

JUNIPER COVE

**COMMUNITY DEVELOPMENT
DISTRICT**

August 19, 2024

**BOARD OF SUPERVISORS
PUBLIC HEARING AND
REGULAR MEETING
AGENDA**

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

AGENDA

LETTER

Juniper Cove Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

August 12, 2024

Board of Supervisors
Juniper Cove Community Development District

Dear Board Members:

The Board of Supervisors of the Juniper Cove Community Development District will hold a Public Hearing and Regular Meeting on August 19, 2024 at 10:30 a.m., at the offices of Alvarez Engineers, 8935 NW 35th Lane, Suite #101, Doral, Florida 33172. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Update: Financing
4. Consideration of Resolution 2024-07, Ratifying the Action of the District Manager in Re-setting the Date of the Public Hearing on the Proposed Budget for Fiscal Year 2024/2025; Amending Resolution 2024-02 to Reset the Hearing Thereon; Providing a Severability Clause; and Providing an Effective Date.
5. Public Hearing on Adoption of Fiscal Year 2024/2025 Budget
 - A. Affidavit of Publication
 - B. Consideration of Resolution 2024-08 Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date.
6. Consideration of Fiscal Year 2025 Budget Funding Agreement
7. Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]
8. Acceptance of Unaudited Financial Statements as of June 30, 2024
9. Approval of April 15, 2024 Regular Meeting Minutes

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

10. Staff Reports

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

- 2024 Legislative Update - Supplemental Information

B. District Engineer: *Alvarez Engineers, Inc.*

C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: September 16, 2024 at 10:30 AM

○ QUORUM CHECK

SEAT 1	CHRISTIAN COTTER	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 2	MARIA CAMPOREALE	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 3	DAVID TELLO	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 4	REBECCA CORTES	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 5	MARY MOULTON	☐ IN PERSON	☐ PHONE	☐ NO

11. Board Members' Comments/Requests

12. Public Comments

13. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 909-7930.

Sincerely,



Daniel Rom
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

PARTICIPANT PASSCODE: 528 064 2804

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2024-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT RATIFYING THE ACTION OF THE DISTRICT MANAGER IN RE-SETTING THE DATE OF THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR FISCAL YEAR 2024/2025; AMENDING RESOLUTION 2024-02 TO RESET THE HEARING THEREON; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Juniper Cove Community Development District (“**District**”) is a local unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes*, for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure improvements; and

WHEREAS, the Juniper Cove Community Development District (“**District**”) was recently established by the Board of County Commissioners of Miami-Dade County, Florida, effective December 11, 2021; and

WHEREAS, on April 15, 2024, at a duly noticed public meeting, the District’s Board of Supervisors (“**Board**”) adopted Resolution 2024-02, approving the proposed budget for Fiscal Year 2024/2025 and setting a public hearing on the proposed budget for July 15, 2024, at 10:30 a.m., at the offices of Alvarez Engineers, 8935 NW 35th Lane, Suite #101, Doral, Florida 33172; and

WHEREAS, due to a request to delay this hearing, the District Manager reset the date and time of the public hearing to the 19th day of August, 2024 at 10:30 a.m., at the offices of Alvarez Engineers, 8935 NW 35th Lane, Suite #101, Doral, Florida 33172 and the District Manager will cause the notice of the public hearing to be published in a newspaper of general circulation in Miami-Dade County, Florida, consistent with the requirements of Chapters 190 and 197, *Florida Statutes*; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT:

1. RATIFICATION OF PUBLIC HEARING RESET. The actions of the District Manager in resetting the date of the public hearing and in publishing the notice of public hearing are hereby ratified. Resolution 2024-02 is hereby amended to reflect that the public hearing is re-set on August 19, 2024 at 10:30 a.m., at the offices of Alvarez Engineers, 8935 NW 35th Lane, Suite #101, Doral, Florida 33172.

2. RESOLUTION 2024-02 OTHERWISE REMAINS IN FULL FORCE AND EFFECT. Except as otherwise provided herein, all of the provisions of Resolution 2024-02 continue in full force and effect.

3. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 19th day of August, 2024.

ATTEST:

**JUNIPER COVE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

5A

MIAMI TODAY

2000 S. Dixie Highway, Suite 105A, Miami, FL 33133 (305) 358-2663

Published Weekly
Miami, Miami-Dade County, Florida
STATE OF FLORIDA
COUNTY OF MIAMI DADE:

Before the undersigned authority personally appeared:
Steve Rosenberg

Who on oath says that he/she is:

Advertising Sales Consultant
of Miami Today, a weekly newspaper published at
Miami in Miami-Dade County, Florida; that the
attached copy of a notice of publication:

PUBLIC NOTICE

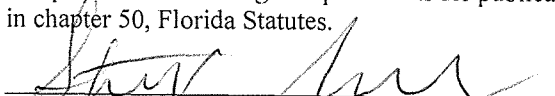
**Juniper Cove Community Development District
Notice of Public Hearing To Consider The Adoption
of The Fiscal Year 2024/2025 Budget.**

Was published in said newspaper in the issue(s) of:

7/25 & 8/01/24

Affidavit further says that the said Miami Today is a Newspaper published at Miami, in the said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in Miami-Dade County, Florida each week and has been entered as second-class mail matter at the post office in Miami, in the said Miami-Dade County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate or commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

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


Steve Rosenberg, Advertising Sales Consultant

Notary

Sworn to and subscribed before me this

1st day of August 2024

Public Notice

JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2024/2025 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors ("Board") of the Juniper Cove Community Development District, ("District"), located in Miami-Dade County, will hold a Public Hearing on **August 19, 2024 at 10:30 a.m.**, or as soon thereafter as the matter may be heard, at **Alvarez Engineers, 8935 NW 35th Lane, Suite #10, Doral, Florida 33172** for the purpose of hearing comments and objections on the adoption of the proposed budget ("Proposed Budget") of the District for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("Fiscal Year 2024/2025"). A regular board meeting of the District will also be held at that time where the Board may consider any other business that may properly come before it.

A copy of the agenda and Proposed Budget may be obtained by contacting the offices of the District Manager, Wrathell Hunt & Associates, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (877) 276-0889 ("District Manager's Office"), during normal business hours or by visiting the District's website at <https://junipercovecdd.net/>.

