

THE DISTRICT

**COMMUNITY DEVELOPMENT
DISTRICT**

August 19, 2024

BOARD OF SUPERVISORS

**PUBLIC HEARINGS
AND REGULAR
MEETING AGENDA**

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

AGENDA

LETTER

The District 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
The District Community Development District

ATTENDEES:

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

Dear Board Members:

The Board of Supervisors of The District Community Development District will hold Public Hearings and a Regular Meeting on August 19, 2024 at 1:30 p.m., at the offices of Kimley Horn & Associates, 12740 Gran Bay Parkway West, Suite 2350, Jacksonville, Florida 32258. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: Agenda Items (limited to 3 minutes per individual)
3. Consider Appointment of Supervisor(s) to Vacant Seats 1 and 2
 - Administration of Oath of Office to Newly Appointed Supervisors *(the following will also be provided in a separate package)*
 - A. Required Ethics Training and Disclosure Filing
 - Sample Form 1 2023/Instructions
 - B. Membership, Obligation 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
4. Consideration of Resolution 2024-08, Electing and Removing Officers of the District and Providing for an Effective Date
5. Presentation of Audited Financial Statements for the Fiscal Year Ended September 30, 2023, Prepared by DiBartolomeo, McBee, Hartley & Barnes, P.A.
6. Consideration of Resolution 2024-11, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023

7. Public Hearing on Adoption of Fiscal Year 2024/2025 Budget
 - A. Proof/Affidavit of Publication
 - B. Consideration of Resolution 2024-13, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date
8. Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law
 - A. Proof/Affidavit of Publication
 - B. Mailed Notice(s) to Property Owners
 - C. Consideration of Resolution 2024-14, Providing for Funding for the FY 2025 Adopted Budget(s); Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date
9. Consideration of Direct Collection Agreements FY2025
 - A. Toll Southeast LP Company, Inc
 - B. Elements Development of Jacksonville, LLC
10. Consideration of Kimley-Horn and Associates, Inc. Amendment Two to Task Order No. CDD Six for Marina Design
11. Presentation/Consideration of Marina Financing Items
 - A. RiversEdge Marina District Engineer's Report dated November 28, 2022, updated December 20, 2022
 - B. Resolution 2024-12, Authorizing the Issuance and Delivery of a District Community Development District Bond Anticipation Note, Series 2024 (Public Marina Project), in a Principal Amount Not to Exceed \$8,000,000, to Provide Interim Funds for the Payment of a Portion of the Costs of the Planning, Financing, Equipping, Installing, Acquisition, Construction, and/or Reconstruction of the Public Marina Project of the District, Including the Refinancing of the District's Outstanding Taxable Bond Anticipation Note, Series 2022; Approving the Private Placement Negotiated Sale of the Note; Appointing a Paying Agent

and Registrar for the Note; Creating a Note Redemption Account; Providing for Incidental Action; and Providing for Severability and an Effective Date

- C. Purchase Agreement for Series 2024 Note with Investor Representations
12. Presentation/Consideration of Construction Related Items
- A. Ratification of Change Order 1 with UCC for Pavilion
 - B. Ratification of Notices of Commencement for the Phase 3B CRA Project and Phase 3B CDD Project
 - C. Ratification of Temporary Construction Easement from Elements to the CDD – Tracts 4A, 9C, EE, & FF
 - D. Consideration of Resolution 2024-15, Approving the Conveyance of Certain Real Property; Authorizing the Chairperson to Take the Necessary Actions to Facilitate the Conveyance and Providing General Authorization; and Addressing Severability, Conflicts and an Effective Date [Conveyance of Tracts E-1, F-1, and F-2 to Elements]
13. Consideration of Interlocal Agreement by and Among, Duval County Property Appraiser, Duval County Tax Collector, and the District Community Development District for Uniform Collection and Enforcement of Non-Ad Valorem Assessment
14. Update: Insurance Renewal
15. Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]
16. Acceptance of Unaudited Financial Statements as of June 30, 2024
17. Approval of May 20, 2024 Regular Meeting Minutes
18. Staff Reports
- A. District Counsel: *Kutak Rock LLP*
 - B. District Engineer: *Kimley-Horn and Associates, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*
 - 0 Registered Voters in the District as of April 15, 2024
 - NEXT MEETING DATE: September 16, 2024 at 1:30 PM

○ QUORUM CHECK

SEAT 1		☐ IN PERSON	☐ PHONE	☐ NO
SEAT 2		☐ IN PERSON	☐ PHONE	☐ NO
SEAT 3	ROBERT MIZELL	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 4	ROSE BOCK	☐ IN PERSON	☐ PHONE	☐ NO
SEAT 5	KURT VON DER OSTEN	☐ IN PERSON	☐ PHONE	☐ NO

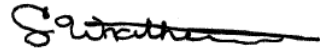
19. Board Members' Comments/Requests

20. Public Comments: Non-Agenda Items *(limited to 3 minutes per individual)*

21. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

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

PARTICIPANT PASSCODE: 413 553 5047

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

3A

MEMORANDUM

To: Board of Supervisors

From: District Counsel

Date: January 1, 2024

Subject: Ethics Training Requirements

Beginning January 1, 2024, all Board Supervisors of Florida Community Development Districts will be required to complete four (4) hours of Ethics training each year. The four (4) hours must be allocated to the following categories: two (2) hours of Ethics Law, one (1) hour of Sunshine Law, and one (1) hour of Public Records law.

This training may be completed online, and the four (4) hours do not have to be completed all at once. The Florida Commission on Ethics (“COE”) has compiled a list of resources for this training. An overview of the resources are described below, and links to the resources are included in this memo.

Each year when Supervisors complete the required financial disclosure form (Form 1 Statement of Financial Interests), Supervisors must mark a box confirming that he or she has completed the Ethics training requirements. At this time, there is no requirement to submit a certificate; however, the COE advises that Supervisors keep a record of all trainings completed (including date and time of completion), in the event Supervisors are ever asked to provide proof of completion. The training is a calendar year requirement and corresponds to the form year. So, Supervisors will not report their 2024 training until they fill out their Form 1 for the 2025 year.

Free Training Options

The Florida Commission on Ethics’ (“COE”) website has several free online resources and links to resources that Supervisors can access to complete the training requirements. Navigate to that page here: [Florida Commission on Ethics Training](https://ethics.state.fl.us/Training/Training.aspx).¹ Please note that the COE only provides free training for the two (2) hour Ethics portion of the annual training. However, the COE does provide links to free outside resources to complete the Sunshine and Public Records portion of the training. These links are included in this memorandum below for your ease of reference.

¹ <https://ethics.state.fl.us/Training/Training.aspx>

Free Ethics Law Training

The COE provides several videos for Ethics training, none of which are exactly two (2) hours in length. Please ensure you complete 120 minutes of Ethics training when choosing a combination of the below.

State Ethics Laws for Constitutional Officers & Elected Municipal Officers (100 minutes)

Click here: [Kinetic Ethics](#)

Business and Employment Conflicts and Post-Public-Service (56 minutes) Restriction

Click here: [Business and Employment Conflicts](#)

Gifts (50 minutes)

Click here: [Ethics Laws Governing Acceptance of Gifts](#)

Voting Conflicts - Local Officers (58 minutes)¹

Click here: [Voting Vertigo](#)

Free Sunshine/Public Records Law Training

The Office of the Attorney General provides a two (2) hour online training course (audio only) that meets the requirements of the Sunshine Law and Public Records Law portion of Supervisors' annual training.

Click here to access: [Public Meeting and Public Records Law](#)

Other Training Options

4- Hour Course

Some courses will provide a certificate upon completion (not required), like the one found from the Florida State University, Florida Institute of Government, linked here: [4-Hour Ethics Course](#). This course meets all the ethics training requirements for the year, including Sunshine Law and Public Records training. This course is currently \$79.00

CLE Course

The COE's website includes a link to the Florida Bar's Continuing Legal Education online tutorial which also meets all the Ethics training requirements. However, this is a CLE course designed more specifically for attorneys. The 5 hours 18 minutes' long course exceeds the 4-hour requirement and its cost is significantly higher than the 4-Hour Ethics course provided by the Florida State University. The course is currently \$325.00. To access this course, click here: [Sunshine Law, Public Records and Ethics for Public Officers and Public Employees](#).

If you have any questions, please do not hesitate to contact me.

2023 Form 1 - Statement of Financial Interests

General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

AGENCY INFORMATION

Organization

SAMPLE

Suborganization

SAMPLE

Title

SAMPLE

Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

Secondary Sources of Income

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

Real Property

REAL PROPERTY (Land, buildings owned by the reporting person)
(If you have nothing to report, write "none" or "n/a")

Location/Description

Intangible Personal Property

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000)
(If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates

Liabilities

LIABILITIES (Major debts valued over \$10,000):
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor

Interests in Specified Businesses

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1

Training

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

Signature of Filer

Digitally signed:

Filed with COE:

E-FILING SAMPLE

2023 Form 1 Instructions

Statement of Financial Interests

Notice

The annual Statement of Financial Interest is due July 1, 2024. If the annual form is not submitted via the electronic filing system created and maintained by the Commission September 3, 2024, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office or employment. [s. 112.3145, F.S.]

In addition, failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [s. 112.317, F.S.]

When To File:

Initially, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates must file at the same time they file their qualifying papers.

Thereafter, file by July 1 following each calendar year in which they hold their positions.

Finally, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2023.

Who Must File Form 1

1. Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
2. Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding those required to file full disclosure on Form 6 as well as members of solely advisory bodies, but including judicial nominating commission members; Directors of Enterprise Florida, Scripps Florida Funding Corporation, and Career Source Florida; and members of the Council on the Social Status of Black Men and Boys; the Executive Director, Governors, and senior managers of Citizens Property Insurance Corporation; Governors and senior managers of Florida Workers' Compensation Joint Underwriting Association; board members of the Northeast Fla. Regional Transportation Commission; board members of Triumph Gulf Coast, Inc; board members of Florida Is For Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.
3. The Commissioner of Education, members of the State Board of Education, the Board of Governors, the local Boards of Trustees and Presidents of state universities, and the Florida Prepaid College Board.
4. Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file Form 6.
5. Appointed members of the following boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; community college or junior college district boards of trustees; boards having the power to enforce local code provisions; boards of adjustment; community redevelopment agencies; planning or zoning boards having the power to recommend, create, or modify land planning or zoning within a political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, and except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; pension or retirement boards empowered to invest pension or retirement funds or determine entitlement to or amount of pensions or other retirement benefits, and the Pinellas County Construction Licensing Board.
6. Any appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
7. Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

8. Officers and employees of entities serving as chief administrative officer of a political subdivision.
9. Members of governing boards of charter schools operated by a city or other public entity.
10. Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
11. The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.
12. The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.
13. Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.
14. The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
15. State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
16. The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.
17. Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c), Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

ATTACHMENTS: A filer may include and submit attachments or other supporting documentation when filing disclosure.

PUBLIC RECORD: The disclosure form is a public record and is required by law to be posted to the Commission's website. Your Social Security number, bank account, debit, charge, and credit card numbers, mortgage or brokerage account numbers, personal identification numbers, or taxpayer identification numbers are not required and should not be included. If such information is included in the filing, it may be made available for public inspection and copying unless redaction is required by the filer, without any liability to the Commission. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address or other information is exempt from disclosure, the Commission will maintain that confidentiality *if you submit a written and notarized request.*

QUESTIONS about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303; telephone (850) 488-7864.

Instructions for Completing Form 1

Primary Sources of Income

[Required by s. 112.3145(3)(b)1, F.S.]

This section is intended to require the disclosure of your principal sources of income during the disclosure period. You do not have to disclose any public salary or public position(s). The income of your spouse need not be disclosed; however, if there is joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should disclose the source of that income if it exceeded the threshold.

Please list in this part of the form the name, address, and principal business activity of each source of your income which exceeded \$2,500 of gross income received by you in your own name or by any other person for your use or benefit.

"Gross income" means the same as it does for income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples include: compensation for services, income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, social security, distributive share of partnership gross income, and alimony if considered gross income under federal law, but not child support.

Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).
- If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$2,500, list the name of the firm, its address, and its principal business activity (practice of law).
- If you were the sole proprietor of a retail gift business and your gross income from the business exceeded \$2,500, list the name of the business, its address, and its principal business activity (retail gift sales).
- If you received income from investments in stocks and bonds, list each individual company from which you derived more than \$2,500. Do not aggregate all of your investment income.

- If more than \$2,500 of your gross income was gain from the sale of property (not just the selling price), list as a source of income the purchaser's name, address and principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed as "sale of (name of company) stock," for example.
- If more than \$2,500 of your gross income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

Secondary Sources of Income

[Required by s. 112.3145(3)(b)2, F.S.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported in "Primary Sources of Income," if it meets the reporting threshold. You will not have anything to report unless, during the disclosure period:

1. You owned (either directly or indirectly in the form of an equitable or beneficial interest) more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and,**
2. You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded these thresholds, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

Examples:

- You are the sole proprietor of a dry cleaning business, from which you received more than \$5,000. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).
- You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the above thresholds. List each tenant of the mall that provided more than 10% of the partnership's gross income and the tenant's address and principal business activity.

Real Property

[Required by s. 112.3145(3)(b)3, F.S.]

In this part, list the location or description of all real property in Florida in which you owned directly or indirectly at any time during the disclosure period in excess of 5% of the property's value. You are not required to list your residences. You should list any vacation homes if you derive income from them.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you own more than 5% of a partnership or corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more accurate fair market value.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. A street address should be used, if one exists.

Intangible Personal Property

[Required by s. 112.3145(3)(b)3, F.S.]

Describe any intangible personal property that, at any time during the disclosure period, was worth more than \$10,000 and state the business entity to which the property related. Intangible personal property includes things such as cash on hand, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you (including, but not limited to, loans made as a candidate to your own campaign), Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts in which you have an ownership interest. Intangible personal property also includes investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan. Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Things like automobiles and houses you own, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity may be aggregated; for example, CDs and savings accounts with the same bank. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number found on the lease document).

Liabilities

[Required by s. 112.3145(3)(b)4, F.S.]

List the name and address of each creditor to whom you owed more than \$10,000 at any time during the disclosure period. The amount of the liability of a vehicle lease is the sum of any past-due payments and all unpaid prospective lease payments. You are not required to list the amount of any debt. You do not have to disclose credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and are jointly liable or jointly and severally liable, then it is not a contingent liability.

Interests in Specified Businesses

[Required by s. 112.3145(7), F.S.]

The types of businesses covered in this disclosure include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

Disclose in this part the fact that you owned during the disclosure period an interest in, or held any of certain positions with the types of businesses listed above. You must make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list the name of the business, its address and principal business activity, and the position held with the business (if any). If you own(ed) more than a 5% interest in the business, indicate that fact and describe the nature of your interest.

Training Certification

[Required by s. 112.3142, F.S.]

If you are a Constitutional or elected municipal officer appointed school superintendent, a commissioner of a community redevelopment agency created under Part III, Chapter 163, or an elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31 of the year for which you are filing, you are required to complete four hours of ethics training which addresses Article II, Section 8 of the Florida Constitution, the Code of Ethics for Public Officers and Employees, and the public records and open meetings laws of the state. You are required to certify on this form that you have taken such training.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

3B

BOARD OF SUPERVISORS

MEMBERSHIP, OBLIGATIONS AND RESPONSIBILITIES

A Community Development District ("District") is a special-purpose unit of local government which is established pursuant to and governed by Chapter 190, Florida Statutes.

The Board

The Community Development District ("District") is governed by a five (5)-member Board of Supervisors ("Board"). Member of the Board "Supervisor(s)" are elected in accordance with Section 190.006, F.S., either upon a one (1)-vote per one (1)-acre basis ("landowner voting") or through traditional elections ("resident voting"), depending upon the number of registered voters in the District and the length of time which has passed since the establishment of the District.

A CDD Board typically meets once per month, but may meet more often if necessary. Board meetings typically last from one (1) to three (3) hours, depending upon the business to be conducted by the Board. Prior to the meeting, each Supervisor is supplied with an agenda package which will contain the documents pertaining to the business to be considered by the Board at a particular meeting. A Supervisor should be willing to spend time reviewing these packages prior to each meeting, and may consult with District Staff (General Counsel, Management, Engineering, etc.) concerning the business to be addressed.

Qualifications of Supervisors

Each Supervisor must be a resident of the state of Florida and a citizen of the United States. Once a District has transitioned to resident voting, Supervisors must also be residents of the District.

Compensation

By statute, Board Members are entitled to be paid \$200 per meeting for their service, up to an annual cap of \$4,800 per year. To achieve the statutory cap, the District would have to meet twice each month, which is rare.

Sometimes Supervisors who are employees of the primary landowner waive their right to compensation, although this is not always the case.

Responsibilities of Supervisors

The position of Supervisor is that of an elected local public official. It is important to always remember that serving as an elected public official of a District carries with it certain restrictions and obligations. Each Supervisor, upon taking office, must subscribe to an oath of office acknowledging that he/she is a public officer, and as a recipient of public funds, a supporter of the constitutions of the State of Florida and of the United States of America.

Each Supervisor is subject to the same financial disclosure requirements as any other local elected official and must file a Statement of Financial Interests disclosing

sources of income, assets, debts, and other financial data, with the Supervisor of Elections in the County where he/she resides.

A Supervisor must act in accordance with the Code of Ethics for Public Officers and Employees, codified at Part III, Chapter 112, F.S., which addresses acceptance of gifts, conflicts of interest, etc. By law, it is not a conflict of interest for an employee of the developer to serve on a CDD Board of Supervisors.

Since a District is a unit of local government, the Sunshine Law (Chapter 286, F.S.) applies to Districts and to the Supervisors who govern them. In brief, the Sunshine Law states that two(2) or more Supervisors may never meet outside of a publicly noticed meeting of the Board and/to discuss District business.

Florida's Public Records Law (Chapter 119, F.S.) also applies to Districts and Supervisors. All records of the District, and the records of each individual Supervisor relating to the District, are public records. As such, any member of the public may inspect them upon request. Supervisors are therefore urged to keep any District records or documents in a separate file to allow ease of access by the public or press.

Conclusion

The position of Supervisor of a Community Development District is an important one, requiring both the time and the dedication to fulfill the responsibilities of a position of public trust. It should not be undertaken lightly. Each new Supervisor should enter office fully cognizant of the ethical, legal, and time requirements which are incumbent upon those who serve as Supervisors.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

3C

FLORIDA COMMISSION ON ETHICS



GUIDE to the SUNSHINE AMENDMENT and CODE of ETHICS for Public Officers and Employees

2024

State of Florida

COMMISSION ON ETHICS

Ashley Lukis, *Chair*
Tallahassee

Michelle Anchors, *Vice Chair*
Fort Walton Beach

William P. Cervone
Gainesville

Tina Descovich
Indianapolis

Freddie Figgers
Fort Lauderdale

Luis M. Fusté
Coral Gables

Wengay M. Newton, Sr.
St. Petersburg

Kerrie Stillman
Executive Director
P.O. Drawer 15709
Tallahassee, FL 32317-5709
www.ethics.state.fl.us
(850) 488-7864*

*Please direct all requests for information to this number.

TABLE OF CONTENTS

I. HISTORY OF FLORIDA'S ETHICS LAWS.....	1
II. ROLE OF THE COMMISSION ON ETHICS.....	2
III. THE ETHICS LAWS.....	2
A. PROHIBITED ACTIONS OR CONDUCT	3
1. Solicitation or Acceptance of Gifts	3
2. Unauthorized Compensation	4
3. Misuse of Public Position	4
4. Abuse of Public Position	4
5. Disclosure or Use of Certain Information.....	4
6. Solicitation or Acceptance of Honoraria	5
B. PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS	5
1. Doing Business With One's Agency	5
2. Conflicting Employment or Contractual Relationship.....	6
3. Exemptions	6
4. Additional Exemption	8
5. Lobbying State Agencies by Legislators.....	8
6. Additional Lobbying Restrictions for Certain Public Officers and Employees	8
7. Employees Holding Office	8
8. Professional & Occupational Licensing Board Members	9
9. Contractual Services: Prohibited Employment	9
10. Local Government Attorneys	9
11. Dual Public Employment	9
C. RESTRICTIONS ON APPOINTING, EMPLOYING, AND CONTRACTING WITH RELATIVES.....	10
1. Anti-Nepotism Law	10
2. Additional Restrictions	10
D. POST OFFICEHOLDING & EMPLOYMENT (REVOLVING DOOR) RESTRICTIONS	10
1. Lobbying By Former Legislators, Statewide Elected Officers, and Appointed State Officers	10
2. Lobbying By Former State Employees.....	11
3. 6-Year Lobbying Ban	12
4. Additional Restrictions on Former State Employees	12
5. Lobbying By Former Local Government Officers and Employees.....	13

E. VOTING CONFLICTS OF INTEREST	13
F. DISCLOSURES	14
1. Form 1 - Limited Financial Disclosure	15
2. Form 1F - Final Form 1.....	19
3. Form 2 - Quarterly Client Disclosure	19
4. Form 6 - Full and Public Disclosure	20
5. Form 6F - Final Form 6.....	21
6. Form 9 - Quarterly Gift Disclosure	21
7. Form 10 - Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event-Related Expenses	22
8. Form 30 - Donor's Quarterly Gift Disclosure.....	23
9. Forms 1X and 6X – Amendments	24
IV. AVAILABILITY OF FORMS	24
V. PENALTIES	25
A. For Violations of the Code of Ethics	25
B. For Violations by Candidates	25
C. For Violations by Former Officers and Employees	25
D. For Lobbyists and Others.....	26
E. Felony Convictions: Forfeiture of Retirement Benefits	26
F. Automatic Penalties for Failure to File Annual Disclosure.....	26
VI. ADVISORY OPINIONS	27
A. Who Can Request an Opinion.....	27
B. How to Request an Opinion.....	27
C. How to Obtain Published Opinions.....	27
VII. COMPLAINTS.....	28
A. Citizen Involvement	28
B. Referrals.....	28
C. Confidentiality.....	28
D. How the Complaint Process Works	29
E. Dismissal of Complaint at Any Stage of Disposition	30
F. Statute of Limitations.....	30
VIII. EXECUTIVE BRANCH LOBBYING	30
IX. WHISTLE-BLOWER'S ACT	31
X. ADDITIONAL INFORMATION	32
XI. TRAINING	32

I. HISTORY OF FLORIDA'S ETHICS LAWS

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of citizens to protect the public trust against abuse. Our state Constitution was revised in 1968 to require a code of ethics, prescribed by law, for all state employees and non-judicial officers prohibiting conflict between public duty and private interests.

Florida's first successful constitutional initiative resulted in the adoption of the Sunshine Amendment in 1976, providing additional constitutional guarantees concerning ethics in government. In the area of enforcement, the Sunshine Amendment requires that there be an independent commission (the Commission on Ethics) to investigate complaints concerning breaches of public trust by public officers and employees other than judges.

The Code of Ethics for Public Officers and Employees is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people for their government. The Code is also intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service.

Criminal penalties, which initially applied to violations of the Code, were eliminated in 1974 in favor of administrative enforcement. The Legislature created the Commission on Ethics that year "to serve as guardian of the standards of conduct" for public officials, state and local. Five of the Commission's nine members are appointed by the Governor, and two each are appointed by the President of the Senate and Speaker of the House of Representatives. No more than five Commission members may be members of the same political party, and none may be lobbyists, or hold any public employment during their two-year terms of office. A chair is selected from among the members to serve a one-year term and may not succeed himself or herself.

II. ROLE OF THE COMMISSION ON ETHICS

In addition to its constitutional duties regarding the investigation of complaints, the Commission:

- Renders advisory opinions to public officials;
- Prescribes forms for public disclosure;
- Prepares mailing lists of public officials subject to financial disclosure for use by Supervisors of Elections and the Commission in distributing forms and notifying delinquent filers;
- Makes recommendations to disciplinary officials when appropriate for violations of ethics and disclosure laws, since it does not impose penalties;
- Administers the Executive Branch Lobbyist Registration and Reporting Law;
- Maintains financial disclosure filings of constitutional officers and state officers and employees; and,
- Administers automatic fines for public officers and employees who fail to timely file required annual financial disclosure.

III. THE ETHICS LAWS

The ethics laws generally consist of two types of provisions, those prohibiting certain actions or conduct and those requiring that certain disclosures be made to the public. The following descriptions of these laws have been simplified in an effort to provide notice of their requirements. Therefore, we suggest that you also review the wording of the actual law. Citations to the appropriate laws are in brackets.

The laws summarized below apply generally to all public officers and employees, state and local, including members of advisory bodies. The principal exception to this broad coverage is the exclusion of judges, as they fall within the jurisdiction of the Judicial Qualifications Commission.

Public Service Commission (PSC) members and employees, as well as members of the PSC Nominating Council, are subject to additional ethics standards that are enforced by the Commission on Ethics under Chapter 350, Florida Statutes. Further, members of the governing boards of charter schools are subject to some of the provisions of the Code of Ethics [Sec. 1002.33(26), Fla. Stat.], as are the officers, directors, chief executive officers and some employees of business entities that serve as the chief administrative or executive officer or employee of a political subdivision. [Sec. 112.3136, Fla. Stat.].

A. PROHIBITED ACTIONS OR CONDUCT

1. Solicitation and Acceptance of Gifts

Public officers, employees, local government attorneys, and candidates are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service, that is based on an understanding that their vote, official action, or judgment would be influenced by such gift. [Sec. 112.313(2), Fla. Stat.]

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** any gift from a political committee, lobbyist who has lobbied the official or his or her agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist or from a vendor doing business with the official's agency. [Sec. 112.3148, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees are prohibited from directly or indirectly **accepting** a gift worth more than \$100 from such a lobbyist, from a partner, firm, employer, or principal of the lobbyist, or from a political committee or vendor doing business with their agency. [Sec. 112.3148, Fla. Stat.]

However, notwithstanding Sec. 112.3148, Fla. Stat., no Executive Branch lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] Typically, this would include gifts valued at less than \$100 that formerly

were permitted under Section 112.3148, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

Also, persons required to file Form 1 or Form 6, and state procurement employees and members of their immediate families, are prohibited from accepting any gift from a political committee. [Sec. 112.31485, Fla. Stat.]

2. Unauthorized Compensation

Public officers or employees, local government attorneys, and their spouses and minor children are prohibited from accepting any compensation, payment, or thing of value when they know, or with the exercise of reasonable care should know, that it is given to influence a vote or other official action. [Sec. 112.313(4), Fla. Stat.]

3. Misuse of Public Position

Public officers and employees, and local government attorneys are prohibited from corruptly using or attempting to use their official positions or the resources thereof to obtain a special privilege or benefit for themselves or others. [Sec. 112.313(6), Fla. Stat.]

4. Abuse of Public Position

Public officers and employees are prohibited from abusing their public positions in order to obtain a disproportionate benefit for themselves or certain others. [Article II, Section 8(h), Florida Constitution.]

5. Disclosure or Use of Certain Information

Public officers and employees and local government attorneys are prohibited from disclosing or using information not available to the public and obtained by reason of their public position, for the personal benefit of themselves or others. [Sec. 112.313(8), Fla. Stat.]

6. *Solicitation or Acceptance of Honoraria*

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** honoraria related to their public offices or duties. [Sec. 112.3149, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees, are prohibited from knowingly **accepting** an honorarium from a political committee, lobbyist who has lobbied the person's agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist, or from a vendor doing business with the official's agency. However, they may accept the payment of expenses related to an honorarium event from such individuals or entities, provided that the expenses are disclosed. See Part III F of this brochure. [Sec. 112.3149, Fla. Stat.]

Lobbyists and their partners, firms, employers, and principals, as well as political committees and vendors, are prohibited from **giving** an honorarium to persons required to file FORM 1 or FORM 6 and to state procurement employees. Violations of this law may result in fines of up to \$5,000 and prohibitions against lobbying for up to two years. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no Executive Branch or legislative lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] This may include honorarium event related expenses that formerly were permitted under Sec. 112.3149, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

B. **PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS**

1. *Doing Business With One's Agency*

- a) A public employee acting as a purchasing agent, or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or

services for his or her agency from a business entity in which the officer or employee or his or her spouse or child owns more than a 5% interest. [Sec. 112.313(3), Fla. Stat.]

- b) A public officer or employee, acting in a private capacity, also is prohibited from renting, leasing, or selling any realty, goods, or services to his or her own agency if the officer or employee is a state officer or employee, or, if he or she is an officer or employee of a political subdivision, to that subdivision or any of its agencies. [Sec. 112.313(3), Fla. Stat.]

2. *Conflicting Employment or Contractual Relationship*

- a) A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with his or her public agency. [Sec. 112.313(7), Fla. Stat.]
- b) A public officer or employee also is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties. [Sec. 112.313(7), Fla. Stat.]
- c) Limited exceptions to this prohibition have been created in the law for legislative bodies, certain special tax districts, drainage districts, and persons whose professions or occupations qualify them to hold their public positions. [Sec. 112.313(7)(a) and (b), Fla. Stat.]

3. *Exemptions*—Pursuant to Sec. 112.313(12), Fla. Stat., the prohibitions against doing business with one's agency and having conflicting employment may not apply:

- a) When the business is rotated among all qualified suppliers in a city or county.
- b) When the business is awarded by sealed, competitive bidding and neither the official nor his or her spouse or child have attempted to persuade agency personnel to enter

the contract. NOTE: Disclosure of the interest of the official, spouse, or child and the nature of the business must be filed prior to or at the time of submission of the bid on Commission FORM 3A with the Commission on Ethics or Supervisor of Elections, depending on whether the official serves at the state or local level.

- c) When the purchase or sale is for legal advertising, utilities service, or for passage on a common carrier.
- d) When an emergency purchase must be made to protect the public health, safety, or welfare.
- e) When the business entity is the only source of supply within the political subdivision and there is full disclosure of the official's interest to the governing body on Commission FORM 4A.
- f) When the aggregate of any such transactions does not exceed \$500 in a calendar year.
- g) When the business transacted is the deposit of agency funds in a bank of which a county, city, or district official is an officer, director, or stockholder, so long as agency records show that the governing body has determined that the member did not favor his or her bank over other qualified banks.
- h) When the prohibitions are waived in the case of ADVISORY BOARD MEMBERS by the appointing person or by a two-thirds vote of the appointing body (after disclosure on Commission FORM 4A).
- i) When the public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.
- j) When the public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency where the price and terms of the transaction are available to similarly situated members of

the general public and the officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

4. *Additional Exemptions*

No elected public officer is in violation of the conflicting employment prohibition when employed by a tax exempt organization contracting with his or her agency so long as the officer is not directly or indirectly compensated as a result of the contract, does not participate in any way in the decision to enter into the contract, abstains from voting on any matter involving the employer, and makes certain disclosures. [Sec. 112.313(15), Fla. Stat.]

5. *Legislators Lobbying State Agencies*

A member of the Legislature is prohibited from representing another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals. [Art. II, Sec. 8(e), Fla. Const., and Sec. 112.313(9), Fla. Stat.]

6. *Additional Lobbying Restrictions for Certain Public Officers and Employees*

A statewide elected officer; a member of the legislature; a county commissioner; a county officer pursuant to Article VIII or county charter; a school board member; a superintendent of schools; an elected municipal officer; an elected special district officer in a special district with ad valorem taxing authority; or a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the federal government, the legislature, any state government body or agency, or any political subdivision of this state, during his or her term of office. [Art. II Sec 8(f)(2), Fla. Const. and Sec. 112.3121, Fla. Stat.]

7. *Employees Holding Office*

A public employee is prohibited from being a member of the governing body which serves as his or her employer. [Sec. 112.313(10), Fla. Stat.]

8. *Professional and Occupational Licensing Board Members*

An officer, director, or administrator of a state, county, or regional professional or occupational organization or association, while holding such position, may not serve as a member of a state examining or licensing board for the profession or occupation. [Sec. 112.313(11), Fla. Stat.]

9. *Contractual Services: Prohibited Employment*

A state employee of the executive or judicial branch who participates in the decision-making process involving a purchase request, who influences the content of any specification or procurement standard, or who renders advice, investigation, or auditing, regarding his or her agency's contract for services, is prohibited from being employed with a person holding such a contract with his or her agency. [Sec. 112.3185(2), Fla. Stat.]

10. *Local Government Attorneys*

Local government attorneys, such as the city attorney or county attorney, and their law firms are prohibited from representing private individuals and entities before the unit of local government which they serve. A local government attorney cannot recommend or otherwise refer to his or her firm legal work involving the local government unit unless the attorney's contract authorizes or mandates the use of that firm. [Sec. 112.313(16), Fla. Stat.]

11. *Dual Public Employment*

Candidates and elected officers are prohibited from accepting public employment if they know or should know it is being offered for the purpose of influence. Further, public employment may not be accepted unless the position was already in existence or was created without the anticipation of the official's interest, was publicly advertised, and the officer had to meet the same qualifications and go through the same hiring process as other applicants. For elected public officers already holding public employment, no promotion given for the purpose of influence may be accepted, nor may promotions that are inconsistent with those given other similarly situated employees. [Sec. 112.3125, Fla. Stat.]

C. RESTRICTIONS ON APPOINTING, EMPLOYING, AND CONTRACTING WITH RELATIVES

1. *Anti-Nepotism Law*

A public official is prohibited from seeking for a relative any appointment, employment, promotion, or advancement in the agency in which he or she is serving or over which the official exercises jurisdiction or control. No person may be appointed, employed, promoted, or advanced in or to a position in an agency if such action has been advocated by a related public official who is serving in or exercising jurisdiction or control over the agency; this includes relatives of members of collegial government bodies. NOTE: This prohibition does not apply to school districts (except as provided in Sec. 1012.23, Fla. Stat.), community colleges and state universities, or to appointments of boards, other than those with land-planning or zoning responsibilities, in municipalities of fewer than 35,000 residents. Also, the approval of budgets does not constitute “jurisdiction or control” for the purposes of this prohibition. This provision does not apply to volunteer emergency medical, firefighting, or police service providers. [Sec. 112.3135, Fla. Stat.]

2. *Additional Restrictions*

A state employee of the executive or judicial branch or the PSC is prohibited from directly or indirectly procuring contractual services for his or her agency from a business entity of which a relative is an officer, partner, director, or proprietor, or in which the employee, or his or her spouse, or children own more than a 5% interest. [Sec. 112.3185(6), Fla. Stat.]

D. POST OFFICE HOLDING AND EMPLOYMENT (REVOLVING DOOR) RESTRICTIONS

1. *Lobbying by Former Legislators, Statewide Elected Officers, and Appointed State Officers*

A member of the Legislature or a statewide elected or appointed state official is prohibited for two years following vacation of office from representing another person or entity for compensation before the government body or agency of which the individual was an officer or member. Former members of the Legislature are also prohibited for two years from lobbying the executive branch. [Art. II, Sec. 8(e), Fla. Const. and Sec. 112.313(9), Fla. Stat.]

2. *Lobbying by Former State Employees*

Certain employees of the executive and legislative branches of state government are prohibited from personally representing another person or entity for compensation before the agency with which they were employed for a period of two years after leaving their positions, unless employed by another agency of state government. [Sec. 112.313(9), Fla. Stat.] These employees include the following:

- a) Executive and legislative branch employees serving in the Senior Management Service and Selected Exempt Service, as well as any person employed by the Department of the Lottery having authority over policy or procurement.
- b) serving in the following position classifications: the Auditor General; the director of the Office of Program Policy Analysis and Government Accountability (OPPAGA); the Sergeant at Arms and Secretary of the Senate; the Sergeant at Arms and Clerk of the House of Representatives; the executive director and deputy executive director of the Commission on Ethics; an executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, legislative analyst, or attorney serving in the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, the Senate Minority Party Office, the House Majority Party Office, or the House Minority Party Office; the Chancellor and Vice-Chancellors of the State University System; the general counsel to the Board of Regents; the president, vice presidents, and deans of each state university; any person hired on a contractual basis and having the power normally conferred upon such persons, by whatever title; and any person having the power normally conferred upon the above positions.

This prohibition does not apply to a person who was employed by the Legislature or other agency prior to July 1, 1989; who was a defined employee of the State University System or the Public Service Commission who held such employment on December 31, 1994; or who reached normal retirement age and retired by July 1, 1991. It does apply to OPS employees.

PENALTIES: Persons found in violation of this section are subject to the penalties contained in the Code (see PENALTIES, Part V) as well as a civil penalty in an amount equal to the compensation which the person received for the prohibited conduct. [Sec. 112.313(9)(a)5, Fla. Stat.]

3. *6-Year Lobbying Ban*

For a period of six years after vacation of public position occurring on or after December 31, 2022, a statewide elected officer or member of the legislature shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature or any state government body or agency. [Art. II Sec 8(f)(3)a., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature, the governor, the executive office of the governor, members of the cabinet, a department that is headed by a member of the cabinet, or his or her former department. [Art. II Sec 8(f)(3)b., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a county commissioner, a county officer pursuant to Article VIII or county charter, a school board member, a superintendent of schools, an elected municipal officer, or an elected special district officer in a special district with ad valorem taxing authority shall not lobby for compensation on issues of policy, appropriations, or procurement before his or her former agency or governing body. [Art. II Sec 8(f)(3)c., Fla. Const. and Sec. 112.3121, Fla. Stat.]

4. *Additional Restrictions on Former State Employees*

A former executive or judicial branch employee or PSC employee is prohibited from having employment or a contractual relationship, at any time after retirement or termination of employment, with any business entity (other than a public agency) in connection with a contract in which the employee participated personally and substantially by recommendation or decision while a public employee. [Sec. 112.3185(3), Fla. Stat.]

A former executive or judicial branch employee or PSC employee who has retired or terminated employment is prohibited from having any employment or contractual relationship for two years with any business entity (other than a public agency) in connection with a contract for services which was within his or her responsibility while serving as a state employee. [Sec.112.3185(4), Fla. Stat.]

