians of records must maintain the exemption until the qualifying condition no longer exists.

The legislation narrows the definition of "public officer" to include only the Governor, Lieutenant Governor, Chief Financial Officer, Attorney General, or Commissioner of Agriculture; as well as a state senator or representative, property appraiser, supervisor of elections, school superintendent, city or county commissioner, school board member, or mayor. This exemption applies to information held before, on, or after July 1, 2025. It is subject to the Open Government Sunset Review Act and will automatically repeal on October 2, 2030, unless reenacted by the Legislature. The effective date of this act is July 1, 2025.

While the new exception is not specifically applicable to a member of a Community Development District ("CDD") board of supervisors, if any board members or related officials fall within this definition of a "public officer" who has asserted the exception, the CDD must protect the partial home addresses and telephone numbers of these individuals, as well as similar information about their spouses and adult children. CDDs will need to update their public records procedures to verify and process these requests to ensure exempt information is withheld.

2. Chapter 2025 – 174, Laws of Florida (HB 669). The legislation prohibits a local government’s¹ investment policy from requiring a minimum bond rating for any category of bond that is explicitly authorized in statute to include unrated bonds. Current law permits local governments to invest in unrated bonds issued by the government of Israel. The bill ensures that investment policies do not impose additional rating requirements that conflict with this statutory authorization. The effective date of this act is July 1, 2025.

This law prevents a CDD from imposing stricter bond rating requirements in their investment policies than those allowed by state law. Specifically, if state law authorizes investment in certain unrated bonds, such as those issued by the government of Israel, a CDD cannot require a minimum bond rating for these bonds in its investment guidelines. CDDs must align their investment policies with statutory permissions, allowing investment in authorized unrated bonds without additional rating restrictions.

3. Chapter 2025 – 189, Laws of Florida (SB 108). The legislation makes significant amendments to the Administrative Procedure Act (APA), revising rulemaking procedures, establishing a structured rule review process, and changing public notice requirements.

New Timelines and Notice Requirements:

- Agencies must publish a notice of intended agency action within 90 days of the effective date of legislation delegating rulemaking authority.
- Notices of proposed rulemaking must now include the proposed rule number, and at least seven days must separate the notice of rule development from proposed rule publication.
- Agencies must electronically publish the full text of any incorporated material in a text-searchable format and use strikethrough/underline formatting to show changes.

This legislation applies to CDDs that exercise rulemaking authority under Chapter 120, Florida Statutes. Under the new requirements, CDDs must publish a notice of intended agency action within 90 days after the effective date of any legislation granting them rulemaking authority. When proposing new rules, CDDs must now include the proposed rule number in the notice, allow at least seven (7) days between publishing the notice of rule development and the proposed rule itself, and electronically publish the full text of any incorporated materials in a searchable format. All changes must be shown using strikethrough and underline formatting. CDDs subject to the APA should review their procedures to ensure timely and compliant publication moving forward.

Section 120.5435, F.S., governing the rule review process sunsets on July 1, 2032, unless reenacted. The effective date of this act is July 1, 2025.

4. Chapter 2025 – 85, Laws of Florida (SB 348). The legislation amends the Code of Ethics to establish a new “stolen valor” provision and expands enforcement mechanisms for collecting unpaid ethics penalties. The bill creates section 112.3131, F.S., which prohibits candidates, elected or appointed public officers, and public employees from knowingly making

¹ A “unit of local government” is defined any county, municipality, special district, school district, county constitutional officer, authority, board, public corporation, or any other political subdivision of the state. Section 218.403(11), F.S.

fraudulent representations relating to military service for the purpose of material gain. Prohibited conduct includes falsely claiming military service, honors, medals, or qualifications, or unauthorized wearing of military uniforms or insignia. An exception is provided for individuals in the theatrical profession during a performance. Violations are subject to administrative penalties under section 112.317, F.S., and may also be prosecuted under other applicable laws.

In addition, the legislation amends section 112.317(2), F.S., to authorize the Attorney General to pursue wage garnishment for unpaid civil or restitution penalties arising from ethics violations. A penalty becomes delinquent if unpaid 90 days after imposition. If the violator is a current public officer or employee, the Attorney General must notify the Chief Financial Officer or applicable governing body to initiate withholding from salary-related payments, subject to a 25 percent cap or the maximum allowed by federal law. Agencies may retain a portion of withheld funds to cover administrative costs. The act also authorizes the referral of delinquent penalties to collection agencies and establishes a 20-year statute of limitations for enforcement. The effective date of this act is July 1, 2025.

This law applies directly to CDDs because CDD board members and employees are classified as public officers and public employees under Florida law. As such, CDD officials are prohibited from knowingly making fraudulent claims regarding military service or honors for material gain under the new “stolen valor” provision. Additionally, the law enhances enforcement tools for unpaid ethics penalties, allowing for wage garnishment, salary withholding, and referrals to collection agencies. CDDs must ensure that their officials and staff comply with these ethics requirements and be prepared to cooperate with enforcement actions beginning July 1, 2025.

5. Chapter 2025 – 164, Laws of Florida (SB 784). The legislation amends section 177.071, F.S., to require that local governments review and approve plat and replat submittals through an administrative process, without action by the governing body. Local governments must designate by ordinance an administrative authority to carry out this function. The administrative authority must (1) acknowledge receipt of a submittal in writing within seven days, identify any missing documentation and provide details on the applicable requirements and review timeframe. Unless the applicant requests an extension, the authority must approve, approve with conditions, or deny the submittal within the timeframe provided in the initial notice. Any denial must include a written explanation citing specific unmet requirements. The authority or local government may not request or require an extension of time. The effective date of this act is July 1, 2025.

While this law does not apply directly to CDDs, as they do not have plat approval authority, it is relevant to developer-controlled CDD boards involved in the land entitlement process. Plat and replat approvals will now be handled through an administrative process by the city or county, rather than by governing body action. Local governments must designate an administrative authority by ordinance and follow strict requirements for written acknowledgment, completeness review, and decision-making timelines. Any denial must include a written explanation citing specific deficiencies, and extensions cannot be requested by the reviewing authority.

6. Chapter 2025 – 140, Laws of Florida (HB 683). The legislation includes several revisions related to local government contracting, public construction bidding, building permitting, and professional certification. It also requires the Department of Environmental Protection to adopt

minimum standards for the installation of synthetic turf on residential properties. Upon adoption, the law prohibits local governments from enforcing ordinances or policies that are inconsistent with those standards.

The act requires local governments to approve or deny a contractor's change order price quote within 35 days of receipt. If denied, the local government must identify the specific deficiencies in the quote and the corrective actions needed. These provisions may not be waived or modified by contract. The law prohibits the state and its political subdivisions from penalizing or rewarding a bidder for the volume of construction work previously performed for the same governmental entity. With respect to building permits, the act prohibits local building departments from requiring a copy of the contract between a builder and a property owner or any related documentation, such as cost breakdowns or profit statements, as a condition for applying for or receiving a permit. The act also allows private providers to use software to review certain building plans and reduces the timeframe within which building departments must complete the review of certain permit applications.

CDDs must follow the new requirements for contractor's change order timelines, restrictions on permit-related documentation, and procurement practices.

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/>.