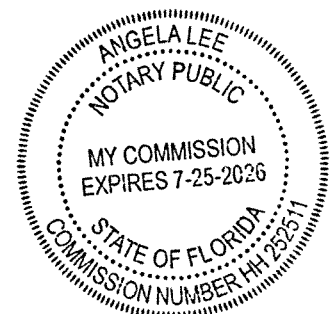
The public hearing and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the public hearing or meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at this meeting and/or public hearing or requiring assistance connecting to any communications media technology because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the meeting and public hearing. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager

Publication dates 7/25 & 8/01/24



JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

5B

RESOLUTION 2024-08

THE ANNUAL APPROPRIATION RESOLUTION OF THE JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2024, submitted to the Board of Supervisors ("**Board**") of the Juniper Cove Community Development District ("**District**") proposed budget(s) ("**Proposed Budget**") for the fiscal year beginning October 1, 2024 and ending September 30, 2025 ("**Fiscal Year 2024/2025**") along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District's website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District's Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes* ("**Adopted Budget**"), and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Juniper Cove Community Development District for the Fiscal Year Ending September 30, 2025."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2024/2025, the sums set forth in **Exhibit A** to be raised by the levy of assessments, a funding agreement and/or otherwise. Such sums are deemed by the Board to be necessary to defray all expenditures of the District during said budget year, and are to be divided and appropriated in the amounts set forth in **Exhibit A**.

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2024/2025 or within 60 days following the end of the Fiscal Year 2024/2025 may amend its Adopted Budget for that fiscal year as follows:

- a. A line-item appropriation for expenditures within a fund may be decreased or increased by motion of the Board recorded in the minutes, and approving the expenditure, if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may approve an expenditure that would increase or decrease a line-item appropriation for expenditures within a fund if the total appropriations of the fund do not increase and if either (i) the aggregate change in the original appropriation item does not exceed the greater of \$15,000 or 15% of the original appropriation, or (ii) such expenditure is authorized by separate disbursement or spending resolution.
- c. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must ensure that any amendments to the budget under paragraph c. above are posted on the District's website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 19TH DAY OF AUGUST, 2024.

ATTEST:

**JUNIPER COVE COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2024/2025 Budget(s)

Exhibit A: Fiscal Year 2024/2025 Budget(s)

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2025**

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
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**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed Budget FY 2025
	Adopted Budget FY 2024	Actual through 2/29/2024	Projected through 9/30/2024	Total Actual & Projected	
REVENUES					
Landowner contribution	\$ 97,290	\$ 16,623	\$ 56,110	\$ 72,733	\$ 107,110
Total revenues	<u>97,290</u>	<u>16,623</u>	<u>56,110</u>	<u>72,733</u>	<u>107,110</u>
EXPENDITURES					
Professional & administrative					
Management/accounting/recording	48,000	10,000	20,000	30,000	48,000
Legal	25,000	2,000	5,500	7,500	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit*	5,500	-	4,100	4,100	4,600
Arbitrage rebate calculation*	500	-	-	-	500
Dissemination agent*	1,000	-	333	333	1,000
EMMA software service*	-	-	-	-	1,000
Trustee*	5,500	-	-	-	5,500
Telephone	200	83	117	200	200
Postage	500	-	500	500	500
Printing & binding	500	208	292	500	500
Legal advertising	1,500	-	20,000	20,000	11,000
Annual special district fee	175	175	-	175	175
Insurance - GL and D&O	5,500	5,200	-	5,200	5,720
Contingencies/bank charges	500	4	496	500	500
Website hosting & maintenance	705	705	-	705	705
Website ADA compliance	210	-	210	210	210
Total professional & administrative	<u>97,290</u>	<u>18,375</u>	<u>53,548</u>	<u>71,923</u>	<u>107,110</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(1,752)	2,562	810	-
Fund balance - beginning (unaudited)	-	(810)	(2,562)	(810)	-
Fund balance - ending (projected)	-	(2,562)	-	-	-
Unassigned	-	(2,562)	-	-	-
Fund balance - ending	<u>\$ -</u>	<u>\$ (2,562)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

* These items will be realized when bonds are issued

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional & administrative

Management/accounting/recording \$ 48,000

Wrathell, Hunt and Associates, LLC (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.

Legal 25,000

General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.

Engineering 2,000

The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.

Audit* 4,600

Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.

Arbitrage rebate calculation* 500

To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.

Dissemination agent* 1,000

The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt & Associates serves as dissemination agent.

EMMA software service* 1,000

Disclosure Technology Services, LLC EMMA filing assistance software license agreement for quarterly disclosure reporting

Trustee* 5,500

Telephone 200

Telephone and fax machine.

Postage 500

Mailing of agenda packages, overnight deliveries, correspondence, etc.

Printing & binding 500

Letterhead, envelopes, copies, agenda packages

Legal advertising 11,000

The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Insurance - GL and D&O	5,720
Contingencies/bank charges	500
Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.	
Website hosting & maintenance	705
Website ADA compliance	210
Total expenditures	<u><u>\$107,110</u></u>

* These items will be realized when bonds are issued

** WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

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**JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2025 BUDGET FUNDING AGREEMENT**

This Agreement ("**Agreement**") is made and entered into this _____ day of _____, 2024, by and between:

Juniper Cove Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, and with an address of c/o Wrathell, Hunt & Associates, LLC 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District**"), and

Forestar (USA) Real Estate Group, Inc., a Delaware corporation, and the developer of the lands in the District ("**Developer**") with a mailing address of 10700 Pecan Park Blvd., Austin, Texas 78750.