Unless waived by the agency head, a former executive or judicial branch employee or PSC employee may not be paid more for contractual services provided by him or her to the former agency during the first year after leaving the agency than his or her annual salary before leaving. [Sec. 112.3185(5), Fla. Stat.]

These prohibitions do not apply to PSC employees who were so employed on or before Dec. 31, 1994.

5. *Lobbying by Former Local Government Officers and Employees*

A person elected to county, municipal, school district, or special district office is prohibited from representing another person or entity for compensation before the government body or agency of which he or she was an officer for two years after leaving office. Appointed officers and employees of counties, municipalities, school districts, and special districts may be subject to a similar restriction by local ordinance or resolution. [Sec. 112.313(13) and (14), Fla. Stat.]

E. VOTING CONFLICTS OF INTEREST

State public officers are prohibited from voting in an official capacity on any measure which they know would inure to their own special private gain or loss. A state public officer who abstains, or who votes on a measure which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, must make every reasonable effort to file a memorandum of voting conflict with the recording secretary in advance of the vote. If that is not possible, it must be filed within 15 days after the vote occurs. The memorandum must disclose the nature of the officer's interest in the matter.

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter. However, members of community redevelopment agencies and district officers elected on a one-acre, one-vote basis are not required to abstain when voting in that capacity.

No appointed state or local officer shall participate in any matter which would inure to the officer's special private gain or loss, the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, without first disclosing the nature of his or her interest in the matter. The memorandum of voting conflict (Commission Form 8A or 8B) must be filed with the meeting's recording officer, be provided to the other members of the agency, and be read publicly at the next meeting.

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency, with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

F. DISCLOSURES

Conflicts of interest may occur when public officials are in a position to make decisions that affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens to monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.

All public officials and candidates do not file the same degree of disclosure; nor do they all file at the same time or place. Thus, care must be taken to determine which disclosure forms a particular official or candidate is required to file.

The following forms are described below to set forth the requirements of the various disclosures and the steps for correctly providing the information in a timely manner.

1. *FORM 1 - Limited Financial Disclosure*

Who Must File:

Persons required to file FORM 1 include all state officers, local officers, candidates for local elective office, and specified state employees as defined below (other than those officers who are required by law to file FORM 6).

STATE OFFICERS include:

- 1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; directors of Enterprise Florida, Scripps Florida Funding Corporation, and CareerSource Florida, and members of the Council on the Social Status of Black Men and Boys; the Executive Director, governors, and senior managers of Citizens Property Insurance Corporation; governors and senior managers of Florida Workers' Compensation Joint Underwriting Association, board members of the Northeast Florida Regional Transportation Commission, and members of the board of Triumph Gulf Coast, Inc.; members of the board of Florida is

for Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

- 3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, local boards of trustees and presidents of state universities, and members of the Florida Prepaid College Board.

LOCAL OFFICERS include:

- 1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a planning or zoning board, board of adjustments or appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.
- 3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
- 4) Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other

political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

- 5) Members of governing boards of charter schools operated by a city or other public entity.
- 6) The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision. [Sec. 112.3136, Fla. Stat.]

SPECIFIED STATE EMPLOYEE includes:

- 1) Employees in the Office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
- 2) The following positions in each state department, commission, board, or council: secretary or state surgeon general, assistant or deputy secretary, executive director, assistant or deputy executive director, and anyone having the power normally conferred upon such persons, regardless of title.
- 3) The following positions in each state department or division: director, assistant or deputy director, bureau chief, assistant bureau chief, and any person having the power normally conferred upon such persons, regardless of title.

- 4) Assistant state attorneys, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, public counsel, full-time state employees serving as counsel or assistant counsel to a state agency, judges of compensation claims, administrative law judges, and hearing officers.
- 5) The superintendent or director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
- 6) State agency business managers, finance and accounting directors, personnel officers, grant coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
- 7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

What Must Be Disclosed:

FORM 1 requirements are set forth fully on the form. In general, this includes the reporting person's sources and types of financial interests, such as the names of employers and addresses of real property holdings. NO DOLLAR VALUES ARE REQUIRED TO BE LISTED. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

When to File:

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

STATE and LOCAL OFFICERS and SPECIFIED STATE EMPLOYEES are required to file disclosure by July 1 of each year. They also must file within thirty days from the date of appointment or the beginning of employment. Those appointees requiring Senate confirmation must file prior to confirmation.

Where to File:

File with the Commission on Ethics. [Sec. 112.3145, Fla. Stat.]

Beginning January 1, 2024, all Form 1 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name or organization on the Commission's website.

2. *FORM 1F - Final Form 1 Limited Financial Disclosure*

FORM 1F is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 1 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

3. *FORM 2 - Quarterly Client Disclosure*

The state officers, local officers, and specified state employees listed above, as well as elected constitutional officers, must file a FORM 2 if they or a partner or associate of their professional firm represent a client for compensation before an agency at their level of government.

A FORM 2 disclosure includes the names of clients represented by the reporting person or by any partner or associate of his or her professional firm for a fee or commission before agencies at the reporting person's level of government. Such representations do not include appearances in ministerial matters, appearances before judges of compensation claims, or representations on behalf of one's agency in one's official capacity. Nor does the term include the preparation and filing of forms and applications merely for the purpose of obtaining or transferring a license, so long as the

issuance of the license does not require a variance, special consideration, or a certificate of public convenience and necessity.

When to File:

This disclosure should be filed quarterly, by the end of the calendar quarter following the calendar quarter during which a reportable representation was made. FORM 2 need not be filed merely to indicate that no reportable representations occurred during the preceding quarter; it should be filed ONLY when reportable representations were made during the quarter.

Where To File:

File with the Commission on Ethics. [Sec. 112.3145(4), Fla. Stat.]

Beginning January 1, 2024, all Form 2 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable on the Commission's website.

4. *FORM 6 - Full and Public Disclosure*

Who Must File:

Persons required by law to file FORM 6 include all elected constitutional officers and candidates for such office; the mayor and members of a city council and candidates for these offices; the Duval County Superintendent of Schools; judges of compensation claims (pursuant to Sec. 440.442, Fla. Stat.); members of the Florida Housing Finance Corporation Board and members of expressway authorities, transportation authorities (except the Jacksonville Transportation Authority), bridge authority, or toll authorities created pursuant to Ch. 348 or 343, or 349, or other general law.

What Must be Disclosed:

FORM 6 is a detailed disclosure of assets, liabilities, and sources of income over \$1,000 and their values, as well as net worth. Officials may opt to file their most recent income tax return in lieu of listing sources of income but still must disclose their assets, liabilities, and net worth. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

When and Where To File:

Officials must file FORM 6 annually by July 1 with the Commission on Ethics.

Beginning January 1, 2023, all Form 6 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name and organization on the Commission's website.

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

5. *FORM 6F - Final Form 6 Full and Public Disclosure*

This is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 6 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

6. *FORM 9 - Quarterly Gift Disclosure*

Each person required to file FORM 1 or FORM 6, and each state procurement employee, must file a FORM 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of any calendar quarter following the calendar quarter in which he or she received a gift worth more than \$100, other

than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business or employment, and gifts otherwise required to be disclosed. FORM 9 NEED NOT BE FILED if no such gift was received during the calendar quarter.

Information to be disclosed includes a description of the gift and its value, the name and address of the donor, the date of the gift, and a copy of any receipt for the gift provided by the donor. [Sec. 112.3148, Fla. Stat.]

7. FORM 10 - Annual Disclosure of Gifts from Government Agencies and Direct-Support Organizations and Honorarium Event Related Expenses

State government entities, airport authorities, counties, municipalities, school boards, water management districts, and the South Florida Regional Transportation Authority, may give a gift worth more than \$100 to a person required to file FORM 1 or FORM 6, and to state procurement employees, if a public purpose can be shown for the gift. Also, a direct-support organization for a governmental entity may give such a gift to a person who is an officer or employee of that entity. These gifts are to be reported on FORM 10, to be filed by July 1.

The governmental entity or direct-support organization giving the gift must provide the officer or employee with a statement about the gift no later than March 1 of the following year. The officer or employee then must disclose this information by filing a statement by July 1 with his or her annual financial disclosure that describes the gift and lists the donor, the date of the gift, and the value of the total gifts provided during the calendar year. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3148, Fla. Stat.]

In addition, a person required to file FORM 1 or FORM 6, or a state procurement employee, who receives expenses or payment of expenses related to an honorarium event from someone who is prohibited from giving him or her an honorarium, must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on FORM 10. The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of the honorarium event.

The disclosure must be filed by July 1, for expenses received during the previous calendar year, with the officer's or employee's FORM 1 or FORM 6. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no executive branch or legislative lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts or honorarium event related expenses that formerly were permitted under Sections 112.3148 and 112.3149. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts, which include anything not primarily related to political activities authorized under ch. 106, are prohibited from political committees. [Sec. 112.31485 Fla. Stat.]

8. FORM 30 - Donor's Quarterly Gift Disclosure

As mentioned above, the following persons and entities generally are prohibited from giving a gift worth more than \$100 to a reporting individual (a person required to file FORM 1 or FORM 6) or to a state procurement employee: a political committee; a lobbyist who lobbies the reporting individual's or procurement employee's agency, and the partner, firm, employer, or principal of such a lobbyist; and vendors. If such person or entity makes a gift worth between \$25 and \$100 to a reporting individual or state procurement employee (that is not accepted in behalf of a governmental entity or charitable organization), the gift should be reported on FORM 30. The donor also must notify the recipient at the time the gift is made that it will be reported.

The FORM 30 should be filed by the last day of the calendar quarter following the calendar quarter in which the gift was made. If the gift was made to an individual in the legislative branch, FORM 30 should be filed with the Lobbyist Registrar. [See page 35 for address.] If the gift was to any other reporting individual or state procurement employee, FORM 30 should be filed with the Commission on Ethics.

However, notwithstanding Section 112.3148, Fla. Stat., no executive branch lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts that formerly were permitted under Section 112.3148. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts from political committees are prohibited. [Sec. 112.31485, Fla. Stat.]

9. *FORM 1X AND FORM 6X - Amendments to Form 1 and Form 6*

These forms are provided for officers or employees to amend their previously filed Form 1 or Form 6.

IV. AVAILABILITY OF FORMS

Beginning January 1, 2024, LOCAL OFFICERS and EMPLOYEES, and OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file FORM 1 annually must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

ELECTED CONSTITUTIONAL OFFICERS and other officials who must file Form 6 annually, including City Commissioners and Mayors, must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

V. PENALTIES

A. Non-criminal Penalties for Violation of the Sunshine Amendment and the Code of Ethics

There are no criminal penalties for violation of the Sunshine Amendment and the Code of Ethics. Penalties for violation of these laws may include: impeachment, removal from office or employment, suspension, public censure, reprimand, demotion, reduction in salary level, forfeiture of no more than one-third salary per month for no more than twelve months, a civil penalty not to exceed \$10,000*, and restitution of any pecuniary benefits received, and triple the value of a gift from a political committee.

B. Penalties for Candidates

CANDIDATES for public office who are found in violation of the Sunshine Amendment or the Code of Ethics may be subject to one or more of the following penalties: disqualification from being on the ballot, public censure, reprimand, or a civil penalty not to exceed \$10,000*, and triple the value of a gift received from a political committee.

C. Penalties for Former Officers and Employees

FORMER PUBLIC OFFICERS or EMPLOYEES who are found in violation of a provision applicable to former officers or employees or whose violation occurred prior to such officer's or employee's leaving public office or employment may be subject to one or more of the following penalties: public censure and reprimand, a civil penalty not to exceed \$10,000*, and restitution of any pecuniary benefits received, and triple the value of a gift received from a political committee.

*Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]

D. Penalties for Lobbyists and Others

An executive branch lobbyist who has failed to comply with the Executive Branch Lobbying Registration law (see Part VIII) may be fined up to \$5,000, reprimanded, censured, or prohibited from lobbying executive branch agencies for up to two years. Lobbyists, their employers, principals, partners, and firms, and political committees and committees of continuous existence who give a prohibited gift or honorarium or fail to comply with the gift reporting requirements for gifts worth between \$25 and \$100, may be penalized by a fine of not more than \$5,000 and a prohibition on lobbying, or employing a lobbyist to lobby, before the agency of the public officer or employee to whom the gift was given for up to two years. Any agent or person acting on behalf of a political committee giving a prohibited gift is personally liable for a civil penalty of up to triple the value of the gift.

Executive Branch lobbying firms that fail to timely file their quarterly compensation reports may be fined \$50 per day per report for each day the report is late, up to a maximum fine of \$5,000 per report.

E. Felony Convictions: Forfeiture of Retirement Benefits

Public officers and employees are subject to forfeiture of all rights and benefits under the retirement system to which they belong if convicted of certain offenses. The offenses include embezzlement or theft of public funds; bribery; felonies specified in Chapter 838, Florida Statutes; impeachable offenses; and felonies committed with intent to defraud the public or their public agency. [Sec. 112.3173, Fla. Stat.]

F. Automatic Penalties for Failure to File Annual Disclosure

Public officers and employees required to file either Form 1 or Form 6 annual financial disclosure are subject to automatic fines of \$25 for each day late the form is filed after September 1, up to a maximum penalty of \$1,500. [Sec. 112.3144 and 112.3145, Fla. Stat.]

VI. ADVISORY OPINIONS

Conflicts of interest may be avoided by greater awareness of the ethics laws on the part of public officials and employees through advisory assistance from the Commission on Ethics.

A. *Who Can Request an Opinion*

Any public officer, candidate for public office, or public employee in Florida who is in doubt about the applicability of the standards of conduct or disclosure laws to himself or herself, or anyone who has the power to hire or terminate another public employee, may seek an advisory opinion from the Commission about himself or herself or that employee.

B. *How to Request an Opinion*

Opinions may be requested by letter presenting a question based on a real situation and including a detailed description of the situation. Opinions are issued by the Commission and are binding on the conduct of the person who is the subject of the opinion, unless material facts were omitted or misstated in the request for the opinion. Published opinions will not bear the name of the persons involved unless they consent to the use of their names; however, the request and all information pertaining to it is a public record, made available to the Commission and to members of the public in advance of the Commission's consideration of the question.

C. *How to Obtain Published Opinions*

All of the Commission's opinions are available for viewing or download at its website:
www.ethics.state.fl.us.

VII. COMPLAINTS

A. Citizen Involvement

The Commission on Ethics cannot conduct investigations of alleged violations of the Sunshine Amendment or the Code of Ethics unless a person files a sworn complaint with the Commission alleging such violation has occurred, or a referral is received, as discussed below.

If you have knowledge that a person in government has violated the standards of conduct or disclosure laws described above, you may report these violations to the Commission by filing a sworn complaint on the form prescribed by the Commission and available for download at www.ethics.state.fl.us. The Commission is unable to take action based on learning of such misdeeds through newspaper reports, telephone calls, or letters.

You can download a complaint form (FORM 50) from the Commission's website: www.ethics.state.fl.us, or contact the Commission office at the address or phone number shown on the inside front cover of this booklet.

B. Referrals

The Commission may accept referrals from: the Governor, the Florida Department of Law Enforcement, a State Attorney, or a U.S. Attorney. A vote of six of the Commission's nine members is required to proceed on such a referral.

C. Confidentiality

The complaint or referral, as well as all proceedings and records relating thereto, is confidential until the accused requests that such records be made public or until the matter reaches a stage in the Commission's proceedings where it becomes public. This means that unless the Commission receives a written waiver of confidentiality from the accused, the Commission is not free to release any documents or to comment on a complaint or referral to members of the public or press, so long as the complaint or referral remains in a confidential stage.

A COMPLAINT OR REFERRAL MAY NOT BE FILED WITH RESPECT TO A CANDIDATE ON THE DAY OF THE ELECTION, OR WITHIN THE 30 CALENDAR DAYS PRECEDING THE ELECTION DATE, UNLESS IT IS BASED ON PERSONAL INFORMATION OR INFORMATION OTHER THAN HEARSAY.

D. How the Complaint Process Works

Complaints which allege a matter within the Commission's jurisdiction are assigned a tracking number and Commission staff forwards a copy of the original sworn complaint to the accused within five working days of its receipt. Any subsequent sworn amendments to the complaint also are transmitted within five working days of their receipt.

Once a complaint is filed, it goes through three procedural stages under the Commission's rules. The first stage is a determination of whether the allegations of the complaint are legally sufficient: that is, whether they indicate a possible violation of any law over which the Commission has jurisdiction. If the complaint is found not to be legally sufficient, the Commission will order that the complaint be dismissed without investigation, and all records relating to the complaint will become public at that time.

In cases of very minor financial disclosure violations, the official will be allowed an opportunity to correct or amend his or her disclosure form. Otherwise, if the complaint is found to be legally sufficient, a preliminary investigation will be undertaken by the investigative staff of the Commission. The second stage of the Commission's proceedings involves this preliminary investigation and a decision by the Commission as to whether there is probable cause to believe that there has been a violation of any of the ethics laws. If the Commission finds no probable cause to believe there has been a violation of the ethics laws, the complaint will be dismissed and will become a matter of public record. If the Commission finds probable cause to believe there has been a violation of the ethics laws, the complaint becomes public and usually enters the third stage of proceedings. This stage requires the Commission to decide whether the law was actually violated and, if so, whether a penalty should be recommended. At this stage, the accused has the right to request a public hearing (trial) at which evidence is presented, or the Commission may order that such a hearing be held. Public hearings usually are held in or near the area where the alleged violation occurred.

When the Commission concludes that a violation has been committed, it issues a public report of its findings and may recommend one or more penalties to the appropriate disciplinary body or official.

When the Commission determines that a person has filed a complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations, the complainant will be liable for costs plus reasonable attorney's fees incurred by the person complained against. The Department of Legal Affairs may bring a civil action to recover such fees and costs, if they are not paid voluntarily within 30 days.

E. Dismissal of Complaints At Any Stage of Disposition

The Commission may, at its discretion, dismiss any complaint at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the Commission will issue a public report stating with particularity its reasons for the dismissal. [Sec. 112.324(12), Fla. Stat.]

F. Statute of Limitations

All sworn complaints alleging a violation of the Sunshine Amendment or the Code of Ethics must be filed with the Commission within five years of the alleged violation or other breach of the public trust. Time starts to run on the day AFTER the violation or breach of public trust is committed. The statute of limitations is tolled on the day a sworn complaint is filed with the Commission. If a complaint is filed and the statute of limitations has run, the complaint will be dismissed. [Sec. 112.3231, Fla. Stat.]

VIII. EXECUTIVE BRANCH LOBBYING

Any person who, for compensation and on behalf of another, lobbies an agency of the executive branch of state government with respect to a decision in the area of policy or procurement may be required to register as an executive branch lobbyist. Registration is required before lobbying an agency and is renewable annually. In addition, each lobbying firm must file a compensation report

with the Commission for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. As noted above, no executive branch lobbyist or principal can make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 can knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.]

Paying an executive branch lobbyist a contingency fee based upon the outcome of any specific executive branch action, and receiving such a fee, is prohibited. A violation of this prohibition is a first degree misdemeanor, and the amount received is subject to forfeiture. This does not prohibit sales people from receiving a commission. [Sec. 112.3217, Fla. Stat.]

Executive branch departments, state universities, community colleges, and water management districts are prohibited from using public funds to retain an executive branch (or legislative branch) lobbyist, although these agencies may use full-time employees as lobbyists. [Sec. 11.062, Fla. Stat.]

Online registration and filing is available at www.floridalobbyist.gov. Additional information about the executive branch lobbyist registration system may be obtained by contacting the Lobbyist Registrar at the following address:

Executive Branch Lobbyist Registration
Room G-68, Claude Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1425
Phone: 850/922-4990

IX. WHISTLE-BLOWER'S ACT

In 1986, the Legislature enacted a "Whistle-blower's Act" to protect employees of agencies and government contractors from adverse personnel actions in retaliation for disclosing information in a sworn complaint alleging certain types of improper activities. Since then, the Legislature has revised this law to afford greater protection to these employees.

While this language is contained within the Code of Ethics, the Commission has no jurisdiction or authority to proceed against persons who violate this Act. Therefore, a person who has disclosed information alleging improper conduct governed by this law and who may suffer adverse consequences as a result should contact one or more of the following: the Office of the Chief Inspector General in the Executive Office of the Governor; the Department of Legal Affairs; the Florida Commission on Human Relations; or a private attorney. [Sec. 112.3187 - 112.31895, Fla. Stat.]

X. ADDITIONAL INFORMATION

As mentioned above, we suggest that you review the language used in each law for a more detailed understanding of Florida's ethics laws. The "Sunshine Amendment" is Article II, Section 8, of the Florida Constitution. The Code of Ethics for Public Officers and Employees is contained in Part III of Chapter 112, Florida Statutes.

Additional information about the Commission's functions and interpretations of these laws may be found in Chapter 34 of the Florida Administrative Code, where the Commission's rules are published, and in The Florida Administrative Law Reports, which until 2005 published many of the Commission's final orders. The Commission's rules, orders, and opinions also are available at www.ethics.state.fl.us.

If you are a public officer or employee concerned about your obligations under these laws, the staff of the Commission will be happy to respond to oral and written inquiries by providing information about the law, the Commission's interpretations of the law, and the Commission's procedures.

XI. TRAINING

Constitutional officers, elected municipal officers, commissioners of community redevelopment agencies (CRAs), and commissioners of community development districts are required to receive a total of four hours training, per calendar year, in the area of ethics, public

records, and open meetings. The Commission on Ethics does not track compliance or certify providers. Officials indicate their compliance with the training requirement when they file their annual Form 1 or Form 6.

Visit the training page on the Commission's website for up-to-date rules, opinions, audio/video training, and opportunities for live training conducted by Commission staff.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

3D

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY COUNTY	☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
	MY POSITION IS: ☐ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a “relative” includes only the officer’s father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A “business associate” means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____ :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____ , by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

4

RESOLUTION 2024-08

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DISTRICT
COMMUNITY DEVELOPMENT THE DISTRICT ELECTING AND
REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN
EFFECTIVE DATE.**

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

WHEREAS, the District’s Board of Supervisors desires to elect and remove Officers of the District.

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

SECTION 1. The following is/are elected as Officer(s) of the District effective August 19, 2024:

_____ is elected Chair

_____ is elected Vice Chair

_____ is elected Assistant Secretary

_____ is elected Assistant Secretary

_____ is elected Assistant Secretary

SECTION 2. The following Officer(s) shall be removed as Officer(s) as of August 19, 2024:

Jay Dodson Assistant Secretary

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

SECTION 3. The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Cindy Cerbone is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

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

ATTEST:

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

5

THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
September 30, 2023

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
September 30, 2023

CONTENTS

	<u>PAGE</u>
Independent Auditors' Report.....	1-3
Management's Discussion and Analysis	4-8
Government-wide Financial Statements:	
Statement of Net Position	9
Statement of Activities.....	10
Fund Financial Statements:	
Balance Sheet – Governmental Funds	11
Reconciliation of Total Governmental Fund Balances to Net Position of Governmental Activities	12
Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds	13
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities	14
Notes to the Financial Statements.....	15-25
Required Supplementary Information	
Statement of Revenues and Expenditures – Budget and Actual – General Fund.....	26
Notes to Required Supplementary Information	27
Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	28-29
Independent Auditor's Report on Compliance with the Requirements of Section 218.415, Florida Statutes, Required by Rule 10.556 (10) of the Auditor General of the State of Florida	30
Auditor's Management Letter Required by Chapter 10.550, Florida Statutes	31-33

INDEPENDENT AUDITORS' REPORT

To the Board of Supervisors
The District Community Development District
City of Jacksonville, Florida

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of The District Community Development District, City of Jacksonville, Florida ("District") as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of September 30, 2023, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions.

Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, we have also issued our report dated June 24, 2024, on our consideration of The District Community Development District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, rules, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering the District's internal control over financial reporting and compliance.

Report on Other Legal and Regulatory Requirements

We have also issued our report dated June 24, 2024 on our consideration of the District's compliance with requirements of Section 218.415, Florida Statutes, as required by Rule 10.556(10) of the Auditor General of the State of Florida. The purpose of that report is to provide an opinion based on our examination conducted in accordance with attestation Standards established by the American Institute of Certified Public Accountants.

DiBartolomeo, McBee, Hartley & Barnes

DiBartolomeo, McBee, Hartley & Barnes, P.A.

Fort Pierce, Florida

June 24, 2024

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

Our discussion and analysis of The District Community Development District, City of Jacksonville, Florida ("District") financial performance provides an overview of the District's financial activities for the fiscal year ended September 30, 2023. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

FINANCIAL HIGHLIGHTS

- The assets of the District exceeded its liabilities at the close of the most recent fiscal year resulting in a net position of \$710,443.
- The change in the District's total net position in comparison with the prior fiscal year was (\$869,292), a decrease. The key components of the District's net position and change in net position are reflected in the table in the government-wide financial analysis section.
- At September 30, 2023, the District's governmental funds reported combined ending fund balances of \$7,366,288.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as the introduction to the District's financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all the District's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

The government-wide financial statements include all governmental activities that are principally supported by special assessment revenues. The District does not have any business-type activities. The governmental activities of the District include the general government (management) and maintenance and operations.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund category: governmental funds.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions.

Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balance provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains three individual governmental funds for external reporting. Information is presented in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, debt service fund, and capital projects fund. All funds are major funds. The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

GOVERNMENT WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of an entity's financial position. In the case of the District, assets exceeded liabilities at the close of the most recent fiscal year. A portion of the District's net position reflects its investment in capital assets (e.g. land, land improvements and infrastructure). These assets are used to provide services to residents; consequently, these assets are not available for future spending. The remaining balance of unrestricted net position may be used to meet the District's other obligations.

Key components of net position were as follows:

	Statement of Net Position	
	2023	2022
Current assets	\$ 9,459,096	\$ 22,447,931
Capital assets	40,917,157	25,851,640
Total assets	50,376,253	48,299,571
Current liabilities	2,464,787	3,228,813
Long-term liabilities	47,201,023	43,491,023
Total liabilities	49,665,810	46,719,836
Net position		
Net invested in capital assets	(8,211,964)	(17,965,849)
Restricted for capital projects	5,133,205	14,526,887
Restricted for debt service	3,832,063	5,025,951
Unrestricted	(42,861)	(7,254)
Total net position	\$ 710,443	\$ 1,579,735

The District's net position decreased during the most recent fiscal year. The majority of the change represents the degree to which the ongoing cost of operations exceeded program revenues.

Key elements of the District's change in net position are reflected in the following table:

	Change in Net Position	
	2023	2022
Program revenues	\$ 156,251	\$ 4,278,645
General revenues	663,724	79,800
Total revenues	819,975	4,358,445
Expenses		
General government	160,257	144,732
Physical environment	-	7,500
Interest on long-term debt	1,353,450	2,013,529
Cost of issuance	175,560	254,738
Total expenses	1,689,267	2,420,499
Change in net position	(869,292)	1,937,946
Net position - beginning of year	1,579,735	(358,211)
Net position - end of year	\$ 710,443	\$ 1,579,735

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2023 was \$1,689,267, which consisted of interest on long-term debt, cost of issuance and costs associated with constructed and maintaining certain capital improvements. The costs of the District's activities were funded by special assessments and developer contributions.

GENERAL BUDGETING HIGHLIGHTS

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2023. The general fund had a deficit for the fiscal year ended September 30, 2023.

The variance between budgeted and actual general fund revenues is considered significant. The actual general fund expenditures for the current fiscal year were lower than budgeted amounts due primarily to anticipated costs which were not incurred in the current fiscal year.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At September 30, 2023, the District had \$40,917,157 in construction in process. Construction in process has not completed as of September 30, 2023 and therefore is not depreciated to date. Once projects are complete, items will transfer to depreciable assets. More detailed information about the District's capital assets is presented in the notes of the financial statements.

Capital Debt

At September 30, 2023, the District had \$47,201,023 in Bonds outstanding for its governmental activities. More detailed information about the District's capital debt is presented in the accompanying notes to the financial statements.

ECONOMIC FACTORS, NEXT YEAR'S BUDGET AND OTHER INFORMATION

For the fiscal year 2024, the District anticipates that the cost of general operations will remain fairly constant. In connection with the District's future infrastructure maintenance and replacement plan, the District Board has included in the budget, an estimate of those anticipated future costs and has assigned a portion of current available resources for that purpose.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

MANAGEMENT'S DISCUSSION AND ANALYSIS

September 30, 2023

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, land owners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact The District Community Development District's Finance Department at 2300 Glades Road, Suite 410W, Boca Raton, FL 33431.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

STATEMENT OF NET POSITION

September 30, 2023

	GOVERNMENTAL ACTIVITIES
ASSETS	
Cash and cash equivalents	\$ 200,374
Accounts receivable	29,245
Due from other governmental units	8,871
Prepaid items	6,228
Restricted assets:	
Investments	9,214,378
Capital assets:	
Non-depreciable	40,917,157
TOTAL ASSETS	\$ 50,376,253
LIABILITIES	
Accounts payable and accrued expenses	\$ 1,267,831
Retainage payable	709,772
Developer advance	85,960
Deferred revenue	29,245
Accrued interest payable	371,979
Bonds payable, due in more than one year	47,201,023
TOTAL LIABILITIES	49,665,810
NET POSITION	
Net investment in capital assets	(8,211,964)
Restricted for:	
Capital projects	5,133,205
Debt service	3,832,063
Unrestricted	(42,861)
TOTAL NET POSITION	\$ 710,443

The accompanying notes are an integral part of this financial statement

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

STATEMENT OF ACTIVITIES Year Ended September 30, 2023

Functions/Programs	Expenses	Program Revenues		Net (Expense) Revenues and Changes in Net Position
		Charges for Services	Operating Contributions	Governmental Activities
Governmental activities				
General government	\$ 160,257	\$ -	\$ 124,259	\$ (35,998)
Interest on long-term debt	1,353,450	-	31,992	(1,321,458)
Cost of issuance	175,560	-	-	(175,560)
Total governmental activities	<u>\$ 1,689,267</u>	<u>\$ -</u>	<u>\$ 156,251</u>	<u>(1,533,016)</u>
General revenues:				
Investment earnings				631,383
Miscellaneous income				32,341
Total general revenues				<u>663,724</u>
Change in net position				<u>(869,292)</u>
Net position - October 1, 2022				<u>1,579,735</u>
Net position - September 30, 2023				<u>\$ 710,443</u>

The accompanying notes are an integral part of this financial statement

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET – GOVERNMENTAL FUNDS
September 30, 2023

	MAJOR FUNDS			TOTAL GOVERNMENTAL FUNDS
	GENERAL	DEBT SERVICE	CAPITAL PROJECTS	
<u>ASSETS</u>				
Cash and cash equivalents	\$ 41,890	\$ -	\$ 158,484	\$ 200,374
Accounts receivable	29,245	-	-	29,245
Due from other governmental units	600	-	8,271	8,871
Prepaid items	6,228	-	-	6,228
Restricted assets:				
Investments	-	4,247,928	4,966,450	9,214,378
TOTAL ASSETS	<u>\$ 77,963</u>	<u>\$ 4,247,928</u>	<u>\$ 5,133,205</u>	<u>\$ 9,459,096</u>
<u>LIABILITIES AND FUND BALANCES</u>				
LIABILITIES				
Accounts payable and accrued expenses	\$ 49,505	\$ -	\$ 1,218,326	\$ 1,267,831
Retainage payable	-	-	709,772	709,772
Developer advance	42,074	43,886	-	85,960
Deferred revenue	29,245	-	-	29,245
TOTAL LIABILITIES	<u>120,824</u>	<u>43,886</u>	<u>1,928,098</u>	<u>2,092,808</u>
FUND BALANCES				
Nonspendable:				
Prepaid items	6,228	-	-	6,228
Restricted for:				
Debt service	-	4,204,042	-	4,204,042
Capital projects	-	-	3,205,107	3,205,107
Unassigned	(49,089)	-	-	(49,089)
TOTAL FUND BALANCES	<u>(42,861)</u>	<u>4,204,042</u>	<u>3,205,107</u>	<u>7,366,288</u>
TOTAL LIABILITIES AND FUND BALANCES	<u>\$ 77,963</u>	<u>\$ 4,247,928</u>	<u>\$ 5,133,205</u>	<u>\$ 9,459,096</u>

The accompanying notes are an integral part of this financial statement

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
RECONCILIATION OF TOTAL GOVERNMENTAL FUND BALANCES
TO NET POSITION OF GOVERNMENTAL ACTIVITIES
September 30, 2023

Total Governmental Fund Balances in the Balance Sheet	\$ 7,366,288
Amount reported for governmental activities in the Statement of Net Assets are different because:	
Capital asset used in governmental activities are not financial resources and therefore are not reported in the governmental funds:	
Governmental capital assets	40,917,157
Certain liabilities are not due and payable in the current period and therefore are not reported in the funds:	
Accrued interest payable	(371,979)
Original issue discount	548,977
Governmental bonds payable	(47,750,000)
Net Position of Governmental Activities	<u><u>\$ 710,443</u></u>

The accompanying notes are an integral part of this financial statement

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCES – GOVERNMENTAL FUNDS
Year Ended September 30, 2023

	MAJOR FUNDS			TOTAL
	GENERAL	DEBT SERVICE	CAPITAL PROJECTS	GOVERNMENTAL FUNDS
REVENUES				
Developer contributions	\$ 124,259	\$ -	\$ -	\$ 124,259
Miscellaneous revenue	-	19,313	13,028	32,341
Investment earnings	392	184,134	446,857	631,383
TOTAL REVENUES	<u>124,651</u>	<u>203,447</u>	<u>459,885</u>	<u>787,983</u>
EXPENDITURES				
General government	160,257	-	-	160,257
Capital outlay	-	-	15,065,517	15,065,517
Debt				
Interest expense	-	1,353,450	-	1,353,450
Bond issuance costs	-	175,560	-	175,560
TOTAL EXPENDITURES	<u>160,257</u>	<u>1,529,010</u>	<u>15,065,517</u>	<u>16,754,784</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES	<u>(35,606)</u>	<u>(1,325,563)</u>	<u>(14,605,632)</u>	<u>(15,966,801)</u>
OTHER SOURCES (USES)				
City of Jacksonville Funding	-	-	31,992	31,992
Bond proceeds	-	131,674	3,578,326	3,710,000
TOTAL OTHER SOURCES (USES)	<u>-</u>	<u>131,674</u>	<u>3,610,318</u>	<u>3,741,992</u>
EXCESS REVENUES OVER (UNDER) EXPENDITURES AND OTHER USES	<u>(35,606)</u>	<u>(1,193,889)</u>	<u>(10,995,314)</u>	<u>(12,224,809)</u>
FUND BALANCE				
Beginning of year	<u>(7,255)</u>	<u>5,397,931</u>	<u>14,200,421</u>	<u>19,591,097</u>
End of year	<u>\$ (42,861)</u>	<u>\$ 4,204,042</u>	<u>\$ 3,205,107</u>	<u>\$ 7,366,288</u>

The accompanying notes are an integral part of this financial statement

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
Year Ended September 30, 2023

Net Change in Fund Balances - Total Governmental Funds	\$ (12,224,809)
--	-----------------

Amount reported for governmental activities in the Statement of Activities
are different because:

The issuance of long-term debt provides current financial resources to governmental funds. These transactions, however, have no effect on net assets. This is the amount of long-term debt issued in the current period.	(3,710,000)
--	-------------

Governmental funds report capital outlays as expenditures. However,
in the Statement of Activities, the costs of those assets are depreciated
over their estimated useful lives:

Capital outlay	15,065,517
----------------	------------

Change in Net Position of Governmental Activities	\$ (869,292)
---	--------------

The accompanying notes are an integral part of this financial statement

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE A- NATURE OF ORGANIZATION AND REPORTING ENTITY

The District Community Development District (the District) was established on August 24, 2018 by the City of Jacksonville, Ordinance 2018-563 pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes. The Act provides among other things, the power to manage basic services for community development, power to borrow money and issue bonds, and to levy and assess non-ad valorem assessments for the financing and delivery of capital infrastructure.

The District was established for the purposes of financing and managing the acquisition, construction, maintenance and operation of a portion of the infrastructure necessary for community development within the District.

The District is governed by the Board of Supervisors ("Board"), which is composed of five members. All of the Board members are affiliated with the Developers. The Supervisors are elected on an at large basis by the qualified electors of the property owners within the District. The Board of Supervisors of the District exercise all powers granted to the District pursuant to Chapter 190, Florida Statutes.

The Board has the responsibility for:

1. Assessing and levying assessments.
2. Approving budgets.
3. Exercising control over facilities and properties.
4. Controlling the use of funds generated by the District.
5. Approving the hiring and firing of key personnel.
6. Financing Improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statements. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District Board of Supervisors is considered to be financially accountable, and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Government-Wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements. The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Government-Wide and Fund Financial Statements (continued)

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment. Operating-type special assessments for maintenance and debt service are treated as charges for services and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other Items not included among program revenues are reported instead as general revenues.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the economic financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Expenditures are recorded when a liability is incurred, as under accrual accounting.

Assessments

Assessments are non-ad valorem assessments on benefited lands within the District. Assessments are levied to pay for the operations and maintenance of the District. The fiscal year for which annual assessments are levied begins on October 1 with discounts available for payments through February 28 and become delinquent on April 1. The District's annual assessments for operations are billed and collected by the County Tax Collector. The amounts remitted to the District are net of applicable discounts or fees and include interest on monies held from the day of collection to the day of distribution.

Assessments and interest associated with the current fiscal period are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. The portion of assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Measurement Focus, Basis of Accounting and Financial Statement Presentation (continued)

The District reports the following major governmental funds:

General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first for qualifying expenditures, then unrestricted resources as they are needed.