RECITALS

WHEREAS, the District was established for the purpose of planning, financing, constructing, operating and/or maintaining certain infrastructure; and

WHEREAS, the District, pursuant to Chapter 190, Florida Statutes, is authorized to levy such taxes, special assessments, fees and other charges as may be necessary in furtherance of the District's activities and services; and

WHEREAS, Developer presently is developing the majority of all real property ("**Property**") within the District, which Property will benefit from the timely construction and acquisition of the District's facilities, activities and services and from the continued operations of the District; and

WHEREAS, the District is adopting its general fund budget for Fiscal Year 2025, which year concludes on September 30, 2025; and

WHEREAS, this general fund budget, which the parties recognize may be amended from time to time in the sole discretion of the District, is attached hereto and incorporated herein by reference as **Exhibit A**; and

WHEREAS, the District has the option of levying non-ad valorem assessments on all land, including the Property owned by the Developer, that will benefit from the activities, operations and services set forth in the Fiscal Year 2025 budget, or utilizing such other revenue sources as may be available to it; and

WHEREAS, in lieu of levying assessments on the Property, the Developer is willing to provide such funds as are necessary to allow the District to proceed with its operations as described in **Exhibit A**; and

WHEREAS, the Developer agrees that the activities, operations and services provide a special and peculiar benefit equal to or in excess of the costs reflected on **Exhibit A** to the Property; and

WHEREAS, the Developer has agreed to enter into this Agreement in lieu of having the District levy and collect any non-ad valorem assessments as authorized by law against the Property located within the District for the activities, operations and services set forth in **Exhibit A**;

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties, the receipt of which and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **FUNDING.** The Developer agrees to make available to the District the monies ("**Funding Obligation**") necessary for the operation of the District as called for in the budget attached hereto as **Exhibit A** (and as **Exhibit A** may be amended from time to time pursuant to Florida law, but subject to the Developer's consent to such amendments to incorporate them herein), within thirty (30) days of written request by the District. The funds shall be placed in the District's general checking account. These payments are made by the Developer in lieu of taxes, fees, or assessments which might otherwise be levied or imposed by the District. Nothing contained herein shall constitute or be construed as a waiver of the District's right to levy assessments in the event of a funding deficit.

2. **ENTIRE AGREEMENT.** This instrument shall constitute the final and complete expression of the agreement among the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only by an instrument in writing which is executed by both of the parties hereto.

3. **AUTHORIZATION.** The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all of the requirements of law, and each party has full power and authority to comply with the terms and provisions of this instrument.

4. **ASSIGNMENT.** This Agreement may be assigned, in whole or in part, by either party only upon the written consent of the other. Any purported assignment without such consent shall be void.

5. **DEFAULT.** A default by either party under this Agreement shall entitle the other to all remedies available at law or in equity, which shall include, but not be limited to, the right of damages, injunctive relief and specific performance.

6. **ENFORCEMENT.** In the event that any party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be

entitled to recover from the other all costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution, or appellate proceedings.

7. **THIRD PARTY BENEFICIARIES.** This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

8. **CHOICE OF LAW.** This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

9. **ARM'S LENGTH.** This Agreement has been negotiated fully among the parties as an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are each deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

10. **EFFECTIVE DATE.** The Agreement shall be effective after execution by the parties hereto.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties execute this Agreement the day and year first written above.

**JUNIPER COVE COMMUNITY
DEVELOPMENT DISTRICT**

Chair/Vice Chair, Board of Supervisors

FORESTAR (USA) REAL ESTATE GROUP INC.

By: _____
Its: _____

Exhibit A: Fiscal Year 2024/2025 General Fund Budget

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

7

Memorandum

To: Board of Supervisors

From: District Management

Date: August 19, 2024

RE: HB7013 - Special Districts Performance Measures and Standards Reporting

To enhance accountability and transparency, new regulations were established for all special districts, by the Florida Legislature, during their 2024 legislative session. Starting on October 1, 2024, or by the end of the first full fiscal year after its creation (whichever comes later), each special district must establish goals and objectives for each program and activity, as well as develop performance measures and standards to assess the achievement of these goals and objectives. Additionally, by December 1 each year (initial report due on December 1, 2025), each special district is required to publish an annual report on its website, detailing the goals and objectives achieved, the performance measures and standards used, and any goals or objectives that were not achieved.

District Management has identified the following key categories to focus on for Fiscal Year 2025 and develop statutorily compliant goals for each:

- Community Communication and Engagement
- Infrastructure and Facilities Maintenance
- Financial Transparency and Accountability

Additionally, special districts must provide an annual reporting form to share with the public that reflects whether the goals & objectives were met for the year. District Management has streamlined these requirements into a single document that meets both the statutory requirements for goal/objective setting and annual reporting.

The proposed goals/objectives and the annual reporting form are attached as exhibit A to this memo. District Management recommends that the Board of Supervisors adopt these goals and objectives to maintain compliance with HB7013 and further enhance their commitment to the accountability and transparency of the District.

Exhibit A: Goals, Objectives and Annual Reporting Form

JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT
Performance Measures/Standards & Annual Reporting Form
October 1, 2024 – September 30, 2025

1. COMMUNITY COMMUNICATION AND ENGAGEMENT

Goal 1.1 Public Meetings Compliance

Objective: Hold at least two (2) regular Board of Supervisor meetings per year to conduct CDD related business and discuss community needs.

Measurement: Number of public board meetings held annually as evidenced by meeting minutes and legal advertisements.

Standard: A minimum of two (2) regular board meetings was held during the fiscal year.

Achieved: Yes ☐ No ☐

Goal 1.2 Notice of Meetings Compliance

Objective: Provide public notice of each meeting at least seven days in advance, as specified in Section 190.007(1), using at least two communication methods.

Measurement: Timeliness and method of meeting notices as evidenced by posting to CDD website, publishing in local newspaper and via electronic communication.

Standard: 100% of meetings were advertised with 7 days' notice per statute on at least two mediums (i.e., newspaper, CDD website, electronic communications).

Achieved: Yes ☐ No ☐

Goal 1.3 Access to Records Compliance

Objective: Ensure that meeting minutes and other public records are readily available and easily accessible to the public by completing monthly CDD website checks.

Measurement: Monthly website reviews will be completed to ensure meeting minutes and other public records are up to date as evidenced by District Management's records.

Standard: 100% of monthly website checks were completed by District Management.

Achieved: Yes ☐ No ☐

2. **INFRASTRUCTURE AND FACILITIES MAINTENANCE**

Goal 2.1 District Infrastructure and Facilities Inspections

Objective: District Engineer will conduct an annual inspection of the District's infrastructure and related systems.

Measurement: A minimum of one (1) inspection completed per year as evidenced by district engineer's report related to district's infrastructure and related systems.

Standard: Minimum of one (1) inspection was completed in the Fiscal Year by the district's engineer.