Debt Service Fund

The debt service fund is used to account for the accumulation of resources for the annual payment of principal and interest of long-term debt.

Capital Projects Fund

The capital projects fund accounts for the financial resources to be used for the acquisition or construction of major infrastructure with the District.

Assets, Liabilities and Net Position or Equity

Restricted Assets

These assets represent cash and investments set aside pursuant to contractual restrictions.

Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and demand deposits (interest and non-interest bearing).

The District has elected to proceed under the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position or Equity (continued)

Deposits and Investments (continued)

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;
- c) Interest bearing time deposits or savings accounts in qualified public depositories;
- d) Direct obligations of the U.S. Treasury.

Securities listed in paragraph c and d shall be invested to provide sufficient liquidity to pay obligations as they come due. In addition, surplus funds may be deposited into certificates of deposit which are insured.

The District records all interest revenue related to investment activities in the respective funds and reports investments at fair value.

Inventories and Prepaid Items

Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

Capital Assets

Capital assets, which include property, plant and equipment, and infrastructure assets (e.g., roads, sidewalks and similar items) are reported in the government activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Capital Assets

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position or Equity (continued)

Unearned Revenue

Governmental funds report unearned revenue in connection with resources that have been received, but not yet earned.

Long-Term Obligations

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized over the life of the Bonds. Bonds payable are reported net of applicable premiums or discounts. Bond issuance costs are expensed when incurred.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Outflows/Inflows of Resources

The statement of net position reports, as applicable, a separate section for deferred outflows of resources. Deferred outflows of resources represent a consumption of net position that applies to future reporting period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until that time. For example, the District would record deferred outflows of resources related to debit amounts resulting from current and advance refundings resulting in the defeasance of debt (i.e. when there are differences between the reacquisition price and the net carrying amount of the old debt).

The statement of net position reports, as applicable, a separate section for deferred inflows of resources. Deferred inflows of resources represent an acquisition of net position that applies to future reporting period(s) and so will not be recognized as an inflow of resources (revenue) until that time. For example, when an asset is recorded in the governmental fund financial statements, but the revenue is not available, the District reports a deferred inflow of resources until such times as the revenue becomes available.

Fund Equity/Net Position

In the fund financial statements, governmental funds report non spendable and restricted fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Assignments of fund balance represent tentative management plans that are subject to change.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE B - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position or Equity (continued)

Committed fund balance - Amounts that can be used only for the specific purposes determined by a formal action (resolution) of the Board of Supervisors. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action (resolution) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

Assigned fund balance - Includes spendable fund balance amounts that are intended to be used for specific purposes that are neither considered restricted nor committed. The Board can assign fund balance as it does when appropriating fund balance to cover differences in estimated revenue and appropriations in the subsequent year's appropriated budget. Assignments are generally temporary and normally the same formal action need not be taken to remove the assignment.

The District first uses committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

Net position is the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. Net position in the government-wide financial statements are categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents net position related to infrastructure and property, plant and equipment. Restricted net position represents the assets restricted by the District's Bond covenants or other contractual restrictions. Unrestricted net position consists of the net position not meeting the definition of either of the other two components.

Fund Deficit

At September 30, 2023, the District had a deficit fund balance of (\$42,861) in the general fund.

Other Disclosures

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE C - BUDGETARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget. Annual Budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund. All annual appropriations lapse at fiscal year end.

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) Public hearings are conducted to obtain public comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) All budget changes must be approved by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriation for annually budgeted funds lapse at the end of the year.

NOTE D – DEPOSITS AND INVESTMENTS

Deposits

The District's cash balances, including certificates of deposit, were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The District's investments were held as follows at September 30, 2023:

Investment	Fair Value	Credit Risk	Maturities
Money Market Mutual Funds - First			Weighted average of the
American Government Obligation CL Y	\$ 9,214,378	S&P AAAM	fund portfolio: 24 days
Total Investments	<u>\$ 9,214,378</u>		

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE D – DEPOSITS AND INVESTMENTS (CONTINUED)

Investments (continued)

Custodial credit risk - For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the District will not be able to recover the value of the investments or collateral securities that are in the possession of an outside party. The District has no formal policy for custodial risk. The investments listed in the schedule above are not evidenced by securities that exist in physical or book entry form.

Credit risk - For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

Concentration risk - The District places no limit on the amount the District may invest in any one issuer.

Interest rate risk - The District does not have a formal policy that limits investment maturities as a means of managing exposure to fair value losses arising from increasing interest rates.

Fair Value Measurement - When applicable, the District measures and records its investments using fair value measurement guidelines established in accordance with GASB Statements. The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques.

These guidelines recognize a three-tiered fair value hierarchy, in order of highest priority, as follows:

- Level 1: Investments whose values are based on unadjusted quoted prices for identical investments in active markets that the District has the ability to access;
- Level 2: Investments whose inputs - other than quoted market prices - are observable either directly or indirectly; and,
- Level 3: Investments whose inputs are unobservable.

The fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the entire fair value measurement. Valuation techniques used should maximize the use of observable inputs and minimize the use of unobservable inputs.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE E - CAPITAL ASSETS

Capital asset activity for the fiscal year ended September 30, 2023 was as follows:

	Balance 10/01/2022	Increases	Decreases	Balance 09/30/2023
Governmental activities:				
Capital assets, not being depreciated:				
Construction in process	\$ 25,851,640	\$ 15,065,517	\$ -	\$ 40,917,157
Total capital assets, not being depreciated	25,851,640	15,065,517	-	40,917,157
Governmental activities capital assets - net	<u>\$ 25,851,640</u>	<u>\$ 15,065,517</u>	<u>\$ -</u>	<u>\$ 40,917,157</u>

NOTE F - REDEVELOPMENT AGREEMENT

The District entered into a Redevelopment Agreement with the City of Jacksonville, The Downtown Investment Authority (DIA) and the Elements Development of Jacksonville, LLC for the Redevelopment of the JEA Southside Generator Parcel. The District issued bonds for the purpose of Infrastructure Improvements. The Developer and District shall be responsible for costs to the CRA Infrastructure Improvements in excess of the DIA Funding Obligation. The Developer submitted proposal to oversee and manage the development of a mixed use master planned development anticipated to include residential, hotel rooms, office and retail space, marina slips (collectively the “Vertical Improvements”) and inclusive of the District Infrastructure Improvements (the “District Project”).

NOTE G – LONG-TERM LIABILITIES

\$35,625,000 Grant Revenue and Special Assessment Revenue Bonds, Series 2020 – On December 22, 2020, the District issued \$35,625,000 in Grant Revenue and Special Assessment Revenue Bonds, Series 2020. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the property within the District. The Bonds are payable in annual principal installments through August 2040. The Bonds bear interest at 5.0% payable semi-annually on the first day of each February and August. Principal is due serially each August 1, commencing August 2026.

\$8,415,000 Grant Revenue and Special Assessment Revenue Bonds, Series 2022 – On March 30, 2022, the District issued \$8,415,000 in Grant Revenue and Special Assessment Revenue Bonds, Series 2022. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the property within the District. The Bonds are payable in annual principal installments through August 2040. The Bonds bear interest at 5.5% payable semi-annually on the first day of each February and August. Principal is due serially each August 1, commencing August 2026.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE G – LONG-TERM LIABILITIES (CONTINUED)

\$3,710,000 Bond Anticipation Notes, Series 2022 (Taxable) (Public Marina Project) – On December 20, 2022, the District issued \$3,710,000 in Bond Anticipation Notes, Series 2022 (Taxable) (Public Marina Project). The note is payable December 2027 and bears interest at 7.0% payable December 2027.

The Bond Indenture has certain restrictions and requirements relating principally to the use of proceeds to pay for the infrastructure improvements and the procedures to be followed by the District on assessments to property owners. The District agreed to levy special assessments in annual amounts adequate to provide payment of debt service and to meet the reserve requirements. The requirements have been met for the fiscal year ended September 30, 2023.

The following is a summary of activity in the long-term debt of the District for the year ended September 30, 2023:

	Balance 10/01/2022	Additions	Deletions	Balance 09/30/2023	Due Within One Year
Grant Revenue and Special Assessment Revenue					
Bonds, Series 2020	\$35,625,000	\$ -	\$ -	\$35,625,000	\$ -
Grant Revenue and Special Assessment Revenue					
Bonds, Series 2022	8,415,000	-	-	8,415,000	-
Bond Anticipation Notes, Series 2022	-	3,710,000	-	3,710,000	-
	44,040,000	3,710,000	-	47,750,000	-
Unamortized bond discount	(548,977)	-	-	(548,977)	-
	<u>\$43,491,023</u>	<u>\$ 3,710,000</u>	<u>\$ -</u>	<u>\$47,201,023</u>	<u>\$ -</u>

The annual requirements to amortize the principal and interest of bonded debt outstanding as of September 30, 2023 are as follows:

September 30,	Principal	Interest	Total
2024	\$ -	\$ 2,244,075	\$ 2,244,075
2025	-	2,244,075	2,244,075
2026	2,010,000	2,244,075	4,254,075
2027	2,110,000	2,141,700	4,251,700
2028	5,940,000	3,507,834	9,447,834
2029-2033	12,985,000	8,347,350	21,332,350
2034-2038	16,725,000	4,677,200	21,402,200
2039-2040	7,980,000	615,225	8,595,225
	<u>\$ 47,750,000</u>	<u>\$ 26,021,534</u>	<u>\$ 73,771,534</u>

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT

NOTES TO FINANCIAL STATEMENTS

September 30, 2023

NOTE H - MANAGEMENT COMPANY

The District has contracted with a management company to perform services which include financial and accounting advisory services. Certain employees of the management company also serve as officers of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, computer and other administrative costs.

NOTE I – SUBSEQUENT EVENT

In November 2023, the District issued \$775,000 Grant Revenue and Special Assessment Refunding and Improvement Bonds, Series 2023A-1 and Not to Exceed \$57,827,080 Grant Revenue and Special Assessment Refunding and Improvement Convertible Capital Appreciation Bonds, Series 2023A-2 to refund the Series 2022 and 2020 Grant Revenue and Special Assessment Revenue Bonds and 2022 Bond Anticipation note.

NOTE J - RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; natural disasters; and environmental remediation. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. Settled claims from these risks have not exceeded commercial insurance coverage since inception.

NOTE K – CONCENTRATION

The Districts activity is dependent upon the continued involvement of the Developer, the loss of which could have a material adverse effect on the District operations.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
BUDGET AND ACTUAL – GENERAL FUND
Year Ended September 30, 2023

	<u>* BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE WITH FINAL BUDGET POSITIVE (NEGATIVE)</u>
REVENUES			
Developer contributions	\$ 280,690	\$ 124,259	\$ (156,431)
Investment earnings	-	392	392
TOTAL REVENUES	<u>280,690</u>	<u>124,651</u>	<u>(156,039)</u>
EXPENDITURES			
Current			
General government	210,690	160,257	50,433
Physical environment	70,000	-	70,000
TOTAL EXPENDITURES	<u>280,690</u>	<u>160,257</u>	<u>120,433</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	<u>\$ -</u>	(35,606)	<u>\$ (35,606)</u>
FUND BALANCES			
Beginning of year		<u>(7,255)</u>	
End of year		<u>\$ (42,861)</u>	

* Original and final budget.

THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget for the general fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors, actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2023. The general fund had a deficit for the fiscal year ended September 30, 2023.

The variance between budgeted and actual general fund revenues is considered significant. The actual general fund expenditures for the current fiscal year were lower than budgeted amounts due primarily to anticipated costs which were not incurred in the current fiscal year.

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING
STANDARDS*

To the Board of Supervisors
The District Community Development District
City of Jacksonville, Florida

We have audited in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of The District Community Development District, as of September 30, 2023 and for the year ended September 30, 2023, which collectively comprise The District Community Development District's basic financial statements and have issued our report thereon dated June 24, 2024.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

This report is intended solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



DiBartolomeo, McBee, Hartley & Barnes, P.A.

Fort Pierce, Florida

June 24, 2024

INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE REQUIREMENTS OF
SECTION 218.415, FLORIDA STATUTES, REQUIRED BY RULE 10.556(10) OF THE
AUDITOR GENERAL OF THE STATE OF FLORIDA

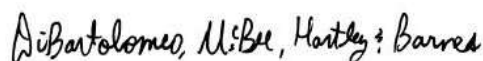
To the Board of Supervisors
The District Community Development District
City of Jacksonville, Florida

We have examined the District's compliance with the requirements of Section 218.415, Florida Statutes with regards to the District's investments during the year ended September 30, 2023. Management is responsible for the District's compliance with those requirements. Our responsibility is to express an opinion on the District's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the District's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the District's compliance with specified requirements.

In our opinion, the District complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2023.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, and the Board of Supervisors of The District Community Development District, City of Jacksonville, Florida and is not intended to be and should not be used by anyone other than these specified parties.



DiBartolomeo, McBee Hartley & Barnes, P.A.
Fort Pierce, Florida
June 24, 2024

Management Letter

To the Board of Supervisors
The District Community Development District
City of Jacksonville, Florida

Report on the Financial Statements

We have audited the financial statements of The District Community Development District as of and for the fiscal year ended September 30, 2023, and have issued our report thereon dated June 24, 2024.

Report on the Financial Statements

We have audited the financial statements of The District Community Development District ("District") as of and for the fiscal year ended September 30, 2023, and have issued our report thereon dated June 24, 2024.

Auditors' Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with Government Auditing Standards and Independent Accountants' Report on an examination conducted in accordance with AICPA Professional Standards, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those report, which are dated June 24, 2024, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations made in the preceding annual audit report.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The information required is disclosed in the notes to the financial statements.

Financial Condition

Section 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require that we apply appropriate procedures and report results of our determination as to whether or not The District Community Development District has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific conditions met. In connection with our audit, we determined that The District Community Development District did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.c. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures. It is management's responsibility to monitor The District Community Development District's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Specific Information

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)6, Rules of the Auditor General, The District Community Development District reported:

- a. The total number of district employees compensated in the last pay period of the District's fiscal year as N/A.
- b. The total number of independent contractors to whom nonemployee compensation was paid in the last month of the district's fiscal year as 1.
- c. All compensation earned by or awarded to employees, whether paid or accrued, regardless of contingency as N/A.
- d. All compensation earned by or awarded to nonemployee independent contractors, whether paid or accrued, regardless of contingency as \$29,769.
- e. Each construction project with a total cost of at least \$65,000 approved by the District that are scheduled to begin on or after October 1 of the fiscal year being reported, together with the total expenditures for such project as N/A.
- f. The District did not amend its final adopted budget under Section 189.016(6), Florida Statutes.

As required by Section 218.39(3)(c), Florida Statutes, and Section 10.554(1)(i)7, Rules of the Auditor General, The District Community Development District reported:

- a. The rate or rates of non-ad valorem special assessments imposed by the District range from \$658 to \$2,306 per residential unit.
- b. The total amount of special assessments collected by or on behalf of the District as N/A.
- c. The total amount of outstanding bonds issued by the district as \$47,750,000.

Additional Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Board of Supervisors, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.



DiBartolomeo, McBee, Hartley & Barnes, P.A.
Fort Pierce, Florida
June 24, 2024

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

6

RESOLUTION 2024-11

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT HEREBY ACCEPTING THE
AUDITED FINANCIAL REPORT FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2023**

WHEREAS, the District's Auditor, DiBartolomeo, McBee, Hartley & Barnes, P.A., has heretofore prepared and submitted to the Board, for accepting, the District's Audited Financial Report for Fiscal Year 2023;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT;**

1. The Audited Financial Report for Fiscal Year 2023, heretofore submitted to the Board, is hereby accepted for Fiscal Year 2023, for the period ending September 30, 2023; and
2. A verified copy of said Audited Financial Report for Fiscal Year 2023 shall be attached hereto as an exhibit to this Resolution, in the District's "Official Record of Proceedings".

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

ATTEST:

**THE DISTRICT COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

7A

STATE OF FLORIDA,

S.S.

COUNTY OF DUVAL,

Before the undersigned authority personally appeared Nichol Stringer, who on oath says that she is the Publisher's Representative of the JACKSONVILLE DAILY RECORD, a weekly newspaper published at Jacksonville, in Duval County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing to Consider the Adoption of the Fiscal Year 2025 Proposed Budget(s): And Notice of Regular Board of Supervisors' Meeting

in the matter of The District Community Development District

in the Court, was published in said newspaper by print in the issues of 8/1/24.

Affiant further says that the JACKSONVILLE DAILY RECORD complies with all legal requirements for publication in Chapter 50, Florida Statutes.

*This notice was published on both
jaxdailyrecord.com and floridapublicnotices.com.



Nichol Stringer

Sworn to and subscribed before me this 1st day of August, 2024 by Nichol Stringer who is personally known to me.

RHONDA L. FISHER
Notary Public, State of Florida
My Comm. Expires 08/18/2024
Commission No. HH43566



Seal

Notary Public, State of Florida

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT
NOTICE OF PUBLIC HEARING
TO CONSIDER THE ADOPTION OF THE FISCAL YEAR
2025 PROPOSED BUDGET(S);
AND NOTICE OF REGULAR
BOARD OF SUPERVISORS'
MEETING.**

The Board of Supervisors ("Board") of the District Community Development District ("District") will hold a public hearing and regular meeting as follows:

DATE: August 19, 2024

TIME: 1:30 p.m.

LOCATION:

Kimley-Horn & Associates
12740 Gran Bay Parkway West,
Suite 2350

Jacksonville, Florida 32258

The purpose of the public hearing is to receive comments and objections on the adoption of the District's proposed budget(s) for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("Proposed Budget"). A regular Board meeting of the District will also be held at the above 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 at the offices of the District Manager, Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 Ph: (561) 571-0010 ("District Manager's Office"), during normal business hours, or by visiting the District's website at thedistrictcdd.org.

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/or meeting may be continued in progress to a date, time certain, and place to be specified on the record at the public hearing and/or meeting. There may be occasions when Board Supervisors or District Staff may participate by speaker telephone.

Any person requiring special accommodations at the public hearing or meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the public hearing and meeting. 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.

Each 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

Aug. 1

00 (24-04743D)

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

7B

RESOLUTION 2024-13
[FY 2025 APPROPRIATION RESOLUTION]

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

WHEREAS, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 (“**FY 2025**”), the District Manager prepared and submitted to the Board of Supervisors (“**Board**”) of The District Community Development District (“**District**”) prior to June 15, 2024, proposed budget(s) (“**Proposed Budget**”) 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 general-purpose government(s) 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 on the Proposed Budget 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 in accordance with Section 189.016, *Florida Statutes*; 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.

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

SECTION 1. BUDGET

- a. 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.

- b. 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 District Community Development District for the Fiscal Year Ending September 30, 2025."
- c. The Adopted Budget shall be posted by the District Manager on the District's official website in accordance with Section 189.016, *Florida Statutes* and shall remain on the website for at least two (2) years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for FY 2025, the sum(s) set forth in **Exhibit A** to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated as set forth in **Exhibit A**.

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within FY 2025 or within 60 days following the end of the FY 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 this paragraph c. are posted on the District's website in accordance with Section 189.016, *Florida Statutes*, and remain on the website for at least two (2) years.

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

PASSED AND ADOPTED THIS 19TH DAY OF AUGUST 2024.

ATTEST:

**THE DISTRICT COMMUNITY DEVELOPMENT
DISTRICT**

Secretary / Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: FY 2025 Budget

Exhibit A: FY 2025 Budget

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2025**

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
TABLE OF CONTENTS**

Description	Page Number(s)
General Fund Budget	1 - 2
Definitions of General Fund Expenditures	3 - 5
Debt Service Fund Budget - Series 2020	6
Debt Service Fund Budget - Series 2022	7
Debt Service Fund Budget - Series 2022 BAN	8
Debt Service Schedule - Series 2022 BAN	9
Debt Service Fund Budget - Series 2023A-1	10
Debt Service Schedule - Series 2023A-1	11
Debt Service Fund Budget - Series 2023A-2	12
Debt Service Schedule - Series 2023A-2	13 - 14
Proposed Assessments	15 - 16

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
REVENUES					
Assessment levy: off-roll	\$ -	\$ -	\$ -	\$ -	\$ 1,298,784
Developer contribution	398,490	95,630	214,471	310,101	-
VCTC Tax credits	-	183,349	178,689	362,038	-
Interest	-	80	-	80	-
Total revenues	398,490	279,059	393,160	672,219	1,298,784
EXPENDITURES					
Professional & administrative					
Supervisors	-	646	4,306	4,952	6,459
Management	48,000	24,000	24,000	48,000	48,000
CRA/city grant administration	5,000	2,500	2,500	5,000	5,000
DSF accounting - series 2022 marina	6,250	3,125	3,125	6,250	6,250
DSF accounting - series 2023	18,750	9,375	9,375	18,750	18,750
Legal	50,000	17,728	32,272	50,000	50,000
Engineering	36,000	-	25,000	25,000	50,000
Audit	7,500	-	7,500	7,500	7,500
Arbitrage rebate calculation	1,500	-	1,500	1,500	1,500
Dissemination agent - series 2022 marina	1,750	875	875	1,750	1,750
Dissemination agent - series 2023	5,250	2,625	2,625	5,250	5,250
Trustee	19,000	-	19,000	19,000	19,000
Telephone	200	-	200	200	200
Postage	500	27	473	500	500
Printing & binding	500	-	500	500	500
Legal advertising	1,700	796	904	1,700	1,700
Annual special district fee	175	175	-	175	175
Insurance	7,000	6,228	-	6,228	8,500
Contingencies/bank charges	1,000	825	175	1,000	1,000
Meeting room rental	900	300	600	900	900
Website hosting & maintenance	705	705	-	705	705
Website ADA compliance	210	-	210	210	210
Property taxes	-	13,430	-	13,430	-
Total professional & administrative	211,890	83,360	135,140	218,500	233,849

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
Field Operations					
Field operations management	-	-	-	-	225,000
On-site office and supplies	-	-	-	-	25,000
Insurance	-	-	-	-	40,000
Accounting	-	-	-	-	7,500
Event programming	-	-	-	-	262,500
Stormwater management					
Inspection and cleaning	-	-	-	-	15,000
Lighting					
Electricity	-	-	-	-	20,000
Repairs & maintenance	-	-	-	-	2,500
Cleaning	-	-	-	-	-
Landscape maintenance	100,000	-	-	-	
Maintenance contract	-	-	-	-	95,000
Effluent supply	-	-	-	-	51,135
Plant replacement	-	-	-	-	5,000
Arbor care	-	-	-	-	-
Irrigation repairs	-	-	-	-	3,000
Hardscape and support facilities mgmt					
Pressure washing	-	-	-	-	25,000
Janitorial	-	-	-	-	35,000
Supplies	-	-	-	-	2,000
Utilities	-	-	-	-	7,500
Public safety and ambassador services					
Contract services	-	-	-	-	133,000
Technology and support	-	-	-	-	35,000
Monitoring & reporting	40,000	-	20,000	20,000	-
Hydraulic containment system	-	-	-	-	37,500
Groundwater recovery pump	10,000	-	5,000	5,000	-
Field operations contingency	24,600	-	5,000	5,000	35,000
Aquatic weed control	12,000	-	1,650	1,650	3,300
Total field operations	<u>186,600</u>	<u>-</u>	<u>31,650</u>	<u>31,650</u>	<u>1,064,935</u>
Other fees and charges					
VCTC Tax credit fees	-	1,982	15,189	17,171	-
Total other fees and charges	-	1,982	15,189	17,171	-
Total expenditures	<u>398,490</u>	<u>85,342</u>	<u>181,979</u>	<u>267,321</u>	<u>1,298,784</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	193,717	211,181	404,898	-
Fund balance - beginning (unaudited)	-	(42,860)	150,857	(42,860)	362,038
Fund balance - ending (projected)					
Committed					
Reserved for Capital Projects or O &M	-	181,367	346,654	346,654	346,654
Unassigned	-	(30,510)	15,384	15,384	15,384
Fund balance - ending (projected)	<u>\$ -</u>	<u>\$ 150,857</u>	<u>\$ 362,038</u>	<u>\$ 362,038</u>	<u>\$ 362,038</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional and Administrative Services

Supervisors	\$ 6,459
Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates twelve meetings during the fiscal year.	
Management	48,000
Wrathell, Hunt and Associates, LLC specializes in managing community development districts in the State of Florida by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bonds, and operate and maintain the assets of the community.	
CRA/city grant administration	5,000
DSF accounting - series 2022 marina	6,250
DSF accounting - series 2023	18,750
Legal	50,000
The District's Attorneys provides general counsel and legal representation for issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, this firm provides services as "local government lawyers" realizing that this type of local government is very limited in its scope – providing infrastructure and services to developments.	
Engineering	50,000
The District's Engineer provides a broad array of engineering, consulting and construction services to the District, which assists in crafting solutions with sustainability for the long-term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.	
Audit	7,500
The District is required to undertake an independent examination of its books, records and accounting procedures each year. This audit is conducted pursuant to Florida State Law and the rules of the Florida Auditor General	
Arbitrage rebate calculation	1,500
To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.	
Dissemination agent	
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 and Associates, LLC serves as the dissemination agent.	
Dissemination agent - series 2022 marina	1,750
Dissemination agent - series 2023	5,250
Trustee	19,000
Annual fees are paid for services provided as trustee, paying agent and registrar.	
Telephone	200
Postage	500
Letterhead, envelopes, copies, agenda packages, etc.	
Printing & binding	500
Legal advertising	1,700
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Insurance	8,500
The District carries public officials and general liability insurance	
Contingencies/bank charges	1,000
Meeting room rental	900
Website hosting & maintenance	705
Website ADA compliance	210
Field Operations	
Field operations management	225,000
Manager, assistant manager, and porter managing day to day operations	
On-site office and supplies	25,000
Office, supplies, utilities, and branded cart	
Insurance	40,000
General liability and property insurance	
Accounting	7,500
Event programming	262,500
Stormwater management	
Inspection and cleaning	15,000
Annual monitoring & reporting as well as cleaning and repair on an as needed basis of the inlets, interconnecting pipes, swales, and berms	
Lighting	
Electricity	20,000
Electricity from JEA	
Repairs & maintenance	2,500
Utilization of licensed and insured electrician for lighting repairs	
Cleaning	-
Annual removal and cleaning of globes and lenses	
Landscape maintenance	
Maintenance contract	95,000
All inclusive; fertilizer & chemical treatments, irrigation checks, shrub pruning quarterly, mulch twice annually on net 5.6 acres of landscaping at \$.75 per square foot	
Effluent supply	51,135
Assumes 26 watering weeks per year at 3/4" water each watering week at \$1.25 per 1,000 gallons	
Plant replacement	5,000
Periodic replacement of dead or deteriorated plant material outside of warranty as well as quarterly flower change outs	
Arbor care	-
Pruning of palms and canopy trees over 14'	
Irrigation repairs	3,000
Periodic repairs and valve/head replacements	
Hardscape and support facilities mgmt	
Pressure washing	25,000
Pressure washing all park and river walk hardscape semi-annually and annual pressure washing of all other hardscape, monuments, facilities and sidewalks not in parks or river walk	

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Janitorial	35,000
Supplies	2,000
Bags, paper/cleaning products, soap and etc.	
Utilities	7,500
Various water/sewer, electric and dumpster services	
Public safety and ambassador services	
Contract services	133,000
Public safety and support Ambassador Services in "branded uniforms". Provides for 276 hours per week at \$45 per hour, allowing for one Ambassador four days per week/ 24 hours per day, and two to three Ambassadors (depending on time of day) 3 days	
Technology and support	35,000
Covers cost of managing, monitoring, operating, and maintaining surveillance technology and support systems including Ambassador Patrol support services	
Monitoring & reporting	-
Hydraulic containment system	37,500
Groundwater recovery pump	-
Field operations contingency	35,000
Aquatic weed control	3,300
Lake Doctors maintenance of rip wall bimonthly	
Other fees and charges	
Tax collector	-
The tax collector's fee is 3.5%.	
Total expenditures	<u><u>\$ 1,298,784</u></u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2020
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
REVENUE					
Assessment levy: off-roll	\$ 1,700,427	\$ -	\$ -	\$ -	\$ -
Interest	-	29,403	-	29,403	-
Total revenue	<u>1,700,427</u>	<u>29,403</u>	<u>-</u>	<u>29,403</u>	<u>-</u>
EXPENDITURES					
Debt service					
Interest	1,781,250	-	-	-	-
Total debt service	<u>1,781,250</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total expenditures	<u>1,781,250</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
OTHER FINANCING SOURCES/(USES)					
Transfer out		(3,574,358)	-	(3,574,358)	
Total other financing sources/(uses)	<u>-</u>	<u>(3,574,358)</u>	<u>-</u>	<u>(3,574,358)</u>	<u>-</u>
Net increase/(decrease) in fund balance	(80,823)	(3,544,955)	-	(3,544,955)	-
Beginning fund balance (unaudited)	16,614	3,544,955	-	3,544,955	-
Ending fund balance (projected)	<u>\$ (64,209)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>-</u>
Use of fund balance:					
Debt service reserve account balance (required)					-
Interest expense - February 1, 2026					-
Projected fund balance surplus/(deficit) as of September 30, 2025					<u>\$ -</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2022
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
REVENUE					
Assessment levy: off-roll	\$ 431,945	\$ -	\$ -	\$ -	\$ -
Interest	-	5,825	-	5,825	-
Total revenue	<u>431,945</u>	<u>5,825</u>	<u>-</u>	<u>5,825</u>	<u>-</u>
EXPENDITURES					
Debt service					
Interest	462,825	-	-	-	-
Total debt service	<u>462,825</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total expenditures	<u>462,825</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
OTHER FINANCING SOURCES/(USES)					
Transfer Out	-	(708,798)	-	(708,798)	-
Total other financing sources/(uses)	<u>-</u>	<u>(708,798)</u>	<u>-</u>	<u>(708,798)</u>	<u>-</u>
Net increase/(decrease) in fund balance	(30,880)	(702,973)	-	(702,973)	-
Beginning fund balance (unaudited)	682,618	702,973	-	702,973	-
Ending fund balance (projected)	<u>\$ 651,738</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>-</u>
Use of fund balance:					
Debt service reserve account balance (required)					-
Interest expense - February 1, 2026					-
Projected fund balance surplus/(deficit) as of September 30, 2025					<u>\$ -</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2022 (PUBLIC MARINA PROJECT)
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
REVENUE	\$ -	\$ -	\$ -	\$ -	\$ -
Total revenue	-	-	-	-	-
EXPENDITURES					
Debt service	-	-	-	-	-
Total expenditures	-	-	-	-	-
Net increase/(decrease) in fund balance	-	-	-	-	-
Beginning fund balance (unaudited)	-	(21,303)	(21,303)	(21,303)	(21,303)
Ending fund balance (projected)	\$ -	\$ (21,303)	\$ (21,303)	\$ (21,303)	(21,303)
Use of fund balance:					
Debt service reserve account balance (required)					-
Interest expense - February 1, 2026					-
Projected fund balance surplus/(deficit) as of September 30, 2025					<u>\$ (21,303)</u>

District

Community Development District

Series 2022, Bond Anticipation Notes (Public Marina Project)

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Principal Balance
12/21/2022					3,710,000.00
12/01/2027	3,710,000.00	7.000%	1,473,609.45	5,183,609.45	-
Total	\$3,710,000.00		\$1,473,609.45	\$5,183,609.45	

All payments received by the Registered Owner hereunder shall be applied first to the payment of interest due and payable, with the balance applied to principal. All accrued and unpaid interest and outstanding principal shall be paid in full in a single payment on December 1, 2027.

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2023A-1
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
REVENUE					
Assessment levy: off-roll	\$ -	\$ -	\$ 20,344	\$ 20,344	\$ 40,688
Interest	-	551	-	551	-
Total revenue	-	551	20,344	20,895	40,688
EXPENDITURES					
Debt service					
Interest	-	7,007	-	7,007	40,688
Total debt service	-	7,007	-	7,007	40,688
Other fees & charges					
Tax collector	-	-	-	-	-
Total other fees & charges	-	-	-	-	-
Total expenditures	-	7,007	-	7,007	40,688
OTHER FINANCING SOURCES/(USES)					
Bond proceeds	-	720,313	-	720,313	-
Payment to refunding Escrow agent	-	(836,720)	-	(836,720)	-
Transfer in	-	184,746	-	184,746	-
Total other financing sources/(uses)	-	68,339	-	68,339	-
Net increase/(decrease) in fund balance	-	61,883	20,344	82,227	-
Beginning fund balance (unaudited)	-	(22,582)	39,301	(22,582)	59,645
Ending fund balance (projected)	\$ -	\$ 39,301	\$ 59,645	\$ 59,645	59,645
Use of fund balance:					
Debt service reserve account balance (required)					(38,750)
Interest expense - February 1, 2026					(20,344)
Projected fund balance surplus/(deficit) as of September 30, 2025					\$ 551

* The capitalized interest period runs through February 1, 2024.

District

Community Development District

Series 2023A-1, Grant Revenue and Special Assessment Bonds

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Principal Balance
02/01/2024			7,007.29	7,007.29	775,000.00
08/01/2024			20,343.75	20,343.75	775,000.00
02/01/2025			20,343.75	20,343.75	775,000.00
08/01/2025			20,343.75	20,343.75	775,000.00
02/01/2026			20,343.75	20,343.75	775,000.00
08/01/2026	35,000.00	5.250%	20,343.75	55,343.75	740,000.00
02/01/2027			19,425.00	19,425.00	740,000.00
08/01/2027	35,000.00	5.250%	19,425.00	54,425.00	705,000.00
02/01/2028			18,506.25	18,506.25	705,000.00
08/01/2028	40,000.00	5.250%	18,506.25	58,506.25	665,000.00
02/01/2029			17,456.25	17,456.25	665,000.00
08/01/2029	40,000.00	5.250%	17,456.25	57,456.25	625,000.00
02/01/2030			16,406.25	16,406.25	625,000.00
08/01/2030	45,000.00	5.250%	16,406.25	61,406.25	580,000.00
02/01/2031			15,225.00	15,225.00	580,000.00
08/01/2031	45,000.00	5.250%	15,225.00	60,225.00	535,000.00
02/01/2032			14,043.75	14,043.75	535,000.00
08/01/2032	50,000.00	5.250%	14,043.75	64,043.75	485,000.00
02/01/2033			12,731.25	12,731.25	485,000.00
08/01/2033	50,000.00	5.250%	12,731.25	62,731.25	435,000.00
02/01/2034			11,418.75	11,418.75	435,000.00
08/01/2034	55,000.00	5.250%	11,418.75	66,418.75	380,000.00
02/01/2035			9,975.00	9,975.00	380,000.00
08/01/2035	55,000.00	5.250%	9,975.00	64,975.00	325,000.00
02/01/2036			8,531.25	8,531.25	325,000.00
08/01/2036	60,000.00	5.250%	8,531.25	68,531.25	265,000.00
02/01/2037			6,956.25	6,956.25	265,000.00
08/01/2037	60,000.00	5.250%	6,956.25	66,956.25	205,000.00
02/01/2038			5,381.25	5,381.25	205,000.00
08/01/2038	65,000.00	5.250%	5,381.25	70,381.25	140,000.00
02/01/2039			3,675.00	3,675.00	140,000.00
08/01/2039	70,000.00	5.250%	3,675.00	73,675.00	70,000.00
02/01/2040			1,837.50	1,837.50	70,000.00
08/01/2040	70,000.00	5.250%	1,837.50	71,837.50	-
Total	775,000.00		431,863.54	1,206,863.54	

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2023A-2
FISCAL YEAR 2025**

	Fiscal Year 2024				Proposed
	Adopted Budget FY 2024	Actual through 3/31/2024	Projected through 9/30/2024	Total Actual & Projected	Budget FY 2025
REVENUE					
Assessment levy: off-roll	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	-	18,897	-	18,897	-
Total revenue	-	18,897	-	18,897	-
EXPENDITURES					
Debt service					
Cost of issuance	-	561,050	-	561,050	-
Total debt service	-	561,050	-	561,050	-
Other fees & charges					
Property appraiser	-	-	-	-	-
Tax collector	-	-	-	-	-
Transfer in	-	-	-	-	-
Total other fees & charges	-	-	-	-	-
Total expenditures	-	561,050	-	561,050	-
OTHER FINANCING SOURCES/(USES)					
Bond proceeds	-	41,815,000	-	41,815,000	-
Payment to refunding escrow agent	-	(44,829,463)	-	(44,829,463)	-
Transfer in	-	5,077,363	-	5,077,363	-
Total other financing sources/(uses)	-	2,062,900	-	2,062,900	-
Net increase/(decrease) in fund balance	-	1,520,747	-	1,520,747	-
Beginning fund balance (unaudited)	-	-	1,520,747	-	1,520,747
Ending fund balance (projected)	\$ -	\$ 1,520,747	\$ 1,520,747	\$ 1,520,747	1,520,747
Use of fund balance:					
Debt service reserve account balance (required)					(1,501,650)
Interest expense - February 1, 2026					-
Projected fund balance surplus/(deficit) as of September 30, 2025					\$ 19,097

* There is no payment due until August 1, 2027

District

Community Development District

Series 2023A-2, Grant Revenue and Special Assessment Bonds

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Principal Balance
02/01/2024			-	-	69,220,000.00
08/01/2024			-	-	69,220,000.00
02/01/2025			-	-	69,220,000.00
08/01/2025			-	-	69,220,000.00
02/01/2026			-	-	69,220,000.00
08/01/2026			-	-	69,220,000.00
02/01/2027			-	-	69,220,000.00
08/01/2027			1,990,075.00	1,990,075.00	69,220,000.00
02/01/2028			1,990,075.00	1,990,075.00	69,220,000.00
08/01/2028			1,990,075.00	1,990,075.00	69,220,000.00
02/01/2029			1,990,075.00	1,990,075.00	69,220,000.00
08/01/2029	1,410,000.00	5.750%	1,990,075.00	3,400,075.00	67,810,000.00
02/01/2030			1,949,537.50	1,949,537.50	67,810,000.00
08/01/2030	1,490,000.00	5.750%	1,949,537.50	3,439,537.50	66,320,000.00
02/01/2031			1,906,700.00	1,906,700.00	66,320,000.00
08/01/2031	1,575,000.00	5.750%	1,906,700.00	3,481,700.00	64,745,000.00
02/01/2032			1,861,418.75	1,861,418.75	64,745,000.00
08/01/2032	1,665,000.00	5.750%	1,861,418.75	3,526,418.75	63,080,000.00
02/01/2033			1,813,550.00	1,813,550.00	63,080,000.00
08/01/2033	1,760,000.00	5.750%	1,813,550.00	3,573,550.00	61,320,000.00
02/01/2034			1,762,950.00	1,762,950.00	61,320,000.00
08/01/2034	1,860,000.00	5.750%	1,762,950.00	3,622,950.00	59,460,000.00
02/01/2035			1,709,475.00	1,709,475.00	59,460,000.00
08/01/2035	1,970,000.00	5.750%	1,709,475.00	3,679,475.00	57,490,000.00
02/01/2036			1,652,837.50	1,652,837.50	57,490,000.00
08/01/2036	2,085,000.00	5.750%	1,652,837.50	3,737,837.50	55,405,000.00
02/01/2037			1,592,893.75	1,592,893.75	55,405,000.00
08/01/2037	2,200,000.00	5.750%	1,592,893.75	3,792,893.75	53,205,000.00
02/01/2038			1,529,643.75	1,529,643.75	53,205,000.00
08/01/2038	2,330,000.00	5.750%	1,529,643.75	3,859,643.75	50,875,000.00
02/01/2039			1,462,656.25	1,462,656.25	50,875,000.00
08/01/2039	2,465,000.00	5.750%	1,462,656.25	3,927,656.25	48,410,000.00
02/01/2040			1,391,787.50	1,391,787.50	48,410,000.00
08/01/2040	2,605,000.00	5.750%	1,391,787.50	3,996,787.50	45,805,000.00
02/01/2041			1,316,893.75	1,316,893.75	45,805,000.00
08/01/2041	2,755,000.00	5.750%	1,316,893.75	4,071,893.75	43,050,000.00
02/01/2042			1,237,687.50	1,237,687.50	43,050,000.00
08/01/2042	2,915,000.00	5.750%	1,237,687.50	4,152,687.50	40,135,000.00
02/01/2043			1,153,881.25	1,153,881.25	40,135,000.00
08/01/2043	3,080,000.00	5.750%	1,153,881.25	4,233,881.25	37,055,000.00
02/01/2044			1,065,331.25	1,065,331.25	37,055,000.00
08/01/2044	3,260,000.00	5.750%	1,065,331.25	4,325,331.25	33,795,000.00
02/01/2045			971,606.25	971,606.25	33,795,000.00
08/01/2045	3,445,000.00	5.750%	971,606.25	4,416,606.25	30,350,000.00
02/01/2046			872,562.50	872,562.50	30,350,000.00
08/01/2046	3,645,000.00	5.750%	872,562.50	4,517,562.50	26,705,000.00
02/01/2047			767,768.75	767,768.75	26,705,000.00
08/01/2047	3,850,000.00	5.750%	767,768.75	4,617,768.75	22,855,000.00
02/01/2048			657,081.25	657,081.25	22,855,000.00
08/01/2048	4,075,000.00	5.750%	657,081.25	4,732,081.25	18,780,000.00

District

Community Development District

Series 2023A-2, Grant Revenue and Special Assessment Bonds

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Principal Balance
02/01/2049			539,925.00	539,925.00	18,780,000.00
08/01/2049	4,310,000.00	5.750%	539,925.00	4,849,925.00	14,470,000.00
02/01/2050			416,012.50	416,012.50	14,470,000.00
08/01/2050	4,555,000.00	5.750%	416,012.50	4,971,012.50	9,915,000.00
02/01/2051			285,056.25	285,056.25	9,915,000.00
08/01/2051	4,820,000.00	5.750%	285,056.25	5,105,056.25	5,095,000.00
02/01/2052			146,481.25	146,481.25	5,095,000.00
08/01/2052	5,095,000.00	5.750%	146,481.25	5,241,481.25	-
Total	69,220,000.00		66,077,850.00	135,297,850.00	

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
ASSESSMENT COMPARISON
PROJECTED FISCAL YEAR 2025 ASSESSMENTS**

Off-Roll Assessments - Product Basis						
Product	Units	FY 2025				FY 2024*
		O&M Assessment per Unit	2023A-1 DS Assessment per Unit	2023A-2 DS Assessment per Unit	Total Assessment per Unit	Total Assessment per Unit
Retail	121,400	\$ 798.07	\$ -	\$ -	\$ 798.07	\$ 1,406.54
Apartments	930	683.86	-	-	683.86	1,172.11
Townhomes	40	525.21	1,017.20	-	1,542.41	1,562.82
Office	200,000	798.07	-	-	798.07	1,406.54
Hotel	200	410.32	-	-	410.32	781.41
Condo	200	1,516.12	-	-	1,516.12	2,734.93

* Reflects the Adopted FY 2024 Assessment figures - please note that the FY 2024 Assessments included those levied to repay the Series 2020 and 2022 Bonds, which were subsequently refinanced with proceeds of the Series 2023A-1 and 2023A-2 Bonds

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
ASSESSMENT COMPARISON
PROJECTED FISCAL YEAR 2025 ASSESSMENTS**

Off-Roll Assessments - Product Basis							
Product	Parcel	Units	FY 2025				FY 2024*
			O&M Assessment per Unit	2023A-1 DS Assessment per Unit	2023A-2 DS Assessment per Unit	Total Assessment per Unit	Total Assessment per Unit
Retail	1A-R	30,000	\$ 798.07	\$ -	\$ -	\$ 798.07	\$ 1,406.54
Apartments	1A-A	430	683.86	-	-	683.86	1,172.11
Retail	2A-R	30,000	798.07	-	-	798.07	1,406.54
Apartments	2A-A	500	683.86	-	-	683.86	1,172.11
Townhomes	3A	20	525.21	1,017.20	-	1,542.41	1,562.82
Office	4A	200,000	798.07	-	-	798.07	1,406.54
Retail	5A	15,000	798.07	-	-	798.07	1,406.54
Retail	6A	12,400	798.07	-	-	798.07	1,406.54
Hotel	7A	200	410.32	-	-	410.32	781.41
Condo	9A	200	1,516.12	-	-	1,516.12	2,734.93
Townhomes	9B	20	525.21	1,017.20	-	1,542.41	1,562.82
Retail	10	17,000	798.07	-	-	798.07	1,406.54
Retail	11	17,000	798.07	-	-	798.07	1,406.54

* Reflects the Adopted FY 2024 Assessment figures - please note that the FY 2024 Assessments included those levied to repay the Series 2020 and 2022 Bonds, which were subsequently refinanced with proceeds of the Series 2023A-1 and 2023A-2 Bonds

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

8A

STATE OF FLORIDA,

S.S.

COUNTY OF Duval,

Before the undersigned authority personally appeared Nichol Stringer, who on oath says that she is the Publisher's Representative of the JACKSONVILLE DAILY RECORD, a weekly newspaper published at Jacksonville, in Duval County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing to Consider the Adoption of the FY 2025 Budget; Notice of Public Hearing, etc.; and Notice of Regular Board of Supervisors' Meeting

in the matter of The District Community Development District

in the Court, was published in said newspaper by print in the issues of 7/25/24.

Affiant further says that the JACKSONVILLE DAILY RECORD complies with all legal requirements for publication in Chapter 50, Florida Statutes.

*This notice was published on both
jaxdailyrecord.com and floridapublicnotices.com.



Nichol Stringer

Sworn to and subscribed before me this 25th day of July, 2024 by Nichol Stringer who is personally known to me.

RHONDA L. FISHER
Notary Public, State of Florida
My Comm. Expires 09/16/2024
Commission No. HH43586



Seal

Notary Public, State of Florida

See
Attached
(Page 1 of 2)

**DISTRICT COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FY 2025 BUDGET;
NOTICE OF PUBLIC HEARING TO CONSIDER THE IMPOSITION OF OPERATIONS AND MAINTENANCE SPECIAL ASSESSMENTS, ADOPTION OF AN ASSESSMENT ROLL, AND THE LEVY, COLLECTION, AND ENFORCEMENT OF THE SAME; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.**

The Board of Supervisors ("Board") for District Community Development District ("District") will hold the following public hearings and regular meeting:

DATE: August 19, 2024
TIME: 1:30 p.m.
LOCATION: Kimley-Horn & Associates
12740 Gran Bay Parkway West, Suite 2350
Jacksonville, Florida 32258

The first public hearing is being held pursuant to Chapter 190, *Florida Statutes*, to receive public comment and objections on the District's proposed budget ("Proposed Budget") for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("FY 2025"). The second public hearing is being held pursuant to Chapters 190, *Florida Statutes*, to consider the imposition of operations and maintenance special assessments ("O&M Assessments") upon the lands located within the District to fund the Proposed Budget for FY 2025, to consider the adoption of an assessment roll, and to provide for the levy, collection, and enforcement of O&M Assessments. At the conclusion of the public hearings, the Board will, by resolution, adopt a budget and levy O&M Assessments as finally approved by the Board. A regular Board meeting of the District will also be held where the Board may consider any other District business that may properly come before it.

Description of Assessments

The District imposes O&M Assessments on benefited property within the District for the purpose of funding the District's general administrative, operations, and maintenance budget. A description of the services to be funded by the O&M Assessments, and the properties to be improved and benefitted from the O&M Assessments, are all set forth in the Proposed Budget. A geographic depiction of the property potentially subject to the proposed O&M Assessments is identified in the map attached hereto. The table below shows the schedule of the proposed O&M Assessments, which are subject to change at the hearing:

Land Use	Total Units / Acres / 1000 sq.ft.	EAU/ERU Factor	Proposed Annual O&M Assessment Per Unit/Acre/1000 sq.ft. ²
Retail	0	1.167	\$862.77
Apartments	0	1.000	\$739.31
Townhomes	0	0.768	\$567.79
Office	0	1.167	\$862.77
Hotel	0	0.600	\$449.59
Condo	0	2.217	\$1,639.05
Undeveloped Land	14.17	131.86	\$97,486.19
Undeveloped Townhomes	2.75	11.171	\$8,258.75

²includes collection costs and early payment discounts

NOTE: THE DISTRICT RESERVES ALL RIGHTS TO CHANGE THE LAND USES, NUMBER OF UNITS, EQUIVALENT ASSESSMENT OR RESIDENTIAL UNIT ("EAU/ERU") FACTORS, AND O&M ASSESSMENT AMOUNTS AT THE PUBLIC HEARING, WITHOUT FURTHER NOTICE.

The proposed O&M Assessments as stated include collection costs and/or early payment discounts imposed on assessments collected by the Duval County ("County") Tax Collector on the tax bill. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the "maximum rate" authorized by law for O&M Assessments, such that no public hearing on O&M Assessments shall be held or notice provided in future years unless the O&M Assessments are proposed to be increased or another criterion within Section 197.3632(4), *Florida Statutes*, is met. Note, the O&M Assessments do not include debt service assessments previously levied by the District, if any.

For FY 2025, the District intends to directly collect the O&M Assessments on all benefited property, if any, by sending out a bill no later than November of this year. It is important to pay your O&M Assessment because failure to pay will cause a tax certificate to be issued against the property which may result in loss of title or, for direct billed O&M Assessments, may result in a foreclosure action which also may result in a loss of title. The District's decision to collect O&M Assessments on the County tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

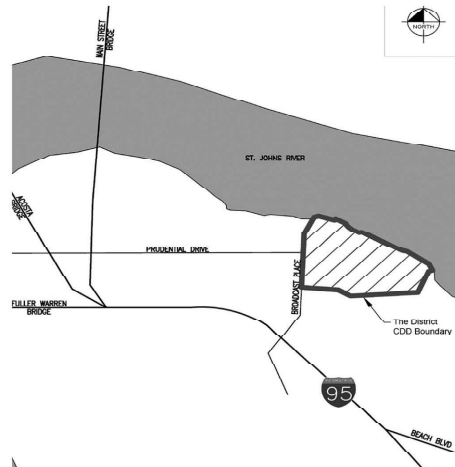
Additional Provisions

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the Proposed Budget, proposed assessment roll, and the agenda for the public hearings and meeting may be obtained at the offices of the District Manager, Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 Ph: (561) 571-0010 ("District Manager's Office"), during normal business hours, or by visiting the District's website at thedistrictdd.org. The public hearings and meeting may be continued in progress to a date, time certain, and place to be specified on the record at the public hearings or meeting. There may be occasions when staff or board members may participate by speaker telephone.

Any person requiring special accommodations at the public hearings or meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the public hearings and meeting. 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.

Please note that all affected property owners have the right to appear at the public hearings and meeting and may also file written objections with the District Manager's Office within twenty days of publication of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings 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



THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

8B

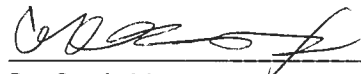
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, this day personally appeared Curtis Marcoux, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and am competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Curtis Marcoux, am employed by Wrathell, Hunt and Associates, LLC , and, in the course of that employment, serve as and/or assist the Financial Analyst for the District Community Development District ("District"). Among other things, my duties include preparing and transmitting correspondence relating to the District.
3. I do hereby certify that on July 18, 2024, and in the regular course of business, I caused letters, in the forms attached hereto as **Exhibit A**, to be sent notifying affected landowner(s) in the District of their rights under Florida law, and with respect to the District's anticipated imposition of operations and maintenance assessments. I further certify that the letters were sent to the addressees identified in the letters or list, if any, included in **Exhibit A** and in the manner identified in **Exhibit A**.
4. I do hereby certify that the attached document(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters; were and are being kept in the course of the regularly conducted activity of the District; and were made as a regular practice in the course of the regularly conducted activity of the District.

FURTHER AFFIANT SAYETH NOT.


By: Curtis Marcoux

SWORN AND SUBSCRIBED before me by means of ☒ physical presence or ☐ online notarization this 18th day of July 2024, by Curtis Marcoux, for Wrathell, Hunt and Associates, LLC, who ☒ is personally known to me or ☐ has provided _____ as identification, and who ☐ did or ☐ did not take an oath.



DAPHNE GILLYARD
Notary Public
State of Florida
Comm# HH390392
Expires 8/20/2027

NOTARY PUBLIC

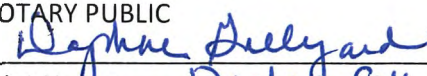

Print Name: Daphne Gillyard
Notary Public, State of Florida
Commission No.: HH 390392
My Commission Expires: 8/20/2027

EXHIBIT A: Copies of Forms of Mailed Notices, including Addresses

The District 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

THIS IS NOT A BILL – DO NOT PAY

July 18, 2024

VIA FIRST CLASS U.S. MAIL

ELEMENTS DEVELOPMENT OF JACKSONVILLE LLC
C/O PRESTON HOLLOW CAPITAL LLC
2121 N PEARL ST SUITE 600
DALLAS TX 75201

[PARCEL ID]: 080096-1000, 080096-1020, 080096-1040, 080096-1060, 080096-1100, 080096-0860,
080096-0880, 080096-1080, 080096-0900, 080096-0920, 080096-0940, 080096-0980

RE: District Community Development District
FY 2025 Budget and O&M Assessments

Dear Property Owner:

Pursuant to Florida law, the District Community Development District (“**District**”) will be holding a meeting and public hearing(s) for the purposes of (i) adopting the District’s proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2024, and ending September 30, 2025 (“**FY 2025**”), and (ii) levying operations and maintenance assessments (“**O&M Assessments**”) to fund the Proposed Budget as follows:

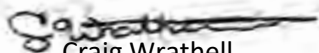
DATE: August 19, 2024
TIME: 1:30 p.m.
LOCATION: Kimley-Horn & Associates
12740 Gran Bay Parkway West, Suite 2350
Jacksonville, Florida 32258

The proposed O&M Assessment information for your property, schedule of assessments, and total revenue to be collected to fund the Proposed Budget for FY 2025 is set forth in **Exhibit A** attached hereto. The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. A copy of the Proposed Budget, assessment roll, and the agenda for the public hearings and meeting may be obtained by contacting the offices of the District Manager, Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 Ph: (561) 571-0010 (“**District Manager’s Office**”). The public hearings and meeting may be continued in progress to a date, time certain, and place to be specified on the record at the public hearings or meeting. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Manager’s Office at least forty-eight (48) hours prior to the public hearings or meeting. 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.

All affected property owners have the right to appear and comment at the public hearings and meeting and may file written objections with the District Manager’s Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the District’s Board of Supervisors with respect to any matter

considered at the public hearings 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Wrathell", with a long horizontal flourish extending to the right.

Craig Wrathell
District Manager

EXHIBIT A
Summary of O&M Assessments – FY 2025

1. **Proposed Budget / Total Revenue.** From all O&M Assessments levied to fund the Proposed Budget, the District expects to collect no more than **\$1,404,090.81** in gross revenue.
2. **Unit of Measurement.** O&M Assessments are allocated on a per acre basis for undeveloped land and on an Equivalent Assessment Unit or Equivalent Residential Unit (collectively herein, “**EAU/ERU**”) basis for platted lots.

3. **Schedule of O&M Assessments:**

Land Use	Total Units / Acres / 1000 sq.ft.	EAU/ERU Factor	Proposed Annual O&M Assessment Per Unit/Acre/1000 sq.ft.*
Retail	0	1.167	\$862.77
Apartments	0	1.000	\$739.31
Townhomes	0	0.768	\$567.79
Office	0	1.167	\$862.77
Hotel	0	0.600	\$443.59
Condo	0	2.217	\$1,639.05
Undeveloped Land	14.17	131.86	\$97,486.19
Undeveloped Townhomes	2.75	11.171	\$8,258.75

**includes collection costs and early payment discounts*

Note, the O&M Assessments do not include debt service assessments previously levied by the District, if any. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for O&M Assessments, such that no public hearing on O&M Assessments shall be held or notice provided in future years unless the O&M Assessments are proposed to be increased or another criterion within Section 197.3632(4) is met.

4. **Collection.** By operation of law, each year’s O&M Assessment constitutes a lien against the property levied on, just as do each year’s property taxes. For FY 2025, the District intends to directly collect the O&M Assessments imposed on all benefitted property, if any, by sending out a bill no later than November of this year. For delinquent assessments initially billed directly by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year’s County tax bill. **IT IS IMPORTANT TO PAY YOUR O&M ASSESSMENT BECAUSE FAILURE TO PAY WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN LOSS OF TITLE OR, FOR DIRECT BILLED ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION WHICH ALSO MAY RESULT IN A LOSS OF TITLE.** The District’s decision to collect O&M Assessments on the County tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

The District 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

THIS IS NOT A BILL – DO NOT PAY

July 18, 2024

VIA FIRST CLASS U.S. MAIL

Toll Brothers
951 Broken Sound Pkwy NW, Ste 180
Boca Raton, FL 33487

[PARCEL ID]: 080096-0900 and 080096-1040

RE: District Community Development District
FY 2025 Budget and O&M Assessments

Dear Property Owner:

Pursuant to Florida law, the District Community Development District (“**District**”) will be holding a meeting and public hearing(s) for the purposes of (i) adopting the District’s proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2024, and ending September 30, 2025 (“**FY 2025**”), and (ii) levying operations and maintenance assessments (“**O&M Assessments**”) to fund the Proposed Budget as follows:

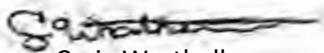
DATE:	August 19, 2024
TIME:	1:30 p.m.
LOCATION:	Kimley-Horn & Associates 12740 Gran Bay Parkway West, Suite 2350 Jacksonville, Florida 32258

The proposed O&M Assessment information for your property, schedule of assessments, and total revenue to be collected to fund the Proposed Budget for FY 2025 is set forth in **Exhibit A** attached hereto. The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. A copy of the Proposed Budget, assessment roll, and the agenda for the public hearings and meeting may be obtained by contacting the offices of the District Manager, Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 Ph: (561) 571-0010 (“**District Manager’s Office**”). The public hearings and meeting may be continued in progress to a date, time certain, and place to be specified on the record at the public hearings or meeting. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Manager’s Office at least forty-eight (48) hours prior to the public hearings or meeting. 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.

All affected property owners have the right to appear and comment at the public hearings and meeting and may file written objections with the District Manager’s Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the District’s Board of Supervisors with respect to any matter considered at the public hearings 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.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Wrathell", with a long horizontal flourish extending to the right.

Craig Wrathell
District Manager

EXHIBIT A
Summary of O&M Assessments – FY 2025

1. **Proposed Budget / Total Revenue.** From all O&M Assessments levied to fund the Proposed Budget, the District expects to collect no more than **\$1,404,090.81** in gross revenue.
2. **Unit of Measurement.** O&M Assessments are allocated on a per acre basis for undeveloped land and on an Equivalent Assessment Unit or Equivalent Residential Unit (collectively herein, “**EAU/ERU**”) basis for platted lots. Your property is classified as Undeveloped Townhomes.

3. **Schedule of O&M Assessments:**

Land Use	Total Units / Acres / 1000 sq.ft.	EAU/ERU Factor	Proposed Annual O&M Assessment Per Unit/Acre/1000 sq.ft.*
Retail	0	1.167	\$862.77
Apartments	0	1.000	\$739.31
Townhomes	0	0.768	\$567.79
Office	0	1.167	\$862.77
Hotel	0	0.600	\$443.59
Condo	0	2.217	\$1,639.05
Undeveloped Land	14.17	131.86	\$97,486.19
Undeveloped Townhomes	2.75	11.171	\$8,258.75

**includes collection costs and early payment discounts*

Note, the O&M Assessments do not include debt service assessments previously levied by the District, if any. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the “maximum rate” authorized by law for O&M Assessments, such that no public hearing on O&M Assessments shall be held or notice provided in future years unless the O&M Assessments are proposed to be increased or another criterion within Section 197.3632(4) is met.

4. **Collection.** By operation of law, each year’s O&M Assessment constitutes a lien against the property levied on, just as do each year’s property taxes. For FY 2025, the District intends to directly collect the O&M Assessments imposed on all benefitted property, if any, by sending out a bill no later than November of this year. For delinquent assessments initially billed directly by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year’s County tax bill. **IT IS IMPORTANT TO PAY YOUR O&M ASSESSMENT BECAUSE FAILURE TO PAY WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN LOSS OF TITLE OR, FOR DIRECT BILLED ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION WHICH ALSO MAY RESULT IN A LOSS OF TITLE.** The District’s decision to collect O&M Assessments on the County tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

8C

RESOLUTION 2024-14
[FY 2025 ASSESSMENT RESOLUTION]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT PROVIDING FOR FUNDING FOR THE FY 2025 ADOPTED BUDGET(S); PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Community Development District ("**District**") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District, located in Duval County, Florida ("**County**"); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District's adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

WHEREAS, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("**FY 2025**"), the Board of Supervisors ("**Board**") of the District has determined to undertake various operations and maintenance and other activities described in the District's budget ("**Adopted Budget**"), attached hereto as **Exhibit A**; and

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the District may fund the Adopted Budget through the levy and imposition of special assessments on benefitted lands within the District and, regardless of the imposition method utilized by the District, under Florida law the District may collect such assessments by direct bill, tax roll, or in accordance with other collection measures provided by law; and

WHEREAS, in order to fund the District's Adopted Budget, the District's Board now desires to adopt this Resolution setting forth the means by which the District intends to fund its Adopted Budget.

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

1. **FUNDING.** The District's Board hereby authorizes the funding mechanisms for the Adopted Budget as provided further herein and as indicated in the Adopted Budget attached hereto as **Exhibit A** and the assessment roll attached hereto as **Exhibit B** ("**Assessment Roll**").

2. **OPERATIONS AND MAINTENANCE ASSESSMENTS.**

- a. **Benefit Findings.** The provision of the services, facilities, and operations as described in **Exhibit A** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands is shown in **Exhibit A** and **Exhibit B** and is hereby found to be fair and reasonable.
 - b. **O&M Assessment Imposition.** Pursuant to Chapter 190, *Florida Statutes*, a special assessment for operations and maintenance ("**O&M Assessment(s)**") is hereby levied and imposed on benefitted lands within the District and in accordance with **Exhibit A** and **Exhibit B**. The lien of the O&M Assessments imposed and levied by this Resolution shall be effective upon passage of this Resolution.
 - c. **Maximum Rate.** Pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the "maximum rate" authorized by law for operation and maintenance assessments.
- 3. **DEBT SERVICE SPECIAL ASSESSMENTS.** The District's Board hereby certifies for collection the FY 2025 installment of the District's previously levied debt service special assessments ("**Debt Assessments**," and together with the O&M Assessments, the "**Assessments**") in accordance with this Resolution and as further set forth in **Exhibit A** and **Exhibit B**, and hereby directs District staff to affect the collection of the same.
- 4. **COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.** Pursuant to Chapter 190, *Florida Statutes*, the District is authorized to collect and enforce the Assessments as set forth below.
 - a. **Direct Bill Assessments.** To the extent indicated in **Exhibit A** and **Exhibit B**, those certain O&M Assessments (if any) and/or Debt Assessments (if any) imposed on "**Direct Collect Property**" identified in **Exhibit B** shall be collected directly by the District in accordance with Florida law, as set forth in **Exhibit A** and **Exhibit B**. The District's Board finds and determines that such collection method is an efficient method of collection for the Direct Collect Property.
 - i. *Due Date (O&M Assessments).* O&M Assessments directly collected by the District shall be due and payable in full on **October 1, 2024** provided, however, that, to the extent permitted by law, the O&M Assessments due may be paid in several partial, deferred payments and according to the following schedule: **50%** due no later than **October 1, 2024**, **25%** due no later than **February 1, 2025** and **25%** due no later than **April 1, 2025**.

- ii. *Due Date (Debt Assessments).* Debt Assessments directly collected by the District shall be due and payable in full on December 1, 2024; provided, however, that, to the extent permitted by law, the Debt Assessments due may be paid in several partial, deferred payments and according to the following schedule: **50% due no later than October 1, 2024, 25% due no later than February 1, 2025 and 25% due no later than April 1, 2025.**
- iii. In the event that an Assessment payment is not made in accordance with the schedule(s) stated above, the whole of such Assessment, including any remaining partial, deferred payments for the Fiscal Year: shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District's sole discretion, collected pursuant to the Uniform Method on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent Assessments shall accrue at the rate of any bonds secured by the Assessments, or at the statutory prejudgment interest rate, as applicable. In the event an Assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate foreclosure proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole Assessment, as set forth herein.

- b. **Future Collection Methods.** The District's decision to collect Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

5. **ASSESSMENT ROLL; AMENDMENTS.** The Assessment Roll, attached hereto as **Exhibit B**, is hereby certified for collection. The Assessment Roll shall be collected pursuant to the collection methods provided above. The proceeds therefrom shall be paid to the District. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll.

6. **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.

7. **EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

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

ATTEST:

**THE DISTRICT COMMUNITY DEVELOPMENT
DISTRICT**

Secretary / Assistant Secretary

By: _____

Its: _____

Exhibit A: Budget

Exhibit B: Assessment Roll

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

9A

**DIRECT COLLECTION AGREEMENT
FY 2025**

This **Agreement** ("**Agreement**") is made and entered into effective as of October 1, 2024, by and between:

DISTRICT COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes* (hereinafter "**District**"), is located in Duval County, Florida ("**County**"), and whose mailing address is District's Manager, c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431; and

TOLL SOUTHEAST LP COMPANY, INC., a Delaware corporation and the owner of certain property located within the boundaries of the District (hereinafter, the "**Property Owner**," and together with the District, "**Parties**"), and whose mailing address is 1140 Virginia Drive, Fort Washington, Pennsylvania 10934. For purposes of this Agreement, Property Owner's property is more particularly described in **Exhibit A** attached hereto ("**Property**").

RECITALS

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the District was established for the purpose of planning, financing, constructing, operating, and/or maintaining certain infrastructure, and 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, the 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, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("**FY 2025**"), the Board of Supervisors ("**Board**") of the District determined to undertake various operations and maintenance and other activities described in the District's adopted budget ("**Adopted Budget**"); and

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the District may fund the Adopted Budget through the levy and imposition of special assessments on benefitted lands within the District, and, regardless of imposition method utilized by the District, under Florida law the District may collect such assessments by direct bill, tax roll, or in accordance with other collection measures provided by law; and

WHEREAS, pursuant to Resolution 2024-14 ("**Annual Assessment Resolution**"), the District's Board levied special assessments to fund the operations and maintenance of the Adopted Budget ("**O&M Assessments**") in the amounts set forth in Adopted Budget and the assessment roll attached to the Annual Assessment Resolution ("**Assessment Roll**"), and set forth the method by which the O&M Assessments and the FY 2025 installment of the District's previously levied debt service assessments ("**Debt Assessment**," and together with the O&M Assessments, "**Assessments**") shall be collected and enforced; and

WHEREAS, Property Owner agrees that the O&M Assessments, which were imposed on the lands within the District, including the Property, have been validly imposed and constitute valid, legal, and binding liens upon the lands within the District; and

WHEREAS, pursuant to Florida law, the District certified the Assessment Roll relating to the “**Direct Collect Property**” for direct collection by the District in accordance with Florida law; and

WHEREAS, as the Property is identified on the Assessment Roll as Direct Collect Property, the District and Property Owner desire to arrange for the direct collection and direct payment of the District’s Assessments levied against the Property.

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. **RECITALS.** The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Agreement.

2. **VALIDITY OF SPECIAL ASSESSMENTS.** Property Owner agrees that the Assessments have been validly imposed and constitute valid, legal, and binding liens upon the lands within the District, including the Property. Property Owner hereby waives and relinquishes any rights it may have to challenge, object to, or otherwise fail to pay such Assessments.

3. **COVENANT TO PAY.** Property Owner agrees to pay the Assessments attributable to the Property, regardless of whether Property Owner owns the Property at the time such payment is due or paid. Nothing herein shall prohibit Property Owner from prorating or otherwise collecting these Assessments from subsequent purchasers of the Property. The District shall send a bill to Property Owner at least thirty (30) days prior to the first Assessment due date, indicating the exact amount of the Assessment being certified for collection in FY 2025. The Assessments attributable to the Property shall be due and payable on the dates and in the amounts set forth in the Annual Assessment Resolution. The District’s decision to collect Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

4. **ENFORCEMENT.** This Agreement shall serve as an alternative, additional method for collection of the Assessments. This Agreement shall not affect the District’s ability to collect and enforce its Assessments by any other method authorized by Florida law. Property Owner acknowledges that the failure to pay the Assessments may result in the initiation of a foreclosure action, or, at the District’s sole discretion, delinquent Assessments may be certified for collection on a future County tax bill. In the event that an Assessment payment is not made in accordance with the schedule stated above, the whole of such Assessment – including any remaining partial, deferred payments for FY 2025, shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District’s sole discretion, collected pursuant to Chapter 197, Florida Statutes (“**Uniform Method**”), on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent Assessments shall accrue at the applicable rate of any bonds or other debt instruments secured by the Assessments, or at the statutory prejudgment interest rate, as applicable. In the event an Assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate legal proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole Assessment, as set forth herein.

5. **NOTICE.** All notices, requests, consents and other communications under this Agreement, but excluding invoices ("**Notices**") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, at the addresses set forth above. Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth in this Agreement. Notices delivered after 5:00p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the Parties may deliver Notice on behalf of the Parties. Any Party or other person to whom Notices are to be sent or copied may notify the other Parties and addresses of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addresses set forth in this Agreement.

6. **AMENDMENT.** This instrument shall constitute the final and complete expression of the Agreement between 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.

7. **AUTHORITY.** 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 the requirements of law, and each Party has full power and authority to comply with the terms and provisions of this Agreement.

8. **ASSIGNMENT.** This Agreement may not be assigned, in whole or in part, by either Party except upon the written consent of the other. Any purported assignment without such consent shall be void.

9. **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 and specifically including the ability of the District to enforce any and all payment obligations under this Agreement through the imposition and enforcement of a contractual or other lien on property owned by the Property Owner.

10. **ATTORNEYS' FEES.** In the event that either 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.

11. **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.

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

13. **NEGOTIATION AT ARM'S LENGTH.** This Agreement has been negotiated fully between 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.

[SIGNATURES ON NEXT PAGE]

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

Attest:

DISTRICT COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

By: _____
Its: _____

TOLL SOUTHEAST LP COMPANY, INC.,
a Delaware corporation

Witness

By: _____
Name: _____
Title: _____

EXHIBIT A Description of the Property

EXHIBIT A

TRACT 3A AND TRACT 9B, RIVERSEDGE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID TRACT 9B, SAID CORNER LYING ON THE SOUTHERLY LINE OF TRACT "G" AS SHOWN ON SAID PLAT OF RIVERSEDGE; THENCE S66°14'48"E, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 95.02 FEET TO THE SOUTHEASTERLY LINE OF SAID TRACT 9B; THENCE S23°45'12"W, ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 280.55 FEET TO THE SOUTHERLY LINE OF SAID TRACT 9B; THENCE S86°36'07"W, ALONG THE SOUTHERLY LINE OF SAID TRACT 3A AND TRACT 9B, A DISTANCE OF 637.93 FEET TO THE SOUTHEAST CORNER OF TRACT "H" AS SHOWN ON SAID PLAT OF RIVERSEDGE; THENCE N03°23'53"W, ALONG THE EAST LINE OF SAID TRACT "H", A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT "H"; THENCE S86°36'07"W, ALONG THE NORTH LINE OF SAID TRACT "H", A DISTANCE OF 155.80 FEET TO AN ANGLE POINT IN SAID NORTH LINE; THENCE N69°41'16"W, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 47.03 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF HEALTH WALK WAY (A VARIABLE WIDTH PRIVATE RIGHT OF WAY) AS SHOWN ON SAID PLAT OF RIVERSEDGE; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, THE FOLLOWING FIVE (5) COURSES: COURSE ONE (1): N22°27'19"E, 3.76 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE WESTERLY AND HAVING A RADIUS OF 55.00 FEET; COURSE TWO (2): NORTHERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 31.54 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N06°01'31"E, 31.11 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE BEING CONCAVE EASTERLY AND HAVING A RADIUS OF 20.00 FEET; COURSE THREE (3): NORTHERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 11.47 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N06°01'31"E, 11.31 FEET TO A POINT OF TANGENCY; COURSE FOUR (4): N22°27'19"E, 94.90 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE SOUTHERLY AND HAVING A RADIUS OF 25.00 FEET; COURSE FIVE (5): NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 38.14 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N66°09'50"E, 34.55 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 1484.00 FEET, LAST SAID POINT OF REVERSE CURVATURE LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE (TRACT "BB", A VARIABLE WIDTH PRIVATE RIGHT OF WAY) AS SHOWN ON SAID PLAT OF RIVERSEDGE; THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT OF WAY LINE, THE FOLLOWING FIVE (5) COURSES: COURSE ONE (1): EASTERLY ALONG THE ARC OF LAST SAID CURVE, AN ARC DISTANCE OF 499.69 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S79°46'26"E, 497.33 FEET TO A POINT OF NON-TANGENCY; COURSE TWO (2): N06°49'58"E, 18.43 FEET; COURSE THREE (3): S87°12'10"E, A DISTANCE OF 140.05 FEET TO A POINT OF CURVATURE OF A CURVE BEING CONCAVE NORTHERLY AND HAVING A RADIUS OF 99.50 FEET; COURSE FOUR (4): NORTHEASTERLY ALONG THE ARC OF LAST SAID CURVE, AN

ARC DISTANCE OF 119.91 FEET, LAST SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF N58°16'26"E, 112.78 FEET TO A POINT OF TANGENCY; COURSE FIVE (5): N23°45'02"E, 159.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.75 ACRES, MORE OR LESS.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

9B

**DIRECT COLLECTION AGREEMENT
FY 2025**

This **Agreement** ("**Agreement**") is made and entered into effective as of October 1, 2024, by and between:

DISTRICT COMMUNITY DEVELOPMENT DISTRICT, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes* (hereinafter "**District**"), is located in Duval County, Florida ("**County**"), and whose mailing address is District's Manager, c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431; and

ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC, a Florida limited liability company and the owner of certain property located within the boundaries of the District (hereinafter, the "**Property Owner**," and together with the District, "**Parties**"), and whose mailing address is 2538 River Road, Jacksonville, Florida 32207. For purposes of this Agreement, Property Owner's property is more particularly described in **Exhibit A** attached hereto ("**Property**").

RECITALS

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the District was established for the purpose of planning, financing, constructing, operating, and/or maintaining certain infrastructure, and 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, the 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, for the fiscal year beginning October 1, 2024, and ending September 30, 2025 ("**FY 2025**"), the Board of Supervisors ("**Board**") of the District determined to undertake various operations and maintenance and other activities described in the District's adopted budget ("**Adopted Budget**"); and

WHEREAS, pursuant to Chapter 190, *Florida Statutes*, the District may fund the Adopted Budget through the levy and imposition of special assessments on benefitted lands within the District, and, regardless of imposition method utilized by the District, under Florida law the District may collect such assessments by direct bill, tax roll, or in accordance with other collection measures provided by law; and

WHEREAS, pursuant to Resolution 2024-14 ("**Annual Assessment Resolution**"), the District's Board levied special assessments to fund the operations and maintenance of the Adopted Budget ("**O&M Assessments**") in the amounts set forth in Adopted Budget and the assessment roll attached to the Annual Assessment Resolution ("**Assessment Roll**"), and set forth the method by which the O&M Assessments and the FY 2025 installment of the District's previously levied debt service assessments ("**Debt Assessment**," and together with the O&M Assessments, "**Assessments**") shall be collected and enforced; and

WHEREAS, Property Owner agrees that the O&M Assessments, which were imposed on the lands within the District, including the Property, have been validly imposed and constitute valid, legal, and binding liens upon the lands within the District; and

WHEREAS, pursuant to Florida law, the District certified the Assessment Roll relating to the “**Direct Collect Property**” for direct collection by the District in accordance with Florida law; and

WHEREAS, as the Property is identified on the Assessment Roll as Direct Collect Property, the District and Property Owner desire to arrange for the direct collection and direct payment of the District’s Assessments levied against the Property.