Achieved: Yes ☐ No ☐

3. **FINANCIAL TRANSPARENCY AND ACCOUNTABILITY**

Goal 3.1 Annual Budget Preparation

Objective: Prepare and approve the annual proposed budget by June 15 and final budget was adopted by September 30 each year.

Measurement: Proposed budget was approved by the Board before June 15 and final budget was adopted by September 30 as evidenced by meeting minutes and budget documents listed on CDD website and/or within district records.

Standard: 100% of budget approval and adoption were completed by the statutory deadlines and posted to the CDD website.

Achieved: Yes ☐ No ☐

Goal 3.2 Financial Reports

Objective: Publish to the CDD website the most recent versions of the following documents: annual audit, current fiscal year budget with any amendments, and most recent financials within the latest agenda package.

Measurement: Annual audit, previous years' budgets, and financials are accessible to the public as evidenced by corresponding documents on the CDD website.

Standard: CDD website contains 100% of the following information: most recent annual audit, most recently adopted/amended fiscal year budget, and most recent agenda package with updated financials.

Achieved: Yes ☐ No ☐

Goal 3.3 Annual Financial Audit

Objective: Conduct an annual independent financial audit per statutory requirements and publish the results to the CDD website for public inspection and transmit said results to the State of Florida.

Measurement: Timeliness of audit completion and publication as evidenced by meeting minutes showing board approval and annual audit is available on the CDD website and transmitted to the State of Florida.

Standard: Audit was completed by an independent auditing firm per statutory requirements and results were posted to the CDD website and transmitted to the State of Florida.

Achieved: Yes ☐ No ☐

District Manager

Chair/Vice Chair, Board of Supervisors

Print Name

Print Name

Date

Date

JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2024**

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2024**

	General Fund	Debt Service Fund	Total Governmental Funds
ASSETS			
Cash	\$ 5,837	\$ -	\$ 5,837
Due from Landowner	5,652	-	5,652
Total assets	<u>\$ 11,489</u>	<u>\$ -</u>	<u>\$ 11,489</u>
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	\$ 5,495	\$ -	\$ 5,495
Due to other	84	-	84
Due to Landowner	-	25,000	25,000
Landowner advance	6,000	-	6,000
Total liabilities	<u>11,579</u>	<u>25,000</u>	<u>36,579</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred receipts	<u>5,652</u>	<u>-</u>	<u>5,652</u>
Total deferred inflows of resources	<u>5,652</u>	<u>-</u>	<u>5,652</u>
Fund balances:			
Restricted for:			
Debt service	-	(25,000)	(25,000)
Unassigned	<u>(5,742)</u>	<u>-</u>	<u>(5,742)</u>
Total fund balances	<u>(5,742)</u>	<u>(25,000)</u>	<u>(30,742)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 11,489</u>	<u>\$ -</u>	<u>\$ 11,489.00</u>

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Landowner contribution	\$ -	\$ 24,306	\$ 97,290	25%
Total revenues	-	24,306	97,290	25%
EXPENDITURES				
Professional & administrative				
Management/accounting/recording**	2,000	18,000	48,000	38%
Legal	750	3,750	25,000	15%
Engineering	368	368	2,000	18%
Audit*	-	-	5,500	0%
Arbitrage rebate calculation*	-	-	500	0%
Dissemination agent*	-	-	1,000	0%
Trustee*	-	-	5,500	0%
Telephone	17	150	200	75%
Postage	-	-	500	0%
Printing & binding	42	375	500	75%
Legal advertising	-	-	1,500	0%
Annual special district fee	-	175	175	100%
Insurance - GL and D&O	-	5,200	5,500	95%
Contingencies/bank charges	138	305	500	61%
Website hosting & maintenance	-	705	705	100%
Website ADA compliance	210	210	210	100%
Total professional & administrative	3,525	29,238	97,290	30%
Excess/(deficiency) of revenues over/(under) expenditures	(3,525)	(4,932)	-	
Fund balances - beginning	(2,217)	(810)	-	
Unassigned	(5,742)	(5,742)	-	
Fund balances - ending	\$ (5,742)	\$ (5,742)	\$ -	

*These items will be realized when bonds are issued

**WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
EXPENDITURES		
Debt service	<u>-</u>	<u>-</u>
Total debt service	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	-
Fund balances - beginning	<u>(25,000)</u>	<u>(25,000)</u>
Fund balances - ending	<u><u>\$ (25,000)</u></u>	<u><u>\$ (25,000)</u></u>

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT
MINUTES OF MEETING
JUNIPER COVE
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Juniper Cove Community Development District held a Regular Meeting on April 15, 2024 at 10:30 a.m., at the offices of Alvarez Engineers, 8935 NW 35th Lane, Suite #101, Doral, Florida 33172.

Present were:

Christian Cotter	Chair
Mary Moulton	Vice Chair
Maria Camporeale	Assistant Secretary

Also present:

Daniel Rom	District Manager
Kristen Thomas	Wrathell, Hunt and Associates, LLC
Ginger Wald	District Counsel
Juan Alvarez	District Engineer
Zach Griffin (via telephone)	Forestar (USA) Real Estate Group Inc.
Keith Leonard	Forestar (USA) Real Estate Group Inc.
Rebecca Cortes	Supervisor-Appointee
David Tello	Supervisor-Appointee

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 10:32 a.m. Supervisors Cotter, Camporeale and Moulton were present. Supervisor Albertson was not present. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

**Acceptance of Lauren Martin's Declination
of Appointment [Seat 4]; Term Expires
November 2024**

Mr. Rom presented Ms. Lauren Martin's Declination of Appointment.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Ms. Lauren Martin's Declination of Appointment to Board Seat 4, was accepted.

FOURTH ORDER OF BUSINESS**Consider Appointment to Fill Unexpired Term of Seat 4**

Mr. Cotter nominated Ms. Rebecca Cortes to fill Seat 4.

No other nominations were made.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the appointment of Ms. Rebecca Cortes to Seat 4, was approved.

- **Administration of Oath of Office (the following will also be provided in a separate package)**

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Ms. Cortes. The following were provided and briefly explained:

A. Required Ethics Training and Disclosure Filing

- **Sample Form 1 2023/Instructions**

Mr. Rom stated the Florida Commission on Ethics (FCOE) will email the Supervisors about the registration process. Supervisors must file Form 1 electronically no later than July 1, 2024, on the FCOE website, rather than with the Supervisor of Elections. He presented a Memorandum and discussed the annual requirement for Supervisors to complete four hours of ethics continuing education. The electronic version of the agenda provides links to free courses offered by the FCOE, the Office of the Attorney General and others.

B. Membership, Obligations and Responsibilities

C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees

D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers

FIFTH ORDER OF BUSINESS**Acceptance of Resignation of Karl Albertson [Seat 3]; Term Expires November 2024**

Mr. Rom presented Mr. Albertson's resignation letter.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the resignation of Mr. Albertson from Seat 3, was accepted.

SIXTH ORDER OF BUSINESS

Consider Appointment to Fill Unexpired Term of Seat 3

Ms. Moulton nominated Mr. David Tello to fill Seat 3.

No other nominations were made.

On MOTION by Ms. Moulton and seconded by Mr. Cotter, with all in favor, the appointment of Mr. David Tello to Seat 3, was approved.

• Administration of Oath of Office to Appointed Supervisor

Mr. Rom, a Notary of the State of Florida and duly authorized, administered the Oath of Office to Mr. Tello.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-01, Appointing and Removing Officers of the District and Providing for an Effective Date

Mr. Rom presented Resolution 2024-01. Mr. Cotter nominated the following slate:

Chair	Rebecca Cortes
Vice Chair	David Tello
Assistant Secretary	Christian Cotter
Assistant Secretary	Mary Moulton
Assistant Secretary	Maria Camporeale

No other nominations were made.

This Resolution removes Mr. Javier Tavel and Mr. Karl Albertson from the Board. Prior appointments by the Board for Secretary, Treasurer, Assistant Treasurer, and Assistant Secretary Daniel Rom, remain unaffected by this Resolution.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2024-01, Appointing, as nominated, and Removing Officers of the District and Providing for an Effective Date, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration of Resolution 2024-02, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date

Mr. Rom presented Resolution 2024-02. He reviewed the proposed Fiscal Year 2025 budget, which is a Landowner-funded budget, with expenses paid as they are incurred. Updated insurance projections were received and the expense will be adjusted accordingly.

The following changes were made to the proposed Fiscal Year 2025 budget:

Page 1, Insurance line item: Change "6,600" to "5,720"

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2024-02, Approving a Proposed Budget for Fiscal Year 2024/2025, as amended, and Setting a Public Hearing Thereon Pursuant to Florida Law for July 15, 2024 at 10:30 a.m., at the offices of Alvarez Engineers, 8935 NW 35th Lane, Suite #101, Doral, Florida 33172; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing for an Effective Date, was adopted.

NINTH ORDER OF BUSINESS

Consideration of Resolution 2024-03, Designating a Date, Time and Location for Landowners' Meeting; Providing for Publication, Providing for an Effective Date

Mr. Rom presented Resolution 2024-03. Seats 3, 4 and 5, currently held by David Tello, Rebecca Cortes and Mary Moulton, respectively, will be up for election at the November 2024 Landowners' Election. Mr. Rom will serve as Proxy for the Landowners' Election.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2024-03, Designating a Date, Time and Location of November 5, 2024 at 10:30 a.m., at the offices of Alvarez Engineers, 8935 NW 35th Lane,

Suite #101, Doral, Florida 33172 for a Landowners' Meeting; Providing for Publication, Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

Consideration of Resolution 2024-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025 and Providing for an Effective Date

Mr. Rom presented Resolution 2024-04.

The following changes were made to the Fiscal Year 2025 Meeting Schedule:

November 5, 2024 meeting time: Insert "10:30 AM"

DATE: Delete February meeting

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, Resolution 2024-04, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2024/2025, as amended, and Providing for an Effective Date, was adopted.

ELEVENTH ORDER OF BUSINESS

Ratification of Letter Regarding Jinama Farms Drainage Maintenance Entity

Mr. Rom presented the Letter Regarding Jinama Farms Drainage Maintenance Entity, previously executed by the Chair.

On MOTION by Mr. Cotter and seconded by Ms. Moulton, with all in favor, the letter regarding the Jinama Farms Drainage Maintenance Entity, was ratified.

TWELFTH ORDER OF BUSINESS

Consideration of Resolution 2024-05, Establishing an Electronic Signature Policy, Providing District Manager with Authority and Responsibility for Approval of Electronic Signatures and Implementation of Control Processes and Procedures to Ensure Compliance, Integrity, and Security, in Accordance with Chapter 688, Florida Statutes; and Providing for Severability and Effective Date

Mr. Rom presented Resolution 2024-05.

On MOTION by Mr. Cotter and seconded by Ms. Cortes, with all in favor, Resolution 2024-05, Establishing an Electronic Signature Policy, Providing District Manager with Authority and Responsibility for Approval of Electronic Signatures and Implementation of Control Processes and Procedures to Ensure Compliance, Integrity, and Security, in Accordance with Chapter 688, Florida Statutes; and Providing for Severability and Effective Date, was adopted.

THIRTEENTH ORDER OF BUSINESS

Consideration of Resolution 2024-06, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; Determining the Electronic Record to be the Official Record; Providing for Severability; and Providing for an Effective Date

Mr. Rom presented Resolution 2024-06.

On MOTION by Mr. Cotter and seconded by Mr. Tello, with all in favor, Resolution 2024-06, Providing for the Appointment of a Records Management Liaison Officer; Providing the Duties of the Records Management Liaison Officer; Adopting a Records Retention Policy; Determining the Electronic Record to be the Official Record; Providing for Severability; and Providing for an Effective Date, was adopted.

FOURTEENTH ORDER OF BUSINESS

Update: Financing

Discussion ensued regarding the possibility of further discussions related to bond issuance in June or July 2024.

FIFTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of February 29, 2024

Mr. Rom presented the Unaudited Financial Statements as of February 29, 2024.

On MOTION by Mr. Cotter and seconded by Ms. Cortes, with all in favor, the Unaudited Financial Statements as of February 29, 2024, were accepted.