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. **RECITALS.** The recitals so stated are true and correct and by this reference are incorporated into and form a material part of this Agreement.

2. **VALIDITY OF SPECIAL ASSESSMENTS.** Property Owner agrees that the Assessments have been validly imposed and constitute valid, legal, and binding liens upon the lands within the District, including the Property. Property Owner hereby waives and relinquishes any rights it may have to challenge, object to, or otherwise fail to pay such Assessments.

3. **COVENANT TO PAY.** Property Owner agrees to pay the Assessments attributable to the Property, regardless of whether Property Owner owns the Property at the time such payment is due or paid. Nothing herein shall prohibit Property Owner from prorating or otherwise collecting these Assessments from subsequent purchasers of the Property. The District shall send a bill to Property Owner at least thirty (30) days prior to the first Assessment due date, indicating the exact amount of the Assessment being certified for collection in FY 2025. The Assessments attributable to the Property shall be due and payable on the dates and in the amounts set forth in the Annual Assessment Resolution. The District’s decision to collect Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

4. **ENFORCEMENT.** This Agreement shall serve as an alternative, additional method for collection of the Assessments. This Agreement shall not affect the District’s ability to collect and enforce its Assessments by any other method authorized by Florida law. Property Owner acknowledges that the failure to pay the Assessments may result in the initiation of a foreclosure action, or, at the District’s sole discretion, delinquent Assessments may be certified for collection on a future County tax bill. In the event that an Assessment payment is not made in accordance with the schedule stated above, the whole of such Assessment – including any remaining partial, deferred payments for FY 2025, shall immediately become due and payable; shall accrue interest, penalties in the amount of one percent (1%) per month, and all costs of collection and enforcement; and shall either be enforced pursuant to a foreclosure action, or, at the District’s sole discretion, collected pursuant to Chapter 197, Florida Statutes (“**Uniform Method**”), on a future tax bill, which amount may include penalties, interest, and costs of collection and enforcement. Any prejudgment interest on delinquent Assessments shall accrue at the applicable rate of any bonds or other debt instruments secured by the Assessments, or at the statutory prejudgment interest rate, as applicable. In the event an Assessment subject to direct collection by the District shall be delinquent, the District Manager and District Counsel, without further authorization by the Board, may initiate legal proceedings pursuant to Chapter 170, *Florida Statutes*, or other applicable law to collect and enforce the whole Assessment, as set forth herein.

5. **NOTICE.** All notices, requests, consents and other communications under this Agreement, but excluding invoices ("**Notices**") shall be in writing and shall be delivered, mailed by First Class Mail, postage prepaid, or overnight delivery service, to the Parties, at the addresses set forth above. Except as otherwise provided in this Agreement, any Notice shall be deemed received only upon actual delivery at the address set forth in this Agreement. Notices delivered after 5:00p.m. (at the place of delivery) or on a non-business day, shall be deemed received on the next business day. If any time for giving Notice contained in this Agreement would otherwise expire on a non-business day, the Notice period shall be extended to the next succeeding business day. Saturdays, Sundays, and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for the Parties may deliver Notice on behalf of the Parties. Any Party or other person to whom Notices are to be sent or copied may notify the other Parties and addresses of any change in name or address to which Notices shall be sent by providing the same on five (5) days written notice to the Parties and addresses set forth in this Agreement.

6. **AMENDMENT.** This instrument shall constitute the final and complete expression of the Agreement between 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.

7. **AUTHORITY.** 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 the requirements of law, and each Party has full power and authority to comply with the terms and provisions of this Agreement.

8. **ASSIGNMENT.** This Agreement may not be assigned, in whole or in part, by either Party except upon the written consent of the other. Any purported assignment without such consent shall be void.

9. **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 and specifically including the ability of the District to enforce any and all payment obligations under this Agreement through the imposition and enforcement of a contractual or other lien on property owned by the Property Owner.

10. **ATTORNEYS' FEES.** In the event that either 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.

11. **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.

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

13. **NEGOTIATION AT ARM'S LENGTH.** This Agreement has been negotiated fully between 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.

[SIGNATURES ON NEXT PAGE]

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

Attest:

DISTRICT COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

By: _____
Its: _____

ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC,
a Florida limited liability company

Witness

By: _____
Name: _____
Title: _____

EXHIBIT A Description of the Property

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

10

Amendment Two To Task Order No. CDD Six (6)

1. Background Data:

- a. Effective Date of Amendment: **August 19, 2024**
- b. Owner: **The District Community Development District**
- c. Engineer: **Kimley-Horn and Associates, Inc.**
- d. Specific Project: **Marina Design**

2. Description of Modifications

Budget Modifications for Approved Tasks

Budgets for the following tasks will be modified as described below:

Task 1 – Marina Project Management – Budget decrease of \$10,000 based on effort expended to date and anticipated effort remaining.

Task 2 – Marina Coordination Meetings – Budget decrease of \$5,000 based on effort expended to date and anticipated effort remaining.

Task 10 – Marina Engineering Design and Permitting Coordination - Budget increase of \$15,000 based on effort expended to date and anticipated effort remaining.

Addition of New Task and Associated Fee Project Budget

The task listed below (Task 13) is being added to Task Order Number CDD Six (6) as part of this Amendment Two. Task 13 is attributable to the CDD and accordingly the cost for this task is allocated entirely to the CDD.

Task 13 – Marina Water Quality Testing and Reporting

3. Task Order Summary (Reference only)

a.	Original Task Order amount:	\$555,000
b.	Net change for prior amendments:	\$320,000
c.	This amendment amount:	\$30,000
d.	Adjusted Task Order amount:	\$905,000

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is August 19, 2024.

OWNER:	ENGINEER:
By: _____	By: _____
Title: _____	Title: _____
Date _____	Date _____
Signed: _____	Signed: _____

ATTACHMENT 1
SUMMARY OF TASK FEE PROJECTION ADJUSTMENTS

Task	Description	Task Type	Approved Fee Projection Budget	Adjustment to Fee Projection Budget	Revised Fee Projection Budget
1	Marina Project Management	Hourly	\$55,000	(\$10,000)	\$45,000
2	Marina Coordination Meetings	Hourly	\$60,000	(\$5,000)	\$55,000
3	Marina Surveying Services	Sub Reimb.	\$20,000	None	\$20,000
4	Marina Geotechnical Services	Sub Reimb.	\$20,000	None	\$20,000
5	Marina Biological Services	Sub Reimb.	\$30,000	None	\$30,000
6	Marina Engineering Design	Sub Reimb.	\$275,000	None	\$275,000
7	Marina Permitting	Sub Reimb.	\$50,000	None	\$50,000
8	Marina Bid Phase Services	Sub Reimb.	\$25,000	None	\$25,000
9	Marina Limited Construction Phase Services	Sub Reimb.	\$35,000	None	\$35,000
10	Marina Engineering Design and Permitting Coordination	Hourly	\$90,000	\$15,000	\$105,000
11	Marina Bidding and Limited Construction Phase Services Coordination	Hourly	\$100,000	None	\$100,000
12	Marina Environmental Observation, Testing, and Reporting	Hourly	\$100,000	None	\$100,000
13	Marina Water Quality Testing and Reporting	Sub Reimb.	\$0	\$30,000	\$30,000
EXP	Direct Expense Reimbursement Budget	Reimb.	\$15,000	None	\$15,000
Total of Subconsultant Reimbursable Tasks			\$455,000	\$30,000	\$485,000
Total of Hourly Task Budgets			\$405,000	\$0	\$405,000
Total of Reimbursable Expense Budget			\$15,000	\$0	\$15,000

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

11A



November 28, 2022

Updated December 20, 2022

The District
Community Development District
City of Jacksonville, Florida

RiversEdge Marina
District Engineer's Report

Prepared by:

Kimley-Horn and Associates, Inc.
Jacksonville, Florida

Kimley»Horn

RiversEdge Marina District Engineer's Report

The District Community Development District *City of Jacksonville, Florida*

Prepared by:

Kimley-Horn and Associates, Inc.
12740 Gran Bay Parkway West, Suite 2350
Jacksonville, Florida 32258
FBPE Registry No. 35106

©Kimley-Horn and Associates
December 20, 2022

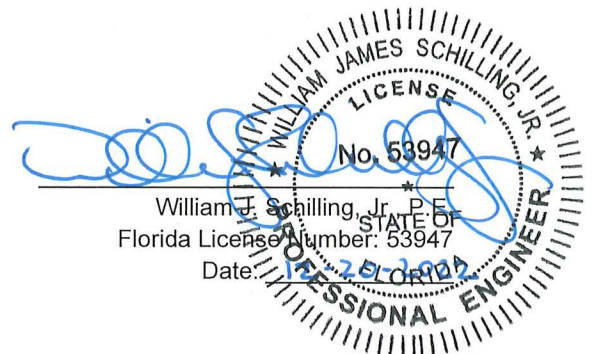


Table of Contents

1. Introduction.....	1
A. RiversEdge Marina District Engineer's Report.....	1
B. Description of The District Community Development District	1
C. Purpose and Scope of Report	2
2. CDD Boundary and Property	3
A. CDD Boundary	3
B. Description of Property	3
C. Description of the Marina	3
Table 1: RiversEdge Marina Slip Mix*	4
3. Proposed CDD Marina CIP.....	4
A. Fueling Pier Demolition	5
B. Floating Docks.....	5
C. Fixed Piers with Boat Lifts	6
D. Water and Sewer Utilities	6
E. Lighting and Shore Power	6
F. CDD Marina Work Product.....	6
G. Entitlement Equity Acquisition	6
H. Kayak Launch and Water Taxi Landing	7
4. Community Development District Infrastructure Improvements	8
A. Summary of Opinion of Preliminary Probable Construction Costs	8
Table 2: Summary of the Opinion of Preliminary Probable Construction Costs for Capital Improvements of The District Community Development District Public Marina	8
B. Infrastructure Ownership and Maintenance	9
Table 3: Infrastructure Ownership & Maintenance	9
5. Summary of Approvals	10

Attachments

Exhibit A – Vicinity Map

Exhibit B – Community Development District Boundary Map

Exhibit C – Proposed Marina Plan

Exhibit D – Conceptual Development Use Plan / Site Plan

1. Introduction

A. RiversEdge Marina District Engineer's Report

This RiversEdge Marina District Engineer's Report is being issued effective December 20, 2022 ("**2022 Marina Report**"). The 2022 Marina Report was originally issued on November 28, 2022, and updated effective December 20, 2022. This 2022 Marina Report has been prepared in support of issuance of the Series 2022 Marina Bond Anticipation Notes ("**BAN's**") and the Series 2023 Marina Bonds ("**Marina Bonds**"), to establish the Capital Improvement Plan ("**Marina Project CIP**" or "**CIP**") for the RiversEdge Marina project ("**Marina**" or "**Marina Project**"), and to provide the Opinion of Probable Construction Costs for the Marina Project CIP.

B. Description of The District Community Development District

The District Community Development District ("**CDD**" or "**District**") is a special purpose unit of local government established by and located entirely within the City of Jacksonville. The CDD was established effective October 24, 2018 and pursuant to Chapter 190, *Florida Statutes*, for the purposes of financing, constructing, acquiring, operating and maintaining public infrastructure improvements.

By way of background, and in July 2018, the City of Jacksonville ("**City**"), the Downtown Investment Authority ("**DIA**") and Elements Development of Jacksonville, LLC ("**Developer**") entered into that certain *Redevelopment Agreement for Redevelopment of the JEA Southside Generator Parcel* ("**Redevelopment Agreement**"). (The CDD joined the Redevelopment Agreement effective April 23, 2019.) Pursuant to the Redevelopment Agreement, the parties intend to redevelop an approximately 32-acre parcel of land – i.e., the land within the CDD's boundaries – along the south bank of the St. Johns River into a mixed-use development, including 1,170 residential units, 200 hotel rooms, 200,000 square feet of office space, 121,400 square feet of retail space, and 125 marina slips. Pursuant to the Redevelopment Agreement, the RiversEdge development is required to include the Marina, which the parties envision as a 125-slip public marina that The District constructs, operates, and maintains. The Marina will provide a special benefit to the property within The District and to the District's residents, landowners, patrons, and Marina users.

The RiversEdge development will be supported by public infrastructure that is part of the "CDD Project", the "CRA Project" and the "Marina Project". The CDD Project and CRA Project infrastructure are described in The District Community Development District – District Engineer's Report ("**2019 Engineer's Report**"), dated February 25, 2019, and subsequently amended on December 18, 2020 ("**2020 Engineer's Report**"), on March 21, 2022 ("**2022 Engineer's Report**"), and on November 28, 2022 ("**2022 Amended Engineer's Report**"). As noted in the 2022 Amended Engineer's Report, the Marina Project is to be described in a separate District Engineer's Report. This 2022 Marina Report is the separate District Engineer's Report referenced in the 2022 Amended Engineer's Report.

Pursuant to the Redevelopment Agreement, the CDD is responsible for constructing both the CDD Project as well as the CRA Project. The CDD has authorized the issuance of Grant Revenue and Special Assessment bonds, in one or more series ("**REV Bonds**," and together with the Marina Bonds, the "**Bonds**"), to fund all or a portion of the construction of the CDD Project and the CRA Project. Up to \$23 million in costs for the CRA Project will be paid for and/or reimbursed by the DIA.

It is expected that the CDD will be responsible for constructing the Marina Project CIP. The CDD will be issuing BAN's and tax-exempt Bonds to fund construction of the Marina Project CIP. Additionally, the CDD will be funding up to \$2 million in costs for the Marina Project from the CDD's REV Bonds. This funding amount is reflected as the "CDD Marina Horizontal Infrastructure Contribution" in Table 2 in Section 4 and discussed in more detail in the 2022 Amended Engineer's Report. The CDD will be pursuing approximately \$1 to \$2 million in potential grants related to the Marina Project from the Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, and the Florida Inland Navigation District. As of the date of this report no grants have been awarded to the CDD, therefore, the potential receipt of grants has not been considered in Table 2 in Section 4.

The purpose of this report is to provide a description of the Marina Project CIP and its associated costs. A vicinity map of the CDD is included as Exhibit "A" along with the CDD boundary as Exhibit "B". The Marina will be constructed and anchored on District-owned upland parcels ("**Upland Parcels**") bordering the St. Johns River, with its docks and marina slips extending out from such Upland Parcels over the adjacent river body and sovereign submerged lands located thereunder. The Upland Parcels, dockmaster building, utility service connections, and landward access to all Marina facilities (including the docks and marina slips) will be located within the District's boundaries, with docks and marina slips extending outside the District's current boundary into the St. Johns River over state-owned sovereign submerged lands. As owner of the Upland Parcels, the District has the riparian right to access and use the St. Johns River, as well as construct the Marina reaching from the Upland Parcels to navigable water, when not objected to by the State of Florida ("**State**"). Therefore, the District intends to obtain a submerged land lease from the Board of Trustees of the Internal Improvement Trust Fund of the State for the portions of the Marina located over the State's sovereign submerged land. Additionally, the proposed kayak launch will be constructed within a perpetual easement over lands owned by the Jacksonville Electric Authority, a public utility. The Proposed Marina Plan for the Marina Project is shown in Exhibit "C". Additionally, the Conceptual Development Use Plan ("**Site Plan**") is shown in Exhibit "D".

C. Purpose and Scope of Report

The purpose and scope of this report is to provide a description of the Marina Project and the capital improvements to be constructed and financed by the CDD as part of the Marina Project CIP.

The Marina Project CIP is estimated to cost **\$27,770,000** and will be funded in full or part with the proceeds from the issuance of the BAN's and tax-exempt Bonds. The breakdown of this amount is shown in Table 2 in Section 4.

2. CDD Boundary and Property

A. CDD Boundary

Exhibit "B" delineates the current CDD boundary, which consists of 32.21 acres, more or less. The CDD is bounded on the North by the St. Johns River, on the West by the Duval County School Board property and Broadcast Place, on the East by undeveloped lands and a minor waterway connecting to the St. Johns River, and on the South by a substation and undeveloped lands owned by the Jacksonville Electric Authority ("**JEA**").

B. Description of Property

The property within the CDD is located in the City of Jacksonville within portions of Sections 44, 45 and 60, Township 2 South, Range 26 East in Duval County, Florida. The CDD falls within the City's Downtown Development of Regional Impact ("**DRI**") and the Downtown Overlay Zone.

C. Description of the Marina

As stated above, the Marina will be constructed and anchored on the District-owned Upland Parcels (identified by Duval County Real Estate Numbers 080096-0525 and 080096-0540) bordering the St. Johns River, with its docks and wet slips extending out from such Upland Parcels and located on the portion of the St. Johns River and sovereign submerged lands abutting the Upland Parcels. Pursuant to the Upland Parcels riparian rights, the CDD has and/or intends to request a submerged lands lease for the portions of the Marina located over the State's sovereign submerged land, which consists of approximately 447,287 square feet. The CDD intends to obtain a perpetual easement from the Jacksonville Electric Authority for the kayak launch.

The Marina will provide a mix of fixed and floating dock structures and fixed access piers from the Upland Parcels' bulkhead to provide gangway access to the floating docks. Fixed piers (Docks D, E, and F) will also provide boaters access to boat lift slips that will permit the owners to lift their vessels out of the water and the associated waves and wakes. The Marina will provide 82 dedicated slips for vessels 20 ft to 65 ft and an additional 2,762 linear feet of flexible side-tie dockage (approximately 43 slips) for transient boaters, day-use boaters, vessels larger than 65 ft as well as superyachts, and the water taxi. Table 1 provides the proposed slip mix for the public marina.

Table 1: RiversEdge Marina Slip Mix*

Slip Length (ft)	Count (#)	Leasable Length (ft)
20	1	20
36	26	936
40	13	520
45	24	1,080
50	6	300
55	4	220
65	8	520
Side-Tie	43	2,762
TOTAL	125	6,358

* Please note that one of the marina slips will be designated as the water taxi stop.

3. Proposed CDD Marina CIP

The 125-slip public Marina will be constructed, operated, and maintained by the CDD. The Marina will include electric and water utilities, a fire protection system, and a marine pump-out system. A dockmaster building consisting of approximately 1,600 square feet that includes marina offices, restrooms, laundry, storage and communications facilities is planned as part of the Marina and will be located within the District's boundaries. These public Marina improvements will be constructed using CDD BAN and Bond funds specifically issued for the Marina Project CIP.

The Marina Project is currently anticipated to be constructed in one or more phases, as determined by the CDD, and will generally consist of the following categories:

- A. Fueling Pier Demolition
- B. Floating Docks
- C. Fixed Piers with Boat Lifts
- D. Water and Sewer Utilities
- E. Lighting and Shore Power

- F. CDD Marina Work Product
- G. Entitlement Equity Acquisition
- H. Kayak Launch and Water Taxi Landing

All components of the Marina Project CIP are public improvements and will be open to the public, subject to State and local regulations, including but not limited to City ordinances, and/or District rules as appropriate. Further, all such improvements will be owned and operated by the District or another governmental entity (aside from Water Taxi Stop), and will be located on property that is owned or leased by the District or another governmental entity and/or placed within a perpetual easement that is held by the District or another governmental entity.

A. Fueling Pier Demolition

There is an existing waterfront structure within the Marina footprint that formerly served as the fueling pier for the JEA Southside Generating Station (“**SGS**”) prior to demolition of the SGS. The fueling pier is functionally obsolete and no longer structurally sound. Additionally, if the fueling pier were to remain it would obstruct access to future berths within the planned Marina. Accordingly, the fueling pier is planned to be demolished as part of the Marina Project.

B. Floating Docks

The floating docks (Docks A, B, and C) are expected to be constructed of two types: a heavy-duty concrete wave attenuator (Dock C except the finger piers) and lighter weight floating docks in the area protected by the attenuator (Docks A and B and Dock C finger piers). The lighter weight docks will likely be aluminum-framed with artificial wood decking and concrete pontoons.

The floating portion of the Marina provides 30 dedicated slips generally from 40 ft to 65 ft and the whole of the 2,762 linear feet of side-tie dockage. The dedicated slips are double-loaded. There are 36,170 SF of floating dock structures.

The floating dock main piers are generally 12 ft wide and the wave attenuator 16.4 ft wide. Finger pier widths are generally 10% of the slip length rounded up to the next full foot. The floating portion of the Marina is generally anticipated to be the portion most commonly used by the public at a high frequency as it contains the transient and day-use slips and the water taxi landing. Docks A, B, and C may be fitted with security gates, as allowed by State, local, and federal tax law.

The docks are expected to be anchored by either pre-cast, pre-stressed concrete piling or steel pipe piling.

C. Fixed Piers with Boat Lifts

The fixed piers (Docks D, E, and F) will also be double-loaded and fitted with high-capacity boat lifts. The lifts allow the vessels to be protected from waves and wakes, provide for a secure unfettered mooring, and reduce vessel fouling. The slips are all double-loaded and provide dockage for vessels ranging in size from 36 ft to 45 ft.

The fixed main piers are generally 10 ft wide. Finger pier widths are generally 10% of the slip length rounded up to the next full foot. Docks D, E, and F may be fitted with security gates, as allowed by State, local, and federal tax law. There are 15,582 SF of fixed piers.

The fixed piers are expected to be supported by pre-cast, pre-stressed concrete piling.

D. Water and Sewer Utilities

All wet slips will be fitted with shore utilities including potable water, with utility service connections provided from the landward utilities constructed as part of the CDD Project. Docks A, B, and C will also be served with sewage pumpout service. The docks will also have a dry standpipe system with a fire department connection (FDC) with fire truck access near a planned fire hydrant. The designs will meet all applicable codes. The fire water plans have been discussed with the Authority Having Jurisdiction (AHJ) and are anticipated to meet its requirements.

E. Lighting and Shore Power

Dockside utilities will also include shore power (sized appropriately for each slip size) and LED task lighting to light the dock walkways at night. Service will include 30A/125V, 50A/125V/250V, 100A/250V, 100A/480V, and 200A/600V sockets in the appropriate locations. The electrical utility service connections will be provided from the landward JEA electric service main(s) installed as part of the CDD Project.

F. CDD Marina Work Product

This Marina Project CIP category consists of professional and construction related services for the Marina Project. These services include, but are not limited to, surveying, geotechnical, environmental, land planning, civil engineering, landscape architecture, legal, and construction professional services associated with planning, design, and implementation of the Marina Project. The portion of these costs that may be financed by the District will be only costs for the services associated with improvements that are financeable by the District.

G. Entitlement Equity Acquisition

The District will acquire from the Developer the development rights necessary to construct the Marina, consisting primarily of 125 marina slips, as part of the CIP (the “**Entitlement Equity Acquisition**”). The CIP cost associated with the Entitlement Equity Acquisition is anticipated to be \$3,000,000 and is included in Table 2 in Section 4.

H. Kayak Launch and Water Taxi Landing

The water taxi stop, kayak launch, and transient boat docking facilities are CRA funded improvements required by the Redevelopment Agreement. These improvements are being noted in this report since they are anticipated to be located within the Marina Project area. However, the water taxi stop, kayak launch, and transient boat docking facilities were identified in the 2022 Amended Engineer's Report as part of the CRA Project. Accordingly, these CRA Project improvements will be financed and constructed by the CDD with its REV Bonds and the up to \$23 million in costs being reimbursed by the DIA. Therefore, no costs associated with these CRA Project improvements were considered in developing the Marina Project CIP's estimated costs for the BAN's or the Marina Bonds.

4. Community Development District Infrastructure Improvements

A. Summary of Opinion of Preliminary Probable Construction Costs

A summary of the opinion of preliminary probable construction costs ("OPPCC") for the Marina Project CIP is provided in Table 2. The CDD will be financing the proposed infrastructure costs for the capital improvements noted below in whole or in part with the proceeds of BAN's and tax-exempt bonds. The OPPCC has assumed fees for design and construction of the anticipated improvements.

Table 2: Summary of the Opinion of Preliminary Probable Construction Costs for Capital Improvements of The District Community Development District Public Marina

Description	Costs Opinion*
Marina Project Costs	
Fueling Pier Demolition	\$520,000
Floating Docks (Docks A, B, C)	\$8,120,000
Floating Dock Anchor Piling	\$2,480,000
Fixed Piers (Docks D, E, F)	\$4,740,000
Gangways	\$250,000
Slip Utilities	\$3,710,000
Fire Protection	\$440,000
Marine Pumpout	\$75,000
Boat Lifts	\$2,580,000
Dockmaster Building	\$750,000
Safety Ladders	\$15,000
Mobilization	\$740,000

CDD Marina Work Product	\$750,000
Entitlement Equity Acquisition	\$3,000,000
Contingency	\$2,500,000
CDD Marina Horizontal Infrastructure Contribution	(\$2,000,000)
Owner Direct Purchase Sales Tax Savings	(\$900,000)
Total CDD Project	\$27,770,000

*Cost Opinion based on November 2022 cost estimate prepared by Geosyntec Consultants (ATM). The cost opinion for the Entitlement Equity Acquisition is based on the Marina Feasibility Report (Rv2), dated December 20, 2022, prepared by Geosyntec Consultants (ATM).

B. Infrastructure Ownership and Maintenance

Table 3 summarizes the ownership and maintenance responsibilities anticipated for the design components listed in this report. As noted, the CDD will be responsible for construction of the Marina Project CIP. Upon completion of construction and final certification, the infrastructure component will be turned over to the operation and maintenance entity. A summary of the ownership and maintenance of the proposed infrastructure is provided in Table 3 below.

Table 3: Infrastructure Ownership & Maintenance

Infrastructure	Ownership	Maintenance
The CDD Project		
Docks, Gangways, Dockmaster Building, and Utilities	The District CDD	The District CDD

The Marina Project CIP is and will be designed in accordance with applicable governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

The opinion of probable construction cost estimates provided are reasonable to construct the required improvements and it is our professional opinion that the infrastructure improvements will serve as a system of improvements that benefit and add value to all lands within the CDD. The cost estimates are based on prices currently being experienced in the City of Jacksonville region. Actual costs may vary depending on final engineering and approvals from regulatory agencies. It is further our opinion that there are no technical reasons known at this time that would prevent the implementation of the Marina Project

CIP, and that it is reasonable to assume that all necessary regulatory approvals will be obtained in due course.

Please note that the Marina Project CIP as presented herein is based on current conceptual plans and market conditions which are subject to change. During development and implementation of the public infrastructure improvements as described for the CDD, it may be necessary to make modifications and/or deviations for the plans, and the CDD expressly reserves the right to do so.

5. Summary of Approvals

The following is a summary of approvals received, to date:

- The Downtown Investment Authority and Elements Development of Jacksonville, LLC entered into an Allocation of Development Rights Agreement, dated November 17, 2015. An amendment to the Allocation of Development Rights Agreement is pending and expected to be approved in due course.

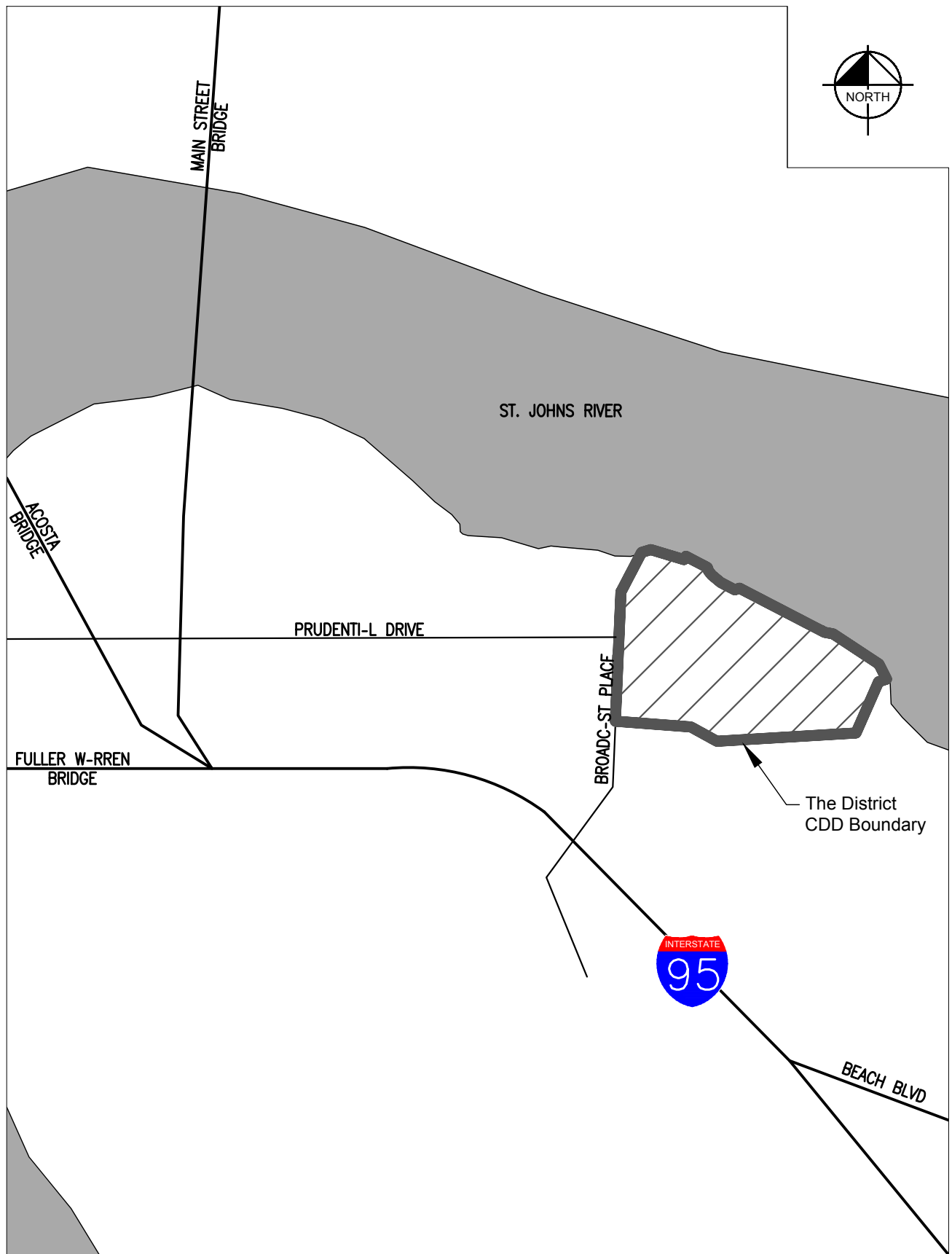
The following is a summary of anticipated approvals required, but not yet obtained, for development of the Marina Project CIP:

- An Environmental Resource Permit to be issued by the St. Johns River Water Management District (SJRWMD).
- A Section 10 Rivers and Harbors Act Permit to be issued by the US Army Corps of Engineers Jacksonville District (CESAJ)
- Submerged Land Lease with The Board of Trustees of The Internal Improvement Trust Fund of The State of Florida

EXHIBIT A

Vicinity Map

Drawing name: K:\JAX_Environmental\Elements\CAD\Location Map and Legal.dwg Vicinity Map Jul 13, 2018 8:34am by: Paloma.Mendoza



THE DISTRICT - COMMUNITY DEVELOPMENT DISTRICT
JACKSONVILLE, FLORIDA **VICINITY MAP**

Kimley»Horn

EXHIBIT B

Community Development District Boundary Map



THE DISTRICT - COMMUNITY DEVELOPMENT DISTRICT
JACKSONVILLE, FL
BOUNDARY MAP

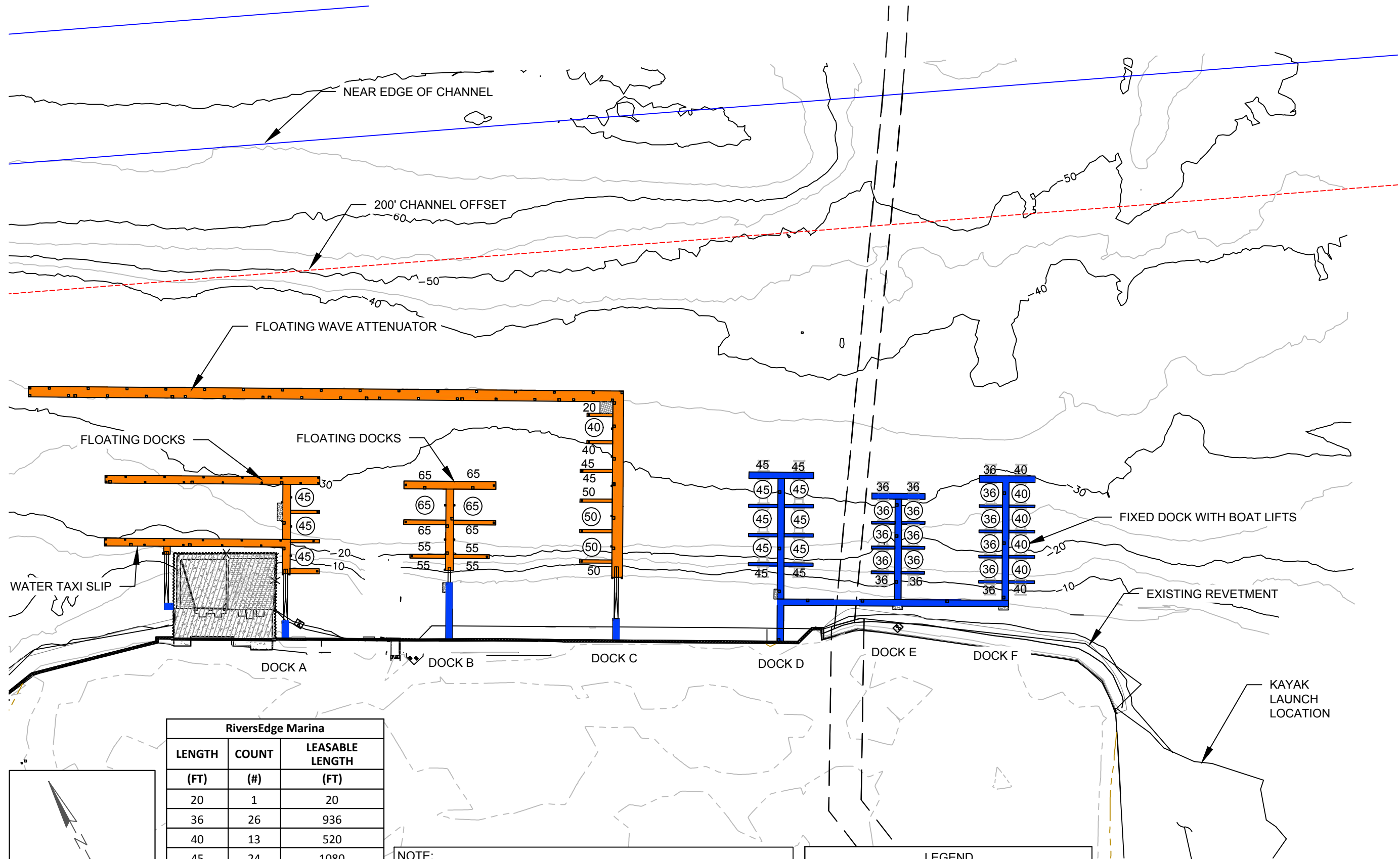


© 2018 KIMLEY-HORN AND ASSOCIATES, INC.
12740 GRAN BAY PARKWAY WEST, SUITE 2350
JACKSONVILLE, FLORIDA 32258
PHONE: 904-828-3900
WWW.KIMLEY-HORN.COM CA 00000696

Drawing Name: K:\AN_Environment\Jacksnville\CD\2018-01-25- Conceptual Development Planning BOUNDARY Jan 25, 2018 12:48pm by: Kimmberly Mendez

EXHIBIT C

Proposed Marina Plan



RiversEdge Marina		
LENGTH (FT)	COUNT (#)	LEASABLE LENGTH (FT)
20	1	20
36	26	936
40	13	520
45	24	1080
50	6	300
55	4	220
65	8	520
SIDE-TIE*	43	2762
TOTAL	125	6358

NOTE:

1. SURVEY PERFORMED BY DEGROVE SURVEYORS INC. FEBRUARY 18 THROUGH FEBRUARY 24, 2019.
2. VERTICAL DATUM NAVD88, FEET.
3. HORIZONTAL DATUM IS FLORIDA STATE PLANE EAST ZONE NAD83
4. MHW ELEVATION .62 FEET
5. MLW ELEVATION -1.29 FEET