SIXTEENTH ORDER OF BUSINESS**Approval of July 17, 2023 Public Hearing and Regular Meeting Minutes**

Mr. Rom presented the July 17, 2023 Public Hearing and Regular Meeting Minutes.

On MOTION by Mr. Cotter and seconded by Mr. Tello, with all in favor, the July 17, 2023 Public Hearing and Regular Meeting Minutes, as presented, were approved.

SEVENTEENTH ORDER OF BUSINESS**Staff Reports**

- A. District Counsel: Billing, Cochran, Lyles, Mauro & Ramsey, P.A
- B. District Engineer: Alvarez Engineers, Inc.

There were no District Counsel or District Engineer reports.

- C. District Manager: Wrathell, Hunt and Associates, LLC

- NEXT MEETING DATE: May 20, 2024 at 10:30 AM
 - QUORUM CHECK

The May 20, 2024 meeting will likely be cancelled. If so, the next meeting will likely be held on July 15, 2024.

EIGHTEENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

NINETEENTH ORDER OF BUSINESS**Public Comments**

No members of the public spoke.

TWENTIETH ORDER OF BUSINESS**Adjournment**

On MOTION by Mr. Cotter and seconded by Mr. Tello, with all in favor, the meeting adjourned at 10:46 a.m.

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Secretary/Assistant Secretary

Chair/Vice Chair

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

STAFF

REPORTS A

AFFIDAVIT OF COMPLIANCE WITH ANTI-HUMAN TRAFFICKING LAWS

In compliance with Section 787.06 (13), Florida Statutes, this attestation must be completed **by an officer or representative of a nongovernmental entity** that is executing, renewing, or extending a contract with _____ Community Development District (the "Governmental Entity").

The undersigned, on behalf of the entity listed below (the "Nongovernmental Entity"), hereby attests under penalty of perjury as follows:

1. Neither the Nongovernmental Entity nor any of its subsidiaries or affiliates uses coercion for labor or services, as such italicized terms are defined in Section 787.06, Florida Statutes, as may be amended from time to time.

2. If, at any time in the future, the Nongovernmental Entity uses coercion for labor or services, it will immediately notify the Governmental Entity, and no contracts may be executed, renewed, or extended between the parties.

3. I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

4. The Affiant is authorized to execute this Affidavit on behalf of the Nongovernmental Entity.

FURTHER AFFIANT SAYETH NAUGHT.

NONGOVERNMENTAL ENTITY: _____

NAME: _____

TITLE: _____

SIGNATURE: _____

DATE: _____, 20____

STATE OF FLORIDA
COUNTY OF _____

SWORN TO (or affirmed) and subscribed before me by means of [____] physical presence or [____] online notarization, this _____ day of _____, 20____, by _____ in his/her capacity as _____ for _____ (name of Nongovernmental Entity).

NOTARY PUBLIC

____ Personally Known OR
____ Produced Identification

Type of Identification Produced

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)

CHAPTER 2024-184

House Bill No. 7063

An act relating to anti-human trafficking; amending s. 16.618, F.S.; extending the future repeal date of the direct-support organization for the Statewide Council on Human Trafficking; amending ss. 394.875, 456.0341, and 480.043, F.S.; revising the hotline telephone number to be included on human trafficking awareness signs; amending s. 509.096, F.S.; deleting obsolete provisions; revising the hotline telephone number to be included on human trafficking awareness signs; amending s. 562.13, F.S.; revising applicability of provisions governing the employment of minors by vendors licensed under the Beverage Law; amending s. 787.06, F.S.; requiring nongovernmental entities contracting with governmental entities to attest that they do not use coercion for labor or services; defining the term “governmental entity”; amending s. 787.29, F.S.; revising the hotline telephone number to be included on human trafficking awareness signs; creating s. 787.30, F.S.; defining terms; prohibiting the employment of persons younger than 21 years of age in adult entertainment establishments; providing criminal penalties; requiring adult entertainment establishments to check identification of entertainers; specifying forms of identification that may be used; prohibiting the raising of specified arguments as a defense in a prosecution for certain violations; providing an effective date.

WHEREAS, Florida is ranked third nationally for reported cases of human trafficking abuses, many of which involved sex trafficking, and

WHEREAS, adult entertainment establishments are widely recognized as being a significant part of the sex trafficking network used by traffickers to coerce and facilitate men, women, and children into performing sexual acts, which places the employees of these establishments in direct and frequent contact with the victims of human trafficking, and

WHEREAS, victims of sex trafficking are frequently recruited to work as performers or employees in adult entertainment establishments, and

WHEREAS, researchers have found that sex trafficking victims are more likely to be trafficked by someone from within her or his own community, and

WHEREAS, persons younger than 21 years of age are more likely to still remain within and dependent on the community in which they were raised, and

WHEREAS, research studies have identified the average age at which a person in the United States enters the sex trade for the first time as 17 years of age, and

WHEREAS, sex trade at adult entertainment establishments is a common occurrence in Florida, thereby subjecting performers at these establishments to frequent propositions and enticements to engage in sex trade actions and sex trafficking from customers, as well as strip club employees, managers, and owners, and

WHEREAS, an understanding of history and human nature reveals that there are sex criminals of various kinds who will prey on the young and vulnerable, and

WHEREAS, restricting the employment of persons younger than 21 years of age at adult entertainment establishments furthers an important state interest of protecting those vulnerable individuals from sex trafficking, drug abuse, and other harm, and

WHEREAS, many court opinions recognize that, while expressive activities are entitled to some First Amendment protections at adult entertainment establishments, content-neutral restrictions or regulations intended to minimize the secondary harmful effects of those businesses tend to be upheld, and

WHEREAS, on November 16, 2018, the federal Fifth Circuit Court of Appeals, in the case of *Jane Doe I v. Landry*, 909 F.3d 99 (5th Cir. 2018), upheld a Louisiana law that prohibited establishments licensed to serve alcohol from employing nearly nude entertainers younger than 21 years of age on the grounds that the law furthered the state's interests in curbing human trafficking and prostitution, and

WHEREAS, the federal district court in *Valadez v. Paxton*, 553 F.Supp.3d 387 (W.D. Tex. 2021), denied a motion for a preliminary injunction against the enforcement of Texas Senate Bill 315 prohibiting "all working relationships between 18-20-year-olds and sexually-oriented businesses" because the plaintiffs failed to show that the age restrictions were not rationally related to the state's interest in curbing human trafficking, and

WHEREAS, the federal district court in *DC Operating, LLC v. Paxton*, 586 F.Supp.3d 554 (W.D. Tex. 2022), denied a motion for a preliminary injunction against Texas Senate Bill 315, at least in part, because of the state's evidence of the correlation between raising the minimum employment age and reducing human trafficking, and

WHEREAS, the federal district court in *Wacko's Too, Inc., v. City of Jacksonville*, 658 F.Supp.3d 1086 (M.D. Fla. 2023), upheld age restrictions in a City of Jacksonville ordinance requiring performers at adult entertainment establishments to be at least 21 years of age based, at least in part, on evidence that there was a reasonable basis to believe that the age restrictions would further the city's interest in preventing human and sex trafficking, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (12) of section 16.618, Florida Statutes, is amended to read:

16.618 Direct-support organization.—

(12) This section is repealed October 1, ~~2029~~ 2024, unless reviewed and saved from repeal by the Legislature.

Section 2. Paragraph (b) of subsection (8) of section 394.875, Florida Statutes, is amended to read:

394.875 Crisis stabilization units, residential treatment facilities, and residential treatment centers for children and adolescents; authorized services; license required.—

(8)

(b) Residential treatment centers for children and adolescents must conspicuously place signs on their premises to warn children and adolescents of the dangers of human trafficking and to encourage the reporting of individuals observed attempting to engage in human trafficking activity. The signs must contain the telephone number for the Florida Human Trafficking Hotline, 1-855-FLA-SAFE, ~~the National Human Trafficking Hotline~~ or such other number that the Department of Law Enforcement uses to detect and stop human trafficking. The department, in consultation with the agency, shall specify, at a minimum, the content of the signs by rule.

Section 3. Subsection (3) of section 456.0341, Florida Statutes, is amended to read:

456.0341 Requirements for instruction on human trafficking.—The requirements of this section apply to each person licensed or certified under chapter 457; chapter 458; chapter 459; chapter 460; chapter 461; chapter 463; chapter 465; chapter 466; part II, part III, part V, or part X of chapter 468; chapter 480; or chapter 486.

(3) By January 1, ~~2025~~ 2021, the licensees or certificateholders shall post in their place of work in a conspicuous place accessible to employees a sign at least 11 inches by 15 inches in size, printed in a clearly legible font and in at least a 32-point type, which substantially states in English and Spanish:

“If you or someone you know is being forced to engage in an activity and cannot leave, whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity, call the Florida Human Trafficking Hotline, 1-855-FLA-SAFE, ~~the National Human Trafficking Resource Center at 888-373-7888 or text INFO or HELP to 233-733~~ to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.”

Section 4. Subsection (13) of section 480.043, Florida Statutes, is amended to read:

480.043 Massage establishments; requisites; licensure; inspection; human trafficking awareness training and policies.—

(13) By January 1, 2025 ~~2021~~, a massage establishment shall implement a procedure for reporting suspected human trafficking to the Florida Human Trafficking Hotline, 1-855-FLA-SAFE, ~~the National Human Trafficking Hotline~~ or to a local law enforcement agency and shall post in a conspicuous place in the establishment which is accessible to employees a sign with the relevant provisions of the reporting procedure.

Section 5. Subsections (1) and (3) of section 509.096, Florida Statutes, are amended to read:

509.096 Human trafficking awareness training and policies for ~~employ-~~ees of public lodging establishments; enforcement.—

(1) A public lodging establishment shall:

(a) Provide annual training regarding human trafficking awareness to employees of the establishment who perform housekeeping duties in the rental units or who work at the front desk or reception area where guests ordinarily check in or check out. Such training must also be provided for new employees within 60 days after they begin their employment in those roles; ~~or by January 1, 2021, whichever occurs later~~. Each employee must submit to the hiring establishment a signed and dated acknowledgment of having received the training, which the establishment must provide to the Department of Business and Professional Regulation upon request. The establishment may keep such acknowledgment electronically.

(b) ~~By January 1, 2021~~, Implement a procedure for the reporting of suspected human trafficking to the National Human Trafficking Hotline or to a local law enforcement agency.

(c) By January 1, 2025 ~~2021~~, post in a conspicuous location in the establishment which is accessible to employees a human trafficking public awareness sign at least 11 inches by 15 inches in size, printed in an easily legible font and in at least 32-point type, which states in English and Spanish and any other language predominantly spoken in that area which the department deems appropriate substantially the following:

“If you or someone you know is being forced to engage in an activity and cannot leave, whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity, call the Florida Human Trafficking Hotline, 1-855-FLA-SAFE, ~~the National Human Trafficking Resource Center at 888-373-7888 or text INFO or HELP to 233-733~~ to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.”

(3) ~~For a violation committed on or after July 1, 2023,~~ The division shall impose an administrative fine of \$2,000 per day on a public lodging establishment that is not in compliance with this section and remit the fines to the direct-support organization established under s. 16.618, unless the division receives adequate written documentation from the public lodging establishment which provides assurance that each deficiency will be corrected within 45 days after the division provided the public lodging establishment with notice of its violation. For a second or subsequent violation of this subsection ~~committed on or after July 1, 2023,~~ the division may not provide a correction period to a public lodging establishment and must impose the applicable administrative fines.

Section 6. Section 562.13, Florida Statutes, is amended to read:

562.13 Employment of minors or certain other persons by certain vendors prohibited; exceptions.—

(1) Unless otherwise provided in this section, it is unlawful for any vendor licensed under the Beverage Law to employ any person under 18 years of age.

(2) This section shall not apply to:

(a) Professional entertainers 17 years of age who are not in school.

(b) Minors employed in the entertainment industry, as defined by s. 450.012(5), who have either been granted a waiver under s. 450.095 or employed under the terms of s. 450.132 or under rules adopted pursuant to either of these sections.

(c) Persons under the age of 18 years who are employed in drugstores, grocery stores, department stores, florists, specialty gift shops, or automobile service stations which have obtained licenses to sell beer or beer and wine, when such sales are made for consumption off the premises.