LEGEND

FLOATING DOCKS

FIXED PIERS AND BOATLIFTS

50 DOUBLE LOADED SLIP

50 SINGLE LOADED SLIP

PARCEL ID: 0800960600
OWNER: JACKSONVILLE
ELECTRIC AUTHORITY
ADDRESS: 2045 UTAH AVENUE
JACKSONVILLE 32207

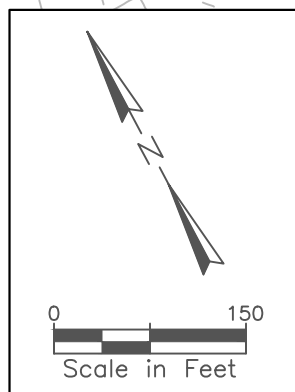


EXHIBIT D

Conceptual Development Use Plan / Site Plan



THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

11B

RESOLUTION NO. 2024-12

A RESOLUTION AUTHORIZING THE ISSUANCE AND DELIVERY OF A DISTRICT COMMUNITY DEVELOPMENT DISTRICT BOND ANTICIPATION NOTE, SERIES 2024 (PUBLIC MARINA PROJECT), IN A PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000, TO PROVIDE INTERIM FUNDS FOR THE PAYMENT OF A PORTION OF THE COSTS OF THE PLANNING, FINANCING, EQUIPPING, INSTALLING, ACQUISITION, CONSTRUCTION, AND/OR RECONSTRUCTION OF THE PUBLIC MARINA PROJECT OF THE DISTRICT, INCLUDING THE REFINANCING OF THE DISTRICT'S OUTSTANDING TAXABLE BOND ANTICIPATION NOTE, SERIES 2022; APPROVING THE PRIVATE PLACEMENT NEGOTIATED SALE OF THE NOTE; APPOINTING A PAYING AGENT AND REGISTRAR FOR THE NOTE; CREATING A NOTE REDEMPTION ACCOUNT; PROVIDING FOR INCIDENTAL ACTION; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the District Community Development District (the "District" or "Issuer") is a local unit of special purpose government duly organized and existing under the provisions of the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended (the "Act") and created by Ordinance No. 2018-563-E enacted by the City Council of the City of Jacksonville, Florida (the "City") on October 23, 2018; and

WHEREAS, the premises governed by the District (as further described in **Exhibit A** hereto, the "District Lands") currently consist of approximately 32.21 gross acres of land located entirely within the boundaries of the City and within the City's Southside Community Redevelopment Area (the "Redevelopment Area"); and

WHEREAS, in order to induce redevelopment within the Redevelopment Area, the City, the Downtown Investment Authority (the "DIA"), a community redevelopment agency of the City with jurisdiction over the Redevelopment Area and Elements Development of Jacksonville, LLC (the "Developer") entered into a Redevelopment Agreement, dated July 12, 2018, as amended as of May 4, 2021, under which the DIA agreed to make certain payments in the form of a "Recapture Enhanced Value" grant ("REV Grant") to the District derived annually from the Developer's project revenues to finance the acquisition, construction, and/or development of certain public infrastructure improvements as described in the Redevelopment Agreement ("CDD Infrastructure Improvements"); and

WHEREAS, the District entered into a Joinder Agreement to the Redevelopment Agreement, dated as of April 23, 2019, whereby the District agreed to be bound by the provisions therein relating to the District and the Developer; and

WHEREAS, the DIA, the City, the Developer and the District entered into an Amended and Restated Redevelopment Agreement, dated as of November 27, 2023 (but effective as of July

12, 2018), amending and restating the earlier Redevelopment Agreement in its entirety (the “Amended and Restated Development Agreement”); and

WHEREAS, pursuant to the Amended and Restated Redevelopment Agreement, the District, the City and the DIA have entered into an Interlocal Agreement, dated as of December 22, 2020, as amended by that certain First Amendment to Interlocal Agreement dated March 30, 2022 (“Interlocal Agreement”), to implement the procedures of the REV Grant, and, inter alia, to provide for construction of certain additional public infrastructure improvements by the CDD on behalf of the DIA (“CRA Infrastructure Improvements”); and

WHEREAS, to facilitate providing the CRA Infrastructure Improvements, the DIA, the District and the Developer have entered into a CRA Infrastructure Improvements Costs Disbursement Agreement, dated as of December 22, 2020, as amended by a First Amendment thereto, dated May 4, 2021, as further amended and restated as of November 27, 2023 (as amended and restated, the “Disbursement Agreement”, and together with the Amended and Restated Redevelopment Agreement, the Interlocal Agreement, and all of the exhibits to each of the foregoing, together, being herein referred to as the “RDA Agreements”); and

WHEREAS, pursuant to the Act, Resolution No. 2019-31, as amended and supplemented by Resolution No. 2023-05 (together, the “REV Grant Bond Resolution”), both as adopted by the Board of Supervisors (“Board”) of the District, the Board authorized the issuance, in one or more series, of not to exceed \$70,000,000 (representing an increase of \$25,500,000 over prior bond authorizations) aggregate principal amount of its District Community Development District (City of Jacksonville, Florida) Grant Revenue and Special Assessment Bonds (the “REV Grant Bonds”), in order to finance or refinance all or a portion of the costs of the planning, financing, acquisition, construction, equipping and installation of the CDD Infrastructure Improvements, a portion of the CRA Infrastructure Improvements, as well as certain other public infrastructure improvements (together and as updated from time to time, the “Capital Improvement Plan” or “CDD CIP”), as generally described in the REV Grant Bond Resolution and as further detailed in an engineer’s report prepared by the District’s Engineer (“Consulting Engineer’s Report”) and in the RDA Agreements the repayment of which is secured by the REV Grant and special assessments; and

WHEREAS, issuance of the incremental \$25,500,000 amount of REV Grant Bonds and the proceedings incident thereto, were validated by judgment of the Circuit Court of the Fourth Judicial Circuit of Florida, in and for Clay, Duval and Nassau Counties, Florida entered on April 26, 2023, from which no appeal was filed; and

WHEREAS, pursuant to the RDA Agreements, the Developer, the City, the DIA, and the District have undertaken to develop the District Lands as a mixed-use community with approximately 1,170 residential units, 200 hotel rooms, 200,000 square feet of office space, 121,400 square feet of retail space, and 125 marina slips within the District, which will be supported by the public infrastructure constituting the Capital Improvement Plan; and

WHEREAS, the proceeds of the REV Grant Bonds are not intended to fully fund all elements of the Capital Improvement Plan, namely the public marina (the “Public Marina Project”) as generally described in the Amended and Restated District Engineer’s Report, dated November

14, 2023, as such report may be further amended, prepared by Kimley-Horn and Associates, Inc. (the “Consulting Engineer”); and

WHEREAS, the Public Marina Project is further described in the RiversEdge Marina District Engineer’s Report also prepared by the Consulting Engineer, dated November 28, 2022, as updated December 20, 2022, which report, together with the Consulting Engineer’s Report described above, is hereinafter collectively called the “Marina Engineer’s Report”; and

WHEREAS, an estimate of the costs of the Public Marina Project is set forth on Schedule I hereof; and

WHEREAS, the Issuer has initiated and is currently in the process of undertaking the development of the Public Marina Project and has adopted Resolution No. 2023-06, dated November 28, 2022 (the “Authorizing Resolution”), authorizing the issuance, in one or more series, of not to exceed \$40,000,000 in aggregate principal amount of its Revenue Bonds, Series [To Be Determined] (Public Marina Project) (the “Bonds”) in order to pay all or a portion of the costs of the financing, planning, design, permitting, equipping, installation, acquisition and/or construction of the Public Marina Project pursuant to the Act and approving the form of and authorizing the execution and delivery of a Trust Indenture, under which the Bonds will be issued and secured (the “Trust Indenture”); and

WHEREAS, issuance of the Bonds and the proceedings incident thereto, including approval of the Trust Indenture, were validated by judgment of the Circuit Court of the Fourth Judicial Circuit of Florida, in and for Clay, Duval and Nassau Counties, Florida filed on April 26, 2023, from which no appeal was filed; and

WHEREAS, in order to commence the financing, planning, design, permitting, installation, acquisition, construction and equipping of the Public Marina Project prior to the time that Bond proceeds will be available to fund it, the Issuer adopted Resolution No. 2023-07 and issued its Bond Anticipation Note, Series 2022 (Taxable) (the “Series 2022 Taxable Note”) in an amount not-to-exceed \$5,000,000, and PHCC LLC d/b/a Preston Hollow Community Capital (the “Lender”) has been advancing funds on an interim basis in order for the District to acquire, construct and equip portions of the Public Marina Project for which Bond proceeds are not yet available (the “Loan”); and

WHEREAS, the Issuer wishes to increase the amount of the Loan to not-to-exceed \$8,000,000, including refinancing the Series 2022 Taxable Note through the issuance to the Lender, on a tax-exempt basis, of its Bond Anticipation Note, Series 2024, pursuant to the Constitution and laws of the State of Florida, specifically Section 190.014 of the Act and Section 215.431, Florida Statutes; and

WHEREAS, in the event that Bonds cannot be issued in the future to repay the Loan, the District intends to authorize the pledge of Pledged Revenues (as hereinafter defined) to repay the Loan.

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

Section 1: Description of Note. The Board of Supervisors of the District (the “Board”) hereby authorizes the borrowing of money and the issuance of a Bond Anticipation Note, Series 2024 (Public Marina Project) (the “Note”) in fully registered certificated form as herein provided. The Note shall be dated the date of its issuance and delivery, shall evidence one or more advances in the aggregate principal amount of not to exceed \$8,000,000, shall mature no later than December 1, 2027, shall be subject to redemption in whole or in part at any time without premium or penalty, shall bear interest from the date of each advance at a rate, established on the date of issuance and delivery of the Note, which shall not exceed the lesser of (i) 6.50% per annum or (ii) the maximum rate of interest allowable under Florida law, subject to compliance with the provisions of Section 215.84, Florida Statutes, payable at maturity or upon earlier redemption thereof, and shall be repaid first from unspent proceeds of the Note, second from the proceeds of the Bonds, third from proceeds of any renewal note, and fourth, from the proceeds of Pledged Revenues. The District does hereby authorize and approve the Note, which Note shall be in substantially the form of **Exhibit A** attached hereto, which form is hereby approved, subject to such changes, additions, deletions and insertions therein as shall be approved by the Chairman, Vice Chairman, or any Board Supervisor designated by the Chairman (each individually a “Designated Member”) and the Secretary or any Assistant Secretary executing the same, which approval shall be conclusively evidenced by the execution thereof.

Section 2: Negotiated Sale of Note. The Note shall be sold by a private negotiated sale to the Lender. It is hereby found, ascertained, determined and declared by the Board that a private negotiated sale of the Note of the District in an aggregate principal amount not exceeding \$8,000,000 to the Lender will best effectuate the purposes of the Act, is in the best interest of the District and is necessitated by, in general, the characteristics of the issue and prevailing market conditions and specifically, the following additional reasons, as to which specific findings are hereby made:

(a) because of the complexity of the financing structure of the Public Marina Project, and the need for funding of components of the Public Marina Project prior to the issuance of the Bonds, it is desirable to issue the Note pursuant to a private negotiated sale;

(b) because of the uncertainty of timing of the issuance of the Bonds, it is in the best interests of the District to sell the Note by a private negotiated sale;

(c) issuing the Note and refinancing the Series 2022 Taxable Note on a tax-exempt basis to the Lender provides the most attractive financing for the District; and

(d) the District will not be adversely affected if the Note is not sold pursuant to a competitive sale.

The consummation of the Loan through the negotiated sale of the Note to the Lender is hereby authorized pursuant to Section 218.385, Florida Statutes, as amended. The Board hereby authorizes and directs the Chairman or the Chairman’s designee to take all action necessary to consummate such sale, upon approval by the District Manager and consultants, provided that the aggregate principal amount of the Note shall not exceed \$8,000,000, the Note shall be redeemable

in whole or in part at any time at a price of 100% of the principal amount to be redeemed plus accrued interest thereon.

The actions of the District and its officers and consultants previously taken regarding the negotiation of the Loan and Note are hereby ratified and confirmed and the District and its officers and consultants are hereby authorized and directed to take such further action as the District or its officers or consultants deem necessary or desirable to effect the purposes of the Loan and Note.

Section 3: Execution of Note. The Note shall be executed with the manual signature of the Chairman or a Designated Member of the Board and countersigned by the manual signature of the Secretary or an Assistant Secretary of the Board and the seal of the District shall be imprinted or impressed or reproduced by facsimile thereon.

Section 4: Security and Source of Payment of Note. The principal of and interest on the Note shall be payable solely from, and shall be secured solely by, and the Lender shall have a first and prior lien to the extent of the unpaid principal of and interest on the Note on, (i) unspent proceeds of the Note, if any, (ii) proceeds of the Bonds issued to permanently fund acquisition and construction of the Public Marina Project, when, as and if issued, (iii) proceeds of any renewal note and (iv) if the Bonds are not issued in an amount sufficient to pay the Note at maturity, the Pledged Revenues. "Pledged Revenues" shall mean (a) all Net Revenues received by the Issuer, provided, however, that Pledged Revenues shall not include (A) moneys deposited into an operation and maintenance fund to pay the Cost of Operation and Maintenance of the Public Marina Project; (B) any moneys transferred to a rebate fund and investment earnings thereon and (C) Note proceeds used to pay costs of issuance of the Note ("Costs of Issuance") (it being expressly understood that the lien and pledge herein shall not apply to any of the moneys described in the foregoing clauses (A), (B) and (C) of this proviso). "Net Revenues" shall mean Gross Revenues, after deduction of the Cost of Operation and Maintenance. "Gross Revenues" shall mean all income, revenue, and earnings received by the Issuer or accrued to the Issuer from the ownership, use or operation of the Public Marina Project and all parts thereof, all as calculated in accordance with generally accepted accounting principles. "Cost of Operation and Maintenance" shall mean the then current expenses, paid or accrued, in the operation, maintenance and repair of the Public Marina Project, as calculated in accordance with generally accepted accounting principles, but shall not include expenses not annually recurring, such as any reserve for renewals and replacements, extraordinary repairs or any allowance for depreciation, any payments in lieu of taxes or any indirect expenses incurred by the Issuer other than those directly responsible for operating and maintaining the Public Marina Project.

THE NOTE IS A LIMITED OBLIGATION OF THE ISSUER PAYABLE SOLELY OUT OF THE SOURCES DESCRIBED HEREIN WHICH ARE PLEDGED THEREFOR UNDER THIS RESOLUTION AND THE NOTE AND NEITHER THE PROPERTY, THE FULL FAITH AND CREDIT, NOR THE TAXING POWER OF THE ISSUER, THE CITY, DUVAL COUNTY, FLORIDA (THE "COUNTY"), THE STATE OF FLORIDA (THE "STATE"), OR ANY OTHER POLITICAL SUBDIVISION THEREOF, IS PLEDGED AS SECURITY FOR THE PAYMENT OF THE NOTE. THE NOTE DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE ISSUER, THE COUNTY, THE CITY, THE STATE, OR ANY OTHER POLITICAL SUBDIVISION THEREOF WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION OR LIMITATION.

The Issuer hereby agrees to take such actions as are necessary to repay the Note, including without limitation, the issuance of the Bonds and the collection of the Pledged Revenues in the manner and to the extent described herein. The District covenants and agrees that the Pledged Revenues shall provide for payment of all amounts due with respect to the Note.

Section 5: Paying Agent and Registrar. The Board acting through the District Manager shall serve as Paying Agent and Registrar for the Note.

Section 6: Use of Proceeds of the Note. Proceeds of the Note in the form of one or more advances made by the Lender under the Loan shall be deposited by the Issuer to the credit of a “Marina Note Acquisition and Construction Account” and used to pay (i) a portion of the costs of the design, acquisition, construction, equipping, planning, permitting, and/or installation of the Public Marina Project (“Project Costs”), (ii) all outstanding principal and accrued interest accrued on the Series 2022 Taxable Note and (iii) Costs of Issuance, and together with Project Costs and the redemption price of the Series 2022 Taxable Note, the “Costs”). Disbursements for the payment of Project Costs to the persons entitled thereto shall be made from the Marina Note Acquisition and Construction Account by the District, but only upon receipt by the District of (i) a properly signed Request for Approval of Advance in substantially the form attached hereto as **Exhibit B**; and (ii) the requested advance proceeds from the Lender. With respect to the Request for Approval of Advance, a “Responsible Officer” shall mean with respect to the Issuer, any member of the Board, the District Manager, or any other officer of the Issuer or other person designated by Certified Resolution of the Issuer, a copy of which shall be on file with the District, to act for any of the foregoing, either generally or with respect to the execution of any particular document or other specific matter.

The Issuer covenants to the Lender that it will not make or direct the making of any investment or other use of the proceeds of the Note which would cause such Note to be an “arbitrage bond” as that term is defined in Section 148 (or any successor provision thereto) of the Internal Revenue Code of 1986, as amended (the “Code”), and or “private activity bond” or “private loan bond” as that term is defined in Section 141 (or any successor provision thereto) of the Code, and that it will comply with the requirements of such Code section and related regulations throughout the term of the Note. Any contract entered into by the Issuer for the operation or maintenance of any portion of the Public Marina Project shall conform to the requirements of the Code and the regulations promulgated thereunder so that the Note will not be a “private activity bond” or a “private loan bond” referred to above. The Issuer further covenants and agrees to comply with the procedures and covenants contained in any arbitrage rebate agreement executed in connection with the issuance of the Note, including but not limited to the establishment of a rebate fund by the District, for so long as compliance is necessary in order to maintain the exclusion from gross income for federal income tax purposes of interest on the Note.

Section 7: Creation of Note Redemption Account. There is hereby authorized the establishment of an account to be maintained by the District designated as the “District Community Development District Note Redemption Account” (the “Note Redemption Account”). Upon maturity or prior redemption of the Note, the District shall deposit into the Note Redemption Account, unspent proceeds of the Note, the portion of proceeds of the Bonds, proceeds of any renewal note or in the event there are not sufficient Bond proceeds to repay the Loan, then proceeds of the Pledged Revenues, in amounts sufficient to pay the principal of the Note and accrued interest thereon, whether at maturity or upon prior redemption.

Section 8: Resolution to Constitute a Contract. Upon the closing of the Loan and the issuance of the Note hereby authorized, this Resolution will constitute a contract with the Lender and the District and Lender may enforce the provisions hereof by appropriate proceedings.

Section 9: Defeasance. If, at any time the District shall have paid all of the outstanding principal of and interest on the Note then, and in that event, the right, title and interest of the Lender in the Note and this Resolution, including but not limited to the Note Redemption Account as set forth in Section 7 hereof, shall be defeased, discharged, and no longer be in effect, the Note shall no longer be deemed to be outstanding and unpaid for the purposes of this Resolution and the rights of the Lender pursuant to this Resolution shall thereupon cease, determine and become void without further action of the Board.

Section 10: Modification or Amendment. Modifications and amendments to this Resolution or any proceeding of the Board amendatory hereof may be made without the consent of the Lender for purposes of clarification, curing any ambiguity or curing, correcting or supplementing any defective provisions (whether because of any inconsistency with any other provisions hereof or otherwise), in such manner as shall not impair the security for or adversely affect the rights of the Lender; provided, however, that no other modification or amendment of this Resolution or of any proceeding of the Board amendatory hereof or supplemental hereto, may be made without the consent in writing of the Lender.

Section 11: Remedies. The Lender may by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State of Florida, or granted and contained in this Resolution, and may enforce and compel the performance of all duties required by this Resolution or by any applicable statutes to be performed by the District or by any officer thereof.

Section 12: Other Actions. The Chairman, a Designated Member, the Secretary, Assistant Secretary and all other employees, agents, and consultants of the Board and the District are hereby authorized and directed to take all actions necessary or desirable in connection with the issuance and delivery of the Note and the consummation of the Loan and all transactions in connection therewith, including the execution of all necessary or desirable certificates, documents, papers, and agreements and the undertaking and fulfillment of all transactions referred to in or contemplated by this Resolution. The District hereby covenants and agrees with the Lender, that (i) it will use its best efforts to pursue and accomplish the issuance, sale and delivery of the Bonds in anticipation of which the Note is issued and will do all things within its power to effect the issuance, sale and delivery thereof, and (ii) if the Bonds cannot be issued or proceeds thereof are not sufficient to fully fund the Public Marina Project, it will take all steps as necessary to issue renewal notes or complete the Public Marina Project through other means within a reasonable time so as to generate Pledged Revenues sufficient to retire the Note.

Section 13: Severability. If any one or more of the provisions of this Resolution or of the Note herein authorized shall for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution or of the Note, but this Resolution and the Note shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Section 14: Open Meetings. It is hereby found and determined that all official acts of the District concerning and relating to the adoption of this Resolution and the consummation of the transactions contemplated by this Resolution, were taken in open meetings of the members of the District and all deliberations of the District that resulted in such official acts were in meetings open to the public, in compliance with all legal requirements including, but not limited to, the requirements of Section 286.011, Florida Statutes.

Section 15: Authorization of Public Marina Project; Marina Engineer's Report. The Board hereby authorizes and approves that certain Public Marina Project as further described in the Marina Engineer's Report, as modified from time to time, if such modifications are determined to be necessary in connection with the financing and construction of the Public Marina Project and issuance of the Note.

[Remainder of Page Intentionally Left Blank]

Section 16: Effective Date. This Resolution shall take effect immediately upon its adoption, and any provisions of any previous resolutions in conflict with the provisions hereof are hereby superseded.

PASSED in Public Session of the Board of Supervisors of the District Community Development District, this 19th day of August, 2024.

Attest:

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**

Secretary, Board of Supervisors

Chairman, Board of Supervisors

[Remainder of Page Intentionally Left Blank]

SCHEDULE I

ESTIMATED COST SUMMARY DISTRICT COMMUNITY DEVELOPMENT DISTRICT PUBLIC MARINA PROJECT IMPROVEMENTS

Summary of the Opinion of Preliminary Probable Construction Costs for Public Marina Project Improvements of the District Community Development District

Description	Costs Opinion*
CDD Project Costs	
Fueling Pier Demolition	\$ 520,000
Floating Docks	8,120,000
Floating Dock Anchor Piling	2,480,000
Fixed Piers	4,740,000
Gangways	250,000
Slip Utilities	3,710,000
Fire Protection	440,000
Marine Pumpout	75,000
Boat Lifts	2,580,000
Boaters' Building	750,000
Safety Ladders	15,000
Mobilization	740,000
CDD Marina Work Product	750,000
Entitlement Equity Acquisition	3,000,000
Contingency	2,500,000
CDD Marina Contribution	(2,000,000)
Owner Direct Purchase Sales Tax Savings	(900,000)
Total CDD Project	\$27,770,000

Footnotes:

Source: Amended and Restated District Engineer's Report prepared by Kimley-Horn and Associates, Inc., dated November 14, 2023, as supplemented by the RiversEdge Marina District Engineer's Report prepared by Kimley-Horn and Associates, Inc., dated November 28, 2022, as updated December 20, 2022.

EXHIBIT A
FORM OF NOTE

No. R-2

Not to Exceed \$8,000,000

**UNITED STATES OF AMERICA
STATE OF FLORIDA
CITY OF JACKSONVILLE, FLORIDA
DISTRICT COMMUNITY DEVELOPMENT DISTRICT
BOND ANTICIPATION NOTE, SERIES 2024
(PUBLIC MARINA PROJECT)**

Interest Rate	Dated Date	Maturity Date
[]%	August [], 2024	December 1, 2027

Registered Owner: PHCC LLC d/b/a Preston Hollow Community Capital

Principal Amount: NOT TO EXCEED EIGHT MILLION DOLLARS (\$8,000,000)

DISTRICT COMMUNITY DEVELOPMENT DISTRICT, a community development district duly created and existing pursuant to Chapter 190, Florida Statutes (the “District”), which shall also serve as Registrar and Paying Agent, for value received, hereby promises to pay (but only out of the sources hereinafter mentioned) to the Registered Owner set forth above, on the Maturity Date set forth above, the principal amount shown above, and to pay (but only out of the sources hereinafter mentioned) interest on the outstanding principal amount hereof from the Dated Date until this Note is paid in full, at the rate per annum set forth above. Notwithstanding the foregoing, if the Maturity Date is not a Business Day (hereinafter defined), then all amounts due on the Maturity Date shall be payable on the first Business Day succeeding such Maturity Date, but shall be deemed paid on the Maturity Date. The term “Business Day” shall mean any day other than a Saturday or Sunday or other day on which banking institutions in the City in which the Registered Owner is located are authorized or obligated to be closed. The payment of principal at maturity or Redemption Price, together with interest accrued thereon, shall be made by the District acting through its District Manager, as Registrar and Paying Agent only upon presentation and surrender hereof at the designated office of the Paying Agent, to the Registered Owner at the address set forth on the registration books maintained by the Registrar at least five (5) days prior to the date of such payment. Interest on this Note will be computed on the basis of the actual number of days elapsed over a 360-day year, compounded annually, until paid in full.

This Note is issued pursuant to Resolution No. 2023-06, as supplemented by Resolution No. 2024-12 of the Board of Supervisors of the District, adopted on November 28, 2022 and

August 19, 2024, respectively (collectively, the “Note Resolution”) and the provisions of Chapters 190, particularly Section 190.014, Florida Statutes, and Section 215.431, Florida Statutes, for the purposes of (i) paying all or a portion of the costs of the financing, planning, design, permitting, equipping, installation, acquisition and/or construction of a portion of the Public Marina Project (as defined in the Note Resolution), (ii) paying the outstanding principal of and all accrued interest on the Series 2022 Taxable Note and (iii) paying the Costs of Issuance of this Note. By the acceptance of this Note, the Registered Owner hereof assents to all of the provisions of the Note Resolution. Any capitalized term used in this Note and not otherwise defined shall have the meaning ascribed to such term in the Note Resolution.

THIS NOTE IS A LIMITED OBLIGATION OF THE DISTRICT PAYABLE SOLELY OUT OF THE SOURCES DESCRIBED HEREIN AND IN THE NOTE RESOLUTION WHICH ARE PLEDGED THEREFOR UNDER THE NOTE RESOLUTION AND NEITHER THE PROPERTY, THE FULL FAITH AND CREDIT, NOR THE TAXING POWER OF THE ISSUER, THE CITY OF JACKSONVILLE, FLORIDA (THE “CITY”), DUVAL COUNTY, FLORIDA (THE “COUNTY”), THE STATE OF FLORIDA (THE “STATE”), OR ANY OTHER POLITICAL SUBDIVISION THEREOF, IS PLEDGED AS SECURITY FOR THE PAYMENT OF THIS NOTE. THIS NOTE DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE ISSUER, THE CITY, THE COUNTY, THE STATE, OR ANY OTHER POLITICAL SUBDIVISION THEREOF WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION OR LIMITATION.

THIS NOTE MAY ONLY BE SOLD, ASSIGNED OR OTHERWISE TRANSFERRED TO AN “ACCREDITED INVESTOR” AS DEFINED IN RULE 501(A)(1), (2), (3) OR (7) OF REGULATION D OF THE SECURITIES ACT OF 1933, AS AMENDED, OR TO ANY AFFILIATE OF THE REGISTERED OWNER, AND ONLY UPON (A) APPROVAL OF A SUBMERGED LAND LEASE FOR THE MARINA BY THE TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE, AND (B) ISSUANCE OF ALL PERMITS DESCRIBED IN THE CONSULTING ENGINEER’S MARINA ENGINEER’S REPORT.

This Note is issuable only as a single registered note in current interest bearing certificated form, in the denomination of the maximum principal amount of the Loan not to exceed the maximum principal amount set forth above.

All payments received by the Registered Owner hereunder shall be applied first to the payment of interest due and payable, with the balance applied to principal. All accrued and unpaid interest and outstanding principal shall be paid in full in a single payment on [____], [202_].

This Note is subject to redemption in whole or in part prior to maturity upon the issuance of the Issuer’s Revenue Bonds (Public Marina Project) (the “Bonds”) at any time selected by the District (the “Redemption Date”), upon five (5) days’ prior notice to the Registered Owner of this Note, at a redemption price equal to the principal amount being prepaid plus interest accrued thereon to the Redemption Date (the “Redemption Price”). On the date designated for redemption, notice having been given and money for the payment of the Redemption Price being held by the District in the Note Redemption Account, this Note shall become and be due and payable at the Redemption Price and interest hereon shall cease to accrue and the Registered Owner hereof shall have no rights in respect of this Note except to receive payment of the Redemption Price thereof

so held by the District. The failure of the District to give the notice hereinabove provided, or any defect therein, shall not in any manner defeat the effectiveness of a call for redemption if notice thereof is actually given to the Registered Owner thereof and such Note is presented for redemption as aforesaid.

The District has established a Note Redemption Account in which, upon the maturity or prior redemption of this Note, it shall deposit unspent proceeds of this Note, a portion of proceeds of the Bonds as described in the immediately preceding paragraph, proceeds of any renewal note or in the event there are not sufficient Bond proceeds to repay the Loan, then proceeds of the Pledged Revenues (as defined in the Note Resolution), in amounts sufficient to pay the principal of this Note and accrued interest thereon, whether at maturity or upon prior redemption.

This Note shall have all the qualities and incidents, including negotiability, of investment securities within the meaning and for all the purposes of the Uniform Commercial Code of the State of Florida.

This Note is issued with the intent that the laws of the State of Florida shall govern its construction.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and laws of the State of Florida and the resolution of the District to happen, exist and be performed precedent to and in the issuance of this Note, have happened, exist and have been performed as so required.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the District Community Development District, has caused this Note to bear the signature of the Chairman of its Board of Supervisors and the official seal of the District to be hereon and attested by the signature of the Secretary to the Board of Supervisors.

[SEAL]

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**

Attest:

By:

Chairman, Board of Supervisors

By:

Secretary, Board of Supervisors

EXHIBIT B

FORM OF REQUEST FOR APPROVAL OF ADVANCE

DISTRICT COMMUNITY DEVELOPMENT DISTRICT BOND ANTICIPATION NOTE, SERIES 2024 (PUBLIC MARINA PROJECT)

The undersigned, a Responsible Officer of the District Community Development District (the “District”) hereby submits the following request for approval of advances from the Marina Note Acquisition and Construction Account under and pursuant to the terms of Resolution No. 2024-12 (the “Resolution”) adopted by the Board of Supervisors of the District on August 19, 2024:

- (A) Request for Advance Number:
- (B) Identify Acquisition Agreement, if applicable;
- (C) Name of Payee:
- (D) Amount Payable:
- (E) Purpose for which paid or incurred (refer also to specific contract if amount is due and payable pursuant to a contract involving progress payments):
- (F) Fund or Account and subaccount, if any, from which disbursement to be made:

Marina Note Acquisition and Construction Account.

The undersigned hereby certifies that:

1. obligations in the stated amount set forth above have been incurred by the District,
2. each advance set forth above is a proper charge against the Marina Note Acquisition and Construction Account; and
3. each advance set forth above was incurred in connection with the Project Cost of the Public Marina Project and has not previously been the basis of any prior advance.

The undersigned hereby further certifies that there has not been filed with or served upon the District notice of any lien, right to lien, or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to the Payee set forth above, which has not been released or will not be released simultaneously with the payment hereof.

The undersigned hereby further certifies that such advance contains no item representing payment on account of any retained percentage which the District is at the date of such certificate entitled to retain.

Attached hereto or on file with the District are copies of the invoice(s) or applicable contracts from the vendor of the property acquired or the services rendered, as well as applicable conveyance instruments (e.g. deed(s), bill(s) of sale, easement(s), etc.) with respect to which disbursement is hereby requested.

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Responsible Officer

Date: _____

CONSULTING ENGINEER'S APPROVAL

The undersigned Consulting Engineer hereby certifies that this advance is for a Project Cost of the Public Marina Project and is consistent with: (i) the applicable acquisition or construction contract; (ii) the plans and specifications for the portion of the Public Marina Project with respect to which such advance is being made; and (iii) the report of the Consulting Engineer, as such report shall have been amended or modified on the date hereof. The Consulting Engineer further certifies and agrees that for any acquisition (a) the portion of the Public Marina Project that is the subject of such advance is complete, and (b) the purchase price to be paid by the District for the portion of the Public Marina Project to be acquired with this advance is no more than the lesser of (i) the fair market value of such improvements and (ii) the actual cost of construction of such improvements.

Consulting Engineer

Date: _____

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

11C

PURCHASE AGREEMENT

August [___], 2024

Board of Supervisors
District Community Development District (“District”)
c/o Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, FL 33431

Re: Not to Exceed \$8,000,000 District Community Development District
Bond Anticipation Note, Series 2024 (Public Marina Project) (the “Note”)

Ladies and Gentlemen:

The undersigned, authorized representative of PHCC LLC d/b/a Preston Hollow Community Capital, as initial purchaser (the “Purchaser”) of the above referenced Note, does hereby represent and agree, as follows:

1. The Purchaser has authority to purchase the Note and to execute this letter and any other instruments and documents required to be executed by the Purchaser in connection with the purchase of the Note.

2. Upon the terms and conditions and in reliance on the terms set forth herein, the Purchaser hereby agrees to purchase from the District, and the District hereby agrees to sell and deliver to the Purchaser the Note. The Note shall be sold on a draw down basis of not to exceed \$8,000,000, including prepayment of the outstanding Series 2022 Taxable Note No. TR-1, issued on December 21, 2022. The Note shall be dated the date of delivery with a maturity date of _____ 1, 20[29]. The Note shall be prepayable in whole or in part at any time, all as set forth in Resolution No. 2024-12.

3. The Note has not been and will not be registered under the Securities Act of 1933, as amended (the “Securities Act”), and the Resolution (as defined below) governing the Note has not been qualified under the Trust Indenture Act of 1939, as amended.

4. The Purchaser is an institutional “Accredited Investor” within the meaning of Chapter 517, Florida Statutes, as amended, and Regulation D under the Securities Act and a “Qualified Institutional Buyer” within the meaning of Rule 144A under the Securities Act, which has sufficient knowledge and experience in financial and business matters, including purchase and ownership of tax exempt and taxable obligations, to be able to evaluate the risks and merits of the investment represented by the Note, and which can bear the economic risk of its investment in the Note. The Purchaser understands that it may be required to bear the risks of this investment in the Note for an indefinite time, as there may be no market for the Note.

5. The Note is being acquired by the Purchaser for its own account for investment purposes and not with a present view to distribute the Note or any part thereof. The Purchaser does

not have any agreement or understanding, directly or indirectly, with any person to distribute the Note.

6. The Purchaser understands that the Note is not registered under the Securities Act and that such registration is not legally required as of the date hereof; and further understands that the Note (a) is not being registered or otherwise qualified for sale under the “Blue Sky” laws and regulations of any state, (b) will not be listed in any stock or other securities exchange, and (c) is not presently rated.

7. The Purchaser acknowledges that it has made its own inquiry and analysis with respect to the Note and security therefor, that it has received the documents executed or adopted by the District in connection with the Note and other documents it has requested, to which a reasonable investor would consider important in making investment decisions, and the Purchaser has had the opportunity to ask questions and receive answers from knowledgeable individuals concerning the District and the Note and the security therefor so that, as a reasonable investor based upon the information provided, the Purchaser has been able to make its decision to purchase the Note.

8. Although the Purchaser does not intend at this time to dispose of all or any part of the Note, the Purchaser acknowledges that it has the right to sell and transfer the Note, in accordance with terms and conditions of the Resolution and the Note, which provides for transferability only to an accredited investor as defined in Rule 501(A)(1), (2), (3) or (7) of Regulation D of the Securities Act of 1933, as amended, or to any affiliate of the Purchaser, and only after (i) approval of a submerged land lease for the Marina by the trustees of the internal improvement trust fund of the State, and (ii) issuance of all permits for development of the Public Marina Project described in the Consulting Engineer’s Marina Engineer’s Report. The Purchaser acknowledges that it is solely responsible for compliance, and covenants and agrees with the District that it will comply with the terms of the Resolution, the Note and all applicable federal or state securities laws then in effect with respect to any subsequent sale, transfer or other disposition of the Note (without involving the District in any manner).

9. The Purchaser acknowledges that the Note is a limited obligation of the District, payable solely from : (i) unspent proceeds of the Note, if any, (ii) proceeds of the Bonds issued to permanently fund acquisition and construction of the Public Marina Project, when, and if issued, (iii) proceeds of any renewal note and (iv) if the Bonds are not issued in an amount sufficient to pay the Note at maturity, the Pledged Revenues (as defined in the Resolution), and that neither the property, the full faith and credit, nor the taxing power of the District, the City of Jacksonville, Florida (the “City”), Duval County, Florida (the “County”), the State of Florida (the “State”), or any other political subdivision thereof, is pledged as security for the payment of the Note. The Note does not constitute an indebtedness of the District, the City, the County, the State, or any other political subdivision thereof within the meaning of any constitutional or statutory provision or limitation.

Capitalized terms used herein and not otherwise defined have the meanings given such terms in Resolution Nos. 2023-06 and 2024-12, adopted by the Board of Supervisors of the District on November 28, 2022 and August 19, 2024, respectively (collectively, the “Resolution”).

**PHCC LLC d/b/a PRESTON HOLLOW
COMMUNITY CAPITAL**

By: _____
Name: _____
Title: _____

Accepted and agreed to this
[] day of August, 2024.

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**

By: _____
Rose S. Bock
Chairperson, Board of Supervisors

[Signature Page to Purchase Agreement - District Community Development District
Bond Anticipation Note, Series 2024]

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

12A

CHANGE ORDER NO.: 1

Owner: The District Community Development District
 Engineer: Kimley-Horn and Associates, Inc.
 Contractor: UCC Group, Inc.
 Project: Phase 3B – CRA Project
 Contract Name: Agreement Between Owner and Contractor for Construction Contract (Stipulated Price) Phase 3B – CRA Project (Parks, Riverwalk and Streetscape Improvements)
 Date Issued: June 14, 2024
 Owner's Project No.: 2024-02
 Engineer's Project No.: 045547005
 Contractor's Project No.:
 Effective Date of Change Order: June 14, 2024

The Contract is modified as follows upon execution of this Change Order:

Description: The Contract Price is being increased to provide a \$2,465,000.00 construction budget allowance for the fabrication and installation of the Pavilion within Central Riverfront Park ("Pavilion"). The Pavilion shall be added as a CRA Allowance and included in the ESC Work (as both terms are defined in the Agreement).

Attachments: None

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 15,771,341.10	Original Contract Times: Substantial Completion: 201 days/ESC-382 days Ready for final payment: 231 days/ESC-412 days
Increase/Decrease from previously approved Change Orders: \$ 0.00	Increase/Decrease from previously approved Change Orders: Substantial Completion: 0 days Ready for final payment: 0 days
Contract Price prior to this Change Order: \$ 15,771,341.10	Contract Times prior to this Change Order: Substantial Completion: 201 days/ESC-382 days Ready for final payment: 231 days/ESC-412 days
Increase this Change Order: \$ 2,465,000.00	Increase/Decrease this Change Order: Substantial Completion: 0 days Ready for final payment: 0 days
Contract Price incorporating this Change Order: \$ 18,236,341.10	Contract Times with all approved Change Orders: Substantial Completion: 201 days/ESC-382 days Ready for final payment: 231 days/ESC-412 days

Recommended by Engineer (if required)

By: Kimley-Horn and Associates, Inc.

Title: William J. Schilling Jr., P.E.
Principal

Date: June 14, 2024

Accepted by Contractor

[Signature]

President

June 24, 2024

Authorized by Owner Vertex LLC for CDO/CRA

By: [Signature]

Title: EXECUTIVE VICE PRESIDENT

Date: JUNE 24, 2024

Approved by Funding Agency (if applicable)

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

12B

Upon recording, please return to:
Sarah R. Sandy, Esq.
Kutak Rock LLP
107 West College Ave.
Tallahassee, Florida 32301

NOTICE OF COMMENCEMENT

Permit Nos. See Attached

Real Estate No. See Attached

STATE OF FLORIDA
COUNTY OF DUVAL

THE UNDERSIGNED hereby gives notice that improvements will be made to certain real property in Duval County, Florida. The following information is provided in this Notice of Commencement.

1. Description of property (legal description and address if available): See Attached
2. General description of improvements:
District Community Development District – Phase 3B – CRA Project (Parks, Riverwalk, and Streetscape Improvements)
3. Owner information
 - a) Name and address: District Community Development District
c/o Craig Wrathell, District Manager
Wrathell Hunt & Associates, LLC
2300 Glades Rd, Suite 410W
Boca Raton, FL 33431
(877) 276-0889
 - b) Interest in property: Easements & Fee Simple
 - c) Name and address of fee simple titleholder (if other than owner): See Attached
4. Contractor: UCC Group, Inc.
 - a) Address: 7380 Sandlake Road Ste #500 Orlando, Florida 32819
 - b) Phone No.: 407-248-0989
 - c) Fax No.: 407-939-0730
5. Surety
 - a) Name and address: Atlantic Specialty Insurance Company
605 Highway 169 North, Suite 800, Plymouth, Minnesota USA 55441
Phone No: 781-332-7000
 - b) Amount of Bond \$15,721,341.10
 - c) Payment & Performance Bond Recording Information: Book 21121, Page 243 – 262, inclusive, of the Official Records of Duval County; Doc #2024149989
6. Lender (name and address) N/A
7. Person within the State of Florida designated by Owner upon whom notices or other documents may be served:
 - a) Name: Craig Wrathell, District Manager
 - a) Address: c/o Wrathell Hunt & Associates, LLC

2300 Glades Rd, Suite 410W
Boca Raton, FL 33431

8. In addition, owner designates the following individual to receive a copy of any notices:
Sarah R. Sandy, Esq., c/o Kutak Rock LLP
107 W. College Ave.
Tallahassee, FL 32301

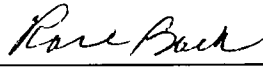
9. Expiration date of notice of commencement January 30, 2026 (the expiration date is one year from the date of recording unless a different date is specified).

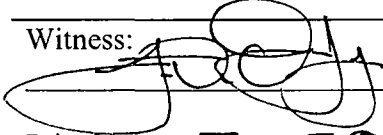
The foregoing information and execution of this notice is being provided solely for the purpose of allowing the above-named Contractor to obtain a building permit. The Owner of the property is a local unit of special purpose government and not an "Owner" as defined in Section 713.01(23), Florida Statutes. Therefore, there are no lien rights available to any person providing materials or services for improvements upon the above-described real property. Please contact the District Manager, Craig Wrathell, at (877) 276-0889, for additional information.

Witness: 

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**

Print Name: MARTINA SCHIFFER
 Address: 5537 MILLERIA LAKES BLVD. #235
ORLANDO, FL 32839

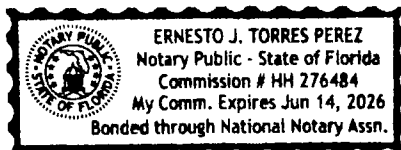

 By: Rose Bock
 Its: Chair, Board of Supervisors

Witness: 

Print Name: JARRETT O'LEARY
 Address: 10315 CENTURION PKWY N
JACKSONVILLE FL 32256

STATE OF FLORIDA
 COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on July 31, 2024 by Rose Bock, Chair of the Board of Supervisors, District Community Development District, who is personally known to me or produced _____ as identification.



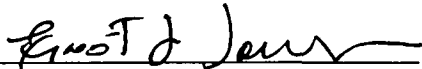
Notary Signature 
 Name Printed ERNESTO J TORRES
 Title or Rank _____
 Serial Number, if any _____

EXHIBIT A**DISTRICT COMMUNITY DEVELOPMENT DISTRICT
PHASE 3B CRA PROJECT**

Owner	Real Estate No.	Site Address	Permit No.
District Community Development District ("CDD")	080096-0780	0 Broadcast Place Jacksonville, FL 32207 (Tract E-1)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
CDD	080096-0800	0 Health Walk Way Jacksonville, FL 32207 (Tract E-2)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
CDD	080096-0820	0 Riversedge Blvd Jacksonville, FL 32207 (Tract F-1)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
CDD	080096-0680	0 Broadcast Pl Jacksonville, FL 32207 (Tract DD)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City of Jacksonville ("City")	080096-0480	0 Broadcast Place Jacksonville, FL 32207 (NW Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0495	0 Broadcast Place Jacksonville, FL 32207 (NW Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0510	0 Broadcast Place Jacksonville, FL 32207 (NW Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0555	0 Broadcast Place Jacksonville, FL 32207 (Central Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0570	0 Broadcast Place Jacksonville, FL 32207 (NE Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0585	0 Broadcast Place Jacksonville, FL 32207 (NE Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0640	0 Broadcast Place Jacksonville, FL 32207 (Tract BB - ROWs)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City	080096-0660	0 Broadcast Place Jacksonville, FL 32207 (Tract CC - ROWs)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2

City	080096-0620	0 Broadcast Place Jacksonville, FL 32207 (Tract AA - ROWs)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City	080096-0420	0 Broadcast Place Jacksonville, FL 32207 (Overland Trail)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City	080096-0435	0 Broadcast Place Jacksonville, FL 32207 (Marshfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
Elements Development of Jacksonville LLC ("Elements")	080096-1060	0 Riversedge Blvd Jacksonville, FL 32207 (Tract 9C)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
Elements	080096-0710	0 Health Walk Way Jacksonville, FL 32207 (Tract EE)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
Elements	080096-0920	0 Prudential Dr. Jacksonville, FL 32207 (Tract 4A)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
Elements	080096-0720	0 Broadcast Pl. Jacksonville, FL 32207 (Tract FF)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2

Upon recording, please return to:
Sarah R. Sandy, Esq.
Kutak Rock LLP
107 West College Ave.
Tallahassee, Florida 32301

NOTICE OF COMMENCEMENT

Permit Nos. See Attached

Real Estate No. See Attached

STATE OF FLORIDA
COUNTY OF DUVAL

THE UNDERSIGNED hereby gives notice that improvements will be made to certain real property in Duval County, Florida. The following information is provided in this Notice of Commencement.

1. Description of property (legal description of property and address if available):
See Attached
2. General description of improvements:
District Community Development District – Phase 3B – CDD Project (Streetscape Improvements)
3. Owner information
 - a) Name and address: District Community Development District
c/o Craig Wrathell, District Manager
Wrathell Hunt & Associates, LLC
2300 Glades Rd, Suite 410W
Boca Raton, Fl 33431
(877) 276-0889
 - b) Interest in property: Easements & Fee Simple
 - c) Name and address of fee simple titleholder (if other than owner): See Attached
4. Contractor: UCC Group, Inc.
 - a) Address: 7380 Sandlake Road Ste #500 Orlando, Florida 32819
 - b) Phone No.: 407-248-0989
 - c) Fax No.: 407-939-0730
5. Surety
 - a) Name and address: Atlantic Specialty Insurance Company
605 Highway 169 North, Suite 800, Plymouth, Minnesota USA 55441
Phone No: 781-332-7000
 - b) Amount of Bond \$4,882,102.74
 - c) Payment & Performance Bond Recording Information: Book 21121, Page 141 – 160, inclusive, of the Official Records of Duval County; Doc #2024149974
6. Lender (name and address) N/A
7. Person within the State of Florida designated by Owner upon whom notices or other documents may be served:
 - a) Name: Craig Wrathell, District Manager

a) Address: c/o Wrathell Hunt & Associates, LLC
2300 Glades Rd, Suite 410W
Boca Raton, FL 33431

8. In addition, owner designates the following individual to receive a copy of any notices:
Sarah R. Sandy, Esq., c/o Kutak Rock LLP
107 W. College Ave.
Tallahassee, FL 32301

9. Expiration date of notice of commencement January 30, 2026 (the expiration date is one year from the date of recording unless a different date is specified).

The foregoing information and execution of this notice is being provided solely for the purpose of allowing the above-named Contractor to obtain a building permit. The Owner of the property is a local unit of special purpose government and not an "Owner" as defined in Section 713.01(23), Florida Statutes. Therefore, there are no lien rights available to any person providing materials or services for improvements upon the above-described real property. Please contact the District Manager, Craig Wrathell, at (8771) 276-0889, for additional information.

Witness: *M. Schiffer*

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**

Print Name: MANAHA SCHIFFER
 Address: 5337 MILLENIA LANCES BLVD. #235
ORLANDO, FL 32839

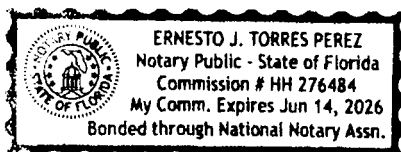
By: Rose Bock
 Its: Chair, Board of Supervisors

Witness: *J. O'Leary*

Print Name: JARRETT O'LEARY
 Address: 10375 CENTURION PKWY N
JACKSONVILLE FL 32256

STATE OF FLORIDA
 COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization on July 31, 2024 by Rose Bock, Chair of the Board of Supervisors, District Community Development District, who is personally known to me or produced _____ as identification.



Notary Signature *Ernesto J. Torres*
 Name Printed ERNESTO J. TORRES
 Title or Rank _____
 Serial Number, if any _____

EXHIBIT A**DISTRICT COMMUNITY DEVELOPMENT DISTRICT
PHASE 3B - CDD PROJECT**

Owner	Real Estate No.	Site Address	Permit No.
District Community Development District ("CDD")	080096-0780	0 Broadcast Place Jacksonville, FL 32207 (Tract E-1)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
CDD	080096-0800	0 Health Walk Way Jacksonville, FL 32207 (Tract E-2)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
CDD	080096-0820	0 Riversedge Blvd Jacksonville, FL 32207 (Tract F-1)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
CDD	080096-0680	0 Broadcast Pl Jacksonville, FL 32207 (Tract DD)	COJ 10-set: 616.316 COJ SiteWork: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City of Jacksonville ("City")	080096-0480	0 Broadcast Place Jacksonville, FL 32207 (NW Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0495	0 Broadcast Place Jacksonville, FL 32207 (NW Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0510	0 Broadcast Place Jacksonville, FL 32207 (NW Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0555	0 Broadcast Place Jacksonville, FL 32207 (Central Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0570	0 Broadcast Place Jacksonville, FL 32207 (NE Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0585	0 Broadcast Place Jacksonville, FL 32207 (NE Riverfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
City	080096-0640	0 Broadcast Place Jacksonville, FL 32207 (Tract BB - ROWs)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City	080096-0660	0 Broadcast Place Jacksonville, FL 32207 (Tract CC - ROWs)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2

City	080096-0620	0 Broadcast Place Jacksonville, FL 32207 (Tract AA - ROWs)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City	080096-0420	0 Broadcast Place Jacksonville, FL 32207 (Overland Trail)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
City	080096-0435	0 Broadcast Place Jacksonville, FL 32207 (Marshfront Park)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
Elements Development of Jacksonville LLC ("Elements")	080096-1060	0 Riversedge Blvd Jacksonville, FL 32207 (Tract 9C)	COJ 10-set: 616.352 COJ Site Work: L-24-175887.000 JEA 2022-4540 SJRWMD : 165883-2
Elements	080096-0710	0 Health Walk Way Jacksonville, FL 32207 (Tract EE)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
Elements	080096-0920	0 Prudential Dr. Jacksonville, FL 32207 (Tract 4A)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2
Elements	080096-0720	0 Broadcast Pl. Jacksonville, FL 32207 (Tract FF)	COJ 10-set: 616.316 COJ Site Work: L-24-175718.000 JEA: 2020-3443 SJRWMD: 165883-2

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

12C

Prepared By:

Sarah R. Sandy, Esq.
Kutak Rock LLP
107 W. College Avenue
Tallahassee, FL 32301

TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT

THIS TEMPORARY CONSTRUCTION AND ACCESS EASEMENT AGREEMENT (“Easement Agreement”) is made and entered into as of the 31st day of July, 2024 (the “Effective Date”) between **ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC**, a Florida limited liability company, whose mailing address is c/o PHCC LLC d/b/a Preston Hollow Community Capital, LLC, 2121 N. Pearl Street, Suite 600, Dallas, TX 75201 (“Grantor”) and the **DISTRICT COMMUNITY DEVELOPMENT DISTRICT**, a community development district established pursuant to Chapter 190, Florida Statutes, whose address is c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“Grantee”).

RECITALS

A. Grantor, Grantee, the City of Jacksonville, Florida, a municipal corporation (“City”), and the Downtown Investment Authority have previously entered into that certain Amended and Restated Redevelopment Agreement dated November 27, 2023, and effective July 12, 2018 (the “Redevelopment Agreement”) that, in part, authorizes the Grantee to construct certain horizontal public infrastructure improvements on the Easement Property (defined below), inclusive of the CRA Infrastructure Improvements and CDD Infrastructure Improvements (both terms as defined in the Redevelopment Agreement and together herein, the “Improvements”).

B. Grantor is the owner in fee simple of the real property described in **Exhibit “A”** attached hereto (the “Easement Property”), which is a part of the mixed use development known generally as “RiversEdge™” located in the City of Jacksonville, Duval County, Florida.

C. Grantee has requested, and Grantor has agreed to grant to Grantee, a temporary, non-exclusive construction and access easement on, upon, over, under, across, and through the Easement Property so that Grantee may construct the Improvements and take and perform such actions as Grantee may be required to perform pursuant to the Redevelopment Agreement on the Easement Property.

NOW, THEREFORE, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor and Grantee, the parties agree as follows:

1. **Recitals.** The Recitals set forth above are true and correct and incorporated herein by this reference. Any capitalized terms not otherwise defined herein shall have the meaning as set forth in the Redevelopment Agreement.

2. **Grant of Easement Rights.** Grantor hereby bargains, sells, grants and conveys unto Grantee a non-exclusive temporary construction and access easement on, upon, over, under, across and through the Easement Property over which Grantee, and Grantee's employees, agents and contractors may pass and repass with vehicles, equipment and materials to be used in the design, construction and installation of the Improvements.

3. **Reserved Rights.** Grantor reserves unto itself, and its successors and assigns, the right to use, and to grant to others the right to use the Easement Property for any and all purposes that do not unreasonably interfere with the rights granted herein.

4. **Term.** The term of this Easement Agreement ("Term") shall commence on the Effective Date and automatically expire upon such time as Grantee completes the construction of the Improvements without the need for further action on the part of either party. Grantor may terminate this Easement Agreement upon thirty (30) days prior notice to Grantee.

5. **Use of Easement Property; Obligations of Grantor and Grantee.** Grantee agrees that in utilizing the Easement Property, Grantee will not unreasonably interfere with any existing or future use of the Easement Property by the Grantor, its successors and assigns. The Parties acknowledge and agree that any rights granted hereunder shall be exercised by the Parties only in accordance and compliance with any and all applicable laws, ordinances, rules, regulations, permits and approvals, and any future modifications or amendments thereto. The Parties covenant and agree that neither party shall discharge into or within the Easement Area, any hazardous or toxic materials or substances, any pollutants, or any other substances or materials prohibited or regulated under any federal, state or local law, ordinance, rule, regulations or permit, except in accordance with such laws, ordinances, rules, regulations and permits.

6. **Insurance and Indemnity.** Grantee and/or any contractors performing work for Grantee on the Easement Property, shall at all times maintain general public liability insurance to afford protection against any and all claims for personal injury, death or property damage arising directly or indirectly out of the exercise of the rights and privileges granted. Said insurance maintained by any contractors performing work for Grantee on the Easement Area shall be issued by solvent, reputable insurance companies authorized to do business in the State of Florida, naming Grantee and Grantor as insured, as their interests may appear, in a combined-single limit of not less than One Million and 00/100 Dollars (\$1,000,000.00) with respect to bodily injury or death and property damage. Said insurance shall also be primary, and not contributory, as to any insurance coverage maintained by Grantor. To the extent permitted by law and without waiving any of the protections afforded by Section 768.28, Florida Statutes, Grantee hereby agrees to indemnify and hold harmless Grantor from and against any and all liability arising out of Grantee's construction activities within the Easement Area

7. **Maintenance and Use.** Grantee shall keep the Easement Property in good condition and repair, excluding ordinary wear and tear and damage by the elements or by Grantor, or Grantor's employees, contractors, agents and/or invitees.

8. **Beneficiaries of Easement Rights.** The easement set forth in this Easement Agreement shall be for the sole benefit and use of Grantee, its successors and assigns, and

Grantee's agents, employees, consultants, representatives, contractors and providers of emergency services and utility services.

9. **Redevelopment Agreement.** All of the terms and conditions set forth in the Redevelopment Agreement relating to the Easement Property and the construction by Grantee of the Improvements are hereby made a part hereof. Any inconsistencies between this Easement Agreement and the Redevelopment Agreement shall be resolved in favor of the provisions of the Redevelopment Agreement.

10. **Survival.** The provisions of Sections 5 and 8 shall survive the expiration or termination of this Easement Agreement.

11. **Amendment.** Except as otherwise provided herein, this Easement Agreement may only be modified or amended with the written consent of Grantor and Grantee duly recorded in the Public Records of Duval County, Florida.

12. **Further Assurances.** The parties agree to mutually cooperate and to execute such other documents as may be reasonably required to effectuate the uses described herein and as otherwise may be reasonable and necessary to carry out the terms of this Easement Agreement, provided that the same does not expose any such party to material additional cost or liability.

13. **Removal of Personal Property.** Upon surrender of the Easement Property or termination of this Easement Agreement, Grantee shall remove all equipment, trade fixtures and personal property belonging to it or leased from third parties which have not assumed the characteristics of a permanent fixture. All personal property of Grantee not removed from the Easement Property upon termination or natural expiration of this Easement Agreement shall be deemed abandoned and shall become property of the Grantor, unless the Grantor elects not to assume ownership, and in such case Grantee shall remove such items and immediately upon Grantor's request, and if Grantee fails to do so, Grantor may dispose of the same or store the same for Grantee's benefit, in either case at Grantee's sole cost and expense.

14. **Notices.** Any notice required or permitted to be given pursuant to the terms of this Easement Agreement shall be in writing, and hand delivered, or sent via overnight delivery or via certified mail, return receipt requested, postage prepaid, by U.S. Mail. Notices shall be effective upon delivery in the case of hand delivery or overnight courier. Notice sent via certified mail shall be effective on the second business day after being placed in the U.S. Mail. The address for notices pursuant to this Easement Agreement shall be as follows:

To Grantor: Elements Development of Jacksonville, LLC
c/o PHCC LLC
2121 N. Pearl Street, Suite 600
Dallas, TX 75201
Attn: General Counsel

Copy to: Foley & Lardner LLP
One Independent Drive, Suite 1300

Jacksonville, Florida 32202
Attention: David C. Cook

Grantee: District Community Development District
c/o Wrathell, Hunt & Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431
Attention: District Manager

Copy to: Kutak Rock LLP
107 W. College Avenue
Tallahassee, FL 32301
Attention: Sarah R. Sandy

Addresses for notices pursuant to this Easement Agreement may be changed by written notice given in accordance with the terms of this Easement Agreement.

15. **Severability**. All provisions herein are intended to be severable. If any provision or part hereof is deemed void or unenforceable by any court of competent jurisdiction, then the remaining provisions shall continue in full force and effect.

16. **Successors and Assigns Bound**. All the covenants, agreements, conditions and restrictions set forth in this Easement Agreement are intended to be and shall be construed as covenants, appurtenant to the land affected, binding upon, inuring to the benefit of and enforceable by the parties hereto, their respective successors and assigns in title with respect to the Easement Property, upon the terms, provisions and conditions therein set forth.

17. **Attorneys' Fees**. In the event of any dispute hereunder or of any action to interpret or enforce this Agreement, any provision hereof or any matter arising herefrom, the predominantly prevailing party shall be entitled to recover its reasonable attorneys' fees, costs and expenses, whether suit be brought or not, and whether in settlement, in any declaratory action, at trial or on appeal.

18. **Miscellaneous**. This Easement Agreement shall be construed under the laws of the State of Florida. Venue for any action for the interpretation or enforcement of this Easement Agreement shall lie only in Duval County, Florida. This Easement Agreement may be executed in counterparts, each of which is an original, and all of which together constitute one and the same instrument.

[Signature pages and exhibits follow.]

IN WITNESS WHEREOF, the parties have executed this instrument as of the date first written above.

WITNESSES:

GRANTOR:

ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC, a Florida limited liability company

By: Madeleine P. Rehfeld
 Name: MADELEINE P. REHFELD
2121 N Pearl Street #600
Dallas, TX 75201
 By: Tracy Schuh
 Name: TRACY SCHUH
Tracy Schuh

By: **PHCC LLC**, a Delaware limited liability company, d/b/a **PRESTON HOLLOW COMMUNITY CAPITAL, LLC**, its Manager
 By: John Dinan
 Its: General Counsel and Secretary
 2121 N. Pearl Street, Suite 600
 Dallas, TX 75201

2121 N Pearl Street #600
 Dallas, TX 75201

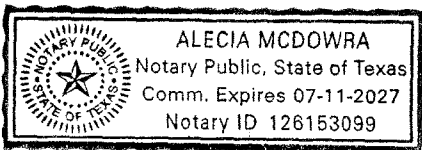
STATE OF TEXAS
 COUNTY OF DALLAS

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30th day of July, 2024, by John Dinan, the General Counsel and Secretary of PHCC LLC, a Delaware limited liability company, d/b/a Preston Hollow Community Capital, LLC, the Manager of ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC, a Florida limited liability company, on behalf of the company. Such person is (notary must check applicable box):

- ☒ is personally known to me; or
☐ produced a current _____ driver's license as identification; or
☐ produced _____ as identification.

Alecia McDowra

Print name: Alecia McDowra
 Notary Public, State of Florida Texas
 My commission Expires: July 11, 2027
 Commission No.: 126153099
 (NOTARIAL SEAL)



WITNESSES:

By: *[Signature]*
Name: MARTHA SCHIFFER

By: *[Signature]*
Name: JACOB O'LEARY

5837 Milleia Lakes Blvd #235
Orlando, FL 32839

10375 Centurion Pkwy N
Jacksonville, FL 32256

GRANTEE:

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**, a community
development district established pursuant to
Chapter 190, Florida Statutes

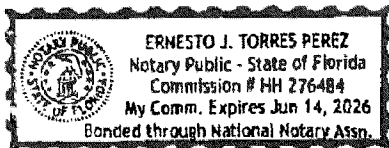
By: *[Signature]*
Print Name: Rose Bock
Title: Chair, Board of Supervisors
Address: c/o Wrathell Hunt & Associates, LLC.
2300 Glades Road, Suite 410W
Boca Raton, Florida 33431

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence
or ☐ online notarization, this 31 day of July, 2024, by Rose Bock the Chair
of the Board of Supervisors of the District Community Development District, a community
development district established pursuant to Chapter 190, Florida Statutes, on behalf of the
District. Such person is (notary must check applicable box):

- ☒ is personally known to me; or
☐ produced a current _____ driver's license as identification; or
☐ produced _____ as identification.



Print name: ERNESTO J. TORRES
Notary Public, State of Florida
My commission Expires: 6/14/24
Commission No.: HH 276484
(NOTARIAL SEAL)

Exhibit A:

EASEMENT PROPERTY

Tracts "4A", "9C", "EE", and "FF" PURSUANT TO THE PLAT OF RIVERSEDGE
ACCORDING TO THE PLAT THEREOF IN PLAT BOOK 82 PAGES 114 THROUGH 121, OF
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

12D

RESOLUTION 2024-15

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY; AUTHORIZING THE CHAIRPERSON TO TAKE THE NECESSARY ACTIONS TO FACILITATE THE CONVEYANCE AND PROVIDING GENERAL AUTHORIZATION; AND ADDRESSING SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

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

WHEREAS, the Act authorizes the District to construct, acquire, operate and maintain public infrastructure improvements; and

WHEREAS, the District previously adopted an improvement plan for the planning, design, acquisition, construction, and installation of certain infrastructure improvements, facilities and services within and without the boundaries of the District which plan is detailed in the *Amended and Restated District Engineer's Report*, as last amended and restated on November 14, 2023, and as such report may be further amended ("**Capital Improvement Plan**," or "**CIP**"); and

WHEREAS, the District financed a portion of the CIP, including the cost to acquire certain land upon which portions of the CIP improvements are located, from the sale of its various Grant Revenue and Special Assessments Bonds (collectively referred to herein as the "**Bonds**"); and

WHEREAS, pursuant to that certain *Fourth Restated Acquisition Agreement (2023A Bonds)* effective August 26, 2019 ("**Acquisition Agreement**"), the District acquired certain property with the proceeds of the Bonds from Elements Development of Jacksonville, LLC ("**Developer**") as further identified in that certain Corrective Special Warranty Deed recorded in Official Records Book 20519, page 395 of the public records of Duval County, Florida, which conveyed, in part, that certain real property identified as Tract E (CDD Open Space Parcel East) and Tract F (CDD Open Space Parcel West) (together, "**Tracts E & F**"), which included, in part, the real property described in more detail in **Exhibit A** attached hereto (the "**Property**"), on which certain CIP improvements have been and/or will be constructed; and

WHEREAS, the CIP includes a riverwalk constructed by the District, which is primarily located on property owned by the City of Jacksonville ("**City**") that is adjacent to Tracts E & F, which such riverwalk is intended to be owned and maintained by the City; provided however, during the course of construction portions of the riverwalk were constructed went outside of the City owned property and is currently located on the Property; and

WHEREAS, the City has requested the conveyance of the Property to the City so it may own and maintain all portions of the riverwalk property; provided however, the City has additionally requested such conveyance be completed by reconveyance of the Property from the District to Developer ("**Developer Conveyance**") and then Developer to the City via a Corrective Warranty Deed ("**City Conveyance**," and together with the Developer Conveyance, the "**Conveyance**"), all at no cost; and

WHEREAS, the District desires to make such Developer Conveyance subject to (i) the District's bond counsel determining such Conveyance is authorized under federal tax law related to tax-exempt financing; and (ii) the City Conveyance is completed by Developer within six (6) months of the Developer Conveyance, as further provided in the *Further Assurance Agreement* between the District and Developer attached hereto as **Exhibit B** ("**Further Assurance Agreement**").

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

1. RECITALS. All of the representations, findings and determinations contained above are recognized as true and accurate, and are expressly incorporated into this Resolution.

2. AUTHORIZATION FOR BOUNDARY ADJUSTMENT AND CONVEYANCE OF PROPERTY. The District's Board of Supervisors ("**Board**") hereby finds the Conveyance of the Property is a reasonable boundary adjustment necessary to accurately describe the lands intended to be conveyed to the District and the lands intended to be owned and maintained by the City that is consistent with the CIP. The Board hereby authorizes the Developer Conveyance of the Property, as described in **Exhibit A**, subject to:

- a. receipt and finalization by District Counsel of the documents required for such Conveyance under the Acquisition Agreement;
- b. the District's bond counsel determining such Conveyance is authorized under federal tax law related to tax-exempt financing; and
- c. the District and Developer entering into the Further Assurance Agreement in substantially the same form as is attached hereto as **Exhibit B**; and
- d. Developer's payment of all related transaction costs resulting from the Conveyance, including but not limited to recording, documentary stamp tax, if any.

3. CONVEYANCE DOCUMENTS; GENERAL AUTHORIZATION. The Board hereby authorizes the Chairperson, in consultation with District staff, to accept and execute any conveyance documents necessary to effectuate the Conveyance. Additionally, the Board and staff are hereby authorized and directed to do all such acts and things, and to execute and deliver all such documents as may be necessary to carry out and comply with the provisions of this Resolution, and all such actions which are in conformity with the intent and purposes of this Resolution, whether heretofore or hereafter taken or done, shall be and are hereby ratified,

confirmed and approved. The Vice Chairperson shall be authorized to undertake any action herein authorized to be taken by the Chairperson, in the absence or unavailability of the Chairperson, and any Assistant Secretary shall be authorized to undertake any action herein authorized to be taken by the Secretary, in the absence or unavailability of the Secretary. Further, each Assistant Secretary and the Secretary are hereby designated and authorized on behalf of the Board to attest to the seal of the Board and to the signature of the Chairperson or Vice Chairperson or any other member of the Board as they appear on any documents which may be necessary or helpful in connection with the intent of this Resolution.

4. SEVERABILITY. If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

5. CONFLICTS. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

6. EFFECTIVE DATE. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this August 19th, 2024.

ATTEST:

**DISTRICT COMMUNITY
DEVELOPMENT DISTRICT**

Secretary

Chairperson, Board of Supervisors

Exhibit A: Legal Description of the Property

Exhibit B: Further Assurance Agreement

Exhibit A:
Legal Description of Property

TRACTS E-1, E-2, F-1

TRACTS E-1, E-2 AND F-1 PURSUANT TO THE PLAT OF RIVERSEDGE RECORDED IN OFFICIAL RECORDS BOOK 82, PAGES 114 THROUGH 121 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CONTAINING 4,080 SQUARE FEET (OR 0.094 ACRES), MORE OR LESS.

Exhibit B:
FURTHER ASSURANCE AGREEMENT
(Tracts E-1, E-2, & F-1)

For and in consideration of ten dollars (\$10.00) and other good and valuable consideration, and the purchase of that certain property described in Exhibit "A" attached hereto (the "**Property**") by Elements Development of Jacksonville, LLC, a Florida limited liability company ("**Purchaser**" or "**Developer**") from the District Community Development District ("**Seller**" or "**District**"), Purchaser and Seller agree to cooperate, initial, execute, and deliver to each other and to any title company or government agency, including the City of Jacksonville, Florida ("**City**") any and all deeds, corrective instruments, agreements, affidavits, plats and such other documents necessary to ensure that the Property is ultimately conveyed to the City in fee simple for perpetual ownership ("**City Conveyance**") on or before six (6) months of the Effective Date (hereinafter defined) ("**Deadline**").

In connection with such City Conveyance, if the Purchaser fails to complete the City Conveyance by the Deadline, the parties agree to "true-up" the original purchase price paid by the District to the Developer in connection with the property acquired by the Seller in that certain Corrective Special Warranty Deed recorded in Official Records Book 20519, page 395 of the public records of Duval County, Florida. Such "true-up" paid by the Developer shall be based on the final determined aggregate acreage of the Property.

Seller and Purchaser are relying upon this Further Assurance Agreement (the "**Agreement**") and the covenants contained herein in closing this conveyance of the Property to Purchaser.

This Agreement shall survive the closing of Seller's conveyance of the Property to Purchaser. This Agreement shall be binding upon Purchaser and Seller and may be executed in counterparts.

Dated this ____ day of _____, 2024 ("**Effective Date**").

[Signatures of Following Page]

IN WITNESS WHEREOF, the parties have executed this Agreement under seal on the day and year first above written.

PURCHASER:

ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC,
a Florida limited liability company

By: PHCC LLC, a Delaware limited liability company,
d/b/a Preston Hollow Community Capital,
its Manager

Printed Name: John Dinan
Title: General Counsel and Secretary

SELLER:

DISTRICT COMMUNITY DEVELOPMENT DISTRICT

By: _____
Name: Rose Bock
Title: Chairperson

Exhibit A:
Legal Description of Property

TRACTS E-1, E-2, F-1

TRACTS E-1, E-2 AND F-1 PURSUANT TO THE PLAT OF RIVERSEDGE RECORDED IN OFFICIAL RECORDS BOOK 82, PAGES 114 THROUGH 121 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CONTAINING 4,080 SQUARE FEET (OR 0.094 ACRES), MORE OR LESS.

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

13

Prepared by and return recorded original to:
Harry M. Wilson, IV, Assistant General Counsel
Office of General Counsel
117 W. Duval Street, Suite 480
Jacksonville, FL 32202

**INTERLOCAL AGREEMENT BY AND AMONG
DUVAL COUNTY PROPERTY APPRAISER,
DUVAL COUNTY TAX COLLECTOR, AND
THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT
FOR UNIFORM COLLECTION AND ENFORCEMENT OF
NON-AD VALOREM ASSESSMENT**

THIS INTERLOCAL AGREEMENT (the “Agreement”), made and entered into on this _____ day of _____, 2024, by and among the Duval County Property Appraiser, whose principal office is located at 231 E. Forsyth Street, Suite 270, Jacksonville, Florida 32202 (the “Property Appraiser”); the Duval County Tax Collector, whose principal office is located at 231 E. Forsyth Street, Suite 100, Jacksonville, Florida 32202 (the “Tax Collector”); and ~~The~~the District Community Development District, a local unit of special-purpose government established in accordance with Chapter 190, Florida Statutes and Chapter 92, Jacksonville Ordinance Code, whose principal address is 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431(the “District”).

WITNESSETH:

WHEREAS, Chapter 190, Florida Statutes, authorizes the establishment of community development districts, which are local units of special-purpose government; and Chapter 190 further provides for the powers of community development districts including, among other things, the power to determine, order, levy, impose, collect, and enforce special assessments; and

WHEREAS, the District was established by City of Jacksonville Ordinance 2018-563-E; and

WHEREAS, pursuant to Sections ~~189.054065, and~~ 190.011, 190.021 and 190.022, Florida Statutes, the District may provide for the collection and enforcement of non-ad valorem assessments in accordance with Sections 197.3631, 197.3632 and 197.3635, Florida Statutes, and Rule 12D-18, Florida Administrative Code; and

WHEREAS, pursuant to Section 197.3632, Florida Statutes, those community development districts that elect to use the uniform method of collecting non-ad valorem assessments are both authorized and required to enter into an agreement with the Property Appraiser and Tax Collector for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector in the levy, collection and enforcement of non-ad valorem assessments; and

Commented [SSR1]: 189.05 replaced 189.4065 when the statute was renumbered + 190.021 & 190.022 also reference 197 and we primarily rely on them

WHEREAS, the District, in accordance with the requirements of Section 197.3632, Florida Statutes, and Rule 12D-18, Florida Administrative Code, adopted Resolution No. 2019-26 on March 25, 2019, expressing its intent to use the uniform method of levy, collection and enforcement; furthermore, the District agrees to perform all statutory requirements, and other applicable laws, rules and regulations, for utilizing the uniform method of levying and collecting non-ad valorem assessments; and

WHEREAS, Section 92.21, Jacksonville Ordinance Code, authorizes the Property Appraiser and Tax Collector to execute a contract in the form approved by the Office of General Counsel; and

WHEREAS, the Property Appraiser, the Tax Collector and the District now desire to set forth this Agreement regarding the preparation and submission of the District non-ad valorem assessment roll and the uniform collection and enforcement thereof;

NOW THEREFORE, in consideration of mutual promises and covenants contained herein, the sufficiency of the sums, covenants and other valuable consideration being hereby acknowledged by the parties, the absence of any of which this Agreement would not be executed, the Property Appraiser, the Tax Collector and the District agree as follows:

1. **Term.** The term of this Agreement shall commence upon execution, to be effective for the 2025 tax year, and, thereafter, to continue from year to year, for one-year periods, until any party provides thirty (30) days notice, in accordance with this Agreement, in writing to the other parties of its intent to terminate for future tax years, or until the District provides notice of its intent to discontinue using the uniform method of collecting the Assessment.

2. **Duties and Responsibilities of the District, the Property Appraiser and the Tax Collector.**

2.1 The District, by May—10 of the first year that the special assessment is to be collected, shall provide to the Property Appraiser and the Tax Collector by United States mail a copy of the District’s resolution adopting the uniform method of collecting its non-ad valorem assessment (the “Assessment”), unless the parties agree to an extension of time in accordance with section 197.3632(3)(a), Florida Statutes. If the District intends to discontinue using the uniform method of collecting the Assessment in any subsequent tax year, the District shall notify the Property Appraiser, the Tax Collector, and the Department of Revenue in writing by January 10 of any subsequent year, in accordance with Section 197.3632(6), Florida Statutes, and Rule 12D-18.006(3), Florida Administrative Code.

2.2 The District, by May 1, shall provide to the Property Appraiser the legal description of the District’s boundaries on which the Assessment is to be levied for that tax year, unless the parties agree to an extension of time in accordance with

section 197.3632(3)(a), Florida Statutes. The District shall also identify those land areas within the District's geographical boundaries that are to be excluded from the Assessment based upon government ownership or other exemption.