(d) Persons 17 years of age or over or any person furnishing evidence that he or she is a senior high school student with written permission of the principal of said senior high school or that he or she is a senior high school graduate, or any high school graduate, employed by a bona fide food service establishment where alcoholic beverages are sold, provided such persons do not participate in the sale, preparation, or service of the beverages and that their duties are of such nature as to provide them with training and knowledge as might lead to further advancement in food service establishments.

(e) Persons under the age of 18 years employed as bellhops, elevator operators, and others in hotels when such employees are engaged in work apart from the portion of the hotel property where alcoholic beverages are offered for sale for consumption on the premises.

(f) Persons under the age of 18 years employed in bowling alleys in which alcoholic beverages are sold or consumed, so long as such minors do not participate in the sale, preparation, or service of such beverages.

(g) Persons under the age of 18 years employed by a bona fide dinner theater as defined in this paragraph, as long as their employment is limited to the services of an actor, actress, or musician. For the purposes of this paragraph, a dinner theater means a theater presenting consecutive productions playing no less than 3 weeks each in conjunction with dinner service on a regular basis. In addition, both events must occur in the same room, and the only advertised price of admission must include both the cost of the meal and the attendance at the performance.

(h) Persons under the age of 18 years who are employed in places of business licensed under s. 565.02(6), provided such persons do not participate in the sale, preparation, or service of alcoholic beverages.

However, a minor who qualifies for one of the exceptions in this subsection to whom this subsection otherwise applies may not be employed as or perform if the employment, whether as a professional entertainer or otherwise if such employment, involves nudity, as defined in s. 847.001, on the part of the minor and such nudity is intended as a form of adult entertainment, or be employed by an adult entertainment establishment, as defined in s. 847.001.

(3)(a) It is unlawful for any vendor licensed under the beverage law to employ as a manager or person in charge or as a bartender any person:

1. Who has been convicted within the last past 5 years of any offense against the beverage laws of this state, the United States, or any other state.

2. Who has been convicted within the last past 5 years in this state or any other state or the United States of soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, or any felony violation of chapter 893 or the controlled substances act of any other state or the Federal Government.

3. Who has, in the last past 5 years, been convicted of any felony in this state, any other state, or the United States.

The term “conviction” shall include an adjudication of guilt on a plea of guilty or nolo contendere or forfeiture of a bond when such person is charged with a crime.

(b) This subsection shall not apply to any vendor licensed under the provisions of s. 563.02(1)(a) or s. 564.02(1)(a).

Section 7. Subsection (13) is added to section 787.06, Florida Statutes, to read:

787.06 Human trafficking.—

(13) When a contract is executed, renewed, or extended between a nongovernmental entity and a governmental entity, the nongovernmental entity must provide the governmental entity with 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 as defined in this section. For purposes of this subsection, the term “governmental entity” has the same meaning as in s. 287.138(1).

Section 8. Subsection (4) of section 787.29, Florida Statutes, is amended to read:

787.29 Human trafficking public awareness signs.—

(4) The required public awareness sign must be at least 8.5 inches by 11 inches in size, must be printed in at least a 16-point type, and must state substantially the following in English and Spanish:

“If you or someone you know is being forced to engage in an activity and cannot leave—whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity—call the Florida Human Trafficking Hotline, 1-855-FLA-SAFE, the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of slavery and human trafficking are protected under United States and Florida law.”

Section 9. Section 787.30, Florida Statutes, is created to read:

787.30 Employing persons under the age of 21 years in adult entertainment establishments prohibited.—

(1) As used in this section, the term:

(a) “Adult entertainment establishment” has the same meaning as in s. 847.001.

(b) “Nude” means the showing of the human male or female genitals, pubic area, or buttock with less than a fully opaque covering; or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernibly turgid state. A mother’s breastfeeding of her baby does not under any circumstance constitute nudity, regardless of whether the nipple is covered during or incidental to feeding.

(2)(a) Except as provided in paragraph (b), an owner, a manager, an employee, or a contractor of an adult entertainment establishment who knowingly employs, contracts with, contracts with another person to employ, or otherwise permits a person younger than 21 years of age to perform or work in an adult entertainment establishment commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) An owner, a manager, an employee, or a contractor of an adult entertainment establishment who knowingly employs, contracts with, contracts with another person to employ, or otherwise permits a person younger than 21 years of age to perform or work while nude in an adult entertainment establishment commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) An owner, a manager, an employee, or a contractor of an adult entertainment establishment who permits a person to perform as an entertainer or work in any capacity for the establishment shall carefully check the person's driver license or identification card issued by this state or another state of the United States, a passport, or a United States Uniformed Services identification card presented by the person and act in good faith and in reliance upon the representation and appearance of the person in the belief that the person is 21 years of age or older.

(4) For purposes of this section, a person's ignorance of another person's age or a person's misrepresentation of his or her age may not be raised as a defense in a prosecution for a violation of this section.

Section 10. This act shall take effect July 1, 2024.

Approved by the Governor May 13, 2024.

Filed in Office Secretary of State May 13, 2024.

JUNIPER COVE

COMMUNITY DEVELOPMENT DISTRICT

STAFF

REPORTS C

JUNIPER COVE COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION		
<i>Alvarez Engineers, 8935 NW 35th Lane, Suite #101, Doral, Florida 33172</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 16, 2023 CANCELED	Regular Meeting	10:30 AM
November 20, 2023 CANCELED	Regular Meeting	10:30 AM
December 18, 2023 CANCELED	Regular Meeting	10:30 AM
January 29, 2024 ¹ CANCELED	Regular Meeting	10:30 AM
February 19, 2024 CANCELED	Regular Meeting	10:30 AM
March 18, 2024 CANCELED	Regular Meeting	10:30 AM
April 15, 2024	Regular Meeting	10:30 AM
May 20, 2024 CANCELED	Regular Meeting	10:30 AM
June 17, 2024 CANCELED	Regular Meeting	10:30 AM
July 15, 2024 CANCELED	Regular Meeting	10:30 AM
August 19, 2024	Regular Meeting	10:30 AM
September 16, 2024	Regular Meeting	10:30 AM

Exception(s)

¹January meeting date is two (2) weeks later to accommodate Martin Luther King Jr. holiday.