2.3 The Property Appraiser, by June 1, shall provide to the District the names and addresses of the owners of all parcels within the District's boundaries, a brief legal description of the property, and the real estate or property identification number, using the uniform method pursuant to Section 197.3632(3)(b), Florida Statutes. The Property Appraiser is not required to provide any information that is not on the ad valorem roll submitted by the Property Appraiser to the Department of Revenue each year. If the District determines that the information supplied by the Property Appraiser is insufficient for the District's purposes, the District shall obtain additional information from any other source, at no expense to the Property Appraiser or the Tax Collector. The Property Appraiser is not responsible for incorporating any additional information into its assessment roll certified to the Tax Collector.

2.4 The District, by August 1, shall provide to the Property Appraiser, on a compatible electronic medium approved by the Property Appraiser, the official per-unit or per-parcel Assessment as adopted by the District. If the District is levying more than one Assessment per unit or parcel, the District must provide the Property Appraiser with one total amount per unit or parcel. The Property Appraiser is only responsible for certifying to the Tax Collector one total Assessment amount per unit or parcel located within the District.

2.5 The Property Appraiser, by October 30, shall prepare an assessment roll containing the District's Assessment and certify same to the Tax Collector.

2.6 The Tax Collector shall collect the Assessment in accordance with Sections 197.3632 and 197.3635, Florida Statutes.

3. **District's Payment for Administrative Costs.**

3.1 The District shall pay the Tax Collector two percent (2%) of the total Assessment collected for the Tax Collector's administrative costs and shall pay such additional amounts as may be authorized by statute, which shall be withheld from the Assessment collected by the Tax Collector prior to distribution to the District.

3.2 The District shall pay the Property Appraiser one and one-half percent (1.5%) of the total Assessment collected by the Tax Collector for the Property Appraiser's administrative costs and shall pay such additional amounts as may be authorized by statute, which shall be withheld from the Assessment collected by the Tax Collector prior to distribution to the District.

3.3 If the Assessment can not be merged into a combined notice for ad valorem taxes and non-ad valorem assessments, as provided in Section 197.3632(7), the District shall be liable for all costs associated with separate notice, which costs shall be in addition to those payments to the Tax Collector and the Property Appraiser for administrative costs, as set forth above. The District shall reimburse the Tax Collector within ten (10) days of receipt of invoices for additional costs of separate notice or the Tax Collector may withhold same from the Assessments collected prior to distribution to the District and provide the District with documentation of additional costs. Alternatively, the Tax Collector may direct the District to mail the separate notices. The District shall also be liable for all costs associated with any errors or omissions by the District that necessitate a correction to the roll.

3.4 If the District does not notify the Property Appraiser and the Tax Collector by January 10 of its intent to discontinue the uniform method of collecting the Assessment, the District shall pay the Property Appraiser and the Tax Collector for the cost of administration, up to the time of notification and termination of this Agreement, an amount as determined by the Property Appraiser and Tax Collector, but no greater than the amounts paid by the District to the Property Appraiser and the Tax Collector for the prior tax year.

4. **Notice.** Whenever written notice is required pursuant to this Agreement, such notice shall be in writing; delivered by one of the following methods: (1) in person with receipt confirmation, (2) by certified United States Mail, return receipt requested, or (3) by recognized courier service with receipt confirmation; and delivered to the following:

Property Appraiser:	Joyce Morgan Duval County Property Appraiser 231 E. Forsyth Street, Suite 270 Jacksonville, FL 32202
Tax Collector:	Jim Overton Duval County Tax Collector 231 E. Forsyth Street, Suite 200 Jacksonville, FL 32202
District:	Wrathell, Hunt and Associates, LLC Attn: Courtney Magner 2300 Glades Road, Suite 410W Boca Raton, Florida 33431

Notice shall be effective when received at an address as specified above. Changes in the respective addresses to which such notice is directed may be made by written notice.

5. **Indemnification.** To the extent allowed by law, the District shall indemnify, defend and hold harmless the Property Appraiser and the Tax Collector and their respective officers, employees, and agents from claims, demands, suits, actions, costs and expenses on account of injury or damage to person or property arising out of the negligent acts or omissions of the District and its directors, officers, employees and agents in connection with or resulting from the performance or attempted performance of its duties and responsibilities under this Agreement. This indemnification is subject to and governed by the provisions and limitations of Section 768.28, Florida Statutes and shall not be considered a further waiver of the limited waiver of sovereign immunity contained therein.

6. **Entire Agreement and Amendment.** This Agreement constitutes the entire agreement between the parties hereto. No statement, representation, writing, understanding, agreement, course of action, or course of conduct, made by any party, or any representative of any party, which is not expressed herein shall be binding. No change, amendment, waiver or discharge to this Agreement, or any of the terms, provisions and conditions hereof, shall be valid and binding unless in writing and signed by an authorized officer or representative of the parties against whom such change, amendment, waiver or discharge is sought to be enforced.

7. **Preparation of Agreement.** The parties acknowledge that they have had meaningful input into the terms and conditions contained in this Agreement; therefore, any doubtful or ambiguous provisions contained herein shall not be construed against the party who physically prepared this Agreement.

8. **Governing Law and Venue.** This Agreement will be governed by and interpreted in accordance with the laws of the State of Florida. The venue of any legal action brought or filed relating to any matter arising under this Agreement will be exclusively in the federal and state courts sitting in Duval County, Florida, having jurisdiction.

9. **Severability.** In the event any provision of this Agreement conflicts with the law under which this Agreement is to be construed, or if any provision is held invalid by a court with jurisdiction over the parties, such provision shall be deemed to be restated to reflect as nearly as possible the original intentions of the parties in accordance with applicable laws. The remainder of this Agreement shall remain in full force and effect. Notwithstanding the foregoing, the provisions of this section will not prevent the entire Agreement from being void should a provision which is of the essence of the Agreement be determined to be void.

10. **Nonwaiver.** Failure by a party at any time to require strict performance by another party of any provisions hereof does not release that party from its obligations under the Agreement and does not affect the right of a party, thereafter, to enforce the same.

11. **Force Majeure.** "Force Majeure" means any event beyond the control of a party which results in the failure of some performance under this Agreement including, but not limited to: drought, flood, earthquake, storm, fire, lightning, epidemic, war, riot, civil disturbance, sabotage or strike. No party shall be considered to be in breach in respect of any obligation hereunder

(other than the obligation to pay amounts due to another party under or pursuant to this Agreement) to the extent such failure of performance shall be due to a Force Majeure event. The party affected by a Force Majeure event shall give written notice to the other parties, within five (5) days of the commencement of non-performance due to a Force Majeure event, identifying the nature of the event, its anticipated duration and any action being taken to avoid or minimize its effect.

12. **No Third-Party Beneficiaries.** This Agreement is solely for the benefit of and shall be binding upon the Property Appraiser, the Tax Collector, and the District, and no right, privilege, claim or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party.

13. **Incorporation of Recitals.** The recitals set forth above and all applicable laws, rules and regulations are incorporated into and constitute a part of this Agreement.

14. **Section Headings.** Section headings appearing in this Agreement are inserted for convenience of reference only and shall not be construed as interpretation of text.

15. **Execution In Counterparts.** This instrument may be executed in any number of counterparts, each of which, when executed and delivered, constitutes an original, and such counterparts together constitute one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

IN WITNESS WHEREOF, the parties have executed this Agreement by their proper officers, duly authorized, as of the day and year first written above.

~~THE~~ DISTRICT
COMMUNITY DEVELOPMENT
DISTRICT

By: _____
Its: _____

Its: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____, 2024, by _____ a duly authorized officer of and on behalf of _____

| ~~THE~~ the DISTRICT COMMUNITY DEVELOPMENT DISTRICT, who is ☐ personally known
to me or ☐ produced as identification _____.

Notary Public

Print Name: _____

My Commission Expires: _____

**DUVAL COUNTY
PROPERTY APPRAISER**

Joyce Morgan
Property Appraiser

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2024, by Joyce Morgan, Duval County Property Appraiser, who is personally known to me.

(Print name) _____
Notary Public, State of Florida at Large

DUVAL COUNTY TAX COLLECTOR

Jim Overton
Tax Collector

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2024, by Jim Overton, Duval County Tax Collector, who is personally known to me.

(Print name) _____
Notary Public, State of Florida at Large

Form Approved

Office of General Counsel

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

15

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

THE DISTRICT 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

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED FINANCIAL STATEMENTS

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JUNE 30, 2024**

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

	General Fund	Debt Service Fund Series 2020	Debt Service Fund Series 2022	Debt Service Fund Series 2022 Marina	Debt Service Fund Series 2023 A1	Debt Service Fund Series 2023 A2	Capital Projects Fund Series 2020	Capital Projects Fund Series 2022	Capital Projects Fund Series 2022 BAN	Capital Projects Fund Series 2023 A1	Capital Projects Fund Series 2023 A2	Total Governmental Funds
ASSETS												
Cash	\$ 347,986	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,941	\$ -	\$ -	\$ 358,927
Investments												
Revenue	-	-	-	-	20,410	-	-	-	-	-	-	20,410
Reserve	-	-	-	-	39,044	1,656,562	-	-	-	-	-	1,695,606
Capitalized interest	-	-	-	-	62	-	-	-	-	-	-	62
Construction	-	-	-	-	-	-	-	-	-	189,085	3,240,823	3,429,908
Cost of issuance	-	-	-	-	-	302	-	-	-	-	-	302
Sinking	-	-	-	-	684	-	-	-	-	-	-	684
Deposit - JEA Electric Meter	500	-	-	-	-	-	-	-	-	-	-	500
Deposit - JEA Water	4,468	-	-	-	-	-	-	-	-	-	-	4,468
Accounts receivable	29,245	-	-	-	-	-	-	-	-	-	-	29,245
Due from Landowner	50,000	-	-	-	20,344	-	-	-	163,952	-	-	234,296
Due from debt service fund - 2023A1	20,344	-	-	-	-	-	-	-	-	-	-	20,344
Due from other	600	-	-	-	-	-	-	-	-	-	-	600
Total assets	<u>\$ 453,143</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 80,544</u>	<u>\$ 1,656,864</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 174,893</u>	<u>\$ 189,085</u>	<u>\$ 3,240,823</u>	<u>\$ 5,795,352</u>
LIABILITIES AND FUND BALANCES												
Liabilities:												
Accounts payable	20,441	-	-	-	-	-	-	-	174,893	-	-	195,334
Contracts payable	-	-	-	-	-	-	-	-	-	-	1,760,017	1,760,017
Retainage payable	-	-	-	-	-	-	59,514	-	-	-	836,139	895,653
Due to Landowner	-	-	-	21,303	22,583	-	-	-	163,952	-	-	207,838
Due to general fund	-	-	-	-	20,344	-	-	-	-	-	-	20,344
Tax payable	92	-	-	-	-	-	-	-	-	-	-	92
Landowner advance	22,630	-	-	-	-	-	-	-	-	-	-	22,630
Total liabilities	<u>43,163</u>	<u>-</u>	<u>-</u>	<u>21,303</u>	<u>42,927</u>	<u>-</u>	<u>59,514</u>	<u>-</u>	<u>338,845</u>	<u>-</u>	<u>2,596,156</u>	<u>3,101,908</u>
DEFERRED INFLOWS OF RESOURCES												
Deferred receipts	79,245	-	-	-	20,344	-	-	-	-	-	-	99,589
Total deferred inflows of resources	<u>79,245</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>20,344</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>99,589</u>
Fund balances:												
Restricted for:												
Debt service	-	-	-	(21,303)	17,273	1,656,864	-	-	-	-	-	1,652,834
Capital projects	-	-	-	-	-	-	(59,514)	-	(163,952)	189,085	644,667	610,286
Committed												
Reserved for Capital Projects or O&M	346,654	-	-	-	-	-	-	-	-	-	-	346,654
Unassigned	(15,919)	-	-	-	-	-	-	-	-	-	-	(15,919)
Total fund balances	<u>330,735</u>	<u>-</u>	<u>-</u>	<u>(21,303)</u>	<u>17,273</u>	<u>1,656,864</u>	<u>(59,514)</u>	<u>-</u>	<u>(163,952)</u>	<u>189,085</u>	<u>644,667</u>	<u>2,593,855</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 453,143</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 80,544</u>	<u>\$ 1,656,864</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 174,893</u>	<u>\$ 189,085</u>	<u>\$ 3,240,823</u>	<u>\$ 5,795,352</u>

**THE DISTRICT
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				
Developer contribution	\$ 13,011	\$ 135,864	\$ 398,490	34%
Interest and miscellaneous	31	155	-	N/A
VCTC Tax Credits*	-	362,038	-	N/A
Total revenues	<u>13,042</u>	<u>498,057</u>	<u>398,490</u>	125%
EXPENDITURES				
Professional & administrative				
Supervisor fees	-	1,292	-	N/A
Management	4,000	36,000	48,000	75%
CRA/city grant administration	417	3,750	5,000	75%
DSF accounting - series 2023	1,563	14,063	18,750	75%
DSF accounting - series 2022 marina	521	4,687	6,250	75%
Legal	1,366	20,498	50,000	41%
Engineering	2,580	6,780	36,000	19%
Audit	-	-	7,500	0%
Arbitrage rebate calculation	-	-	1,500	0%
Dissemination agent - series 2023	438	3,938	5,250	75%
Dissemination agent - series 2022 marina	146	1,312	1,750	75%
Trustee	-	-	19,000	0%
Telephone	-	-	200	0%
Postage	157	184	500	37%
Printing & binding	-	-	500	0%
Legal advertising	189	1,469	1,700	86%
Annual special district fee	-	175	175	100%
Insurance	-	6,228	7,000	89%
Contingencies/bank charges	-	-	1,000	0%
Meeting room rental	-	300	900	33%
VCTC Sales fees	1,787	17,171	-	N/A
Website hosting & maintenance	-	705	705	100%
Website ADA compliance	-	-	210	0%
Property taxes	-	9	-	N/A
Total professional & administrative	<u>13,164</u>	<u>118,561</u>	<u>211,890</u>	56%
Field operations				
Landscape maintenance	-	-	100,000	0%
Monitoring & reporting	-	-	40,000	0%
Groundwater recovery pump	-	-	10,000	0%
Field operations contingency	-	1,100	24,600	4%
Aquatic weed control	-	-	12,000	0%
Total field operations	<u>-</u>	<u>1,100</u>	<u>186,600</u>	1%
Total expenditures	<u>13,164</u>	<u>119,661</u>	<u>398,490</u>	30%
Excess/(deficiency) of revenues over/(under) expenditures	(122)	378,396	-	
Fund balances - beginning	330,857	(47,661)	-	
Fund balances - ending	<u>\$ 330,735</u>	<u>\$ 330,735</u>	<u>\$ -</u>	

* \$183,348.95 of this amount relates to tax credits that were received from Elements Development of Jacksonville LLC.

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2020
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ -	\$ 29,403
Total revenues	<u>-</u>	<u>29,403</u>
EXPENDITURES		
Debt service	-	-
Total debt service	<u>-</u>	<u>-</u>
Other fees & charges		
Transfer out	-	(3,574,358)
Total other fees and charges	<u>-</u>	<u>(3,574,358)</u>
Total expenditures	<u>-</u>	<u>(3,574,358)</u>
 Net change in fund balances	 -	 (3,544,955)
Fund balances - beginning	-	3,544,955
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2022
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ -	\$ 5,825
Total revenues	<u>-</u>	<u>5,825</u>
EXPENDITURES		
Debt service	-	-
Total debt service	<u>-</u>	<u>-</u>
Other fees & charges		
Transfer out	-	(708,798)
Total other fees and charges	<u>-</u>	<u>(708,798)</u>
Total expenditures	<u>-</u>	<u>(708,798)</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(702,973)
Fund balances - beginning	-	702,973
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2022 MARINA
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 expenditures	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	-
Fund balances - beginning	(21,303)	(21,303)
Fund balances - ending	<u><u>\$ (21,303)</u></u>	<u><u>\$ (21,303)</u></u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2023A-1
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ 230	\$ 1,105
Total revenues	<u>230</u>	<u>1,105</u>
EXPENDITURES		
Debt service		
Interest	<u>-</u>	<u>7,007</u>
Total debt service	<u>-</u>	<u>7,007</u>
Excess/(deficiency) of revenues over/(under) expenditures	230	(5,902)
OTHER FINANCING SOURCES/(USES)		
Bond proceeds	-	720,313
Payment to refunding escrow agent	-	(836,720)
Transfer In	<u>-</u>	<u>162,164</u>
Total other financing sources	<u>-</u>	<u>45,757</u>
Net change in fund balances	230	39,855
Fund balances - beginning	17,043	(22,582)
Fund balances - ending	<u>\$ 17,273</u>	<u>\$ 17,273</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2023A-2
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ 6,452	\$ 37,864
Total revenues	<u>6,452</u>	<u>37,864</u>
EXPENDITURES		
Debt service		
Cost of issuance	-	561,050
Total debt service	<u>-</u>	<u>561,050</u>
Excess/(deficiency) of revenues over/(under) expenditures	6,452	(523,186)
OTHER FINANCING SOURCES/(USES)		
Bond proceeds	-	41,932,150
Payment to refunding escrow agent	-	(44,829,463)
Transfer in	-	5,077,363
Total other financing sources	<u>-</u>	<u>2,180,050</u>
Net change in fund balances	6,452	1,656,864
Fund balances - beginning	1,650,412	-
Fund balances - ending	<u><u>\$ 1,656,864</u></u>	<u><u>\$ 1,656,864</u></u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2020
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ -	\$ 93
Total revenues	<u>-</u>	<u>93</u>
EXPENDITURES		
Constructions Costs	-	59,515
Total expenditures	<u>-</u>	<u>59,515</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(59,422)
OTHER FINANCING SOURCES/(USES)		
Transfer in	-	564,233
Transfer out		(19,590)
Total other financing sources/(uses)	<u>-</u>	<u>544,643</u>
Net change in fund balances	-	485,221
Fund balances - beginning	(59,514)	(544,735)
Fund balances - ending	<u>\$ (59,514)</u>	<u>\$ (59,514)</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2022
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Interest	\$ -	\$ 43,691
Total revenues	<u>-</u>	<u>43,691</u>
EXPENDITURES		
Construction Costs	-	51,707
Total expenditures	<u>-</u>	<u>51,707</u>
Excess/(deficiency) of revenues over/(under) expenditures	-	(8,016)
OTHER FINANCING SOURCES/(USES)		
Transfer in	-	85,391
Transfer out	-	(4,556,140)
Total other financing sources/(uses)	<u>-</u>	<u>(4,470,749)</u>
Net change in fund balances	-	(4,478,765)
Fund balances - beginning	-	4,478,765
Fund balances - ending	<u>\$ -</u>	<u>\$ -</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2022 BAN
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES		
Construction Costs	<u>138,255</u>	<u>177,948</u>
Total expenditures	<u>138,255</u>	<u>177,948</u>
 Net change in fund balances	(138,255)	(177,948)
Fund balances - beginning	<u>(25,697)</u>	<u>13,996</u>
Fund balances - ending	<u><u>\$ (163,952)</u></u>	<u><u>\$ (163,952)</u></u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2023A-1
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Developer contribution	\$ -	\$ 283,271
Interest	1,346	8,503
Misc Income	-	103,567
Total revenues	<u>1,346</u>	<u>395,341</u>
EXPENDITURES	-	-
Total expenditures	<u>-</u>	<u>-</u>
Excess/(deficiency) of revenues over/(under) expenditures	1,346	395,341
OTHER FINANCING SOURCES/(USES)		
Bond proceeds	-	54,687
Transfer Out	-	(260,943)
Total other financing sources/(uses)	<u>-</u>	<u>(206,256)</u>
Net change in fund balances	1,346	189,085
Fund balances - beginning	187,739	-
Fund balances - ending	<u>\$ 189,085</u>	<u>\$ 189,085</u>

**THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2023A-2
FOR THE PERIOD ENDED JUNE 30, 2024**

	Current Month	Year To Date
REVENUES		
Developer contribution	\$ -	\$ 1,448
Interest	1,897	79,448
ARTEA Utility Improvements	-	851,462
Total revenues	<u>1,897</u>	<u>932,358</u>
EXPENDITURES		
Construction Costs	<u>966,237</u>	<u>6,073,990</u>
Total expenditures	<u>966,237</u>	<u>6,073,990</u>
Excess/(deficiency) of revenues over/(under) expenditures	(964,340)	(5,141,632)
OTHER FINANCING SOURCES/(USES)		
Bond proceeds	-	3,238,924
Transfer in	-	3,872,031
Transfer out	<u>-</u>	<u>(641,353)</u>
Total other financing sources/(uses)	<u>-</u>	<u>6,469,602</u>
Net change in fund balances	(964,340)	1,327,970
Fund balances - beginning	<u>1,609,007</u>	<u>(683,303)</u>
Fund balances - ending	<u><u>\$ 644,667</u></u>	<u><u>\$ 644,667</u></u>

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT
MINUTES OF MEETING
THE DISTRICT
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of The District Community Development District held a Regular Meeting on May 20, 2024 at 1:30 p.m., at the offices of Kimley Horn & Associates, 12740 Gran Bay Parkway West, Suite 2350, Jacksonville, Florida 32258.

Present at the meeting were:

Rose Bock	Chair
Kurt Von der Osten	Vice Chair
Robert Mizell	Assistant Secretary

Also present were:

Craig Wrathell	District Manager
Cindy Cerbone	Wrathell, Hunt and Associates, LLC
Sarah Sandy	District Counsel
Bill Schilling	District Engineer
Mike Mullis	Kimley-Horn and Associates, Inc.
Tony Landry	Rush Marine

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Wrathell called the meeting to order at 1:35 p.m. Supervisors Bock, Von der Osten and Mizell were present. Supervisor Dodson was absent. One seat was vacant.

SECOND ORDER OF BUSINESS

Public Comments: Agenda Item (limited to 3 minutes per individual)

There were no public comments.

THIRD ORDER OF BUSINESS

**Acceptance of Resignation of Jay Dodson
[Seat 2]**

Mr. Wrathell presented Mr. Jay Dodson's resignation letter.

On MOTION by Mr. Mizell and seconded by Ms. Bock, with all in favor, the resignation of Mr. Jay Dodson from Seat 2, was accepted.

FOURTH ORDER OF BUSINESS

**Consider Appointment of Supervisor(s) to
Vacant Seats 1 and 2**

- **Administration of Oath of Office to Newly Appointed Supervisors (the following will also be provided in a separate package)**
 - A. Required Ethics Training and Disclosure Filing**
 - **Sample Form 1 2023/Instructions**
 - B. Membership, Obligation 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**

This item was deferred.

FIFTH ORDER OF BUSINESS

**Consideration of Resolution 2024-08,
Electing and Removing Officers of the
District and Providing for an Effective Date**

This item was deferred.

SIXTH ORDER OF BUSINESS

**Consideration of Resolution 2024-09,
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 an Effective
Date**

Mr. Wrathell presented Resolution 2024-09. He reviewed the proposed Fiscal Year 2025 budget, highlighting any line item increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes.

Regarding the hydraulic containment system, Mr. Schilling explained that, the area of the new school board parking lot has a groundwater contamination plume and two active wells continuously pump to draw the ground water and discharge it into the JEA sanitary sewer system to keep the plume contamination from making it to the river. Even though the hydraulic containment system is, technically, on School Board property, the CDD retained the

responsibility to manage it, through the subconsultant ECS; ECS makes necessary repairs and checks it monthly. Asked if the \$37,500 cost is for the pumps or the sewage disposal, Mr. Schilling stated it is for the costs related to ECS performing monthly maintenance and for repairs and replacing parts. A shed houses the electrical equipment. This is a budgeted expense and, if a pump breaks down, which is a major expense, Staff must ask for additional funds from the Board. The line item cost is based on ECS's experience and observations.

Mr. Wrathell reviewed the Debt Service Schedule, bond anticipation notes, Series 2023 A-1 bonds, Series 2023 A-2 bonds, Amortization Schedule and off-roll and on-roll assessments.

Discussion ensued regarding the Operation and Maintenance (O&M) assessment, the marina, parks, City, parcels, bond trust indenture, Preston Hollow, off-roll assessments and a budget surplus.

Mr. Wrathell stated Staff will apprise the Board of any modifications to the proposed Fiscal Year 2025 budget that might occur between now and the August 19, 2024 public hearing; When the budget is adopted, expenditures might be at or slightly higher than what is anticipated now.

On MOTION by Ms. Bock and seconded by Mr. Mizell, with all in favor, Resolution 2024-09, Approving a Proposed Budget for Fiscal Year 2024/2025 and Setting a Public Hearing Thereon Pursuant to Florida Law for August 19, 2024 at 1:30 p.m., at the offices of Kimley Horn & Associates, 12740 Gran Bay Parkway West, Suite 2350 Jacksonville, Florida 32258; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2024-10, 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. Wrathell presented Resolution 2024-10. The following will be inserted into the Fiscal Year 2025 Meeting Schedule:

DATES: January 13, 2025 and February 10, 2025

On MOTION by Mr. Von der Osten and seconded by Ms. Bock, with all in favor, Resolution 2024-10, 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, as amended, was adopted.

EIGHTH ORDER OF BUSINESS**Consideration of Construction Related Items**

Mr. Schilling presented the following:

A. Consideration of Construction Contract with UCC Group, Inc. for the Phase 3B – CRA Project (Parks, Riverwalk, and Streetscape Improvements)

Asked if the Developer is fully engaged in the negotiations of the contracts, Mr. Wrathell stated there are weekly, construction-related calls with everyone on the distribution list.

On MOTION by Mr. Von der Osten and seconded by Mr. Mizell, with all in favor, the Construction Contract with UCC Group, Inc. for the Phase 3B – CRA Project (Parks, Riverwalk, and Streetscape Improvements), in the amount of \$15,771,341.10, was approved.

B. Consideration of Construction Contract with UCC Group, Inc. for the Phase 3B – CDD Project (Streetscape Improvements)

On MOTION by Mr. Mizell and seconded by Ms. Bock, with all in favor, the Construction Contract with UCC Group, Inc. for the Phase 3B – CDD Project (Streetscape Improvements), in the amount of \$4,882,102.74, was approved.

C. Ratification of Kompan, Inc. Agreement for Playground Equipment Installation

Ms. Sandy stated Kompan was approved through the City, which has a generalized contract for all governmental contracts; the arrangement benefited the CDD by providing a reduced rate for the equipment installation and it was not necessary to go out to bid.

Asked why this item was not put under the UCC contract, Mr. Schilling stated, under the RBA Agreement with the City, the CDD is allowed to have a certain number of contractors and contracts. Kompan, the playground equipment manufacturer, is one of the approved contractors that the CDD was able to contract with directly, under the RBA. Asked if the CDD has any liability to the contractor for time extensions or cost if UCC is late, Mr. Schilling stated

that is always a possibility; however, at this point the two entities seem to be working very well together as far as their work schedules.

On MOTION by Mr. Mizell and seconded by Mr. Von der Osten, with all in favor, the Kompan, Inc. Agreement for Playground Equipment Installation, in the amount of \$470,423.13, was ratified.

D. Consideration of AT&T Letter of Agreement for Custom Work and Estimate of Actual Cost

This is related to overhead utilities along Broadcast and, as part of this project, Broadcast Place is being relocated. AT&T will require the CDD to pay for the relocation of its base of communications equipment on the power poles, at an estimated cost of \$35,987.68.

On MOTION by Ms. Bock and seconded by Mr. Von der Osten, with all in favor, the AT&T Letter of Agreement for Custom Work and Estimate of Actual Cost of \$35.987.68, was approved.

In response to a question, Mr. Wrathell explained the purpose of ratifying and approving contracts, proposals, agreements and other documents.

E. Consideration of Proposals to RFP for Phase 4 - CDD Marina Project

Mr. Schilling stated it was clearly delineated in the Request for Proposals (RFP) that one firm would be selected for both projects. He gave an overview of the proposers, the four staff members that reviewed the submittals and the scoring criteria. In total, Rush Marine scored higher than J.B. Coxwell. Ultimately, the Board will be asked to rank the respondents to allow Staff to begin negotiating with the #1 ranked respondent.

Ms. Sandy stated the Board should have copies of the evaluation criteria in each of the project manuals and blank evaluation sheets to evaluate each of the respondents. The primary goal is to make sure the Board is able to have a discussion, evaluate the proposals received and allocate points based on the Board discussion and Staff's recommendation.

Mr. Schilling stated a final score needs to be established and the best approach would be to have a combined score from the Board.

Mr. Schilling and Ms. Sandy responded to questions regarding the scoring for schedule and pricing, the cap on liquidated damages, how much weight to place on the difference in

schedule, which entity will fund the CRA portion of the project and if the CDD will receive maximum reimbursement from the City for the improvements.

I. J.B. Coxwell

J.B. Coxwell bid \$28,900,183.

II. Rush Marine

Rush Marine bid \$26,781,955.

The Board collectively completed an evaluation criteria sheet. Mr. Wrathell recapped the scores and ranking as follows:

#1	Rush Marine	97 points
#2	J.B. Coxwell	90 points

On MOTION by Ms. Bock and seconded by Mr. Mizell, with all in favor, accepting the scores and ranking with Rush Marine as the #1 ranked respondent to the Phase 4 – CDD Marina Project RFP, with 97 points, and J.B. Coxwell as the #2 ranked respondent, with 90 points, was approved.

On MOTION by Mr. Mizell and seconded by Mr. Von der Osten, with all in favor, authorizing District Staff to enter into negotiations for the CDD Marina Project with the #1 ranked respondent, Rush Marine, prepare a form of agreement, and authorizing the Chair to execute the agreement, was approved.

F. Consideration of Proposals to RFP for Phase 4 - CRA Project

I. J.B. Coxwell

J.B. Coxwell bid \$5,114,106.53.

II. Rush Marine

Rush Marine bid 5,885,035.

The Board collectively completed an evaluation criteria sheet. Mr. Wrathell recapped the scores and ranking, as follows:

#1	Rush Marine	94 points
#2	J.B. Coxwell	90.5 points

On MOTION by Ms. Bock and seconded by Mr. Mizell, with all in favor, accepting the scores and ranking with Rush Marine as the #1 ranked respondent to the Phase 4 – CRA Project RFP, with 94 points, and J.B. Coxwell as the #2 ranked respondent, with 90.5 points, was approved.

On MOTION by Mr. Mizell and seconded by Mr. Von der Osten, with all in favor, authorizing District Staff to enter into negotiations for the CRA Project with the #1 ranked respondent, Rush Marine, prepare a form of agreement, and authorizing the Chair to execute the agreement, was approved.

NINTH ORDER OF BUSINESS**Consideration of Kimley-Horn Project Task Order Amendments**

Mr. Schilling stated for anything that is related to environmental oversight, including the ECS amounts for the hydraulic containment system, and any time Kimley-Horn is on-site observing any construction below the 2' cap on the site, they are eligible to receive voluntary cleanup tax credits. He presented the following:

- A. Amendment Six To Task Order No. CRA Three (3)
- B. Amendment Six To Task Order No. CDD Five (5)
- C. Amendment One To Task Order No. CDD Six (6)

On MOTION by Ms. Bock and seconded by Mr. Mizell, with all in favor, Kimley-Horn Project Task Order Amendments Amendment Six To Task Order No. CRA Three (3), Amendment Six To Task Order No. CDD Five (5) and Amendment One To Task Order No. CDD Six (6), were approved.

TENTH ORDER OF BUSINESS**Consideration of COJ Revocable Permit and Indemnification Agreement Related to Construction Work in the City's ROWs**

Mr. Schilling presented the COJ Revocable Permit and Indemnification Agreement Related to Construction Work in the City's Right of Way (ROW). This allows the CDD to install enhancements above and beyond what the City would normally allow in the ROW; this includes pavers, decorative concrete and irrigation system.

On MOTION by Mr. Von der Osten and seconded by Mr. Mizell, with all in favor, the COJ Revocable Permit and Indemnification Agreement Related to Construction Work in the City's ROWs, was approved.

ELEVENTH ORDER OF BUSINESS**Update: VCTC Placement Agreement**

Ms. Sandy presented the VCTC Placement Agreement. Because the CDD remediated a site, it received tax credits from the Florida Department of Transportation (FDOT). However, the CDD, as a tax-exempt entity, would not be able to use them. Staff worked with a placement group entity that was able to sell the VCTC credits on the CDD's behalf and produced a placement agreement, the contents of which is confidential. Ms. Schilling concluded that the CDD has been able to sell the VCTC credits from 2022. She asked for ratification of the placement agreement pursuant to a prior agreement with the same entity for them to represent the CDD as sales agent.

Mr. Wrathell stated this is beneficial to the CDD; the amount received is approximately \$178,000 and the funds can be utilized for construction-related activities or O&M.

On MOTION by Ms. Bock and seconded by Mr. Von der Osten, with all in favor, the VCTC Placement Agreement and the Chair's execution, were ratified.

TWELFTH ORDER OF BUSINESS**Acceptance of Unaudited Financial Statements as of March 31, 2024**

On MOTION by Mr. Mizell and seconded by Ms. Bock, with all in favor, the Unaudited Financial Statements as of March 31, 2024, were accepted.

THIRTEENTH ORDER OF BUSINESS**Approval of February 19, 2024 Special Meeting Minutes**

On MOTION by Mr. Mizell and seconded by Ms. Bock, with all in favor, the February 19, 2024 Special Meeting Minutes, as presented, were approved.

FOURTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kutak Rock LLP**

There was no report.

B. District Engineer: Kimley-Horn and Associates, Inc.

Mr. Schilling reported the following:

➤ Approval from the City's Tree Fund was received. The CDD will receive a grant of \$1 million to \$1.1 million to reimburse the CDD for the trees that are planted in the parks, riverwalk and overland trail areas.

➤ As a part of this, the City is asking the CDD to do a pilot project along River's Edge Boulevard, for with it will receive a grant. The City will reimburse the CDD for the project.

➤ Referencing a map, Mr. Schilling stated, on one side, 1,000 cubic feet of structural soil will be used within each tree planting area and, on the other side, silva cells will be used to promote the health of the trees. Once a final agreement is reached on the grant amount, it will be brought before the Board to formalize.

➤ The change orders with J.B. Coxwell for the utility work for the parks, riverwalk and marina that were presented at the last meeting were approved for less than the maximum amount approved by the Board.

➤ Referencing an aerial map, Mr. Schilling stated the curbing and asphalt lifts on Broadcast Place were completed. The substructure and decking of a boardwalk being constructed by J.B. Coxwell is 60% complete.

➤ Toll Brothers closed on Parcels 3A and 9B and commenced construction of townhomes on those parcels, within the project.

➤ Overall things are proceeding nicely. He invited the Board Members to visit the project.

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

- **NEXT MEETING DATE: June 17, 2024 at 1:30 PM**

- **QUORUM CHECK**

The June 17, 2024 meeting will be cancelled. The next meeting will likely be held in August.

FIFTEENTH ORDER OF BUSINESS

Board Members' Comments/Requests

There were no Board Members' comments or requests.

SIXTEENTH ORDER OF BUSINESS

**Public Comments: Non-Agenda Items
(limited to 3 minutes per individual)**

There were no public comments.

SEVENTEENTH ORDER OF BUSINESS

Adjournment

**On MOTION by Mr. Von der Osten and seconded by Ms. Bock, with all in favor,
the meeting adjourned at 3:39 p.m.**

338

339

340

341

342

343 _____
Secretary/Assistant Secretary

Chair/Vice Chair

THE DISTRICT

COMMUNITY DEVELOPMENT DISTRICT

STAFF REPORTS



OFFICE OF THE SUPERVISOR OF ELECTIONS

JERRY HOLLAND
SUPERVISOR OF ELECTIONS
OFFICE (904) 255-8683
CELL (904) 318-6877

105 EAST MONROE STREET
JACKSONVILLE, FLORIDA 32202
FAX (904) 255-3434
E-MAIL JHOLLAND@COJ.NET

May 1, 2024

Daphne Gillyard
The District CDD
230 Glades Road, Suite 410W
Boca Raton, FL 33431

Dear Daphne Gillyard,

The information you requested on April 02, 2024 appears below:

The District Community Development District 0 Registered Voters as of 4/15/2024

If you have any questions or need additional assistance, please contact Aries Torres at 904-219-9302 or atorres@coj.net.

Sincerely,

Cierra Fackler
Director of Candidates and Records

DISTRICT COMMUNITY DEVELOPMENT DISTRICT		
BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE		
LOCATION		
<i>602 Shetter Avenue, Jacksonville Beach, Florida 32250</i>		
DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 16, 2023	Regular Meeting	1:30 PM
November 14, 2023	Special Meeting	1:00 PM
December 18, 2023 CANCELED	Regular Meeting	1:30 PM
January 15, 2024* CANCELED	Regular Meeting	1:30 PM
February 5, 2024 CANCELED	Regular Meeting	1:30 PM
February 19, 2024	Regular Meeting	1:30 PM
LOCATION		
<i>Kimley Horn & Associates, 12740 Gran Bay Parkway West Suite 2350, Jacksonville, Florida 32258</i>		
March 18, 2024 CANCELED	Regular Meeting	1:30 PM
April 15, 2024 <i>rescheduled to April 22, 2024</i>	Regular Meeting	1:30 PM
April 22, 2024 CANCELED	Regular Meeting	1:30 PM
May 20, 2024	Regular Meeting	1:30 PM
June 17, 2024 CANCELED	Regular Meeting	1:30 PM
July 15, 2024 CANCELED	Regular Meeting	1:30 PM
August 19, 2024	Regular Meeting	1:30 PM
September 16, 2024	Regular Meeting	1:30 PM

*Exception(s)/Note(s)

January 15, 2024 is Martin Luther King holiday.